



Additional Charges
 Alleged Improper Performance of Duties
 Complainant – Captain John Hayden

Subject: RE: Mark Biondolino

IA Number: 07/068

Submitted By: Captain John Hayden (Signature) This document is being produced by IAD pursuant to: Date: 3-3-09
 (Rank) Captain Open Records Law / Court Order
 John Hayden
 Commander of Internal Affairs
 Released: 12/15/09
 Released to: [Signature]

NOT FOR SECONDARY RELEASE

Summary:

In reference to an investigation conducted under IAD File #06/276, the complainant, Eric Johnson, informed Sgt. Sheila Pearson, an Internal Affairs Investigator, that the undercover detectives who arrested him may have used the St. Louis Cardinals World Series Tickets which had been seized from him. Mr. Johnson stated he was nearby when one of the detectives made a telephone call informing the person contacted that he had tickets to the game and asked whether the person wanted to attend the game. As a result of this additional allegation, a preliminary audit was conducted for complaint #06-088953 to determine whether the tickets had in fact been used. This investigation disclosed that the two tickets seized under this report had been scanned

Recommendation:

Allegation A: Allegation A: Sustained – Detective Frederick Lathan, DSN 5240 308
 It is recommended that Detective Frederick Lathan receive a Written Reprimand.

Allegation B: Sustained – Detective Jason Scheel, DSN 4606 305
 It is recommended that Detective Jason Scheel receive 2 days Disciplinary Leave.

Allegation C: Sustained – Detective Robert Singh, DSN 6357 308
 It is recommended that Detective Robert Singh receive 2 days Disciplinary Leave.

Allegation D: Sustained – Detective Mark Biondolino, DSN 4868 306
 It is recommended that Detective Mark Biondolino receive 5 days Disciplinary Leave.

POSITION	SIGNATURE	CONCURS		POLICY REVIEW REQUIRED	DATE
		YES	NO		
Inspector of Police	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No	<u>5-3-07</u>
Chief of Police	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No	<u>5/10/07</u>
Board of Police Commissioners		<input type="checkbox"/>	<input type="checkbox"/>		

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Recommendation Continued:

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Allegation E: Sustained – Sergeant Anthony Boone, DSN 3560 ³⁰⁴

It is recommended that Sergeant Anthony Boone receive 22 days Disciplinary Suspension.

Allegation F: Sustained – Sergeant Joseph Crews, DSN 3679 ³⁰⁴

It is recommended that Sergeant Joseph Crews receive 22 days Disciplinary Suspension.

Allegation G: Sustained – Sergeant Joseph Morici, DSN 4306 ³⁰⁴

It is recommended that Sergeant Joseph Morici receive 22 days Disciplinary Suspension.

Allegation H: Sustained – Lieutenant Michael Deeba, DSN 3267 ³⁰⁴

It is recommended that Lieutenant Michael Deeba receive 5 days Disciplinary Leave.

Summary Continued:

by the Cardinals organization after the arrest of Mr. Johnson. Due to this discovery, a comprehensive audit was conducted regarding all tickets seized by the Vice/Narcotics Division, throughout the scalping detail for the World Series Games (10/24/06 – 10/27/06).

As a result of the aforementioned audit, an investigation was conducted under IAD File #07/068. The World Series Scalping Detail consisted of one lieutenant, three sergeants and 18 detectives who completed a total of forty-four ticket scalping reports and seized ninety-eight tickets. From this audit and the subsequent interviews, it was learned that eight detectives gave thirty-four of the seized tickets, from thirteen arrests, to various family members and friends to allow them admittance into several of the games. All of the tickets related to these thirteen cases were located. It was determined that thirty-one of these tickets had been scanned by the St. Louis Cardinals organization, after the time of arrest indicated on the respective reports. Per the Cardinals organization, three seized tickets had not been scanned, however, through the statements of the detectives, it was learned that the tickets had in fact been used. The Cardinals organization added that due to the high volume of fans entering the stadium, human error could be responsible for the discrepancies.

As a result of the interviews conducted with the involved detectives from the Vice/Narcotics division, it was determined that three detectives had knowledge of or assisted in allowing family members and friends to utilize the World Series Tickets. It was also determined that one detective, on three occasions, failed to properly package evidence and on a separate occasion, failed to locate the ticket from the arrest.

The supervision assigned to the scalping detail consisted of one lieutenant and three sergeants. On March 19, 2007 an inspection was conducted of the Vice/Narcotics division. During this inspection, numerous procedural violations were noted and an overall absence of adequate administrative procedures was revealed.

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ALLEGATION A:

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The investigation determined that Det. Fred Lathan assisted Det. Phillip Edmond on 10/24/06 at 17:30, in the arrest of Jeffrey Bradshaw per complaint #06-088056 and also on 10/25/06 at 16:45, in the arrest of Mylan Hall per complaint #06-088344. The Internal Affairs Division interviewed Det. Edmond, the author of both reports. During this interview, Edmond admitted that on both occasions he had advised Lathan that he intended to give the tickets to his fiancé, who along with her girlfriend would attend the games. Lathan responded that it would not be a good idea, and not worth the risk of getting in trouble, however, Edmond gave the tickets away, unbeknownst to Lathan.

It is alleged that Det. Fred Lathan violated Police Manual Rule 9, subsection 9.001 (i), which reads in applicable part "A Department member shall not fail to notify his superior of information concerning police matters that come into his possession."

FINDINGS A:

An examination of the police report and the corresponding evidence bag for complaint #06-088056, indicated that three World Series Tickets were seized and determined to be from section #431, row #7, seat #'s 12, 13 and 14. Nancy Landa, Ticket Sale Representative for the St. Louis Cardinals, advised that two of the three tickets (seats 13 & 14) had been scanned on 10/27/06 at 18:31 hours. Also examined were the police report and evidence bag for complaint #06-088344. According to this report, two tickets were seized as evidence. The evidence envelope was found to contain two World Series Tickets, section #431, row #7, seat #'s 15 and 16. Nancy Landa advised that these two tickets had also been scanned on 10/27/06 at 18:31 hours.

Det. Fred Lathan was interviewed and stated that he had advised Edmond that it was a bad idea to do something like that. Lathan did not take any action after having the conversation with Edmond and assumed that Edmond had taken heed to his advice and placed the tickets into evidence.

ALLEGATION B:

The investigation determined that Det. Jason Scheel assisted Det. Phillip Menendez on 10/25/06 at 15:00, in the arrest of Demond Screws, Jermaine Carter and Lonell Harris at 100 S. Broadway per complaint #06-088349. Det. Scheel also assisted Det. Phillip Menendez on 10/26/06 at 18:00, in the arrest of Steven Eaves at 100 S. Broadway per complaint# 06-088715. During an interview with Scheel, he stated that at the time of both arrests, he was aware of Menendez's intentions to give tickets to his family members. Scheel added that he was the seizing officer on the arrest bearing complaint #06-088349, and upon Menendez asking for the tickets, he did not object and complied with the request.

Det. Jason Scheel is alleged to be in violation of Police Manual Rule 3, subsection 3.115 (k), which reads in applicable part, "shall be accountable for the securing, receipting and proper transporting of all evidence and property coming into his custody."

FINDINGS B:

An examination of the police report and evidence envelope for complaint #06-088349 indicated six World Series Tickets were seized and determined to be from Section #172, Row #16, Seat #'s 9 and 10; Section #337, row #1, Seat #'s 7 and 8; and Section #441, Row #6, Seat #'s 5 and 6. Landa advised that all of the tickets had been scanned at the stadium on 10/27/06 between the hours of 17:29 - 19:07. Also examined were the police report and evidence envelope for complaint# 06-088715. The evidence envelope was found to contain 4 World Series Tickets; section #235, row #1, seat #4; section #452, row #3, seat #'s 15, 16 and 17. Landa further advised that these tickets had been scanned on 10/26/06 between the hours of 18:01 - 20:10.

Det. Scheel was interviewed on 03/15/06. During the interview, he admitted that after having seized the tickets on 10/25/06, Det. Menendez requested that the tickets be given to him (Menendez) to allow his family entrance into the World Series Game that night. Scheel added that on 10/26/06, Menendez again told him he intended to give the tickets to his family members. Scheel added that at the time of the discussions, he did not object to Det. Menendez's intentions.

ALLEGATION C:

The investigation determined that Det. Robert Singh assisted Det. Michael Ehnes on 10/25/06 at 14:38, in the arrest of Melvin Hackett at 100 S. Broadway per complaint #06-088366. Det. Singh was the arresting officer on 10/27/06 at 16:45, for suspect Eric Johnson at 100 S. Broadway, per complaint #06-088953. Singh stated during his interview, that on 10/25/06 and on 10/27/06, Ehnes advised him (Singh) that he had intended to give the tickets, which had just been seized, to his wife and kids to attend the games.

Det. Robert Singh is alleged to be in violation of Police Manual Rule 3, subsection 3.115 (k), which reads in applicable part, "shall be accountable for the securing, receipting and proper transporting of all evidence and property coming into his custody."

FINDINGS C:

The corresponding report and evidence bag for complaint #06-088366, indicated that two World Series Tickets were seized and determined to be from section #139, row #16; seat #'s 9 and 10. Landa advised that both tickets (seats 9 and 10) had been scanned on 10/27/06 at 19:18. Also reviewed were the report and evidence bag from complaint# 06-088953. It was determined by Landa that these two World Series Tickets, section #132, row #29, seat #1 and 2 had been scanned on 10/27/06 at 18:24.

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Det. Robert Singh was interviewed and stated that after the arrest on 10/25/06, Ehnes stated he had intended to allow his family to enter the World Series Game that night. Singh further stated on 10/27/06, after completing his arrest, Ehnes requested that he be given the seized tickets to give to his wife and kids to attend the game that day. Singh then gave Ehnes the two tickets from his (Singh's) arrest. Singh added that at the time of the request, he did not object to Det. Ehnes's request.

ALLEGATION D:

On 10/24/06 at 20:51, Det. Mark Biondolino effected the arrest of suspect Michael Fincham at 101 S. 4th Street per complaint #06-088099. The property section of the report indicates that two World Series, Game 3 Tickets were seized. The corresponding evidence envelope bearing complaint# 06-088099, was found to contain one Post Season, League Home Game 2, section #167, row #21, seat #22.

On 10/25/06 at 16:07, Det. Mark Biondolino arrested suspect Donnell Fletcher at 401 Clark Ave, per complaint #06-088355. The property section of the report indicates that one standing-room-only ticket, gate #50, with a price of \$50.00 was seized. The corresponding evidence envelope bearing complaint #06-088355 contained two National League Championship Series Tickets, section #450, row #11, seat #'s 28 and 29.

On 10/26/06 at 15:20, Det. Mark Biondolino also arrested suspect Shawn Blacknoll at 400 Clark Ave, per complaint #06-088654. The report indicates that no tickets were seized during the arrest, however, there is a corresponding evidence envelope bearing complaint #06-088654, containing two World Series, Game 3 Tickets, section #SBP, row #3, seat #'s 5 and 6.

It is alleged that Officer Mark Biondolino violated Police Manual Rule 3, subsection 3.115(k), which reads in applicable part "shall be accountable for the securing, receipting and proper transporting of all evidence and property coming into his custody."

FINDINGS D:

It has been determined that Det. Biondolino incorrectly packaged evidence from arrest report #06-088099 and placed it into an evidence bag indicating complaint #06-088654 and similarly placed the corresponding evidence from complaint #06-088099 into an evidence bag bearing complaint #06-088654. Per the arrest report from complaint #06-088654, there were no tickets seized. Additionally, the one standing-room-only ticket seized per complaint #06-088355 has not been located. The two National League Championship Series Tickets located in the corresponding evidence bag, appear to have been seized during an arrest conducted by Biondolino on 10/17/06 per complaint #06-086046. During an interview with Det. Biondolino, he could give no explanation for the incorrect packaging of evidence nor could he account for the missing standing-room-only ticket.

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ALLEGATION E:

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Detective Sergeant Anthony Boone was assigned to supervise five undercover detectives during the World Series Scalping Detail on October 24 – 27, 2006. It was alleged that several detectives provided family members and friends with seized tickets to attend World Series Games.

During the investigation of the World Series Detail, an inspection of the Vice/Narcotics division was conducted. An examination of the safe and log book maintained by Detective Sergeant Anthony Boone cited numerous instances wherein seized money that was indicated in the log book as having been forwarded to "Asset Forfeiture" and valued more than \$200.00 but less than \$2,000.00, remained in the safe beyond forty-eight hours. There were also several instances wherein seized money that was indicated in the log book as having been forwarded to "Asset Forfeiture" and valued more than \$2,000.00, remained in the safe for an extended period of time, rather than having been relinquished to Asset Forfeiture at the location of seizure.

A REJIS inquiry was conducted of the nine arrests completed by the undercover detectives under the direct supervision of Sgt. Boone. It was determined that several detectives failed to conduct criminal background inquiries and warrant/"wanted" inquiries on the suspects.

It is alleged that Sgt. Anthony Boone violated Police Manual Rule 4, Bureau of Investigation, subsection 4.031, Responsibilities of Section Supervisors, which reads, "Each section supervisor shall be responsible to his division commander for the general appearance, good order and discipline, and proper attention to duties of the personnel under his supervision. He shall be responsible for the efficient operation of the section under his supervision and shall carefully direct the activities of his personnel to assure proper performance of their duties, maintenance of discipline, and cooperative action with other members of the Department."

FINDINGS E:

It has been determined through investigation and interviews, that the following two undercover detectives under the direct supervision of Sgt. Boone, provided family members and friends with twelve seized tickets to attend World Series Games. Special Order 90-S-12(I)(C)(8) mandates that evidence shall not pass through more hands than absolutely necessary.

Detective Wendell Ishmon, DSN 5037, admitted that after arresting suspect Kenneth Lee per report #06-088060, he allowed his son and his son's mother to use two seized tickets to attend a World Series Game.

Detective Phillip Menendez, DSN 3920, admitted that after arresting Steven Eaves, per report #06-088349 and Demond Screws, per report #06-088715, he allowed numerous family members to use a total of ten tickets to gain access into two World Series Games.

Through examination of the Vice/Narcotics division, it has been determined on the following four occasions Sgt. Boone allowed money valued over \$2,000.00 to remain in the safe for an extended time frame prior to being relinquished to Asset Forfeiture. Special Order 2000-S-3 (B)(5) mandates that seizures of currency assets over \$2000.00 are to be relinquished to Asset Forfeiture at the scene of seizure.

<u>Date of Entry</u>	<u>Complaint #</u>	<u>Amount of Money</u>	<u>Removal Date</u>
02/15/06	06-011835	\$7,150.00	02/27/06
02/16/06	06-012050	\$2,574.00	03/06/06
03/08/06	06-017622	\$7,170.00	08/16/06
05/31/06	06-042208	\$4,730.00	08/16/06

The following are twelve occurrences wherein Sgt. Boone permitted money valued under \$2,000.00 to remain in the safe for an extended time frame prior to being relinquished to Asset Forfeiture. Special Order 2000-S-3 (B)(7)(a)(2) mandates that seizures of currency assets between \$200.00 and \$2000.00 are to be relinquished to Asset Forfeiture within forty-eight hours of the seizure.

<u>Date of Entry</u>	<u>Complaint #</u>	<u>Amount of Money</u>	<u>Removal Date</u>
01/19/06	06-050029	\$1,940.00	08/16/06
02/07/06	06-009656	\$1,060.00	08/16/06
02/21/06	06-013323	\$1,015.00	08/16/06
02/24/06	06-013891	\$1,010.00	05/25/06
03/10/06	06-018077	\$1,490.00	08/16/06
03/14/06	06-019260	\$1,944.00	03/17/06
03/21/06	06-021242	\$ 435.00	05/25/06
04/07/06	06-026067	\$1,603.00	08/16/06
04/13/06	06-027942	\$1,050.00	05/25/06
05/10/06	06-035808	\$ 480.00	05/25/06
08/01/06	06-062089	\$ 500.00	08/16/06
08/03/06	06-062089	\$ 500.00	08/08/06

Five Detectives under the direct supervision of Sgt. Boone completed nine arrests. REJIS indicated that of those nine arrests, criminal history inquiries and warrant/"wanted" inquiries were not requested in the following four arrests. Special Order 94-S-7(VII)(J)(5)(a)(2) mandates that these inquiries be conducted.

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<u>Complaint #</u>	<u>Date of Arrest</u>	MO Open Records Law / Court Order
06-088104	10/24/06	Date Released: <u>12/15/09</u>
06-088105	10/24/06	Released to: <u>[Signature]</u>
06-088106	10/24/06	
06-089006	10/27/06	

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ALLEGATION F:

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Detective Sergeant Joseph Crews was assigned to supervise seven undercover detectives during the World Series Scalping Detail on October 24 – 27, 2006. It was alleged that several detectives provided individuals with seized tickets to attend World Series Games.

An audit was conducted of the arrests effected by the seven undercover detectives under the direct supervision of Sgt. Crews. It was determined that several reports with his approval contained discrepancies and missing summons numbers and corresponding warrant applications had not been completed.

A REJIS inquiry was conducted of the arrests completed by the undercover detectives under the direct supervision of Sgt. Crews. It was determined that several detectives failed to conduct criminal history inquiries and warrant/"wanted" inquiries on the suspects.

It is alleged that Sgt. Joseph Crews violated Police Manual Rule 4, Bureau of Investigation, subsection 4.031, Responsibilities of Section Supervisors, which reads, "Each section supervisor shall be responsible to his division commander for the general appearance, good order and discipline, and proper attention to duties of the personnel under his supervision. He shall be responsible for the efficient operation of the section under his supervision and shall carefully direct the activities of his personnel to assure proper performance of their duties, maintenance of discipline, and cooperative action with other members of the Department."

FINDINGS F:

It has been determined through investigation and interviews, that the following three undercover detectives under the direct supervision of Sgt. Crews, provided family members and friends with eleven seized tickets to attend World Series Games. Special Order 90-S-12(I)(C)(8) mandates that evidence shall not pass through more hands than absolutely necessary.

Detective Michael Ehnes, DSN 5628, admitted that after the arrest of suspect Melvin Hackett per report #06-088366 and that of Eric Johnson per report #06-088953, he allowed his wife and sons to use a total of four seized tickets to attend a World Series Game.

Detective Thomas Kranz, DSN 4215, admitted after completing the arrests of Jeremiah Johnson per report #06-088087, Matthew Eversgerd per report #06-088671, and Takih Chester per report #06-088351, he allowed a total of five seized tickets to be utilized by family members to attend three World Series Games.

Detective Thomas Kitchell, DSN 4974, admitted after effecting the arrest of Kenneth Lee per report #06088060, he allowed a friend to utilize two seized tickets to attend a World Series Game.

An audit of the arrest reports approved by Sgt. Crews determined the following two reports contained discrepancies within the property and narrative sections of the reports. Special Order 9-01(III)(A)(2)(a-b) mandates that the Sergeant/Supervisor will review reports for accuracy, completeness, spelling and grammar.

<u>Complaint #</u>	<u>Date of Report</u>	<u>Property Quantity</u>	<u>Narrative Section</u>
06-088671	10/26/06	One	two tickets seized
06-088088	10/26/06	One	two tickets seized

An inquiry with REJIS and the Office of the City Counselor revealed that the following three arrest reports did not have summons numbers and warrant applications were not completed. Special Order 94-S-7(VII)(J)(8)(a-c) mandates the data entry of the summons and (9)(a) mandates the completion of the information (warrant) application.

<u>Complaint#</u>	<u>Date of Report</u>
06-088351	10/25/06
06-088088	10/24/06
06-088087	10/26/06

Seven detectives under the direct supervision of Sgt. Crews completed thirteen arrests. REJIS indicated that of those thirteen arrests, criminal history inquiries and warrant/"wanted" inquiries were not conducted in the following nine arrests. Special Order 94-S-7 (VII)(J)(5)(a)(2) mandates that these inquiries be conducted.

<u>Complaint#</u>	<u>Date of Report</u>	This document is being produced by IAD pursuant to:
06-088087	10/24/06	MO Open Records Law / Court Order
06-088088	10/24/06	Date Released: <u>12/15/09</u>
06-088351	10/25/06	Released to: <u>[Signature]</u>
06-088365	10/25/06	
06-088366	10/25/06	NOT FOR SECONDARY RELEASE
06-088367	10/25/06	
06-088652	10/26/06	
06-088670	10/26/06	
06-088671	10/26/06	

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ALLEGATION G:

NOT FOR SECONDARY RELEASE

Detective Sergeant Joseph Morici was assigned to supervise six undercover detectives during the World Series Scalping Detail on October 24 – 27, 2006. It was alleged that several detectives provided individuals with seized tickets to attend World Series Games.

An audit was conducted of the arrests effected by the six undercover detectives under the direct supervision of Sgt. Morici. It was determined that several reports with his approval contained discrepancies and missing summons numbers and corresponding warrant applications had not been completed.

A REJIS inquiry was also conducted of the arrests completed by the undercover detectives under the direct supervision of Sgt. Morici. It was determined that several detectives failed to obtain criminal history inquiries and warrant/"wanted" inquiries on the suspects.

This investigation determined one detective under the direct supervision of Sgt. Morici, on several occasions during October 24 – 27, 2006, improperly packaged evidence and on one occasion failed to locate evidence (Refer to Allegation D of this ARTS).

It is alleged that Sgt. Joseph Morici violated Police Manual Rule 4, Bureau of Investigation, subsection 4.031, Responsibilities of Section Supervisors, which reads, "Each section supervisor shall be responsible to his division commander for the general appearance, good order and discipline, and proper attention to duties of the personnel under his supervision. He shall be responsible for the efficient operation of the section under his supervision and shall carefully direct the activities of his personnel to assure proper performance of their duties, maintenance of discipline, and cooperative action with other members of the Department."

FINDINGS G:

It has been determined through investigation and interviews, that the following three undercover detectives under the direct supervision of Sgt. Morici, provided family members and friends with eleven seized tickets to attend World Series Games. Special Order 90-S-12(I)(C)(8) mandates that evidence shall not pass through more hands than absolutely necessary.

Detective Steven Schwerb, DSN 5494, admitted that after the arrest of suspect Kenneth Simpson per report #06-088352, he allowed a friend to use two seized tickets to attend a World Series Game.

Detective Phillip Edmond, DSN 3679, admitted after completing the arrests of Mylan Hall per report #06-088344, and Jeffrey Bradshaw per report #06-088056, he allowed a total of four seized tickets to be utilized by his girlfriend and her friend to attend a World Series Game.

Detective Joseph Somogye, DSN 3913, admitted after effecting the arrest of Willie Miller per report #06-088346, he allowed his wife and sons to utilize five seized tickets to attend two World Series Games.

An audit of the fifteen arrest reports approved by Sgt. Morici determined the following five reports contained discrepancies within the property and the narrative sections of the reports. Special Order 9-01(III)(A)(2)(a-b) mandates that the Sergeant/Supervisor will review reports for accuracy, completeness, spelling and grammar.

<u>Complaint #</u>	<u>Date of Report</u>	<u>Property Quantity</u>	<u>Narrative Section</u>
06-088629	10/26/06	One	Three seized
06-088628	10/26/06	One	Fourteen seized
06-088346	10/25/06	One	Two seized
06-088669	10/26/06	One	Two seized
06-088092	10/24/06	One	Two seized

An inquiry with REJIS and the Office of the City Counselor revealed that the following four arrest reports did not have summons numbers and warrant applications were not completed. Special Order 94-S-7(VII)(J)(8)(a-c) mandates the data entry of the summons and (9)(a) mandates the completion of the information (warrant) application.

<u>Complaint#</u>	<u>Date of Report</u>
06-088099	10/24/06
06-088355	10/25/06
06-088352	10/25/06
06-088972	10/27/06

The following report, also approved by Sgt. Morici indicated a summons number, however, no court information was indicated in the report and no warrant application nor court disposition could be located.

<u>Complaint #</u>	<u>Date of Report</u>
06-088654	10/26/06

Seven officers under the direct supervision of Sgt. Morici completed fifteen arrests reports. REJIS indicated that of those fifteen arrests, criminal background inquiries and warrant/"wanted" inquiries were not conducted on the suspects in the following twelve arrests.

<u>Complaint#</u>	<u>Date of Report</u>
06-088092	10/24/06
06-088099	10/24/06

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<u>Complaint#</u>	<u>Date of Report</u>
06-088101	10/24/06
06-088346	10/25/06
06-088352	10/25/06
06-088355	10/25/06
06-088628	10/26/06
06-088629	10/26/06
06-088631	10/26/06
06-088669	10/26/06
06-088969	10/27/06
06-088972	10/27/06

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This investigation determined that Detective Mark Biondolino, in several instances failed to properly handle evidence (Refer to Allegation D of this ARTS). Sgt. Morici approved the following three reports containing mishandled evidence and one report relating to a missing ticket. Special Order 9-01(III)(A)(2)(a-b) mandates that the Sergeant/Supervisor will review reports for accuracy, completeness, spelling and grammar.

Complaint #

06-088099
06-088654
06-088355
06-086046

ALLEGATION H:

Lieutenant Michael Deeba, Commander of the Vice/Narcotics Division, was assigned to supervise the World Series Scalping Detail on October 24 – 27, 2006. Three sergeants and eighteen detectives assigned to the detail were also permanently assigned to the Vice/Narcotics division. During this detail a total of forty-four police reports, from which ninety-eight World Series Tickets were seized. It was alleged that detectives under his command, permitted family members and friends to utilize seized tickets to enter several World Series Games. Subsequently, an investigation into this allegation, an examination of related police reports and an audit of the Vice/Narcotics Division was conducted.

It is alleged that Lt. Michael Deeba is in violation of Police Manual Rule 4, Bureau of Investigation, subsection 4.021, which reads, "Each division commander, in consultation with each section supervisor under his command, shall establish such operating rules and procedures as he believes are required for the efficient operation of his section. Such operating rules shall be prepared in writing...and shall be on file in the office of the division commander..."

FINDINGS H:

Through investigation and interviews it has been determined that eighteen detectives under the command of Lt. Deeba, completed forty-four tickets scalping reports. Eight detectives admitted allowing family members and friends to utilize a total of thirty-four seized tickets, from thirteen cases, for entrance into several World Series Games. An inspection of the forty-four reports revealed that eight reports contained inaccurate information. A REJIS inquiry concluded that criminal background inquiries and warrant/"wanted" inquiries were not conducted in twenty-five cases. Additionally, REJIS and the Office of the City Counselor determined that in seven cases, detectives did not obtain summons numbers, failed to complete warrant applications and failed to specify court dates on the summonses.

An audit of the Vice/Narcotics Division safe and log book indicated continuous violations of Asset Forfeiture procedures. On four occasions money valued over \$2,000.00 remained in the safe from twelve days – six months (Refer to Allegation E and Finding E). In twelve instances money valued under \$2,000.00 remained in the safe from 5 days to 6 months and beyond.

Captain John Hayden, Commander of IAD, along with Deputy Commander, Lt. Jack Huelsmann, interviewed Lt. Michael Deeba with respect to the 2006 World Series Ticket Scalping Detail on March 21, 2007. During the interview, Lt. Deeba admitted that he had no written procedures established to ensure the efficient operation of the Ticket Scalping Detail and also admitted that he had no written procedures established to ensure the efficient operation of the Vice Narcotics Division. Lt. Deeba mentioned that the only written policies observed in the Vice Narcotics Division were those contained within general Special Orders of the Police Department.

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BOARD OF POLICE COMMISSIONERS

1200 CLARK AVENUE
CITY OF ST. LOUIS
MISSOURI 63103



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HONORABLE FRANCIS G. SLAY
MAYOR
MAJOR PAUL M. NOCCHIERO
SECRETARY TO THE BOARD

April 18, 2007

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MO Open Records Law / Court Order

Date Released: 12/15/09

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Colonel Joseph J. Mokwa
Chief of Police


Sir:

The Board of Police Commissioners, at the Executive Board Meeting of April 18, 2007, approved the Consent to Recommended Disciplinary Punishment and Waiver of Board Trials for the following officers:

Police Officer Michael Ehnes, dsn 5628
Police Officer Phillip Edmond, dsn 6319
Police Officer Wendell Ishmon, dsn 5037
Police Officer Thomas Kranz, 4215
Sergeant Phillip Menendez, dsn 3920
Police Officer Joseph Somogye, dsn 3913
Police Officer Steven Schwerb, dsn 5494
Police Officer Thomas Kitchell, dsn 4974

The Board orders the Police Officers to receive fourteen (14) days of disciplinary suspension and be reduced in rank to Probationary Police Officers for a period of not less than one year; Sergeant Phillip Menendez shall receive fourteen (14) days of disciplinary suspension and be reduced in rank to Police Officer for not less than one year.

Respectfully,


Major Paul M. Nocchiero
Secretary to the Board

cc: Assistant Chief of Police
Bureau of Criminal Investigations
Bureau of Professional Standards
Internal Affairs Division
Human Resources Division
Budget Division

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