



Memorandum

Date: August 11, 2021
To: IIU
From: Chief Troy Olmsted *TEO*
Via: Direct
Re: FINDINGS MEMORANDUM BOWTHORPE & McCURDY IIU2021-132

Due to IIU on August 12, 2021

Investigation 180-day due date: September 12, 2021

Member(s) / Allegation(s):

Detective Cyrus Bowthorpe #81144
Detective Sergeant Patrick McCurdy #64922

GOM 3.00.030 BIAS BASED POLICING.
(Bowthorpe and McCurdy)

GOM 3.00.020(1)(d) PERFORMANCE STANDARDS: Acts in violation of Sheriff's Office directives, rules, policies or procedures as set out in this manual, the training bulletins or elsewhere.
(Bowthorpe and McCurdy)

GOM 3.00.020(1)(c) PERFORMANCE STANDARDS: Performs at a level significantly below the standard achieved by others in the work unit.
(Bowthorpe and McCurdy)

GOM 3.00.015(2)(k) RULES OF CONDUCT: MISCONDUCT: Conduct Unbecoming
(Bowthorpe and McCurdy)

GOM 3.00.020(4)(a) PERFORMANCE STANDARDS: Supervision
(McCurdy)

GOM 3.00.015(1)(b) RULES OF CONDUCT: SERIOUS MISCONDUCT: Conduct that is criminal in nature.
(Bowthorpe and McCurdy)

GOM 3.00.015 (2)(f) RULES OF CONDUCT: FAILURE TO REPORT MEMBER'S POSSIBLE MISCONDUCT AS REQUIRED in 3.03.015.
(Bowthorpe and McCurdy).

GOM 3.00.015(2)(a) RULES OF CONDUCT: MISCONDUCT: Insubordination or failure to follow orders.

(Bowthorpe and McCurdy).

OLEO Review: ☐ No Review ☒ Certified ☐ Not Certified

BACKGROUND:

On Saturday, March 13, 2021, a known protest was scheduled to occur in the city of Seattle in conjunction with the one year anniversary of the death of Breonna Taylor. The organizers did not apply for a permit with the city of Seattle. Recent history has shown this is a calculated tactic used to prevent law enforcement from knowing the route and provides some protesters the opportunity to separate or splinter into different directions for the express purpose of disruption of traffic, vandalism, creating havoc, and limiting effective identification of individuals involved in criminal activity.

Another means of limiting identification is utilizing Black Bloc. Participants typically dress in non-descript black clothing, ski masks, scarves, sunglasses, other face-concealing and face-protecting items, helmets, protective padding, and/or shields. The clothing is used to conceal wearers' identities and hinder criminal prosecution by making it difficult to distinguish between participants. It is also used to protect their faces and eyes from pepper-spray. The tactic allows the group to appear as one large unified mass.

Sound Transit Police and Metro Transit Police cooperatively developed an operational plan in order to prepare and respond to and protect Transit related infrastructure. Detective Bowthorpe and Sergeant McCurdy were provided an Incident Action plan and attended a briefing prior to the start of the event. During the mission briefing, the scope of the mission and all the roles and responsibilities were discussed. "Our plan for the day is to respond to any situations on transit property and temporarily secure them if needed to prevent any vandalism or destruction to continue safe operations of Metro and Sound Transit".

Concept of the Operation

- *Keep transit environment safe for ridership and ensure that normal train operations are carried out.*
- *Watch and prevent individuals/groups of protesters from entering stations to disrupt transit operations.*
- *Allow citizens to express their first amendment rights to protest and demonstrate peacefully.*
- *Respond to stations in an emergency situation and safely remove all Sound Transit Employees if needed and at the same time close the station until issue is resolved.*

Sergeant McCurdy and Detective Bowthorpe were the only two operational members of SET working the day of the protest. The Operations plan gave an outline of each unit's duties and responsibilities. Sergeant McCurdy and Detective Bowthorpe were provided mission, and direction at the operations briefing.

General Operations:

STD SET – Recon and surveillance of activities impacting Metro and Sound operations. If a protest forms, SET will not deploy into or around hot zones without approval from the chain of command. Our priority and responsibility is transit properties and we will let SPD handle any street level civil unrest that occurs.

Detective Bowthorpe and Sergeant McCurdy began the day conducting sight security checks on the perimeter of transit locations and infrastructure. They also began to monitor the crowd size, action and direction of travel of the protest. While monitoring the protest they provided information about vehicles they believed associated to the protest to a text group that included the Detective Pierce at the Intelligence Unit. The Criminal Intelligence Unit was operating a situation room. Information was being gathered from public sources and SPD. No members of the Intelligence Unit were deployed into the field.

During the shift, Sergeant McCurdy and Detective Bowthorpe identified vehicles they believed to be associated with the protest. Identification was based on the number of times a vehicle was seen around the protest in different locations and at different times. Sergeant McCurdy also recalled Seattle police arresting the driver of a black Nissan Rogue at a different protest.

Late in the evening Detective Bowthorpe and Sergeant McCurdy observed a black Nissan Rogue. They believed this was a vehicle they had seen earlier, and was associated with the protest. Detective Bowthorpe and Sergeant McCurdy began to follow the vehicle. Detective Bowthorpe and Sergeant McCurdy gave statements about using a tactic of aggressively driving and forcing the vehicle to separate from the protest, discouraging the potential for the vehicle driver to deliver supplies. Supplies were described as potentially bricks or fireworks to be used as weapons, or water, food or first aid kits.

What Detective Bowthorpe and Sergeant McCurdy did not know was the black Nissan Rogue they were following was operated by a Seattle Police Detective, 1F [REDACTED]. Seattle Police detectives were actively engaged in monitoring the event. The association of Detective 1F [REDACTED]'s vehicle to the event was not incorrect. The circumstances of why the vehicle and Detective 1F [REDACTED] were associated with the event were completely misjudged.

Misidentification can occur. To demonstrate that point, we need look no further than similar circumstance in this incident. Participants of the demonstration and Seattle detectives observed the truck used by Sergeant McCurdy and Detective Bowthorpe. The truck was called out as possible counter protesters, and potentially occupied by members of the Proud Boys. The actions taken by Sergeant McCurdy and Detective Bowthorpe were drastically different from the actions of Seattle Detectives. The information about the truck and the occupants was only noted by the detective. No efforts were initiated by SPD to contact or identify the occupants of the truck until it became a potential threat. In contrast, Detective 1F [REDACTED]'s vehicle was followed by Detective Bowthorpe and Sergeant McCurdy in an aggressive manner. The manner of follow created so much concern for Detective 1F [REDACTED], she called her partners for assistance. Displeasure from some of the members of SPD was oblivious on the body camera video.

Seattle Police conducted a multiple vehicle traffic stop on the truck occupied by Detective Bowthorpe and Sergeant McCurdy. The stop was not an ordinary contact traffic stop. Although not a traditional high risk stop, officers utilized several vehicles and officers. The driver, Detective Bowthorpe was asked to step out of the vehicle, his hands controlled and a frisk was conducted with Seattle Police Officers proceeding with an abundance of caution, even though Detective Bowthorpe identified himself. Once officers on the scene were satisfied with the identification, Detective Bowthorpe and Sergeant McCurdy were released.

After being contacted by Seattle Police, Detective Bowthorpe and Sergeant McCurdy had some discussion about the situation. Detective Bowthorpe told Sergeant McCurdy he needed to call the captain. Other members of Transit police were told about the stop at the end of the shift. Sergeant McCurdy secured from service for the day and went home. He did not contact Sound Transit Command staff about the incident. Sergeant McCurdy said he intended to make notification the next day but he forgot or was distracted because of family issues.

ANALYSIS:

One role of the reviewer and the author of the findings memorandum is to objectively review, examine and evaluate the facts of the incident. Time and experience in different assignments, knowledge of the organization, policy and procedure each can play a role. Perspective, and taking into account the view point from those involved is also important.

In this case I am struck by the impact of this incident on Detective 1F [REDACTED], and the effect this had on her. I can acknowledge and offer heartfelt apologies. I can also do my best to consider her experience, recognize and continue to work on impactful change and awareness. What seems impossible for me is to suggest or pretend I can, or will ever have the same experiences she carries as a female or as a person of color.

Some members and supervisors of Detective 1F [REDACTED]'s team believe she was singled out based on race. Two members of her team made note of the dark tinted windows on her vehicle and the other vehicles of the unit. Specifically mentioned was how difficult it is to make identification or determinations on vehicle occupants. Throughout his interview Detective Bowthorpe continually referred to the driver of the Rogue as "he". When Detective Sergeant Przygocki informed Detective Bowthorpe the race and gender of Detective 1F [REDACTED], he seemed genuinely surprised. Sergeant McCurdy's said at one point he thought the driver may have been female. He said because of the vehicle tinting and being hours of darkness, he was he was not able to identify race.

Metro and Transit Police developed an operations plan. The plan was presented at a briefing prior to the start of the operation. The briefing included a Power Point presentation. Captain Morrell and Captain Collins believed the expectations were set and were clear. Captain Morrell believed the operation did not require any deconfliction based on the direction provided in the plan. Captain Morrell said, "I would offer that, if the plans change or circumstances changed, and we are going to take on additional roles or amended, our initial agreed upon approach that deconfliction, it's a tenant of undercover work. I would offer in addition to WSIN any agencies that we know to be on the ground need to be deconflicted. And deconflicted to me is at a minimum a phone call if not an in-person meeting."

How close Detective Bowthorpe and Sergeant McCurdy were to a "Hot Zone" described in the operations plan could be endlessly debated. There is relevancy in the fact that they were close enough, or seen enough to be noticed by both the protesters and an SPD detective. A point of future consideration would be developing a more descriptive definition of a "Hot Zone" and the parameters associated with appropriate distancing.

Mission Creep is a phenomenon that is continually addressed as part of the culture of Metro and Sound Transit law enforcement operations. Transit deputies and detectives operating mainly within the city of Seattle or other municipal jurisdictions are primarily focused on Transit Facilities, Transit Operations, Transit related issues, or crimes having a direct nexus impacting Transit. At the same time delicately balancing response to observed or known criminal activity, while not having as strong of a nexus; deputies or detectives ignoring or dismissing criminal activity would be contrary to upholding the law regardless of jurisdiction. Maintaining the balance between the nexus and mission creep can be challenging.

Checking the route for a cache of items, particularly bricks, fireworks or weapons stashed is a solid and feasible tactic. Knowing how far the crowd is from a transit location and a direction of travel is excellent intelligence gathering. Identification of any persons or associated with vehicles delivering weapons is also be a good tactic and part of information gathering. Probable cause would not be the necessary level needed to associate a person or vehicle. Reasonable suspicion or information greater than speculation is sufficient.

Following a vehicle for a short distance in order to obtain a plate for identification at a later time, or following a vehicle for an observed crime in order to vector in marked units would be reasonable. Both Detective Bowthorpe and Sergeant McCurdy admitted following a vehicle, or conducting vehicle surveillance. They conceded using only one follow vehicle for surveillance is not optimal. Additionally the idea of aggressively forcing or creating intimidation in order to push a vehicle away from the demonstration is not a trained or approved tactic of the Sheriff's Office and is clearly outside the scope and objective of the operation.

Sergeant McCurdy sent a short video clip. The video was mostly darkness with a flash of light, there was nothing visually identifiable. Sergeant McCurdy can be heard in the video. Sergeant McCurdy says, "I hate these guys". Sergeant McCurdy thought the video as possibly his attempt to record the black Nissan. He was not certain. Sergeant McCurdy did not recall the context of his comment. He said, he and Detective Bowthorpe had been in conversation all day. The comment could have been part of any number conversations. He said the comment was not directed at protesters. None of the witnesses offered any history of Sergeant McCurdy as having a negative disposition to the protesters or speaking disparagingly about them.

After the stop by SPD, Detective Bowthorpe and Sergeant McCurdy had discussion about contacting the captain. The interaction was disclosed to other members of the Sheriff's Office at different times, however no notification was made to command staff. in his interview, referencing a conversation with Sergeant McCurdy after being stopped by SPD, Detective Bowthorpe said to Sergeant McCurdy, "You need to call the captain." Although he was not asked directly if he believed he violated any Sheriff's Office policy, he made statements to the effect that the stop was a result of not deconflicitng or being allowed to participate in the Seattle briefing.

Sergeant McCurdy acknowledged he should have called the captain. It is clear his train of thought on advising the captain is based on being stopped by Seattle as part of plain clothes operations. Sergeant McCurdy said, "Now as far calling the captain goes, as an undercover sergeant or officer, there are numerous circumstances where we do come in contact or potentially come in

contact with law enforcement. We mentioned that we might, with discretion violate some traffic laws in order to follow a car or get to a location, when you're driving and dialing, quickly talking on the phone, you're going to get pulled over occasionally. And that's happened not necessarily to me, but members of the team in different circumstances. When you're briefing in a dark parking lot, in a bad neighborhood across from a target location for a warrant that you're about to serve, and somebody complains about shady guys with beards standing in a parking lot. The police show up and contact you." When questioned specifically about misconduct, Sergeant McCurdy said he did not feel any misconduct occurred.

SUMMARY

Multiple people share the opinion this situation could have ended in tragic circumstances. An investigation for violations of policy is not the ending we desire for our members. Many policies and SOPs are in place specifically to enhance safety. It is troubling that much of this was avoidable or preventable. I have reviewed the evidence, statements and information for this case. I outlined and addressed the findings by allegation. One thing I would encourage would be a meeting between Detective Bowthorpe, Sergeant McCurdy, SPD Detective 1F [REDACTED] and others in her unit. My hope is a meeting and discussion about the incident may be helpful to gain an understanding or the impacts of our actions on others.

RECOMMENDED FINDINGS:

GOM 3.00.030 BIAS BASED POLICING.

According to KCSO policy: Bias based policing is discrimination that occurs when a member of the KCSO, without a legal basis under state or federal law, stops and questions a citizen, takes enforcement action, or conducts a search of person(s) or vehicle(s), when the decision to do so is based solely on race, color, age, gender, sexual orientation, religion, national origin, or the presence of any sensory, mental or physical disability.

Detective 1F [REDACTED] and some members of her team believe she was singled out based solely on race. The allegation is denied by Sergeant McCurdy and Detective Bowthorpe. Other members of the SPD team did not believe Detective 1F [REDACTED] was singled out solely on race. Determining if the actions were predicated on race alone cannot be proved or disproved. A violation of this policy requires a second prong. No actions were taken that amounted to a stop, questioning, enforcement action, or conducting a search of a person or vehicle.

GOM 3.00.030 BIAS BASED POLICING.

I recommend a finding disposition of EXONERATED. (Bowthorpe and McCurdy)

GOM 3.00.020(1)(d) PERFORMANCE STANDARDS: Acts in violation of Sheriff's Office directives, rules, policies or procedures as set out in this manual, the training bulletins or elsewhere.

Sergeant McCurdy and Detective Bowthorpe describe how they used the tactic of pushing out the vehicle they believed to be associated with the protest as some kind of support vehicle. The tactic described has not been vetted or approved by the King County Sheriff's Office. The

actions taken were not surveillance or observe and report procedures. Other than observing the vehicle in proximity of the protest and knowing a similar vehicle was identified by SPD on a previous occasion, the operator of the vehicle exhibited no actions that were articulated by Sergeant McCurdy or Detective Bowthorpe as criminal activity that occurred or was about to occur. No probable cause or reasonable suspicion criteria was articulated. The tactic described does not comport with our standard operating procedures or GOM and is a violation.

Sergeant McCurdy and Detective Bowthorpe were the only KCSO plain clothes personnel assigned to monitor Transit Infrastructure. Although deconfliction should have been addressed in the Operations Plan, this type of work is within Sergeant McCurdy's area of operation and he should have been cognizant of the oversight and adjusted accordingly. No effort was made to contact Seattle Police and deconflict the presence of the Sound Transit plain clothes detectives.

Although there was no intent to expose KCSO plain clothes detectives to the public by taking law enforcement action, the risk remained significant because of the operational overlap. Previously having representation in the SPOC for coordination of assets, may have prevented this situation. Operating under new conditions requires greater scrutiny of a situation. It is imperative not to rely on the previous procedures or checks and balances.

Regardless of the standing order for not providing assistance to SPD during protest, KCSO was knowingly operating in Seattle, and within close proximity to a significant event with a high number of SPD officers and detectives assigned. Not providing for any deconfliction in the Incident Action Plan was an error. I do not find the failure to deconflict a policy violation. The issue is how Detective Bowthorpe and Sergeant McCurdy operated outside the operation plan. The deconfliction issue and the potential danger that resulted from Detective Bowthorpe and Sergeant McCurdy's actions are more reflective of overall performance.

The license plates on the vehicle operated by Detective Bowthorpe had been removed. Permission to remove the plates was provided by Sergeant McCurdy. Having cold plates on a vehicle used for SET operations provides for a backstop against associating the vehicle directly to law enforcement, in order to conduct covert operations and further criminal investigators. No Policy or SOP has a provision for or a recommendation for the removal of license plates as part of conducting a covert operations or surveillance. This was not a reasonable request from Detective Bowthorpe and it was not good judgement by Sergeant McCurdy to approve the request. Operating without a license plate is a violation. As a standalone issue, it is not a serious violation. How and why the decisions were made and the purpose for operating without the plate are again reflective of overall performance and decision making.

A stop by Seattle Police was conducted on Detective Bowthorpe and Sergeant McCurdy for aggressively following Detective 1F [REDACTED]'s vehicle. The contact included a frisk of Detective Bowthorpe after he was asked to exit the vehicle. A discussion between Detective Bowthorpe and Sergeant McCurdy about calling the captain, demonstrates and understanding of the importance and impact of the situation. Although no specific manual section is dedicated to contacting supervisors or making command level notification for this incident, common sense and good judgment play a role. Policy is not intended to cover every situation. Sergeant McCurdy admitted a notification should have occurred. A law enforcement interaction with the seriousness of this nature is worthy of notification. It is not something to be ignored and contributed to a series of poor decisions and poor judgment.

GOM 3.00.020(1)(d) PERFORMANCE STANDARDS: Acts in violation of Sheriff's Office directives, rules, policies or procedures as set out in this manual, the training bulletins or elsewhere.

I recommend a finding disposition of SUSTAINED. (Bowthorpe and McCurdy).

GOM 3.00.020(1)(c) PERFORMANCE STANDARDS: Performs at a level significantly below the standard achieved by others in the work unit.

In my assessment the policy regarding performing significantly below the standard achieved by others in the work unit, is intended to address employee behavior over the course of time and in comparison to how other unit members perform. The violations in this investigation is based on a single event. There is no documentation or history of poor or performance measured against others. Nothing in this investigation demonstrates performance at a level significantly below the standard achieved by others in the work unit. There is some precedent to compare the performance against other similar units. In this case it would be duplicative to sustain the same items in this category that are sustained in Acts in Violation accusation section.

GOM 3.00.020(1)(c) PERFORMANCE STANDARDS: Performs at a level significantly below the standard achieved by others in the work unit.

I recommend a finding disposition of NON-SUSTAINED (Bowthorpe and McCurdy)

**GOM 3.00.015(2)(k) RULES OF CONDUCT: MISCONDUCT: Conduct Unbecoming
Based on clear and convincing evidence, I recommend a finding disposition of
SUSTAINED**

According to the GOM, two of the elements that may be used to demonstrate Conduct Unbecoming, mean behavior that generally tends to diminish respect for the Sheriff's Office or member, or diminish confidence in the operation of the Sheriff's Office. In listening to the interviews with the detectives and supervisors from the Seattle Police Department, it would be difficult to believe the confidence in the Sheriff's Office, or the involved members was not diminished in the eyes of the involved SPD members.

On a larger scale, exposure of this incident in the public domain would not be viewed favorably. Operating outside the scope of the mission plan. Failure to deconflict, utilization of unapproved tactics and justifying the tactics based on assumption of an association between the vehicle and the demonstrators, are all elements of a demonstrated conduct inconsistent with expectations. I do not have any reason to believe Detective Bowthorpe or Sergeant McCurdy had any intent to bring any discredit on the Sheriff's Office or themselves, however that was ultimately the result of the incident.

GOM 3.00.015(2)(k) RULES OF CONDUCT: MISCONDUCT: Conduct Unbecoming

I recommend a finding disposition of SUSTAINED. (Bowthorpe and McCurdy)

GOM 3.00.020(4)(a) PERFORMANCE STANDARDS: Supervision

The policy for supervision clearly states:

Supervisors shall: Have a thorough working knowledge of the rules and performance standards of the Sheriff's Office. Communicate the rules, policies and procedures to subordinates.

Sergeant McCurdy has a long history working Transit Police in multiple positions over several years. I regard Sergeant McCurdy as highly skilled in law enforcement, passionate about the work, and one of the most caring and compassionate people I know. From time to time incidents of being overzealous occur in law enforcement. Although Sergeant McCurdy should have been aware of mission creep and maintained a closer nexus to transit property, his desire to protect the public and other officers clouded his judgment in this case. Having sustained a Performance Standard violation for Sergeant McCurdy as part of this investigation, I see no alternative conclusions for this allegation.

GOM 3.00.020(4)(a) PERFORMANCE STANDARDS: Supervision

Based on a preponderance of evidence, I recommend a finding disposition of SUSTAINED.
(McCurdy)

GOM 3.00.015(1)(b) RULES OF CONDUCT: SERIOUS MISCONDUCT: Conduct that is criminal in nature.

Detective Bowthorpe and Sergeant McCurdy failed to remain stopped for at least one and possibly two red traffic signals, exceeded the speed limit and drove aggressively to include closely following and potentially tailgating. It is not uncommon for members conducting covert operations to include surveillance operations to violate minor traffic codes. We do expect our personnel to operate as safely as possible in that environment. I believe Seattle Police Officers had reason to conduct a traffic stop however not enough to articulate criminal traffic. Elements required for reckless driving are willful and wanton disregard for the safety of person or property. These elements were not described within the interviews of the Seattle detectives. Being stopped at an intersection and proceeding through a red light without any cross traffic does not satisfy the elements of willful and wanton disregard for safety. It is also very different from a person passing through an intersection without slowing, stopping or any effort to identify traffic conditions, pedestrians or hazards. The time of day, location and traffic conditions do not suggest significant traffic in the area. The speed of the vehicle was not considered a factor. The incident was described as "low speed".

GOM 3.00.015(1)(b) RULES OF CONDUCT: SERIOUS MISCONDUCT: Conduct that is criminal in nature.

I recommend a finding disposition of NON-SUSTAINED. (Bowthorpe and McCurdy)

GOM 3.00.015 (2)(f) RULES OF CONDUCT: FAILURE TO REPORT MEMBER'S POSSIBLE MISCONDUCT AS REQUIRED in 3.03.015.

This policy provision is intended to be used when a member is aware or is notified about misconduct and fails to report the misconduct. There is no evidence to support Detective Bowthorpe or Sergeant McCurdy knew they were in violation of policy or concealed the information. The traffic stop information was shared with other transit officers. The fact that this was a serious and potentially dangerous situation that was not immediately brought to the attention of command is a Performance Standards issue. I have addressed the failure to make a notification of the interaction with Seattle Police in the Performance Standards allegation.

GOM 3.00.015 (2)(f) RULES OF CONDUCT: FAILURE TO REPORT MEMBER'S POSSIBLE MISCONDUCT AS REQUIRED in 3.03.015.

I recommend a finding disposition of EXONERATED. (Bowthorpe and McCurdy)

GOM 3.00.015(2)(a) RULES OF CONDUCT: MISCONDUCT: Insubordination or failure to follow orders.

Detective Bowthorpe and Sergeant McCurdy were provided an Incident Action Plan and attended a briefing prior to the start of the operation. The briefing included a Power Point presentation. During the mission briefing the scope of the mission and all the roles and responsibilities were discussed. Captain Morrell and Captain Collins believed the expectations were set and were clear. Captain Morrell believed the operation did not require any deconfliction based on the direction provided. The Incident Action Plan are the orders of the day or operation.

Detective Bowthorpe and Sergeant McCurdy willingly operated outside the scope of the mission of the operations plan when engaging in the aggressive following of Detective 1F [REDACTED]'s vehicle. Both Detective Bowthorpe and Sergeant McCurdy were willing participants. There is no indication Detective Bowthorpe unwillingly operated, acted under protest or questioned Sergeant McCurdy's direction throughout the day or specifically when engaged in the aggressive following of Detective 1F [REDACTED]'s vehicle.

GOM 3.00.015(2)(a) RULES OF CONDUCT: MISCONDUCT: Insubordination or failure to follow orders.

I recommend a finding disposition of SUSTAINED. (Bowthorpe and McCurdy)

Comments:

I have reviewed this findings memorandum and concur with the findings. Specifically, I will detail each allegation and the finding. For Bowthorpe, I will recommend a one day suspension and removal from SET. For McCurdy, I will recommend demotion from the rank of Sergeant and removal from SET.

Allegation 1 - GOM 3.00.030 BIAS BASED POLICING.

Bowthorpe and MCCurdy **EXONERATED**

Allegation 2 – GOM 3.00.020(1)(d) PERFORMANCE STANDARDS: Acts in violation of Sheriff's Office directives, rules, policies or procedures as set out in this manual, the training bulletins or elsewhere.

Bowthorpe and McCurdy - **SUSTAINED**

Allegation 3 - GOM 3.00.020(1)(c) PERFORMANCE STANDARDS: Performs at a level significantly below the standard achieved by others in the work unit.

Bowthorpe and McCurdy – **NON-SUSTAINED**

Allegation 4 - GOM 3.00.015(2)(k) RULES OF CONDUCT: MISCONDUCT: Conduct Unbecoming

Bowthorpe and McCurdy – **SUSTAINED**

Allegation 5 - GOM 3.00.020(4)(a) PERFORMANCE STANDARDS: Supervision
McCurdy **SUSTAINED**

Allegation 6 - GOM 3.00.015 (2)(f) RULES OF CONDUCT: FAILURE TO REPORT MEMBER'S POSSIBLE MISCONDUCT AS REQUIRED in 3.03.015.
Bowthorpe and McCurdy – **NON-SUSTAINED**

Allegation 7 - GOM 3.00.015 (2)(f) RULES OF CONDUCT: FAILURE TO REPORT MEMBER'S POSSIBLE MISCONDUCT AS REQUIRED in 3.03.015.
Bowthorpe and McCurdy - **EXONERATED**

Allegation 8 - GOM 3.00.015(2)(a) RULES OF CONDUCT: MISCONDUCT: Insubordination or failure to follow orders.
Bowthorpe and McCurdy - **SUSTAINED**

Concurrence: CONCUR

Rank: Undersheriff

Undersheriff Patricia Cole-Tindall 8/25/2021
Signature

Comments:

Concurrence:

Rank:

Signature