

OK

PALM BEACH GARDENS POLICE DEPARTMENT

INTEROFFICE MEMORANDUM

TO: **OFC. JULIO NIEVES**

FROM: **CHIEF STEPHEN J. STEPP** *SS*

SUBJECT: **WRITTEN REPRIMAND**

DATE: **AUGUST 13, 2008**

I have received a memo from Major Robert Artola dated July 29, 2008 regarding the vehicle crash you were involved in on July 23, 2008. Command staff members met and discussed this matter in compliance with Department Policy 4.2.3.22 and have made a recommendation of discipline of a written reprimand. A copy of this memo is attached for your review.

After reviewing the facts in this case, I am upholding the recommended discipline. Therefore, this memo will serve as a Written Reprimand in accordance with Department policy.

SJS/amm

Attachment

cc: Major Robert Artola
Major Ernie Carr
Major Rick Facchine
Personnel File

RECEIVED

JUL 6 2010

SS

HUMAN RESOURCES

7/6

EWS

EMP. HIST. (BW)

Human Resources
Professional Standards
Employee
Personnel File

SS

**PALM BEACH GARDENS POLICE DEPARTMENT
UNIFORM OPERATIONS BUREAU**

INTEROFFICE MEMORANDUM

TO: CHIEF STEPHEN STEPP *SS*

FROM: MAJOR ROBERT ARTOLA *Artola*

DATE: JULY 29, 2008

SUBJECT: CRASH REVIEW

On July 28, 2008, Majors Facchine, and I met to review Officer Nieves' crash. Below are the findings and recommendations as required by Policy and Procedure 4.2.3.22:

Officer Nieves' crash occurred on July 23, 2008, at 5:55am. Officer Nieves was southbound on I-95 transporting a prisoner to the Palm Beach County Jail. As he was approaching Palm Beach Lakes Boulevard, his prisoner moved from the right rear seat to the center seat. Officer Nieves turned his head in order to determine what the prisoner was doing and in doing so, inadvertently steered his vehicle to the left and into the temporary concrete median wall. After striking the wall with the left rear of the vehicle, he swerved to the right and entered the center lane striking the left side of another vehicle. The other vehicle lost control, struck the temporary concrete barrier on the west side of I-95 and overturned. No one was injured in the crash but the vehicle that Officer Nieves struck sustained extensive damage.

We classified Officer Nieves' crash as a serious violation and one caused by greater negligence or carelessness on the part of the employee and which has a potential for serious injury or damage. Since Officer Nieves has not had any crashes within the past two years, this classification will earn him three points. This rating allows for either a Written Reprimand or a 1 day suspension. We are recommending a Written Reprimand because there is no evidence that Officer Nieves was driving recklessly.

Recommendation:

Three points = Written Reprimand

cc: Major Facchine
Captain O'Neill
Sergeant Corrao

Copy to
Approved by Chief Stepp
Major Artola
Major Carr
Major Facchine
via email
(initials)

PALM BEACH GARDENS POLICE DEPARTMENT

INTEROFFICE MEMORANDUM

TO: OFC. JULIO NIEVES
FROM: CHIEF STEPHEN J. STEPP *SS*
SUBJECT: WRITTEN REPRIMAND
DATE: AUGUST 13, 2008



I have received a memo from Major Robert Artola dated July 29, 2008 regarding the vehicle crash you were involved in on July 23, 2008. Command staff members met and discussed this matter in compliance with Department Policy 4.2.3.22 and have made a recommendation of discipline of a written reprimand. A copy of this memo is attached for your review.

After reviewing the facts in this case, I am upholding the recommended discipline. Therefore, this memo will serve as a Written Reprimand in accordance with Department policy.

SJS/amm

Attachment

cc: Major Robert Artola
Major Ernie Carr
Major Rick Facchine
Personnel File

Human Resources
Professional Standards
Employee
Personnel File *OM*

PALM BEACH GARDENS POLICE DEPARTMENT
UNIFORM OPERATIONS BUREAU

INTEROFFICE MEMORANDUM

TO: CHIEF STEPHEN STEPP *SS*
FROM: MAJOR ROBERT ARTOLA *Artola*
DATE: JULY 29, 2008
SUBJECT: CRASH REVIEW

On July 28, 2008, Majors Facchine, and I met to review Officer Nieves' crash. Below are the findings and recommendations as required by Policy and Procedure 4.2.3.22:

Officer Nieves' crash occurred on July 23, 2008, at 5:55am. Officer Nieves was southbound on I-95 transporting a prisoner to the Palm Beach County Jail. As he was approaching Palm Beach Lakes Boulevard, his prisoner moved from the right rear seat to the center seat. Officer Nieves turned his head in order to determine what the prisoner was doing and in doing so, inadvertently steered his vehicle to the left and into the temporary concrete median wall. After striking the wall with the left rear of the vehicle, he swerved to the right and entered the center lane striking the left side of another vehicle. The other vehicle lost control, struck the temporary concrete barrier on the west side of I-95 and overturned. No one was injured in the crash but the vehicle that Officer Nieves struck sustained extensive damage.

We classified Officer Nieves' crash as a serious violation and one caused by greater negligence or carelessness on the part of the employee and which has a potential for serious injury or damage. Since Officer Nieves has not had any crashes within the past two years, this classification will earn him three points. This rating allows for either a Written Reprimand or a 1 day suspension. We are recommending a Written Reprimand because there is no evidence that Officer Nieves was driving recklessly.

Recommendation:

Three points = Written Reprimand

cc: Major Facchine
Captain O'Neill
Sergeant Corrao

Approved by Chief Stepp *CS*
Copy to: Major Artola
Major Carr
Major Facchine
via email
(an)

PALM BEACH GARDENS POLICE DEPARTMENT

NOTICE OF COUNSELING

EMPLOYEE NAME AND ID#: JULIO NIEVES # 329

INCIDENT FACTS:

ON 2-16-05 OFFICER JULIO NIEVES WAS TRAVELING NORTH BOUND IN VEHICLE #409 IN THE 3500 BLOCK OF JARDIN COURT. OFFICER NIEVES ADVISED HE WAS ATTEMPTING TO PARK IN FRONT OF HIS RESIDENCE. AS HE WAS PULLING INTO A PARKING SPACE, HE WAS DISTRACTED BY THE POLICE RADIO. AS OFFICER NIEVES LOOKED DOWN, HIS RIGHT FRONT AND REAR DOOR COLLIDED WITH THE RIGHT REAR BUMPER OF A VEHICLE LEGALLY PARKED ON THE ROADWAY. OFFICER NIEVES VEHICLE RECEIVED A SCRATCH AND DENT TO THE RIGHT SIDE OF HIS VEHICLE. THE SECOND VEHICLE RECEIVED A SCRATCH AND SMALL DENT TO THE RIGHT REAR BUMPER. A VEHICLE ACCIDENT REPORT WAS COMPLETED BY OFFICER BRYAN BROEHM. CASE # 05-1105.

PROPOSED SOLUTION TO IMPROVE PERFORMANCE:

WE DISCUSSED PROPER DRIVING PROCEDURES AND REVIEWED THE DEPARTMENTS POLICY AND PROCEURES ON POLICE VEHICLES AND THEIR USE.

POTENTIAL CONSEQUENCES IF BEHAVIOR IS NOT MODIFIED:

OFFICER NIEVES AND I DISCUSSED THE HAZARDS OF NOT PAYING ATTENTION TO HIS DRIVING HABITS, AND THE POSSIBILTY OF PROGRESSIVE DISCIPLINE IF FURTHER ACCIDENTS OCCURR.



This will acknowledge that I have been counseled in the above-mentioned matter.

Julio Nieves

Employee Signature

3-11-05

Date

Sgt [Signature] #105

3-11-05

Date

Supervisor Signature and ID#

Human Resources
Professional Standards
Supervisor
Employee
Personnel File

[Handwritten initials]