



Somerset Borough Police

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An Open Letter to the Somerset Community

On Friday, February 24, 2012, the Somerset Borough Police department was shocked and saddened to learn that one of its officers had been arrested on bribery charges. The officer had solicited a payment of \$500.00 from a young man found to be in possession of a small amount of marijuana. In return for the payment the officer had volunteered not to initiate a criminal prosecution of the man. The matter was investigated by the Pennsylvania State Police with the knowledge and support of Somerset County District Attorney Lisa Lazzari-Strasiser. Upon learning of the matter, the Somerset Borough Police immediately issued a statement of acknowledgment of the matter which included this paragraph:

The department and the Borough of Somerset set high expectations for our officers and are committed to an honest appraisal of an officer's performance as compared to those standards and expectations. The department has committed to a review of its policies, practices and current and past cases in order to be able to confirm our belief that the current matter is an aberration and is not reflective of the commitment and dedication of the department as a whole. We further commit to appropriately report the findings and conclusions of our appraisal and to remedy any deficiency detected.

The statement went on to commend DA Lazzari-Strasiser and the Pennsylvania State Police, both for the professional manner in which the investigation and its aftermath were handled as well as the compassion they showed for the officers and staff of our department. I want to renew that commendation here. The DA and PSP managed to complete their respective tasks with professionalism and proficiency while treating our officers and staff with empathy and consideration. I will always be grateful to these dedicated public servants.

Within a week of his arrest, the officer submitted his resignation and the case was recently adjudicated in the Somerset County Court of Common Pleas. Now, the time has come for a public accounting of the appraisal that was promised on a very cold and disheartening February evening.

The review consisted of an analysis of all of the cases involving the charged officer as well as other cases and practices that were at all similar or could possibly have provided the same opportunity for inappropriate conduct on the part of a Somerset Borough Police officer. From the onset, both the department and PSP believed that the conduct of the officer in question was an anomaly and an aberration. I am pleased to report that this belief appears to have been borne out as no other instances of criminal activity were found to be present in the officer's cases or any other cases or investigations. Additionally, all cases, department-wide, that possessed circumstances similar to the case at hand were reviewed. There were no abnormalities in inappropriate actions discovered.

The next item of review involved determining if any policies, protocols or practices of the department were in need of modification to limit or prevent future opportunity for inappropriate actions on the part of any officer. Even though the case that had led us to this review is believed to be an aberration and even though the department's policies protocols and practices have always been deemed to be strong and adequate, it was

critical to examine the way we do things in order to gain the confidence that our methods of operation would not create fertile ground for a repeat of this experience.

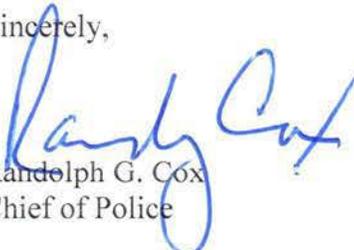
The review of our normal practices did detect a number of areas of concern and policy has been implemented to severely limit any likelihood of abuse.

- First of all, officers who are considering filing a lesser charge against a defendant, e.g. filing a Disorderly Conduct against a subject who could be charged with a higher grade of offense, must actually file the more serious charge and then seek permission of the District Attorney's Office to reduce the charge at a preliminary hearing. This policy change adds accountability for the arresting officer as well as transparency of process.
- Secondly, officers who in the course of an investigation come upon evidence or property that is deemed to be sensitive in nature, e.g. drugs, large amounts of cash, weapons, items of great value, etc., are required to immediately engage in a corroboration process. The officer coming into possession is required immediately summon another officer to view and witness the item. This process of corroboration is then documented in the department's property and evidence record.
- Lastly, the review revealed the need for the department to better monitor the time frame in which the prosecution process unfolds. In order to be most effective, the process of filing charges must occur as swiftly as possible. Any unnecessary delay only weakens the prosecution and instills a lack of confidence on the part of the victim and public. Although not directly related to the reason for the review, a few cases were discovered in which swift prosecution was lacking. Those specific deficiencies are being addressed on a case-by-case basis and all cases are being more closely monitored to curtail this.

The confidence and good faith of the community is essential to our department. We realize that no municipal police department can function without the support and backing of those we serve and protect. The incidents of earlier this year emphasized the importance and value of that relationship. This review and its conclusions is our best effort to continue to demonstrate to the community that we are worthy of their trust and confidence. The gesture of publicly sharing it with the community is an acknowledgment that we, as public servants, are humbly indebted to the community for the support that has been shown to us before and since this episode unfolded. As I told my officers at the onset, only one, erring officer was responsible for the situation in which we found ourselves. However, we as a department are accountable to the community to find and repair any circumstances which led to the situation in the first place and to commit ourselves to preventing a recurrence. It is our sincere hope that our efforts will help to restore the faith and trust in this police department and its commitment to this community.

Thank you.

Sincerely,



Randolph G. Cox
Chief of Police