

## FIRED/REHIRED

Police chiefs are often forced to put officers fired for misconduct b

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By **Kimbriell Kelly**, **Wesley Lowery** and **Steven Rich**

Aug. 3, 2017

Since 2006, the nation's largest police departments have fired at least 1,881 officers for misconduct that betrayed the public's trust, from cheating on overtime to unjustified shootings. But The Washington Post has found that departments have been forced to reinstate more than 450 officers after appeals required by union contracts.

Most of the officers regained their jobs when police chiefs were overruled by arbitrators, typically lawyers hired to review the process. In many cases, the underlying misconduct was undisputed, but arbitrators often concluded that the firings were unjustified because departments had been too harsh, missed deadlines, lacked sufficient evidence or failed to interview witnesses.

## FIRED/REHIRED

A San Antonio police officer caught on a dash cam [challenging a handcuffed man to fight him](#) for the chance to be released was reinstated in February. In the District, an [officer convicted of sexually abusing a young woman in his patrol car](#) was ordered returned to the force in 2015. And in Boston, an officer was returned to work in 2012 [despite being accused of lying, drunkenness and driving a suspected gunman](#) from the scene of a nightclub killing.

The chiefs say the appeals process leaves little margin for error. Yet police agencies sometimes sabotage their own attempts to shed troubled officers by making procedural mistakes. The result is that police chiefs have booted hundreds of officers they have deemed unfit to be in their ranks, only to be compelled to take them back and return them to the streets with guns and badges.

“It’s demoralizing, but not just to the chief,” said Charles H. Ramsey, former police commissioner in Philadelphia and chief in the District.

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Philadelphia and the District together have had to rehire 80 fired officers since 2006, three of them twice.

“It’s demoralizing to the rank and file who really don’t want to have those kinds of people in their ranks,” Ramsey said. “It causes a tremendous amount of damage to the public. Our credibility is shot whenever these things happen.”

▶ Play video

(Video by Dalton Bennett)

The Post’s findings illustrate the obstacles local police agencies face in holding their own accountable at a critical moment for policing: President Trump’s administration has indicated that the federal government will curtail the strategy of federal intervention in departments confronted with allegations of systemic officer misconduct, even as controversial police shootings continue to undermine public confidence.

Nationwide, the reinstatement of fired officers has not been comprehensively studied or tracked. No national database logs terminations. Some firings receive local publicity, but many go unreported. Some states shield police personnel records — including firings — from public disclosure.

To investigate how often fired officers were returned to their jobs, The Post filed open records requests with the nation’s 55 largest municipal and county police forces. Thirty-seven departments complied with the request, disclosing that they had fired a combined 1,881 officers since 2006. Of those officers, 451 successfully appealed and won their jobs back.

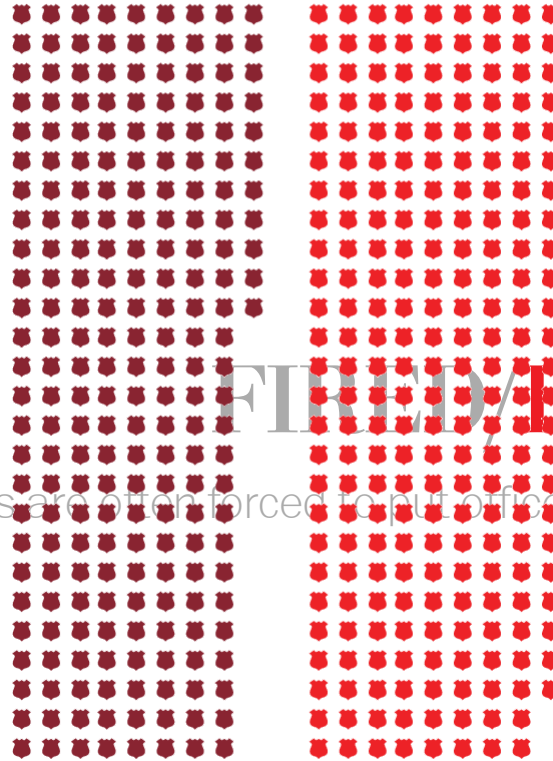
SCROLL DOWN TO CONTINUE



Police departments disclosed the reasons why they reinstated officers in about **one-half** of the 451 cases.

### Fired and rehired

Reason is:



**Disclosed**  
219

**Undisclosed**  
232

The officers' names and details were available in about half of the reinstatement cases: 151 of the officers had been fired for conduct unbecoming, and 88 had been terminated for dishonesty, according to a review of internal police documents, appeals records, court files and news reports.

At least 33 of the officers had been charged with crimes. Of these, 17 had been convicted, most of misdemeanors.

Eight officers were fired and rehired by their departments more than once.

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“To overturn a police chief’s decision, except in cases of fact errors, is a disservice to the good order of the department,” said San Antonio Police Chief William McManus, who in February was ordered to reinstate Officer Matthew Belver for a second time. “It also undermines a chief’s authority and ignores the chief’s understanding of what serves the best interest of the community and the department.”

In the District, arbitrators have ordered the city to rehire 39 officers since 2006, more than half of them because arbitrators concluded that the department missed deadlines to complete its internal investigations. One officer, convicted of assault after he was caught on video attacking a shoe store employee, was fired in 2015 and reinstated in 2016 after an arbitrator concluded that police had missed the deadline by seven days, arbitration records show.

D.C. Police Chief Peter Newsham said he disagreed with the arbitrators’ conclusions on when the clock started in those cases. “The public has to suffer because somebody violated an administrative rule,” Newsham said, adding that two-thirds of the officers reinstated because of missed investigative deadlines are no longer on the D.C. force.

Police unions argue that the right to appeal terminations through arbitration protects officers from arbitrary punishment or being second-guessed for their split-second decisions. Unions contend that police chiefs are prone to overreach, especially when there is public or political pressure to fire officers. In interviews, local and national union officials said some of the 451 reinstated officers should never have been fired in the first place.

“They’re held to a higher standard,” said James Pasco, executive director of the national Fraternal Order of Police. “Their work is constantly scrutinized

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to a far higher degree. You very seldom see any phone-cam indictments of trash collectors or utility workers.”

Local police departments have often been criticized in recent years as not holding their officers accountable in fatal shootings, or in cases of brutality and corruption. To address the outcry from the public, the Department of Justice has employed its authority to investigate police departments for civil rights violations and to force reforms. Under President Barack Obama, Justice launched dozens of these investigations. The tactic was used, for example, in the aftermath of the 2014 fatal police shooting of Michael Brown in Ferguson, Mo.

#### About this story

This article was produced in partnership with the Investigative Reporting Workshop at American University. Students Teaganne Finn, Josephine Peterson, Matt Hanan, Taylor Hartz, Jordan Houston and Shaun Courtney contributed reporting to this article.

Dalton Bennett and Alice Crites also contributed to this report.

The Trump administration, however, has indicated that local officials should take the lead in policing their own departments. “I think there’s concern that good police officers and good departments can be sued by the Department of Justice when you just have individuals within a department who have done wrong,” Attorney General Jeff Sessions said during his Senate confirmation hearing this year.

Justice Department officials recently told The Post that the department will be more judicious in launching civil rights investigations.

“The Attorney General has explicitly said that ‘police officers who abuse their sacred trust are made to answer for their misconduct’ and that ‘the

Department of Justice will hold accountable any law enforcement officer who violates the civil rights of our citizens by using excessive force.’ Any assertion to the contrary is flat out wrong and incredibly irresponsible,” said Ian D. Prior, a Department of Justice spokesman, in a written statement.

“What the Attorney General does not believe, however, is that the unconstitutional actions of one police officer should result in onerous and ineffective agreements between the Department of Justice and local police departments that prevent law enforcement from reducing violent crime and protecting the public,’ ” Prior said in the statement.

But in a speech to law enforcement officers recently, President Trump made comments that were widely interpreted as condoning police violence against “thugs” who are taken into custody. He told officers: “[P]lease don’t be too nice.”

“When you guys put somebody in the car and you’re protecting their head. ... I said, you can take the hand away, okay?” Trump said.

The White House later said the president had been joking.

The 37 departments that complied with the The Post’s request for records employ nearly 91,000 officers. The nearly 1,900 firings and the 451 rehiring show both how rare it is for departments to fire officers and how difficult it is to keep many of those from returning.

“It’s the frustrating part of my job,” said Boston Police Commissioner William B. Evans, who has been compelled to rehire four officers. “Most of the people we terminate [it] is clearly for good reason.”

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## FIRINGS UNDONE

In case after case, arbitrators have required police chiefs to take back officers the chiefs no longer want in their ranks.

In the District, police were told to rehire an officer who [allegedly forged prosecutors' signatures on court documents](#). In Texas, police had to reinstate an officer who was [investigated for shooting up the truck](#) driven by his ex-girlfriend's new man. In Philadelphia, police were compelled to reinstate an officer despite [viral video of him striking a woman in the face](#). In Florida, police were ordered to reinstate an officer [fired for fatally shooting an unarmed man](#).

**FIRING/REHIRED**

“He is being paid to protect and serve us as citizens. But he takes my child's life,” Sheila McNeil, the mother of the man who was killed by the officer in Florida, said at a public meeting in 2015. “I don't understand how he can still be out here on the street. What fairness is that?”

The 37 departments that reported rehiring officers have one commonality: a police union contract that guarantees an appeal of disciplinary measures.

Police unionization began around the turn of the 20th century and spread rapidly in the 1960s and '70s as states passed laws allowing collective bargaining by public workers. Today, most public employees, including police officers, have some form of collective-bargaining rights.

On most police forces, officers accused of wrongdoing are subject to internal affairs investigations to determine whether they violated department policies. If the officers are found to have breached department

policies, police chiefs, superintendents or police boards can discipline them.

The multiyear contracts negotiated by police unions ensure that discipline may be appealed — typically through arbitration, a process that brings in outside parties, often lawyers who specialize in labor law, to review the punishments and rule on the appeals.

That is how police Sgt. John Blumenthal returned to work in Oklahoma City.

On July 7, 2007, a man was lying handcuffed on the ground when Blumenthal ran up and kicked him in the head, according to several other officers. Blumenthal's fellow officers reported the incident to internal affairs, and months later Blumenthal was fired and convicted of misdemeanor assault and battery.

Two years later, an arbitrator ordered the department to return Blumenthal to work. The reasons are unclear, because the records of the proceedings are not public. Today, Blumenthal, who did not respond to requests for comment, is a motorcycle officer.

“The message is huge,” said Oklahoma City Police Chief Bill Citty, who said he loses about 80 percent of arbitration cases. “Officers know all they have to do is grieve it, arbitrate it and get their jobs back.”

One of the primary determinations an arbitrator makes is whether a department adhered to the rules when disciplining an officer.

“Were all of the correct investigative steps followed?” said Arnold Zack, a former president of the National Academy of Arbitrators who teaches labor

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law at Harvard University. “And was there a violation of any policy, and if so, what should the discipline be?”

Zack said that police chiefs often bemoan arbitration but that many cases fall apart because the departments fail to properly investigate the allegations. In one Florida case, a sheriff’s deputy who was fired after being accused by prosecutors of trafficking in pain pills was reinstated because the arbitrator found that the department did not adequately investigate the allegations before firing him.

Many of the arbitrators who handled the cases examined by The Post declined to be interviewed about their decisions, saying that they do not discuss their rulings.

## FIRED/REHIRED

In Chicago, union officials say the appeals process saved the job of an officer who was unfairly fired for failing to pay his parking tickets.

In October 2015, Bill Caro, at the time an officer with 28 years’ service in the Chicago Police Department, was terminated after he failed to pay nine parking tickets totaling \$1,471. The department had warned him to pay the unpaid fines and had given him a deadline that he missed.

Caro eventually paid the tickets, but the department fired him anyway, records show.

He appealed, and in August 2016, a local judge who served as arbitrator in the case deemed the punishment “excessive” and ordered that Caro be returned to the force. His firing was reduced to a five-year suspension without pay, meaning he will not report to work until 2020. Caro could not be reached for comment.

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For 239 officers in The Post’s study whose firings were made public, the majority had their terminations reduced to suspensions; at least 43 received no discipline at all. Most of the reinstated officers were awarded back pay for the time they were off the force, which can stretch to several years.

“The arbitrator is bound by the contract language just as much as the department,” Zack said. “If the contract says you have five days to investigate, and you take six days, then the firing has to be overturned.

“Does that mean some bad guys will get away with some things? Yes.”

## FIRED/REHIRED

Police chiefs are often forced to put officers fired for misconduct b  
**EIGHT CASES**

👉 Select a case to read more

### **GETAWAY DRIVER**

His cousin is a fugitive. He’s patrolling Boston.

### **SUSPENDED THEN FIRED**

A truck is shot up, and a limo is pulled over.

### **THE EIGHT-YEAR FIRING**

The officer is convicted of sexually abusing a young woman.

### **A CHALLENGE TO FIGHT**

An officer is fired twice and put back on the force twice.

### **FATAL FORCE**

An arbitrator disagrees that a shooting wasn’t justified.

### **MISSED DEADLINE**

D.C. police take six days too long to fire an officer.

**NO DUE PROCESS**

A department fails to investigate an officer's arrest.

**A RUSH TO JUDGMENT**

An officer is fired quickly after a strike goes viral.

**CASE 1****GETAWAY DRIVER**

His cousin is a fugitive. He's patrolling Boston.

**FIRED/REHIRED**

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In 2012, the Boston Police Department was forced to rehire Baltazar “Tate” DaRosa two years after stripping him of his police powers for what the department said was his role in a murder.

One year after he joined the department, DaRosa was asked to help investigate the 2003 killing of his cousin, who was ambushed by a masked gunman as he sat in a car with his girlfriend. DaRosa, then 25, and his cousin had relatives in Cape Verde, a group of islands off the coast of West Africa. Frustrated at their inability to generate leads in the tightknit Cape Verdean community, detectives asked DaRosa to help.

“[The detective] sent me around asking family members and Cape Verdeans, but being a police officer, no one really told me” anything about the case, DaRosa later told investigators, according to internal affairs records and arbitration documents.

On a cold night in January 2005, DaRosa was off duty at the Copa Grande Oasis, a nightclub outside Boston, records show.

DaRosa was supposed to have been working but had called in sick from his overnight police shift. He and Carlos DePina — the brother of DaRosa’s murdered cousin — were at the club together. Also at the club that night was a man named Jose Lopes, a known gang member who eventually would be identified as a suspect in the killing of DaRosa’s cousin.

The officer, his cousin DePina and two friends drank and danced until the club lights came on about 1:45 a.m., signaling closing time. DaRosa headed out to his car and popped in a CD as he waited for DePina to return.

## FIRED/REHIRED

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### CASE 2

# SUSPENDED THEN FIRED

A truck is shot up, and a limo is pulled over.



Early New Year’s Day, 2007, Fort Worth police officer Jesus “Jesse” Banda Jr. sat in his car outside an all-night party where his ex-girlfriend was with another man. Banda called a dispatcher and ran a check of the license plate



of the truck the man was driving to determine his address. Days later, the truck was found blasted with nearly a dozen rounds from a shotgun.

Banda, who had seven years' service at the time, told investigators he knew nothing about the damage to the truck, according to internal affairs and arbitration documents. In the end, police could not tie Banda to the shooting, but the department concluded that he had lied about why he had called in the license plate.

Then-Police Chief Ralph Mendoza put the officer on restricted duty, ultimately suspending him indefinitely — the same as firing him — in June 2007 for being untruthful and violating the department's ethical standards. Banda was told not to represent himself as a police officer while internal affairs investigated the matter.

Police chiefs are often forced to put officers fired for misconduct b

During that time, Banda was a passenger in a limousine pulled over by a Fort Worth officer. The officer said he saw the vehicle and, as he watched, the driver passed a Bud Light to passengers in the back. The officer said that when he asked Banda to get out of the vehicle, Banda handed the officer his police credentials.

The department opened a second internal affairs investigation.

[Read more ▼](#)



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**CASE 3**

# THE EIGHT-YEAR FIRING

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The officer is convicted of sexually abusing a young woman.



In the District, the Metropolitan Police Department fired officer Michael Blaise Sugg-Edwards after he was convicted of misdemeanor sex abuse over an incident with a teenager in his police car.

Eight years later, the department is still fighting to keep the 35-year-old off the force after the agency in 2015 was ordered to rehire him.

Sugg-Edwards, who was born and raised in the District, joined the department in 2005. He was nominated to be rookie officer of the year and to receive an achievement medal for stopping an armed rape.

On Nov. 16, 2007, Sugg-Edwards was on patrol when he saw a 19-year-old woman dressed all in white walking alone near Love, a now-closed warehouse nightclub off New York Avenue in Northeast, court records show.

The woman was there to celebrate her 19th birthday with friends but had to go back to a friend's car because she needed her identification to enter the club.

Sugg-Edwards pulled up in his marked patrol car. He allegedly told the woman that a club supervisor had sent him to escort her safely to her friend's car and invited her to get into the patrol car, according to court records.

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She said that once she was in his vehicle, he drove to a gas station and parked between two tractor trailers. Sugg-Edwards asked her, “What are you trying to do to get into the club?” she told police, adding that he began touching her thigh, genitals and breasts.

She said she pushed him away, got out of the car and reported the sexual assault to two off-duty officers at the nightclub. She was seen on video from outside the club getting out of the squad car, and officers reported that she was crying when she approached them.

[Read more ▾](#)

## FIRED/REHIRED

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### CASE 4

# A CHALLENGE TO FIGHT

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An officer is fired twice and put back on the force twice.



On Dec. 3, 2015, an official with the criminal division of the Bexar County District Attorney’s Office in Texas was concerned about the dashboard-camera video of a recent arrest by a San Antonio police officer.

“Can you take a look at this video?” the official asked in an email to the city attorney’s office. “The officer has the suspect handcuffed, in custody and challenges him to fight while unhandcuffing him.”

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Soon, the police department's internal affairs unit launched an investigation into the officer involved: Matthew Belver, then 43 and with nine years' service in the department. Belver also worked part time as a security guard at a local church. The video was eventually made public under pressure from the local media.

The video depicted the August 2015 arrest of then-48-year-old Eloy Leal, who told internal affairs investigators that he had gone outside to investigate after someone had been injured during a shooting in his neighborhood. Leal said that he saw bullet casings on the street near the scene and that he pointed them out to Belver, who was one of the responding officers, according to internal affairs and arbitration documents.

**FIRED/REHIRED**

Then, Leal said, he criticized Belver for missing the casings and announced that he was walking home to get a camera to document the evidence. As Leal began walking away, Belver arrested him, records show.

The next 17 minutes were captured on the camera mounted on Belver's dash. [Play video] as recorded telling Leal, who was handcuffed in the back of his patrol car, that he could go free if he was willing to fight.

(Video By Dalton Bennett and Danielle Kunitz)

"If you beat my a--, don't f---ing kill me," Leal pleaded as Belver uncuffed him.

"Naw, as soon as they come off, I'm going to beat your a--," Belver responded.

**SCROLL DOWN TO CONTINUE**

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## CASE 5

# FATAL FORCE

An arbitrator disagrees that a shooting wasn't justified.



On Feb. 10, 2011, in Miami, police detective Reynaldo Goyos was working with a dozen undercover officers taking part in a sting at a local strip club known to be frequented by gang members.

**FIRED/REHIRED**

Shortly after 11 p.m., one of the undercover officers spotted what she described as two intoxicated men being ejected from the club. Travis McNeil and his cousin Kareem Williams stumbled across the parking lot and climbed into a burgundy Kia Sorrento. As they drove off, a half-dozen officers, including Goyos, followed them, worried that the men would come back and cause a disturbance, according to an arbitrator's account that was based on witness statements and internal police files.

“We get three or four blocks from the club, and all of a sudden police was surrounding us,” Williams told The Washington Post.

Goyos drew his gun and got out of the passenger seat of an unmarked Chevrolet Suburban. “Show me your hands!” he yelled.

Reynaldo Goyos (City of Miami  
Police Department)

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“I looked at the driver,” Goyos would later tell police internal affairs investigators. “He was staring right at me. He looked like he wasn’t paying attention, like he’s very incoherent. [He] was disobeying my . . . commands.”

Goyos told internal affairs that as he approached the driver’s side door he could see that both men had their hands in their laps. But then McNeil, in the driver’s seat, reached toward his waistband and then toward the floorboard of the vehicle, according to the officer.

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## FIRED/REHIRED

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### CASE 6

# MISSED DEADLINE

D.C. police take six days too long to fire an officer.



The nine-year effort to fire D.C. police officer Daxzaneous Banks began in March 2008 when a court employee asked why the undercover officer had signed in as having attended a criminal trial that had been rescheduled. Banks had been paid for being available to testify, although the trial had not occurred.

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Internal affairs began to investigate and found that on at least 10 occasions, he had allegedly forged the signatures of several prosecutors on his time sheets, records show.

“You affixed these signatures knowing them to be improper and fraudulent,” according to an account of the case filed in court by the D.C. Attorney General’s Office.

Banks’s conduct forced prosecutors to abandon charges against a suspected cocaine dealer because the officer was the sole witness to the alleged drug transaction, according to the records. The accusations of forgery, prosecutors told internal affairs, raised “serious veracity issues” about his potential testimony in criminal cases, according to their account.

Police investigators concluded that Banks had violated four policies: being involved in the commission of an act that would constitute a crime; conduct unbecoming an officer; inefficiency; and fraud.

[Read more ▼](#)



## CASE 7

# NO DUE PROCESS

A department fails to investigate an officer’s arrest.

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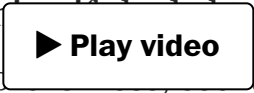
Broward Sheriff's Sgt. John Goodbread was in his doctor's office in Florida for a routine physical sometime in 2003 or 2004 when he felt the pain in his lower back.

"He had me do one of these exercises as part of the physical, bend over type of thing, touch your toes, see what your range of motion," Goodbread would later tell police. "As I was bending over, I stopped because the lower back just seized up."

The doctor issued Goodbread a prescription for hydrocodone. It was the first of many pain prescriptions from several doctors that would ultimately result in a criminal case against Goodbread.

## FIRED/REHIRED

In March 2011, a detective in Palm Beach County got a tip suggesting that Goodbread and his then-wife, Heather Goodbread, "may be involved in doctor shopping" — a practice in which someone seeks the same or similar prescriptions from multiple doctors, according to a summary of the case later included in the arbitrator's ruling.

Criminal investigators began looking into the allegations that Goodbread and his wife obtained prescriptions for the pain medications from four doctors.  records show.

(Video by Dalton Bennett)

On April 8, 2011, Goodbread and his wife were arrested and eventually charged in state court with trafficking Oxycodone and withholding information from a practitioner, both felonies. The couple's arrest made local headlines, and the Broward County Sheriff's Office suspended Goodbread without pay. **SCROLL DOWN TO CONTINUE**





“I was completely caught off guard,” Goodbread, a former narcotics officer who has consistently maintained his innocence, said in an interview with The Washington Post. “Somebody else had used my name to get those ‘scripts. I had nothing to do with anything.”

In April 2012, his wife pleaded guilty to withholding information from a practitioner and was put on probation under an agreement that withheld an adjudication of guilt. She would later testify during her husband’s arbitration hearing that she was the one who had called in prescriptions in her husband’s name and that he had not been aware of her scheme. She eventually completed her probation, court records show. Neither she nor her attorney could be reached for comment.

**FIRED/REHIRED**

In January 2013, Goodbread pleaded no contest to one count of withholding information from a practitioner under an agreement that deferred criminal prosecution. He was ordered into a pretrial intervention program, which he completed in a matter of months, and the case was dismissed.

The Broward Sheriff’s office fired him.

[Read more ▼](#)



**CASE 8**

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# A RUSH TO JUDGMENT

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## An officer is fired quickly after a strike goes viral.



In Philadelphia, Aida Guzman cradled a bottle of beer in one hand and clutched a can of Silly String in the other as she bounced along with the music playing after the city’s annual Puerto Rican Day Parade on Sept. 30, 2012.

A few feet away, Lt. Jonathan Josey of the Philadelphia Police Department’s highway patrol unit was one of more than a dozen officers dealing with a vehicle doing doughnut turns nearby.

# FIRING/REHIRED

In the next few seconds, what transpired between Josey and Guzman would become a viral video. **One thing is undisputed: Josey’s hand** ▶ Play video **hit Guzman’s face.**

(Video By Dalton Bennett and Danielle Kunitz)

A bystander captured the encounter on video. Guzman was walking from the street toward the sidewalk, and then Josey approached. The officer swung with an open hand — striking Guzman in the face and knocking her to the ground. Guzman, bleeding from the mouth, was arrested and cited for disorderly conduct.

Josey would later tell investigators that he felt himself get hit with liquid and Silly String, prompting him to turn around, see Guzman and approach her.

The video of Josey smacking Guzman quickly went viral, and then-Police Commissioner Charles H. Ramsey acted quickly. He reviewed the video and the use-of-force report filled out by Josey, in which the officer said he had

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been trying to knock the beer out of Guzman's hand and accidentally hit her in the face, according to a summary of the case later compiled by the city.

[Read more ▼](#)

### About this story

For this story, The Washington Post sent open records requests to the 55 municipal and county police departments that employ the most sworn officers, according to the latest employment data from the FBI and the Bureau of Justice Statistics.

Reporters requested the names of officers who were terminated and those who were reinstated after they contested their firings through arbitration or other appeals since 2006.

In some cases, departments disclosed only the total number of officers they had fired or rehired. Some departments also provided data that covered only some of the years requested.

Where departments disclosed officers' names, reporters requested corresponding internal affairs records and records of the termination appeals. Some departments declined to provide additional information; others disclosed a wide range of documents.

Reporters, working with students at American University, culled information from thousands of pages of records to create a database of officers who had been reinstated, which was the basis of The Post's analysis.

Design and development by Matthew Callahan, Joe Moore and Aaron Williams

[See full data](#)



 **Comments**

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## More stories

# Fired/Rehired: Documents behind the cases of reinstated police officers

Read the documents The Washington Post used in reporting out the cases of police officers who were fired for misconduct and then rehired after arbitration.

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## Police shootings 2017 database

Since 2015, The Post has created a database cataloging every fatal shooting nationwide by a police officer in the line of duty.

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