

DISCIPLINARY ACTION RECORD

EMPLOYEE'S NAME: Ferguson, Ernest EMPLOYEE NO: 64719

DEPT. NAME: Patrol SUPERVISOR'S NAME: Sgt. R. Cooper DATE: 05/19/22

Type of Action: (select one)

- Oral Reprimand
 Written Reprimand
 Suspended without pay for _____ days beginning _____ through _____
 Demotion (Attach Employee Action Record)

Type of Infraction (select one)

- Attendance Performance Safety Violation of City Policy
 Violation of SPD Policy

Supervisor's description of infraction. Include specific details (date, time, location, names of other employees involved, etc.). Attach additional sheet if needed.

On May 5th, 2022 at approximately 01:37hrs. Officer Ferguson failed to activate his BWC when he attempted a traffic stop on a bicycle in the area of MLK Blvd near W. Bryan St. Ofc. Ferguson attempted to stop the subject with his emergency equipment active. The subject refused to stop his bicycle and rode the wrong down W. Bryan Street. Ofc. Ferguson followed behind the subject until he abruptly stopped. Ofc. Ferguson was unable to stop in time and struck the subject's bicycle.

History of Disciplinary Action previously administered to employee. List type of action, brief description, & date.

This is Ofc. Ferguson's third violation of the BWC policy. The first violation occurred on 11/03/21 during a Show of Force CRN: 211103056. Ofc. Ferguson was issued written counseling for this violation.




Ofc. Ferguson's second violation occurred on 01/27/22 during a traffic stop CRN 220127004. Ofc. Ferguson was issued a written reprimand for this violation.

Ofc. Ferguson was issued written counseling on 11/03/21 for a negligent discharge of his CEW. Policy violation OPS-058 Conducted Electrical Weapon. VII. Negligent Discharges section (A).

Performance Improvement - Plan for Improvement (PIP). Include specific time frames, if applicable.

The employee must complete the following activities in order to meet the acceptable standards of performance or behavior. Failure to show satisfactory improvement will necessitate further disciplinary action which may result in eventual dismissal.

Ofc. Ferguson was assigned the following training through PoliceOne; Body Camera Activation, Advanced Defensive Driving Techniques, and Pursuit Crash/Tunnel Vision. Random checks of his BWC usage will be conducted to ensure compliance with the policy along with a Bi-monthly follow-up.

Supervisor	 _____ Signature	<u>Rodney Cooper</u> _____ Print Name	<u>05/19/22</u> _____ Date
Dept. Head	 _____ Signature	<u>Capt S. Decker</u> _____ Print Name	<u>5/20/22</u> _____ Date
Employee	 _____ Signature	<u>Ferguson E</u> _____ Print Name	<u>05/19/22</u> _____ Date

Signature is an acknowledgement of the action. It is not an admission of the infraction. If you feel this action is unjust, you may complete an Appeal of Disciplinary Action form as outlined in the City's Appeal of Disciplinary Action policy and present it to your supervisor. **Distribution:** Original to Employee, Copy to Human Resources & Department, Copy of suspensions only to Payroll.