

COMPLAINT

TO: Southington Board of Police Commissioners
69 Lazy Lane
Southington, CT 06489

RE: Chief John Daly

DATE: December 30, 2008

The undersigned, members of the Southington Police Department, respectfully file the following complaint to the Board of Police Commissioners in regard to Chief John Daly.

We file this formal complaint in the belief that Chief Daly has violated numerous Southington Police General Orders, Southington Police Department Rules and Regulations, violated the Southington Police Department's Code of Ethics, possible violations of the Connecticut General Statutes, and engaged in conduct which is unbecoming of a police officer, let alone a law enforcement Chief Executive. Wherefore, it is with much consternation we bring these issues to the attention of the Board of Police Commissioners, the members of which are obligated to provide oversight to the department.

The following issues/incidents have occurred during Chief Daly's administration:

1. On December 10, 2008, Chief Daly responded to a Freedom of Information request for documents on known payments to Paradis Fitness, a personal physical fitness trainer. It was discovered the Town of Southington paid Paradis Fitness \$700.00; one check in the amount of \$400.00 on or about November 14, 2006 for "exercise fitness circuit training for gym equipment" and another check in the amount of \$300.00. There is reason to believe these funds were spent for the personal gain of Chief Daly and/or Lieutenant Michael Shanley. Lt. Shanley received personal training to prepare for the FBI Academy. To our knowledge, no other member of the Southington Police Department has ever received town provided personal training. Furthermore, the budgetary line item where these funds were expended is allocated for the purchase of physical fitness "equipment" to benefit of all Southington Police Department personnel.
2. Several Freedom of Information requests since this fall have produced SPD records of payments to part-time supernumerary officer Eric Daigle and documentation for training and overtime

payments for other SPD personnel. These records reveal the following:

- a) Supernumerary Daigle was paid for services rendered from six different SPD accounts. These accounts are: Supernumerary Officers, Supers Training Program, Review Training-Schools, Overtime-non-Reimbursable, Southington-Plantsville Street Men and Apple Festival-Memorial Parade accounts. For example, Supernumerary Officer Daigle was paid ten (10) hours from a walking beat account when, in fact, he never walked any beat during his part-time employment with the department.
- b) The documents show Supernumerary Daigle attended training courses, seminars and conferences in Nebraska, California, Kentucky, Texas, Florida and New Jersey at an expense to Town of Southington for approximately \$6450.00. In fact during a department meeting on December 23, 2008, Chief Daly was asked if any member of the police department other than Mr. Daigle has benefited from the aforementioned training. Chief Daly admitted that Mr. Daigle was the only beneficiary.
- c) The records in the above mentioned Freedom of Information requests document overtime and training payments for SPD personnel with intricate detail which includes the dates, times, hours and dollars an officer works. Furthermore, a reason is usually noted, such as a case number for reference. Supernumerary Daigle's time for which he was paid is not accounted for in the same detail as other SPD personnel. Supernumerary Daigle appears to just submit requests for pay via e-mail and often the explanation for work done is extremely vague. It is our belief that no other employee of the Town of Southington is permitted to submit time for hours worked with such little oversight. Further, Supernumerary Officer Daigle has submitted that he worked approximately 2000 hours over the last several years and was apparently paid approximately \$45,000. We are unable to reconcile these two figures, since there is no firm accountability for his time worked. Additionally, despite repeated Freedom of Information requests, only "partial" responses for information pertaining to Supernumerary Daigle's time sheets and work products/work projects have been provided by Chief Daly and/or his staff. A Freedom of Information request for the time sheets of another supernumerary officer resulted in a prompt return of all such information requested. Every other Southington Police Officer's time worked is accounted for to the quarter hour and properly documented on worksheets.

- d) Supernumerary Daigle was reimbursed for "gas and mileage." It is not the current practice to reimburse other officers for "gas and mileage" when using their own personal vehicles.
 - e) In October 2008, Chief Daly announced that the Board of Police Commissioners had promoted Supernumerary Daigle to the rank of police captain. Such promotional appointment was made without proper posting of the position, open application or competitive process. The promotional appointment was reportedly predicated upon, or in relation to, Chief Daly's "Restructuring Plan". In the above mentioned department meeting of December 23, 2008, Chief Daly was asked if his "Restructuring Plan" was a written document. Chief Daly admitted the plan existed only in his "head". Chief Daly was then asked to elaborate upon his "Restructuring Plan" beyond the obvious attempt to promote a supernumerary (part-time police officer) to the rank of police captain. Chief Daly could not provide any additional explanation of his "Restructuring Plan".
3. On numerous occasions over many years, Chief Daly has permitted his minor children to wander, unsupervised, throughout the SPD building and grounds with an access key to the entire complex. This constitutes a serious security risk not only to sensitive documents and personal property, but to weapons stored in the armory and evidence stored in the evidence room.
 4. On July 17, 2008, Chief Daly while on "sick leave" was photographed on the front page of the Record Journal newspaper playing golf in 95 degree heat. Had any other sworn member of this Department engaged in such conduct, there would have been, at a minimum, a thorough Departmental Investigation into such conduct. This well publicized incident caused much discussion within the Department concerning the "double standard" that appears to apply to Chief Daly as opposed to his subordinates.
 5. On May 5, 2008, Chief Daly arrived at SPD firearms re-qualification review training at the New Britain Police Department Range with his wife Sabrina. Chief Daly announced his wife would be participating in live fire exercises on the range with the other Police Officers scheduled for training. Two of the firearms instructors objected to the Chief's announced intent in regard to his wife. As a result of Chief Daly's position, a compromise was reached wherein Mrs. Daly, using town paid department ammunition and firearms, engaged in target shooting on the adjacent range used by the New Britain Police Department. During this exercise, Mrs. Daly was

overseen by a SPD Firearms instructor on overtime during time scheduled for SPD officer firearms qualification.

6. Sabrina Daly was allowed to accompany Chief Daly immediately behind State Liquor Control agents and SPD Officers as they entered the "Blue Parrot Nightclub" in the course of a liquor control enforcement operation. Later the same evening, Mrs. Daly accompanied her husband to "Quinn's Tavern" prior to the entry of the tavern by the same liquor control/SPD Enforcement Unit conducting an investigation at that establishment. For Chief Daly to have permitted this conduct, not only tainted the integrity of the investigation, but more importantly jeopardized the safety of the officers and the general public.
7. In January 2007, Chief Daly was responsible for and participated in a Public Relations media event unveiling a new "mobile command center" consisting of a fully operational mobile communications unit installed in a department 2003 Ford Expedition (Car #2). The newspaper publication contained phrases such as, "we wanted to do something right now" and "whatever you get, you really have to be able to use" and other comments and actions suggesting the command center was fully operational. In fact, the vehicle was never fully operational and never outfitted with the electronic communication equipment for which it was touted. Based on the representations made by Chief Daly, Apple Valley Woodworks donated \$5,000.00 custom cabinetry to house the crucial, phantom electronic equipment. The vehicle was never actually outfitted or used as a mobile command center and is now being used by the SPD school resource officer for transportation back and forth to the high school. Why was Supernumerary Officer Daigle paid approximately ten (10) hours for work performed on Car #2 when in fact there was no work done to the vehicle? What actually does this work entail?
8. In 2006, Chief Daly arrived at the scene of a fatal motor vehicle accident with his wife Sabrina. Chief Daly escorted his wife into the secured crime/accident scene to the vehicle, removed the tarp covering the deceased's body and displayed the corpse to his wife while it was still inside the destroyed vehicle.
9. On September 15, 2004, Chief Daly arrived at the crime scene of an indoor marijuana growing operation on Budding Ridge Drive accompanied with his minor children. Chief Daly's children were allowed to wander, unsupervised throughout the secured crime scene. His children were found later in the rear of an Emergency

Response Vehicle at the site containing police equipments, weapons and ammunitions.

10. Again, on September 15, 2004, Chief Daly arrived at the second crime scene of the related indoor marijuana growing operation on Farmingberry Drive with his same children. The same children were allowed to wander, unsupervised throughout this secured crime scene and were also provided access to the cargo area of a truck which was loaded with approximately 100 marijuana plants. The operator and passenger of the truck had been arrested as a result of the contents and the truck and its cargo constituted seized evidence.

It is our strong belief that all of the above named incidents/issues can be corroborated through witness testimony and documentation evidence.

We believe you would agree the integrity of this inquiry is of the utmost importance, since it involves public officials. Therefore, we are requesting an investigation by an unbiased, outside law enforcement agency with no personal or professional ties to any members of the Southington Police Department. At the conclusion of their investigation, they make the appropriate recommendations back to the Southington Board of Police Commissioners, the Office of the Chief State's Attorney and or the Office of the Attorney General.

Respectfully submitted by the Executive Board of the Law Enforcement Alliance Of Southington who proudly represent the members of the Southington Police Department.

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