



VIA Metropolitan Transit Authority
Police Department
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TO: Accreditation File

FROM: Mark E. Witherell
Chief of Police and System Security

SUBJECT: Annual Formal Complaint Report 2022

A search of VTPD formal complaint records was conducted and can be summarized as follows:

- We investigated 22 formal complaints regarding VTPD and Security personnel.
- We received 10 cases from a Patron / Citizen complainant.
- The Administration was the complainant in 12 cases.
- 6 cases were determined to be Unfounded.
- 1 case was determined to be Inconclusive.
- 1 case were determined to be Exonerated.
- 14 cases were determined to be Sustained.
- Disciplinary Actions for the Sustained cases ranged from Verbal Counseling to a Three (3) Day Suspension.

DISPOSITION OF COMPLAINTS: Upon conclusion of an investigation, the complaint will be closed and filed as:

Unfounded - The allegation is false or not factual.

Exonerated - The incident occurred but was lawful and proper.

Inconclusive - There is insufficient evidence to either prove or disprove the allegation.

Sustained - The allegation is supported by sufficient evidence to justify the reasonable conclusion that the alleged misconduct occurred

Formal Complaint Report
2022

Incident Date	Complainant	Complaint Category	Investigated by	Disposition	Case Status	Closed by	Discipline
02-Feb-22	Patron / Person	Conduct and Behavior 3.04C	Lt. G. Aguilar	Unfounded	Closed	Chief M. Withrell	N/A
05-Apr-22	Administration	Social Media 4.05B	Sgt. D. Martinez	Sustained	Closed	Chief M. Withrell	Written Reprimand
25-Mar-22	Patron / Person	Courtesy 3.06B	Sgt. D. Martinez	Sustained	Closed	Chief M. Withrell	Verbal Counseling
09-Apr-22	Administration	Reporting Process 4.02	Sgt. D. Martinez	Sustained	Closed	Chief M. Withrell	Written Reminder
20-Apr-22	Patron / Person	Prisoner's Property 608.11	Sgt. D. Martinez	Unfounded	Closed	Chief M. Withrell	N/A
28-Mar-22	Patron / Person	Courtesy 3.06B	Sgt. D. Martinez	Unfounded	Closed	Chief M. Withrell	N/A
21-Feb-22	Administration	Loss of Issued Equipment 3.18 D	Sgt. A. Poore	Sustained	Closed	Chief M. Withrell	Written Reminder
31-May-22	Administration	Maintenance of Competency 3.04G	Lt. G. Aguilar	Sustained	Closed	Chief M. Withrell	Written Reminder
24-May-22	Administration	On-Duty Activities 4.06	Sgt. D. Martinez	Sustained	Closed	Chief M. Withrell	1 Day Suspension
21-Mar-22	Administration	On-Duty Activities 4.06	Lt. G. Aguilar	Sustained	Closed	Chief M. Withrell	1 Day Suspension
06-Jun-22	Patron / Person	Reporting Requirements 305.07	Sgt. D. Martinez	Unfounded	Closed	Chief M. Withrell	N/A
02-Feb-22	Administration	VIA Property 3.18B	Lt. G. Aguilar	Sustained	Closed	Chief M. Withrell	2 Day Suspension
10-Jul-22	Patron / Person	Conduct and Behavior 3.04C	Sgt. D. Martinez	Unfounded	Closed	Chief M. Withrell	N/A
11-Jul-22	Administration	Body Worn Cameras 410.05	Sgt. D. Martinez	Sustained	Closed	Chief M. Withrell	Written Reminder
30-Apr-22	Patron / Person	Prisoner's Property 608.11	Sgt. D. Martinez	Exonerated	Closed	Chief M. Withrell	N/A
04-May-22	Patron / Person	On-Duty Activities 4.06	Sgt. D. Martinez	Inconclusive	Closed	Chief M. Withrell	N/A
02-Nov-21	Administration	Vehicle Operations 306.01B	Sgt. J. Contreras	Sustained	Closed	Chief M. Withrell	3 Day suspension
13-Aug-22	Patron / Person	Prisoner's Property 608.11	CPL J. Contreras	Sustained	Closed	Chief M. Withrell	Written Counseling
18-Oct-22	Administration	Requirement to take action 4.03	Lt. G. Aguilar	Sustained	Closed	Chief M. Withrell	Written Reprimand
18-Oct-22	Administration	Vehicle Operations 306.01B	Lt. G. Aguilar	Sustained	Closed	Chief M. Withrell	Written Reprimand
07-Oct-22	Administration	Searching of Prisoners 608.05	Sgt. D. Martinez	Sustained	Closed	Chief M. Withrell	Written Reminder
04-Dec-22	Patron / Person	Prisoner's Property 608.11	Sgt. D. Martinez	Unfounded	Closed	Chief M. Withrell	N/A