



City of Omaha
Jean Stothert, Mayor



Todd R. Schmaderer
Chief of Police

Omaha Police Department
"To Serve and Protect"

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May 12, 2022

Captain Katherine Belcastro-Gonzalez
12506 S. 70th Street
Papillion, NE 68133

Captain Belcastro-Gonzalez:

In the course of the legal discovery in your ongoing lawsuit against the City of Omaha, substantial evidence came to light demonstrating that one of the witnesses who was deposed may have committed numerous violations of the City of Omaha Police Department policies regarding the confidentiality of departmental communications. While reviewing the evidence surrounding the witness, it became apparent that you may have also committed numerous violations of the City of Omaha Police Department policies regarding the confidentiality of departmental communications. As a result, a preliminary investigation occurred.

The preliminary investigation into your City of Omaha email account appeared to confirm numerous additional instances where you inappropriately shared confidential information and other cases in which you used personal data for your personal use. Therefore, on January 18, 2022, I authorized an internal investigation into your conduct. The findings are detailed in this letter.

When reviewing the discovery in your pending lawsuit, it was observed that the witness had sent numerous confidential emails to unauthorized accounts. While reviewing their email account, it was evident that you were receiving unauthorized emails at your personal email account, [REDACTED]. As such, I requested the City Law Department to authorize a search into your vaulted emails.

An Internal Affairs (IA) Investigator reviewed the results of the search into your email account and found numerous instances of you forwarding confidential emails to your personal account.

These emails contained confidential information such as employee Job Performance Interview (JPI), Reprimand, and discipline/agreement letters, Early Intervention Tracking System (EITS) alert information, numerous sworn, and non-sworn sick leave usage reports, discussion from the Written Reprimand Appeal (WRA) Committee meeting, discussion on an employee attending

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Bias-Based Training, return to duty status letters, Merit Review Board (MRB) nominations, Police Foundation/Mounted Patrol Contracts, Precinct Allocation, and Compstat data. You told the IA Investigator that your duty hours vary but agreed that you forwarded most of these emails to your personal email account during regular duty hours. These emails will be addressed below.

While reviewing your City of Omaha emails, the IA Investigator found that between April 25, 2019, and June 8, 2021, you forwarded twelve (12) emails that contained confidential suspension letters and/or Agreement Letters that were issued to Omaha Police Officers within your precinct. During regular duty hours, you forwarded these emails from your City of Omaha email account, Katherine.Belcastro@cityofomaha.org, to your personal email account, [REDACTED]. More specifically:

On April 25, 2019, the IA Unit forwarded you an email that contained a one-day suspension letter for Officer [REDACTED].

On June 25, 2019, the IA Unit forwarded you an email that contained a three-day suspension letter for Officer [REDACTED]. Officer [REDACTED] later signed an Agreement Letter on July 5, 2019, agreeing to a two-day suspension. The Agreement Letter was forwarded to you on July 29, 2019;

On July 25, 2019, D/C Bang sent you an email discussing Officer [REDACTED]'s return to duty and his five-day suspension. The email also included an agreement letter signed by Officer [REDACTED].

On November 18, 2019, the IA Unit forwarded you an email that contained a three-day suspension letter for Lt. [REDACTED].

On February 25, 2020, D/C Bang forwarded you and Captain Mark Matuza an email informing you of a pending one-day suspension for Officer [REDACTED] and a Reprimand for Officer [REDACTED]. During this time, Officer [REDACTED] and [REDACTED] were assigned to the Northeast Precinct, and you were included in the email because you were serving as Acting D/C in D/C Gray's absence;

On December 27, 2019, the IA Unit forwarded you an email that contained a one-day suspension letter for Officer [REDACTED];

On February 1, 2021, the IA Unit forwarded you an email that contained an Agreement Letter for Officer [REDACTED];

On February 24, 2021, the IA Unit forwarded you an email that contained Agreement Letters for Officers [REDACTED] and [REDACTED];

On May 29, 2021, the IA Unit forwarded you an email that contained a two-day suspension letter for Lt. [REDACTED];

On June 1, 2021, the IA Unit forwarded you an email that contained an Agreement Letter for Officer [REDACTED];

On June 8, 2021, the IA Unit forwarded you an email that contained a one-day suspension letter for Lt. [REDACTED]

The IA Investigator noted that between October 29, 2018, and February 9, 2021, you forwarded four (4) emails to your personal email account containing Job Performance Interviews (JPIs), Reprimand information, or Return to Duty Letters involving Omaha Police Officers. During normal duty hours, these emails were forwarded to your personal email account, [REDACTED]. More specifically:

On October 29, 2018, D/C Michele Bang sent you an email instructing you to issue a JPI to Officer [REDACTED] for Failure to Make a Required Report. You forwarded the email to Officer [REDACTED]'s Sergeant advising them to handle the JPI;

On May 4, 2020, D/C Bang authored an email to Officer [REDACTED] concerning a recently received reprimand. You, D/C Gonzalez, Lt. Ken Fox, D/C Scott Gray, and Sgt. Anthony Conner were cc'd on the email. You forwarded the email to Captain Matuza and blind courtesy copied (bcc'd) yourself that same day, at 10:54 a.m., telling him, ***"I think this was meant for you."*** Officer [REDACTED] was not assigned to your precinct at that time;

On December 2, 2020, the IA Unit forwarded you an email that contained a Return to Duty Letter for Officers [REDACTED] and [REDACTED]. You forwarded the email, along with both letters to your personal email account, on December 3, 2020, at 6:51 a.m;

On February 9, 2021, the witness forwarded to your work email account conversation between the WRA Committee members concerning Officer [REDACTED]'s Reprimand appeal. You, in turn, forwarded the email to your personal email account on February 10, 2021, at 7:36 a.m.

The IA Investigator asked you if you had permission from each of the above officers to send a copy of their disciplinary action to your personal email account. Your response was, "So, this may be somethin' that I have to testify to for incidents about, uh, personnel records that ultimately when there's discriminate treatment between officers and discipline." You repeatedly referred to these emails as part of the "Court Order for confidentiality." You also stated that you were 'sharing them with yourself.' You said you believed you had permission from Officer [REDACTED] to forward the email addressing his disciplinary incident but that you did not recall receiving approval from the others. When asked why you bcc'd your personal email account instead of using the 'cc' function, you stated, 'everyone uses bcc.' You disagreed with the Investigator that this appeared as if you were being 'sneaky.'

The IA Investigator noted that between May 23, 2016, and December 28, 2018, you forwarded nine (9) emails to your personal email account that contained detailed sick leave reports or other information related to sick leave for sworn and non-sworn OPD employees. You forwarded these emails during regular duty hours and non-duty hours to your personal email account, [REDACTED]. More specifically:

On May 23, 2016, at 10:34 pm, you forwarded an email to D/C Gonzalez's personal email account, [REDACTED] an email from May 15, 2015, discussing sick leave usage by Officer [REDACTED]. The email detailed how much leave Officer [REDACTED] had used and his leave balance;

On May 23, 2016, at 10:35 pm, you forwarded an email to D/C Gonzalez' personal email account, an email from December 18, 2013, detailing sick leave/Family Medical Leave Act (FMLA) usage by Officer [REDACTED];

On May 23, 2016, at 10:41 pm, you forwarded an email to D/C Gonzalez' personal email account, an email from June 28, 2012, which contained the Quarterly Sick Leave Report for the reporting period of June 9, 2012;

On May 23, 2016, at 10:42 p.m., you forwarded an email to D/C Gonzalez' personal email account, an email from December 8, 2011, which contained the Quarterly Sick Leave Report for the reporting period of May 5, 2011, and September 3, 2011;

On May 23, 2016, at 10:45 p.m., you forwarded an email to D/C Gonzalez' personal email account, an email from April 4, 2005, which contained the sick leave usage of civilian employees [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED];

On May 23, 2016, you forwarded to D/C Gonzalez's personal email account a sick leave report from December 8, 2011. You then forwarded that email and the attached document to your personal email account on December 28, 2018;

On March 23, 2013, D/C Gonzalez received a Quarterly Sick Leave Report for sworn and non-sworn officers for the reporting period of March 16, 2013. You forwarded the email and the attached report to D/C Gonzalez's personal email on May 23, 2016. You resent it to your personal email account on December 28, 2018;

On March 23, 2013, the Omaha Police Department (OPD) Human Resource Manager (HRM) forwarded the Quarterly Sick Leave Report for the entire OPD for the first quarter of 2013 to the OPD senior command staff, which included the witness. The witness forwarded the report to you, and on December 28, 2018, at 10:08 a.m., you forwarded the email string, to include the attached Sick Leave Report to your personal email account;

On August 27, 2019, the witness forwarded you an email that he had sent to Research and Planning, reminding them that civilians were not authorized overtime for PACE events. The email contained an overtime slip for civilian employee [REDACTED]

Specifically referring to [REDACTED]'s overtime report, you admitted that she did not work in your precinct, nor did she fall under your supervisory chain of command. You stated the reason you had her overtime report was that "it had to do with PACE over time, so it's still relevant to my court case." When asked why you would need a copy of departmental overtime reports, you repeatedly referred back to [Sgt.] [REDACTED] and the fact that there were issues about the City not providing "some documentation regarding sick leave." You went on to say that it was "very important for personnel to be known about what their Sick Leave usage is and for the commanders to be know (sic) as well." You went on to state, "Again, that is an example of how at that time in '15, someone was noticing that there was Sick Leave abuse. So, it translates into again ensuring that everybody's being treated and fairly." When asked if you specifically had permission from any of the personnel of whom you had copies of their sick leave report, you stated you could not recall.

The IA Investigator noted that between November 17, 2018, and December 7, 2021, you forwarded nine (9) emails to your personal email account that contained what would be considered confidential and personal performance issues involving Omaha Police Officers. During normal duty hours, these emails were forwarded to your personal email account, [REDACTED]. More specifically:

On November 17, 2018, the witness authored an Inter-Office (I/O) Communication to the Chief of Police regarding a subordinate conversation with Captain [REDACTED] and Lieutenant [REDACTED]. He attached the I/O in an email and titled the subject line "**proof**." In the I/O, the witness discussed a conflict between Captain [REDACTED] and Lt. [REDACTED] and detailed that Lt. [REDACTED] spoke freely, and she expressed that she wanted her position to be confidential. Even though the I/O was dated November 17, 2018, the witness forwarded the email to your work email account **Katherine.Belcastro@cityofomaha.org** on November 14, 2018. You, in turn, forwarded the email to your personal email;

On November 16, 2018, a Forensics Technician found a baggie of cocaine next to a parked cruiser in the garage at Omaha Police Central Headquarters. It was determined that the officer reported to Captain West at the Northwest Precinct. Captain West sent you an email detailing how the evidence was found and asked you if you wanted her to do a Line Investigation or prepare an Internal Information (II) Report for Internal Affairs. You forwarded the email to D/C Scott Gray on November 20, 2018, at 10:23 a.m. saying, "***I don't think anyone wants to bother you and assume that I am acting. Do you want me to handle these since you are off?***" You bcc'd your personal email account;

On November 19, 2019, IA Sgt. Finch sent you an email on an EITS alert on Officer [REDACTED]. The email detailed five -incidents, including Chief Report (CR) numbers, that triggered the alerts. You responded to Sgt. Finch's email on December 2, 2019, at 8:30 a.m. You bcc'd your personal email account in the response;

On August 27, 2020, Lt Steve Meister forwarded you an email string that included an unprofessional email that Sgt. [REDACTED] sent to Sgt. [REDACTED]. The email contained the email from Sgt. [REDACTED] and the email that Lt. Meister authored to memorialize his command-to-subordinate conversation with Sgt. [REDACTED] and Sgt. [REDACTED]. You forwarded the email to D/C Gray on September 3, 2020, and he replied to you to "*make sure a JPI is completed*" on Sgt. [REDACTED] for his unprofessional actions. You forwarded the email string to your personal email account;

On September 24, 2020, you received an email from Lt. Steve Meister concerning a citizen's complaint against Officer [REDACTED] and detailed his contact with the citizen. You forwarded the email, which also contained the detailed complaint from the citizen to D/C Gray, and your personal email;

On December 14, 2020, you received an email from IA Lt. Catherine Milone detailing her conversation with Sgt. [REDACTED] concerning a biased-based complaint that was filed against him. The email string also included a conversation between Labor Relations Director David Grauman and Assistant Director of Human Rights and Relations Gerald Kuhn. You forwarded the email to your personal email account;

On November 21, 2021, at 9:08 p.m., you forwarded an email to your personal email account that was originally authored on July 30, 2020. In that email, D/C Gray sent you an email discussing Sgt. [REDACTED] being transferred to the Mounted Unit. D/C Gray also mentioned concerns he had with Officers [REDACTED], [REDACTED], [REDACTED], and [REDACTED] during the civil unrest;

On December 7, 2021, at 12:14 p.m., you forwarded an email to your personal email account that you originally authored on November 22, 2018, and sent to your personal email account. The email discussed a conversation that you had with Sgt. Bill Sibert and performance issues with Officers [REDACTED], [REDACTED], [REDACTED], and [REDACTED];

On December 7, 2021, at 12:16 p.m., you forwarded an email to your personal email account that you originally authored from your personal email account on October 26, 2018, and sent to your work email account. The email discussed performance issues with Officers [REDACTED] and [REDACTED]. It also contained an email from D/C Gray discussing Officer [REDACTED]'s lack of 'stats.'

When asked why you were forwarding emails identifying performance issues on an officer that retired three and half years prior, you repeatedly responded, "So, this is again, uh, directly related to my court case," and "This came up in depositions... so again, it's a violation of the Court Order" referring to the Protection Order surrounding the evidence in your civil lawsuit. You stated that 'as a good effective commander' you would have to "keep copious notes on things." You stated you did not recall having permission from the officers mentioned above to forward their information to your personal email account.

The IA Investigator noted that on December 1, 2017, you sent an email titled 'MLK Award' to Lt. George Merithew. The email contained a write-up nominating D/C Gonzalez for the Martin Luther King Living The Dream Award. Lt. Merithew forwarded your write-up to Dr. Franklin Thompson on December 5, 2017. You told the IA Investigator that you did not believe this action would be viewed as 'unethical' because you, the award candidate's spouse, scribed the nomination for someone else to submit as their own. You stated you did not recall why you did not submit the nomination yourself.

The IA Investigator noted that between January 5, 2021, and December 7, 2021, you forwarded to your personal email account nine (9) emails that contained what would be considered confidential performance issues involving Omaha Police Officers. You forwarded these emails during normal duty hours. More specifically:

On January 5, 2021, Gang Unit Lt. Marty Stiles sent an email to the Precinct Captains informing them that I had authorized several Gang Liaison Officers to supplement the Gang Unit. You forwarded this email to your personal email account;

On March 8, 2021, you forwarded an email to Captain Matuza and bcc'd your personal email account an OPD Form 117, Police Pursuit Recording Form, accompanied by an Omaha Police Bulletin for a 'shots fired suspect.' You also forwarded a separate Overnight Report (email) on July 8, 2021, from a shooting that occurred in the Northeast Precinct;

On April 7, 2021, you authored an email to Ofelia Robles that included a 'CAD Calls' attachment. You bcc'd yourself;

On October 27, 2021, you forwarded an email to Attorney [REDACTED] asking him to review an email you would be sending to D/C Gray. The content discussed overtimes and emails that D/C Gray had requested. This email contained multiple attachments which you had labeled as 'exhibits.' Of note, 'Exhibit Q' detailed the March 6, 2018 contingency plan for the then-Vice President (VP) Mike Pence's visit. The attachments also included the assignment history of Captains Mark Matuza and Thomas Shaffer and D/C Gray;

On December 8, 2021, at 6:07 p.m., you forwarded the crew sizes for the April 10, 2016, and September 12, 2017 shift changes;

On December 9, 2021, at 1:01 p.m., you forwarded traffic stop and DUI information labeled "Compstat 2017" that referred to data from 2012, 2015, and 2016;

On December 9, 2021, at 2:37 p.m., you forwarded an email from September 26, 2019, that detailed purchasing a horse through the First Responders Foundation. The email also included the signed check and contract for the purchase;

On December 16, 2021, at 8:17 a.m., you forward an email to your personal account from June 7, 2019, concerning the establishment of a 501.3c Mounted Foundation;

On January 3, 2022, at 1:07 p.m., you forwarded an email to your personal account detailing the CAD numbers for reporting period August – November 2021.

The Investigator asked you if you would consider this type of information to be 'tactical in nature' and an officer safety concern, particularly since it detailed the placement of officers in a high-profile unit. You laughed at the questions and responded that you did not believe the information to be tactical. The IA Investigator pointed out that you forwarded a Police Locate to your personal account on a non-secure server. You stated you did not recall receiving permission to send that specific file to your personal email account. You contended that the Locate "did not say anything about confidentiality." When the Investigator told you that the Omaha Police Department treats all Police Locates as confidential, you responded, "Absolutely! And you know what, I did not forward it just to myself. I shared it with myself." You also reiterated that you are a police officer and on duty "24/7".

When asked why you forwarded this information to Mr. [REDACTED], you stated he was your attorney at the time, and he needed it for your Internal Affairs interview with D/C Gray concerning your overtime. You told the Investigator that you forwarded the information to Mr. [REDACTED] along with the Precinct Allocations, the information regarding the Mounted Patrol Unit and the First Responders Foundation, as well as the information on the Recruit classes to your personal email account because they were "relative to the court," and you would need it because you would have to "to testify to this." When asked if this was relative to your current court case, you responded, "Absolutely." You also stated that you have discussed with other command officers how 'we take people from Uniform Patrol and put them in the Gang Liaison Specialists, so then UPB is short-handed for radio calls.' Finally, you stated that the information would 'be in testimony as far as some of the other issues as it relates to your case.

The IA Investigator also noted that on May 13, 2021, you received an email from the Office of the Omaha Police Officer's Association (OPOA), which you forwarded to the witness and Captain (Ret) Rich Gonzalez. The context of the email 'thanked the volunteers' for 'spent hours knocking on doors' during a political election. The emailed named the following volunteers: [REDACTED]

[REDACTED] and [REDACTED]. When asked why you forwarded the list of names, you

██████████ and ██████████. When asked why you forwarded the list of names, you responded that "[witness] and Rich are part of the LPOA and you believed they were still board members". You said that you believed that it "probably was somethin' that how it's a good idea for people to be thanking the volunteers that are doin' stuff and how we can better do things for the LPOA." You then stated that the email was "related to the LPOA and the PAC". The IA Investigator clarified that the email solely addressed the OPOA. You responded, "What I'm sayin' is that the LPOA sometimes meets to do better things and mimic, you know, some-some positive things that are bein' done."

In addition to reviewing your City email account, the IA Investigator reviewed your City-issued cell phone and noted several photos of concern. The IA Investigator pointed out that during various timeframes, when you were serving in the capacity of Acting Deputy Chief for D/C Gray, you took photos of items that were on his office desk. More specifically:

On December 12, 2018, you took a photo of a Precinct Allocation form;

On December 14, 2018, you took a photo of an I/O Communication that was authored by Captain Marcia West to D/C Gray discussing 'Physical Apprehension by Canine Unit';

On March 23, 2019, you took a photo of an I/O Communication authored by Captain Matuza on March 20, 2019, detailing his Staff Meeting with his Lts. and Sgts. from the Senior Command Meeting;

On March 23, 2019, you took a photo of D/C Gray's application to the Major City Chiefs (MCC) Association;

The Investigator noted that none of these items would have been routed through you as being in their chain of command. D/C Gray reviewed the photos and identified them as being on his desk when you took the photos. When confronted with this evidence, you told the Investigator that D/C Gray would routinely make you 'redo things; because they were not thorough enough.' You stated you did not recall why you had the photo of Captain West's I/O. You also said you believe the reason you had a picture of D/C Gray's MCC Application was that you thought he asked you to fill something out on it because he was out of town.

You had several emails that you forwarded to your personal email account between January 2021 and July 2021, where you were keeping track of your fellow Precinct Captains. These emails contained verbiage such as "Sokolik not on mandatory UPB meeting meeting" (sic) "OHA meeting...missed." "Quinlan on the call for Laurie Scott, Marcia not on at all." "Sokolik again missed Compstat today. It was in the expectation that all captains attend senior command Comstat Oha (sic) meeting. Has missed several in the last few weeks". You also sent an email to Captain Matuza asking, "Where's Sokolik? Is he acting?" When asked why you were keeping track of your fellow captains, you replied, "This will be directly related to my lawsuit." You stated the documentation was 'not only for you, but also other people being held accountable, and having two different sets of rules'.

You became confrontational when the IA Investigator began explaining that records, which included disciplinary letters generated within the Internal Affairs Unit, were considered confidential. The fact that you forwarded these files to an unsecured email account was a policy violation.

You repeatedly stressed that you were sending the items to your 'personal email that has not been shared,' that the letters were 'sent to you', and that you shared them 'to yourself.' You stated you were unaware of any other Precinct Captains or Commanders forwarding disciplinary records involving their employees to their personal email accounts.

The IA Investigator asked if your personal email was on a secured server, to which you responded you did not know. The IA Investigator informed you that [REDACTED] does not use a secure server for a personal email account. You argued that the City of Omaha allows employees to use their City-issued phones to check their emails, and you are aware of numerous instances where cell phones have been 'hacked,' but you are not familiar with any cases in which emails have been 'hacked.'

The Investigator pointed out that from reviewing the emails in question, it appeared that you would spend a great deal of your duty day researching old emails to forward to your personal account. You contended that that was not a fair statement to make, as you are a police officer "24/7".

You mentioned several times how you forwarded emails to your personal email account to keep a record of them because City emails are easily lost and could be "erased" by DOTComm. You stated that a "good, effective commander keeps copious notes."

The Investigator pointed out that the emails of all officers above the rank of Lieutenant are 'vaulted' and stored indefinitely. You stated you were not aware of that fact. The IA Investigator presented you with a copy of the March 10, 2021, Senior Command Minutes, where I informed the Senior Command of vaulted emails. The minutes show that you were present at the meeting.

You acknowledged that you did not direct the witness to stop sending you emails that you were not privileged to receive. You argued that you were not familiar with HR Policy 39, and no one had trained you on it. You also stated, "basically,[the witness] was an assistant chief. He can send it to me if he wants to." You also did not recall reporting to your chain of command that the witness was sending you emails that contained information that you were not privileged to receive. The IA Investigator pointed out that you had mentioned numerous times that you were 'in tune' with all of the OPD General Orders and Information Orders, to which you acknowledged. The Investigator pointed to Information Order 73-14 which informed OPD employees that new or revised HR Policies were available for review, including Order included HR 32.

You told the Investigator that you submitted a request to telecommute from home, but you were not aware of it getting approved. Additionally, you stated you did not submit an overtime report when you worked outside of your duty day. More specifically, the Investigator asked if you submitted an overtime report for the emails you sent on May 23, 2016. You said you did not recall.

You stated that you did not want to 'speculate' if the public or your peers would scrutinize you if they knew that you had forwarded the discipline and sick leave information of Omaha Police employees to your personal email account. You also did not believe your action of scribing an award for D/C Gonzalez and having someone else present it as their write-up would not be viewed as being unethical.

The IA Investigator pointed out that you forwarded the vast amount of the emails presented to you during your duty day. Additionally, you admitted to the IA Investigator that you were utilizing these emails for your ongoing lawsuit and that they were "relative" to your court case.

It was apparent that you were sending work emails to your personal email account during your duty day and from your City-issued computer. You argued that the emails were 'related to your lawsuit and that you have an ongoing litigation.' You mentioned several times that the emails were for 'documentation' for your lawsuit. You could not specify otherwise how sending this information during duty hours related to your duties as a Police Precinct Captain.

You are therefore found to be in violation of the following:

Human Resource Policy #32: Computer, Technology and Network Use-Employee Rights and Privileges,
Human Resource Policy #39: Use of City Facilities, Tools, & Equipment;
Human Resource Policy #40: Privacy,
Human Resource Policy #41: Telecommuting,
Omaha Police Policy and Procedures Manual, Ethics: Law Enforcement Role and Authority,
Omaha Police Policy and Procedures Manual, ROC, Conduct Unbecoming an Officer,
Omaha Police Policy and Procedures Manual, ROC, Working Day,
Omaha Police Policy and Procedures Manual, ROC, Police Vehicle, Property and Equipment,
Omaha Police Policy and Procedures Manual, ROC, Command Officers Neglecting to Report Rules Violations,

Collective Bargaining Agreement between the Omaha Police Officers' Association and the City of Omaha, Article 6, Discharge and Discipline Section 1, Disciplinary Action-Cause: Any action which reflects discredit upon the service or is a direct hindrance to the effective performance of the CITY government functions shall be considered good cause for disciplinary action and,

Collective Bargaining Agreement between the Omaha Police Officers' Association and the City of Omaha, Article 6, Section 1 "(j) Commission of acts or omissions unbecoming an incumbent of the particular office or position held, which render his admonishment, reprimand, suspension, demotion, or discharge necessary or desirable for the economical or efficient conduct of the CITY or for the best interest of the CITY government."

There can be little question that many of the emails detailed above were sent outside the 100-day time period contemplated by Article 6, Section 7 of the Collective Bargaining Agreement to which you are subject. There are five (5) emails within the time period, all of which support the findings of the policy violations detailed in this letter. The extensive background detailed in this letter supports that you have a long-standing practice of violating these policy provisions and that your recent conduct is not some sort of exception to your practice.

As a result of the investigation, I have significant concerns about your professionalism and motives as well as your ability to function as a Captain within the Omaha Police Department. As a 27-year veteran command officer with the Omaha Police Department, you are expected to demonstrate a high standard since you are an example for others and have a greater degree of responsibility and trust. This theme of "I don't recall" remained consistent for this investigation. While you are certainly entitled to bring a lawsuit against the City, pursuing the lawsuit while you are supposed to be performing your City job and converting City records for personal use is inappropriate and unacceptable. The fact that you frequently affirmed that you cannot trust the Senior Leadership of the Omaha Police Department raises concern.

You stressed the fact that 'it was a necessity to keep personal files in order to protect yourself', yet you never brought your concerns to your command or to me. You changed the locks on your office door, yet the Facilities Manager, Dan Nelson, did not have a key to your office. The fact that you sent an email to yourself saying that 'someone was logging onto your computer and your email' is also concerning, particularly since I have conferred with Deputy Director Dave van Dyke, and an order had not been given to monitor your email at that time. The fact that your actions give the impression that you cannot trust the Senior Leadership of the Omaha Police Department raises concern.

You repeatedly stated that these emails were in relation to your lawsuit, however, many of these incidents occurred well before your lawsuit was initiated. As such, you have exposed the City of Omaha and the Police Department to confidentiality breaches.

It is clear that you are either unable to or unwilling to accept your responsibility for your role in these allegations. Your actions continue to interfere with the mission of the Omaha Police Department. That has led me to a difficult decision to terminate your employment with the Omaha Police Department effective May 13, 2022. Your status will be suspended with pay pending the outcome of your pre-termination hearing. You will be notified of the time and place for a pre-termination hearing.

Sincerely,



Todd R. Schmaderer
Chief of Police

TRS/alc

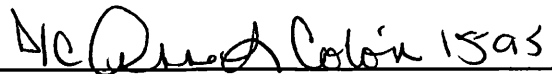
cc: Bernard in den Bosch, City Law Department
David Grauman, Human Resources Director
Kyle Porter, Police Personnel Supervisor
Claire Anderson Hubbard, Human Resources, Records
Omaha Police Officers' Association

Deputy Chief Scott J. Gray
Deborah K. Sander, Human Resources Director
IA# 2021-0547
Chief's Office

ACKNOWLEDGMENT OF RECEIPT

I, Captain Katherine Belcastro-Gonzalez #1371, hereby acknowledge receipt of this item of correspondence from the City of Omaha, Omaha Police Department, presented to me this 12th day of May, 2022, regarding an official letter from the Chief of Police, delivered by Internal Affairs Deputy Chief Anna Colón #1595.

Employee: 

Internal Affairs:  1595

**cc: City Human Resources Director
City Labor Relations Director
Police Human Resources
File # 2021-0547**

Sign and Return to Internal Affairs