AGENDA ITEM REPORT

Title: POST2303691 - JAMES KURTZ FILLMORE (POST ID: A37-Q67)
LAST EMPLOYING AGENCY: LOS ANGELES POLICE DEPARTMENT

REPORT PROFILE

MEETING DATE	**BUREAU SUBMITTING THE REPORT**	
12/14/2023	Professional Conduct 2 Bureau	
RESEARCHED BY		**REVIEWED BY**
Robert Bringolf		Mike Radford
REPORT DATE	**APPROVED BY**	**DATE APPROVED**
04/24/2023	Annemarie Del Mugnaio	12/04/2023
PURPOSE		**FINANCIAL IMPACT**
		No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Peace Officer Standards Accountability Advisory Board (POSAAB) for review and recommendation regarding the subject peace officer's certification status.

BACKGROUND:

The Respondent began his employment with the Los Angeles Police Department on 07/28/2003 as a full time Police Officer. Respondent was promoted to the rank of detective on 06/15/2014. At the time of the incident before the POSAAB, Respondent had nearly 20 years with the Los Angeles Police Department. As of 03/22/2023, Respondent was relieved from duty at the Los Angeles Police Department, and the case is pending before the Board of Rights with an anticipated start date of 04/01/2024.

ANALYSIS:

Does the alleged conduct violate Penal Code Section 13510.8(b)(6) and California Regulation 1205(a)(6) – Acts that violate the law?

The Division's findings support that Respondent committed acts of serious misconduct, specifically Respondent committed acts that violate the law when Respondent, a sworn law enforcement officer, was involved in an off-duty accident related to driving under the influence (DUI) of alcohol on April 30, 2022.

This was Respondent's second DUI arrest while employed as a police officer for the Los Angeles Police Department, the first arrest for DUI occurred on February 27, 2016. The Los Angeles Police Department suspended Respondent for ten days as a result of the DUI conviction in 2016.

With regard to the current criminal case against the Respondent, Respondent pled Nolo Contendere to the DUI charge and was convicted of one count of 23152(b)VC - Driving with a blood alcohol content of 0.08% or higher.

RECOMMENDATION: The Peace Officer Standards Accountability Advisory Board (POSAAB) shall review the findings of investigations presented by the Peace Officer Standards Accountability Division (POSAD) and shall make a recommendation regarding what action should be taken, suspension or revocation, on the certification of the subject peace officer.

ATTACHMENT(S):
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