MEMO

Police Department

DATE: October 19, 2023

TO: SERGEANT JAMES MUTUKU #1645
FIELD OPERATIONS DIVISION

FROM: **LARRY V. GONZALEZ**
CHIEF OF POLICE

RE: **NOTICE OF TERMINATION – PA2211047**

This memorandum is to notify you of my decision regarding your discipline in this matter. Before I made this decision, you were previously served with a *Notice of Intent to* Discipline, with a recommendation of Termination, on or about July 12, 2023 by Captain Charles Payne. A *Skelly* hearing was conducted on October 12, 2023. Both you and I were present, along with Deputy Chief Frank Assumma. You were represented at the hearing by your attorney, Saku Ethir.

Upon consideration of the entirety of the evidence provided during this investigation, I have decided that it is appropriate to proceed with the termination of your employment as a Police Sergeant with the City of Riverside.

In reaching my decision to terminate your employment, I reviewed the listed personnel complaint investigation, your employment history, and considered your statements during the Skelly Hearing. Your actions in the related incident amount to serious violations of the trust and confidence our community places in its police officers and the integrity expected of a sergeant in the Riverside Police Department. Your actions fall far below the expectations I set for supervisors of the Riverside Police Department, and as the Chief of Police, I would be remiss in allowing you to continue serving as a member of the Department.

As the Chief of Police, I have an obligation to the residents of the City of Riverside, State of California, and the law-enforcement profession to uphold certain standards of professionalism and conduct among the employees of the Riverside Police Department, particularly at the supervisory rank. Your conduct, as documented in this investigation, falls far below those standards. I believe it would be a disservice to our community to allow you to continue in your current position.

In accordance with the City of Riverside's Human Resources Policy and Procedures Manual and the Memorandum of Understanding between the City and the Riverside Police Officers' Association Supervisory Unit, Article 16, you have the right to proceed to a Step Two (2) Grievance of this separation. If you wish to file a grievance, it must

be done within ten (10) working days after receipt of this notice. Your grievance must be in writing and must be delivered to the City Manager, Mike Futrell.

A failure to submit said written grievance to the City Manager's Office within the prescribed time limit shall result in the waiver of your right to grieve this action and the forfeiture of all your rights to a hearing.

Larry V. Gonzalez
Chief of Police

I acknowledge receipt of this notice:

Sergeant James Mutuku — Date: 10/20/23

Order of Separation delivered by:

Frank Assumma
Deputy Chief of Police — Date: 10/20/23

Witnessed by:

E. Charles Payne
Captain, Support Services Division — Date: 10/20/2023