

Bond Case Briefs

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EMPLOYMENT - DISTRICT OF COLUMBIA

District of Columbia Metropolitan Police Dept. v. District of Columbia Office of Employee Appeals

District of Columbia Court of Appeals - April 10, 2014 - A.3d - 2014 WL 1386458

Police officer, who was convicted of driving while intoxicated (DWI), appealed his termination. The Office of Employee Appeals (OEA) upheld the termination, and appeal was taken. The OEA Board reversed and remanded. On remand, the OEA reduced officer's termination to a thirty-day suspension, with ten days held in abeyance, and police department appealed. The Superior Court affirmed and police department appealed.

The Court of Appeals held that:

- Unpaid suspension of police officer was an authorized interim administrative suspension authorized pursuant to the District of Columbia Comprehensive Merit Personnel Act (CMPA), and therefore, officer's subsequent termination did not constitute double punishment, and
- OEA erred by overturning termination of police officer, which was consistent with the range of penalties permitted for such conduct, without assessing police department's analysis.