

Bond Case Briefs

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EMPLOYMENT - RHODE ISLAND

Sosa v. City of Woonsocket

Supreme Court of Rhode Island - July 14, 2023 - A.3d - 2023 WL 4536168

Law enforcement officer who was fired after admitting before a Massachusetts court to a recitation of facts of the charged offenses of felony breaking and entering, felony assault with a dangerous weapon, and assault on a family member filed action against city for alleged violation of the Law Enforcement Officers' Bill of Rights (LEOBR).

The Superior Court granted officer's request for an order to show cause and ordered city to comply with LEOBR. City appealed.

The Supreme Court held that officer's admission to sufficient facts in Massachusetts court did not constitute a plea of guilty or nolo contendere sufficient to dismiss officer without a hearing under LEOBR.

Law enforcement officer's admission to sufficient facts for a finding of guilt, made pursuant to Massachusetts statute providing for continuation of felony charges against officer, did not constitute a plea of guilty or nolo contendere sufficient to dismiss officer without a hearing under Law Enforcement Officers' Bill of Rights (LEOBR); an admission to sufficient facts followed by a continuance without a finding was not a conviction under Massachusetts law, officer complied with the terms and the case was dismissed without a conviction, and LEOBR required a felony conviction to terminate officer without a hearing.