



OMBUDSMAN'S REPORT

Complaint Investigation & Findings

OMB05/0183 - December 19, 2005

THE SITUATION

On October 31, 2005, the ombudsman's office received a call from a male who was not comfortable giving his name. He said he was involved in the food and beverage business and has been told that another establishment in Boise has been receiving tip-offs from a Boise Police Department (BPD) officer when an alcohol enforcement sting is about to be directed towards them. The caller said that a BPD officer has a personal relationship with an employee at that establishment and is giving that person advance warning of undercover operations. The caller did not know the name of the officer. Subsequent investigation revealed that Officer #1 has a relationship with an employee at the named establishment.

THE COMPLAINT

Boise Police Policy § 11.01.13 forbids any employee from releasing confidential police information to any unauthorized person. If the anonymous caller's allegation were true, Officer #1's actions would clearly be a violation of BPD's confidentiality policy. A legal review of this allegation determined that there was no reasonable suspicion of criminal behavior in the alleged leak since no suggestion had been made that the establishment was using the information to break the law.

THE COMPLAINT INVESTIGATION

After careful thought and consultation, I rejected any attempt to identify the alleged leaker by planting information about an upcoming liquor license sting at the named establishment. It would not be possible to conduct such an operation without letting too many people know

what was happening. In addition, Officer #1's assignment in BPD made it difficult to track the source of any leak and verify its source.

Instead, I conducted an interview with Officer #1 in which he was given no advance notice of the allegation. When I informed him of the allegation, I was able to judge his reaction. He denied any such leaks and immediately offered to take a polygraph exam to clear his name. I did not accept this offer because the anonymous complainant was not available for a polygraph.

WHAT THE COMPLAINT INVESTIGATION FOUND

I concluded that Officer #1 has not given confidential law enforcement information about upcoming "sting" operations to employees at any licensed establishment.

OMBUDSMAN'S ANALYSIS AND FINDINGS

I issued a finding of unfounded for this allegation.



Pierce Murphy
Community Ombudsman
P.O. Box 500
Boise, Idaho 83701-0500
(208) 395-7859
mailbox@boiseombudsman.org