December 4, 2022

TO: Jane Castor 12/5/22
Mayor

ATTN: John Bennett 12/5/22
Chief of Staff

FROM: Lee Bercaw
Acting Chief of Police

~~DRAFT~~ 12/5/22

APPROVED AS
FINAL DISPOSITION

SUBJECT: Professional Standards Bureau Investigation, Case #22F-017, involving Chief Mary O'Connor

Synopsis:

Chief Mary O'Connor was involved in a traffic stop while off duty in Pinellas County. The stop was for operating an unregistered golf cart on a public roadway. Chief O'Connor was the passenger in the golf cart, and her husband was the driver. During the traffic stop, Chief O'Connor compromised her and the City of Tampa's professionalism and ethics by using her position of authority to solicit the Pinellas Deputy not to issue a citation for the violation. Based on the facts of the administrative investigation, there was evidence discovered to find Chief O'Connor in violation of Tampa Police Department policies.

Case Summation:

On November 12, 2022, at 1924 hours, Deputy Jacoby initiated a traffic stop on a golf cart with no tag at East Lake Rd. and Woodlands Pkwy. Chief Mary O'Connor was the passenger, and her husband was the driver. During the stop both were cooperative with the deputy; however, Chief O'Connor identified herself verbally and with her police badge followed with, "I am hoping you will let us go tonight." At the conclusion of the traffic stop, Chief O'Connor provided Deputy Jacoby with her business card and stated, "If you ever need anything, call me - serious." Deputy Jacoby cleared the stop with a verbal warning.

On November 30, 2022, Chief O'Connor called the Mayor to make her aware of the incident. In her interview, Chief O'Connor recollected officially informing the Mayor and providing the video on the following day, December 1, 2022. After watching the video, the Mayor immediately initiated an internal investigation (22F-017) on Chief O'Connor. On December 2, 2022, Chief O'Connor was placed on administrative leave.

Captain Messmer of the Professional Standards Bureau conducted the investigation and interviewed Chief O'Connor on December 3, 2022. In her interview, Chief O'Connor admits to violating the Tampa Police Department Manual of Regulations Standard of Conduct and Abuse of Position or Identification. She advised that she identified herself as a police officer for safety;

however, she admitted that she made a mistake by further asking to be let go without a ticket. Chief O'Connor advised she provided the deputy with her business card as she does with hundreds of citizens and law enforcement officers. She added this action was not intended to give the deputy any type of preferential treatment. Chief O'Connor advised she is the owner of the golf cart, and that it was not registered. Furthermore, she had limited knowledge of the laws involving golf carts. Chief O'Connor took full responsibility for her actions, was very apologetic, and regrets putting the deputy in a difficult position and pressuring him not to issue a citation. Chief O'Connor explained that she holds her officers to the highest standard and as leader of the agency believes she should operate at an even higher level. She acknowledged on November 12, 2022, that she failed to lead by example.

Disposition:

After careful review of the video, documentation, interview, applicable departmental policies, procedures, and regulations as they apply to the facts of the case, I find that the investigation disclosed sufficient evidence to sustain violations of Tampa Police Department policy. The Chief of Police is held to the highest standards above their officers. Chief O'Connor used her official position and her badge for obtaining privileges, not otherwise available, in an attempt to avoid the issuance of a traffic citation. These actions comprised the professionalism, ethics, and objectives of the Police Chief and the City of Tampa.

Therefore, I find:

A violation of Manual of Regulations #1005 – Standard of Conduct, is **SUSTAINED**.

A violation of Manual of Regulations #1102.01 – Abuse of Position or Identification, is **SUSTAINED**.

Respectfully submitted,

Lee Bercaw
Acting Chief of Police