

### Final Notice of Disciplinary Action

DEPARTMENT OF PERSONNEL - STATE OF NEW JERSEY

**INSTRUCTIONS:** This notice must be served on a permanent employee or an employee serving a working test period in the career service against whom one of the following types of disciplinary action is contemplated: (a) suspension or fine of more than five days at one time; (b) suspensions or fines more than three times or for an aggregate of more than fifteen days in one calendar year; (c) disciplinary demotion from a title in which the employee has permanent status or to which the employee has received a regular appointment; (d) removal; (e) resignation not in good standing. If the employee does not report or does not appear at the hearing, this notice must be served as the final action. A copy of this notice must be sent to the Department of Personnel and served on the employee by personal service or certified or registered mail.

<b>FROM:</b>	JURISDICTION (Local Service) Newark	DEPARTMENT Police	ADDRESS 1 Lincoln Avenue	DATE 12/16/08
	DIVISION, INSTITUTION OR AGENCY Second Precinct	STATE PAYROLL NUMBER		
<b>TO:</b>	NAME OF EMPLOYEE Victor Lopez-Quiros	TITLE Police Officer	CITY AND STATE	SOCIAL SECURITY NUMBER

1. On December 19, 2008 you were served with a Preliminary Notice of Disciplinary Action (DPF-31A) and notified of the pending disciplinary action:

- You requested a hearing which was held on December 29, 2008 CAP 08-275 IOP 08-850
- You did not request a hearing.
- You requested a hearing and did not appear at the designated time and place.

The following charge(s) was dismissed:

The following charge(s) was sustained:

On December 29, 2008, at a Suspension Hearing, it was determined that you, Police Officer Victor Lopez-Quiros, shall return to duty effective today: December 29, 2008

If checked, charges are continued on attached page

If checked, specifications are continued on attached page

2. The following disciplinary action has been taken against you:

- Suspension for INDEFINITE days, beginning December 16, 2008 and ending December 29, 2008
- Removal, effective (date) \_\_\_\_\_
- Demotion to position of \_\_\_\_\_ effective (date) \_\_\_\_\_
- Resignation not in good standing, effective (date) \_\_\_\_\_
- Fine of \_\_\_\_\_ which is equal to \_\_\_\_\_ days pay

Departmental Trial to follow other disciplinary action:

SIGNATURE Garry F. McCarthy  
Garry F. McCarthy

TITLE POLICE DIRECTOR  
Appointing Authority or authorized agent

<b>3.</b>	METHOD OF SERVICE <input checked="" type="checkbox"/> PERSONAL SERVICE <input type="checkbox"/> CERTIFIED OR REGISTERED MAIL	NAME AND TITLE OF SERVER <u>[Signature]</u> Give date of receipt by employee or agent as shown On return receipt postal card and the receipt number: <u>7008.0500.0001.0108.1637</u>	DATE SERVED <u>12/29/08</u>
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**4. APPEAL PROCEDURE TO THE EMPLOYEE:** You have a right to appeal disciplinary actions: (a) suspension or fines of more than five days at one time; (b) suspensions or fines more than three times or for an aggregate of more than fifteen days in one calendar year; (c) disciplinary demotion; (d) removal or (e) resignation not in good standing. Your letter of appeal must be filed with the Merit System within 20 days of receipt of this form. Appeals must be sent to: MERRIT SYSTEM BOARD, STATION PLAZA, 44 S. Clinton Avenue, CN 312, Trenton, NJ 08625-0312. Appeals must be sent directly to the Merit System Board. Do not give your appeal to your Personnel Office for forwarding to the Merit System Board.  
**NOTICE:** Your health insurance coverage may be affected by this action; check with your Personnel Office.

**POLICE DEPARTMENT**

Newark, N. J., ... December 19, 2008...

To the Honorable, the Police Director,

Sir:

**I Hereby Charge** POLICE OFFICER VICTOR LOPEZ-QUIROS,  
SECOND PRECINCT, OPERATIONS BUREAU

CAP 2008-275 IOP 2008-850

CHARGES MAY BE ADDED OR AMENDED AT A LATER DATE

**CHARGE I:** Violation of Newark Police Department Rules and Regulations, Chapter 18:24 - CRIMINAL LAW - Department members shall not violate any criminal law, any provisions of the Disorderly Persons Act or of the City Ordinances. They shall commit no illegal act.

**SPECIFICATION:** On December 16, 2008, Police Officer Victor Lopez-Quiros, was arrested by members of the Newark Police Department for acts of Domestic Violence:  
2C:12-1b..... Aggravated Assault  
2C:39-4..... Possession of Weapon for Unlawful Purpose

**CHARGE II:** Violation of Newark Police Department Rules and Regulations, Chapter 3:1.1 - CONDUCT IN PUBLIC AND PRIVATE - Police officers in both private and public lives shall conduct themselves so as to avoid impugning the reputation of the Department. They shall maintain the dignity and integrity of their office through the exemplary obedience to all Rules and Regulations; the maintenance of respect for the welfare and rights of all citizens; the courteous and objective enforcement of laws without favor or prejudice, and the recognition that police service is a public trust requiring dedication to ideals and ethics of the highest degree.

**CHARGE IIB:** Violation of Civil Service Rules 4A:2-2.3(a) 6.  
An employee may be subject to discipline for:  
6. Conduct unbecoming a public employee;

**SPECIFICATION:** Approximately three to four years ago, prior to December 03, 2008, at 162 North 10<sup>th</sup> Street, Newark, New Jersey, Police Officer Victor Lopez-Quiros, did conduct himself in such a manner as to impugn the reputation of the Department and shame the integrity of his Office, to wit: during a domestic quarrel with his wife, Lucia Espinosa, Officer Lopez-Quiros pointed his Newark Police Department issued service weapon at her and fired one round into their mattress as Mrs. Espinosa got out of bed.

**CHARGE III:** Violation of Newark Police Department Rules and Regulations, Chapter 18:6 - NEGLIGENCE OF DUTY - Department members shall not commit any act nor shall they be guilty of any omission that constitutes neglect of duty.

**CHARGE IIIB:** Violation of Civil Service Rule: 4A:2-2.3(a) 7.  
An employee may be subject to discipline for:  
7. Neglect of duty;

**POLICE DEPARTMENT**

Newark, N. J., ... December 19, 2008...

To the Honorable, the Police Director,

Sir:

***I Hereby Charge*** POLICE OFFICER VICTOR LOPEZ-QUIROS,  
SECOND PRECINCT, OPERATIONS BUREAU

CAP 2008-275

IOP 2008-850

**SPECIFICATION:** Approximately three to four years ago, prior to December 03, 2008,  
Police Officer Victor Lopez-Quiros, did neglect his duty when he failed to notify the Newark  
Police Department that he discharged his service weapon.



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GARRY F. MCCARTHY  
DIRECTOR OF POLICE

01/14/2009 11:45

## Final Notice of Disciplinary Action

DEPARTMENT OF PERSONNEL - STATE OF NEW JERSEY

**INSTRUCTIONS:** This notice must be served on a permanent employee or an employee serving a working test period in the career service against whom one of the following types of disciplinary actions is contemplated: (a) suspension or fine of more than five days at one time; (b) suspension or fines more than three times or for an aggregate of more than fifteen days in one calendar year; (c) disciplinary demotion from a title in which the employee has permanent status or to which the employee has received a regular appointment; (d) removal; (e) resignation not in good standing. If the employee does not request or does not appear at the hearing, this notice must be served as the final action. Copies of this notice must be sent to the Department of Personnel and served on the employee by personal service or certified or registered mail.

	EMPLOYER (Local Service)	DEPARTMENT		
FROM:	Newark Second Precinct	Police		DATE
	INSTITUTION OR AGENCY	STATE PAYROLL NUMBER	ADDRESS	
			1 Lincoln Avenue	12/16/08
TO:	Victor Lopez-Quiros	TITLE	SOCIAL SECURITY NUMBER	
		Police Officer		
		CITY AND STATE		

1. On December 09, 2008 you were served with a Preliminary Notice of Disciplinary Action (DPF-31A) and notified of the pending disciplinary action:

- You requested a hearing which was held on December 16, 2008 CAP 08-264 KOP 08-795
- You did not request a hearing.
- You requested a hearing and did not appear at the designated time and place.

The following charge(s) was dismissed:  <input type="checkbox"/> If checked, charges are continued on attached page	The following charge(s) was sustained:  On December 16, 2008, at a Suspension Hearing, it was determined that you, Police Officer Victor Lopez-Quiros, shall return to duty effective today: <b>December 16, 2008</b>  <input checked="" type="checkbox"/> If checked, specifications are continued on attached page
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2. The following disciplinary action has been taken against you:

- Suspension for INDEFINITE days, beginning December 04, 2008 and ending December 16, 2008
- Removal, effective (date) \_\_\_\_\_
- Demotion to position of \_\_\_\_\_ effective (date) \_\_\_\_\_
- Resignation not in good standing, effective (date) \_\_\_\_\_
- Fine \$ \_\_\_\_\_ which is equal to \_\_\_\_\_ days pay

Departmental Trial to follow other disciplinary action:

SIGNATURE: *Wilks R. Wilson* TITLE: ACTING POLICE DIRECTOR  
Appointing Authority or authorized agent

3. METHOD OF SERVICE	PERSONAL SERVICE →	NAME AND TITLE OF SERVER	DATE SERVED
		<u><i>Richard [Signature]</i></u>	<u>12/16/08</u>
SERVICE (CHECK ONE)	CERTIFIED OR REGISTERED MAIL →	Give date of receipt by employee or agent as shown On return receipt postal card and the receipt number	

**4. APPEAL PROCEDURE TO THE EMPLOYEE:** You have a right to appeal disciplinary actions: (a) suspension or fines of more than five days at one time; (b) suspension or fines more than three times or for an aggregate of more than fifteen days in one calendar year; (c) disciplinary demotion; (d) removal or (e) resignation not in good standing. Your letter of appeal must be filed with the Merit System within 30 days of receipt of this form. Appeals must be sent to: MERRIT SYSTEM BOARD, 3 STATION PLAZA, 44 S. Clinton Avenue, CN 312, Trenton, NJ 08625-0312. Appeals must be sent directly to the Merit System Board. Do not give your appeal to your Personnel Office for forwarding to the Merit System Board.  
**NOTICE:** Your health insurance coverage may be affected by this action; check with your Personnel Office.

**POLICE DEPARTMENT**

Newark, N. J., ... December 04, 2008...

To the Honorable, the Police Director,

Sir:

***I Hereby Charge*** POLICE OFFICER VICTOR LOPEZ-QUIROS,  
SECOND PRECINCT, OPERATIONS BUREAU

CAP 2008-264

IOI' 2008-795

**CHARGES MAY BE ADDED OR AMENDED AT A LATER DATE**

**CHARGE I:** Violation of Newark Police Department Rules and Regulations, Chapter 18:24 -- CRIMINAL LAW -- Department members shall not violate any criminal law, any provisions of the Disorderly Persons Act or of the City Ordinances. They shall commit no illegal act.

**SPECIFICATION:** On November 26, 2008, Police Officer Victor Lopez-Quiros, was arrested by members of the Newark Police Department for acts of Domestic Violence: Terroristic Threats, committed against his wife, Lucia Espinosa.

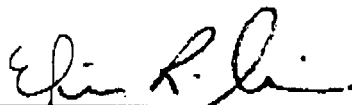
**CHARGE II:** Violation of Newark Police Department Rules and Regulations, Chapter 3:1.1 -- CONDUCT IN PUBLIC AND PRIVATE -- Police officers in both private and public lives shall conduct themselves so as to avoid impugning the reputation of the Department. They shall maintain the dignity and integrity of their office through the exemplary obedience to all Rules and Regulations; the maintenance of respect for the welfare and rights of all citizens; the courteous and objective enforcement of laws without favor or prejudice, and the recognition that police service is a public trust requiring dedication to ideals and ethics of the highest degree.

**CHARGE IIB:** Violation of Civil Service Rules 4A:2-2.3(a) 6.

An employee may be subject to discipline for:

6. Conduct unbecoming a public employee;

**SPECIFICATION:** On November 26, 2008, at cet, Newark, New Jersey,  
Police Officer Victor Lopez-Quiros, did conduct himself in such a manner as to impugn the reputation of the Department and shame the integrity of his Office, when he threatened to kill his wife, Lucia Espinosa, after she told him she wanted a divorce. As a result, Officer Lopez-Quiros was arrested by the Newark Police Department for Domestic Violence - Terroristic Threats.



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NILES R. WILSON  
DEPUTY DIRECTOR OF POLICE  
OFFICE OF THE POLICE DIRECTOR