



CITY OF BILLINGS

POLICE DEPARTMENT

P.O. Box 1554 • Billings, MT 59103
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June 22, 2020

Officer Jeffrey Stovall

Billings, MT 59106

Dear Officer Stovall:

NOTICE OF POSSIBLE DISCIPLINARY ACTION. C 20-69

Due Process Hearing - Office of the Chief of Police – on July 1, 2020 @ 0800 hours

The investigation of your conduct that led to the initiation of this complaint on May 22, 2020 has been completed. You are notified that I am considering disciplinary action up to and including termination of your employment with the City of Billings for conduct prohibited by law involving driving under the influence of alcohol and policy violations. This due process letter and any resulting discipline is an administrative action addressing your employment with the City of Billings.

1. On May 22, 2020 at approximately 0122, YCSO deputies were dispatched to S. 64th W and King Ave. West in regards to a possible injury accident with initial information that the vehicle had driven into the irrigation ditch and that the driver was passed out behind the wheel.
2. Upon the deputies' arrival, they determined that there was no injury accident, no damage to the vehicle or property, and that driven off the side of the road.
3. Deputies contacted the driver and asked if there were injuries. The deputy noted that the driver's eyes were bloodshot and glossy and that he could detect a strong odor of alcoholic beverage on his breath.
4. You were subsequently identified as the driver of the black Dodge pickup.
5. During preliminary questioning, the deputy asked why you were parked on the side of the road. You said something to the effect "they pulled me over, it's pretty usual, I'm a police officer. It was at that point you were identified as an off-duty BPD officer.
6. You complied with the request to perform SFTS and demonstrated nystagmus, and were deficient in the "walk and turn" and one leg stand.
7. You were read the Preliminary Alcohol Screen Test advisory and refused to provide a breath sample.
8. You were arrested for DUI and transported to the DUIC for processing. While at the DUIC, you were deficient in your SFST's and refused to give a breath or blood sample when read your implied consent.

9. You were read Miranda and did not answer any questions.
10. You were issued an NTA for first offense DUI and given a ride home.
11. Witness Morgan Wilson said that she was headed east on King Ave. West and was approaching S. 64th Street West and was intending to make a left turn to head north.
12. As she slowed and approached the intersection, Wilson said that she saw your truck sitting at the stop sign heading south. As she began her turn, you pulled in front of her causing her to brake. Wilson said that she was going slow enough to stop and that you were going approximately 10 MPH. She "laid on the horn" but you didn't react.
13. Wilson said that she saw you pass through the intersection and veer off the side of the road and come to a stop. She turned behind you and pulled up next to you and again "laid on the horn" which she thought woke you up. She called 911 and deputies arrived shortly thereafter.
14. On May 22, 2020, you were placed on administrative leave pending completion of the criminal and administrative investigations.
15. On June 10, 2020, you provided an administrative statement to Capt. Lawrence. In that statement you admitted that:
 - a. you had been drinking that night;
 - b. you did not recall how much you had to drink;
 - c. you had been drinking beer and were headed home at the time;
 - d. you did not recall anything reported by the witness;
 - e. you cooperated with the deputies other than not providing breath samples;
 - f. you were under the influence and should not have been driving.
 - g. you were embarrassed and what you did was selfish and that you wanted to apologize to me and the rest of the department.
 - h. you have struggled with alcohol issues the past year and thought you were handling it;
 - i. that your struggle with alcohol, refusal to take help that was offered, and your divorce being finalized that day culminated that night.
 - j. you want to move forward and be a positive role model for others.
 - k. your driver's license is reinstated; you have completed or enrolled in ACT-Prime for Life class; continued therapeutic counseling; continued post-divorce counseling, continue anti-craving therapy; and will complete all judicial requirement;
 - l. you would waive the Due Process hearing and accept whatever punishment was decided.

Summaries of specific allegations set out above are supported by the following evidence:

- Yellowstone County Sheriff's Office reports
- Billings Police Department reports
- Witness statements
- WatchGuard/Arbitrator video and audio

Based on the aforementioned facts, you are alleged to be in violation of the following department and city policies:

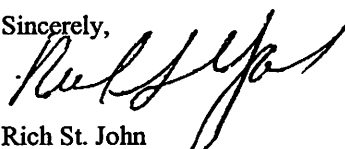
1. 2-1. Oath of Office/Code of Ethics. Policy. I.
2. 2-2. Rules of Conduct. I. A. 1. F. Rules. I. A. II. D. 1. b. 2.

A due process hearing will be held in the office of the Chief of Police on **July 1, 2020 @ 0800 hours**. At this hearing, you will be given the opportunity to respond to the previously listed allegations and present information or evidence that you believe to be pertinent for my consideration.

A decision regarding any disciplinary action will be made following the due process hearing and will include consideration of previous discipline in accordance with the City/Police Collective Bargaining Agreement. Once a decision has been made, you will be promptly notified in writing.

If you wish, you may have a representative present with you during the hearing. Any legal counsel on your behalf must be arranged by you and at your expense. A copy of the City's Due Process Policy is also attached.

Sincerely,



Rich St. John
Chief of Police

Enclosures (1)

cc: Karla Stanton, Human Resources Manager
Office of Professional Standards
File