MEMORANDUM IN SUPPORT OF NYPD's DEVIATION FROM THE DISCIPLINARY SYSTEM PENALTY GUIDELINES

Re: Disciplinary Case No. 2022-27279 regarding Police Officer Kimberly Lucas

Date: May 10, 2024

The facts and circumstances presented in the Report and Recommendation from Assistant Deputy Commissioner of Trials, Anne E. Stone, have been carefully considered. In this matter, while I agree with the findings, I do not agree with the proposed penalty recommendation of separation from the Department.

Police Officer Kimberly Lucas pled guilty to possessing and submitting fraudulent COVID vaccine cards to the Department, and providing a false statement regarding her vaccine status during an official department investigation, thereby impeding an investigation.

I measured several factors against the proposed penalty recommendation. At the time of the incident, Police Officer Lucas had fulfilled nine years of exemplary service in the rank of police officer, with favorable performance evaluations and no formal disciplinary history. In addition, I considered Police Officer Lucas' accomplishments, which consisted of receiving several medals for meritorious police duty and for excellent police duty.

While I am aware that Police Officer Lucas' length of service and excellent career history does not excuse the above misconduct, it may be utilized to mitigate the penalty. As part of the mitigated penalty, I will impose a period of dismissal probation, in addition to penalty days, to ensure that Police Officer Lucas is properly monitored and evaluated. In summary, under these circumstances, a significant loss of penalty days, as well as a period of monitoring, would appropriately penalize Police Officer Lucas for her misconduct while recognizing the mitigating information presented at the hearing.

Therefore, Police Officer Lucas shall forfeit eight-five (85) vacation days and be placed on one (1) year dismissal probation, as a disciplinary penalty.

Edward A. Caban
Police Commissioner