

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

33 Washington Street
Newark, NJ 07102
(973) 648-7136

9 Quakerbridge Plaza / PO Box 049
Trenton, NJ 08625-0049
609-689-4028

FILED CLERKS OFFICE

2015 MAY 21 P 1:29

FROM:

New Jersey State Police, Office of Professional Standards

NAME OF AGENCY

810 Bear Tavern Road – Suite 310
West Trenton, NJ 08628

ADDRESS

Lt. Mark Santiago #5785

TRANSMITTING OFFICE

609-883-5149

07412-15

TELEPHONE NUMBER

STATE OF NEW JERSEY
OFFICE OF ADMIN. LAW
POL

OAL OFFICIAL USE

COUNTY

Mercer

*

JURISDICTION

South

*

THE FOLLOWING ADDITIONAL INFORMATION IS REQUIRED:

1. Nature of the case. Please include references

to statutes or rules and briefly summarize the facts and law involved. Attach pleadings to this form.

2. Estimated time required for hearing.

3. Legal requirements (State or Federal) mandating a date for Agency Decision:

4. Is a court stenographer requested?

5. **Special features to be anticipated in this matter**, i.e., emergent relief, discovery motions, prehearing conference, conference hearing, remand, expedited hearings, location (county).

6. Is a barrier-free location needed?

7. Have the attached documents been exchanged between the parties?

8. Names of other agencies claiming jurisdiction over transmitted dispute:

v. Det. I Georgina Sirakides #6689

Name of Contested Case or Short Title
2012-0083

Agency Docket / Reference Number/Discrimination
Case N.J.S.A. 34:6A-45b and N.J.A.C. 12:110-7

Violation of Article VI Section 2.b., Article XIII Section 19.b., Article XIII Section 19.d, Article V Section 8 and Article IV Section 3.b. of the New Jersey State Police Rules and Regulations.

3 Days(s) or _____ Hours

Yes No If yes, please specify requirements and citation : _____

Yes No

Yes No Uncertain

Yes No If no, the documents shall be served on or offered to the parties on: _____

NONE

Transmitting officer or other agency personnel to receive notices of hearing etc., pursuant to N.J.A.C. 1:1-8.2 (a) 13. This person need not be served by the parties with motions, correspondence, etc.

Lt. Mark Santiago #5785
NJ State Police
810 Bear Tavern Road – Suite 310
West Trenton, NJ 08628
PHONE #: (609) 883-5149 FAX:
E-MAIL ADDRESS: LPP5785@gw.njsp.org

SERVICE LIST

Parties Named in this Proceeding and their Representatives

For additional parties, attach names, addresses and telephone numbers of each party linked with that representative if any.

#1. PETITIONER

PETITIONER REPRESENTATIVE

Det. I Georgina Sirakides #6689
New Jersey State Police
PO Box 7068
West Trenton, NJ 08628
TELEPHONE # 609-882-2000
FAX :
E-MAIL ADDRESS:

David J. Azotea, Esq.
3030 Atlantic Avenue
Atlantic City, NJ 08401-6380
TELEPHONE # 609-348-1300
FAX : 609-347-1166
E-MAIL ADDRESS: dazotea@levinestaller.com

#2. RESPONDENT

RESPONDENT REPRESENTATIVE

New Jersey State Police
Office of Professional Standards
PO Box 7068
West Trenton, NJ 08628
TELEPHONE # 609-883-5149
FAX : 609-883-6598
E-MAIL ADDRESS:

DAG Victor DiFrancesco
Office of Law Enforcement Professional Standards
25 Market Street, PO Box 080
Trenton, NJ 08625
TELEPHONE # 609-341-3228
FAX :
E-MAIL ADDRESS:
Victor.DiFrancesco@lps.state.nj.us

#3. OTHER

OTHER REPRESENTATIVE

TELEPHONE #
FAX :
E-MAIL ADDRESS:

TELEPHONE
FAX :
E-MAIL ADDRESS:

#4. OTHER

OTHER REPRESENTATIVE

TELEPHONE #
FAX :
E-MAIL ADDRESS:

TELEPHONE #
FAX :
E-MAIL ADDRESS:

(Please attach additional sheets for contacts as necessary and indicate representation)

STATE OF NEW JERSEY
 DIVISION OF STATE POLICE
 DIVISION HEADQUARTERS, WEST TRENTON, N.J.

**GENERAL
 DISCIPLINARY HEARING RECORD**

PART I	CHARGES	2012-0083
		5/14/2015 <small>(Date)</small>

To: The Superintendent of State Police

I, Mark Santiago #5785, Lieutenant OPS / Intake and
(Accuser) (Rank) of Adjudication Bureau
(Assignment)

of the Division of State Police, do hereby charge that Georgina Sirakides No: 6689
(Member) (Badge)

Detective I / Administrative Absence / Div. Human Resources Section of the Division of State Police, did violate on
(Rank and Assignment)

Various Dates Between

Date August 2011 and February, 2014, the Rules and Regulations of the New Jersey State Police, in that said member

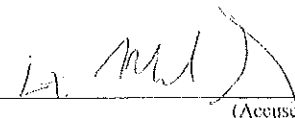
1. Did violate Article VI Section 2.b. of said Rules and Regulations, to wit;
 See Attached Charges and Specifications

2. Did violate Article XIII Section 19.b. of said Rules and Regulations, to wit;
 See Attached Charges and Specifications

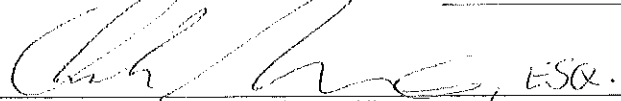
3. Did violate Article XIII Section 19.d. of said Rules and Regulations, to wit;
 See Attached Charges and Specifications
4. Did violate Article V, Section 8., of said Rules and Regulations, to wit; See Attached C&S
5. Did violate Article IV, Section 3.b., of said Rules and Regulations, to wit; See Attached C&S

State of New Jersey
 County of Mercer } §§

Lt. Mark Santiago #5785 being duly sworn according to law, under oath deposes and says
 that upon personal knowledge of information and belief the foregoing charges are true.

(Signed)  # 5785
(Accuser)
Lt. / A.I.P.U. / OPS
(Rank and Assignment)

Sworn and subscribed to before me this Fourteenth day of May, 2015

 ESQ.
(Notary Public)

PART II

LIST OF WITNESSES

2012-0083

Witnesses - Prosecution:
Various NJSP personnel and others to be determined.

Witnesses - Defense:

Documents, reports, depositions and written statements:
Complete discovery package reference 2012-0083, including attachments.

PART III

ORDER TO SERVE CHARGES

New Jersey State Police, Headquarters, West Trenton, N.J.

Date May 14, 2015

TO: Lt. Mark Santiago #5785

OPS 810 Bear Tavern Road, West Trenton, NJ 08628

(Place)

I. Forwarded for service of charges.

BY ORDER OF THE SUPERINTENDENT:

(Signed)

[Handwritten Signature]

Major / Commanding Officer / OPS

(Rank and Assignment)

PART IV

CERTIFICATION OF SERVICE OF CHARGES

I have on May 14, 2015, served copy of charges and order personally or

by leaving same with n/a person over 14 years of age at

n/a or by registered mail directed to
(Address)

n/a the Accused's last known address.
(Address)

Served in the presence of

(Signed) DSC E. Ragon #5912-

AIPU/OPS

(Signed)

Lt. Mark Santiago #5785

Lt. / AIPU / OPS

(Rank and Assignment)

PART V

RESPONSE TO CHARGES

2012-0083

Date: 5/18, 2015

To: Superintendent, New Jersey State Police, West Trenton, N.J. 08628-0068

SIR: As required by Article 11 Section 7 of the State Police Rules and Regulations, I hereby supply the following information.

A. Counsel retained Yes No

Counsel's Name DAVID J. AZOREA

Address 3030 ATLANTIC AVE, ATLANTIC CITY, NJ 08401

Phone No. 609 348 1350

B. I do do not desire to have a member serve as defense counsel.

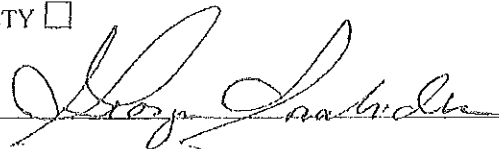
(Please enter the name of such member.) _____

C. I do do not intend to call witnesses. (Please supply name, address and phone number of all such witnesses on separate sheet and enclose.) *** TO BE PROVIDED**

D. I do do not request Division Records. (Please identify any records requested on separate sheet and enclose.) *** TO BE PROVIDED**

E. I hereby enter the following plea.

NOT GUILTY GUILTY

(Signed) 

Det 1 Admin Absa
(Rank and Assignment)

Hearing Date Scheduled: to be set

* Please Fax response to OPS at 609-883-6598

GENERAL DISCIPLINARY HEARING
Detective II Georgina Sirakides #6689

CHARGES AND SPECIFICATIONS REFERENCE INTERNAL INVESTIGATION
2012-0083

CHARGE #1:

Violation of Article VI, Section 2.b, of the Rules and Regulations of this Division which reads:

No member shall act or behave in an unofficial or private capacity to the personal discredit of the member or to the discredit of the Division.

The above listed charge is supported by the following specifications:

SPECIFICATION #1:

On August 2, 2011, Detective II Georgina Sirakides #6689, while off duty, acted to her personal discredit by engaging in a domestic violence incident in which she physically assaulted her spouse, Trooper II Kenneth Sirakides #6654. Specifically, Det. II Sirakides engaged a verbal dispute with Tpr. II K. Sirakides in their former marital residence in Tabernacle, New Jersey, and she physically grabbed his shirt causing scratches to his back. Tpr. II K. Sirakides' injury to his back was documented by another enlisted member who photographed the injuries with Tpr. II K. Sirakides' Blackberry cellular phone on August 3, 2011.

SPECIFICATION #2:

On October 11, 2011, Detective II Georgina Sirakides #6689, while off duty, acted to her personal discredit by engaging in a domestic violence incident in which she physically assaulted her spouse, Trooper II Kenneth Sirakides #6654. Specifically, Det. II Sirakides became involved in a verbal dispute with Tpr. II K. Sirakides outside the Bernard Hair Salon in Sewell, New Jersey, and physically grabbed him causing a laceration to his upper arm. Trooper II K. Sirakides' injury to his arm was documented by another enlisted member who photographed the injury with Tpr. II K. Sirakides' Blackberry cellular phone on October 11, 2011, after the incident.

SPECIFICATION #3:

On December 12, 2011, Detective II Georgina Sirakides #6689, acted to her personal discredit by improperly accessing the personal Hotmail electronic mail account of Trooper II Kenneth Sirakides #6654. Specifically, she accessed email account kensirakides1@hotmail.com where she obtained document, photo, video and audio files and saved them to her personal Blackberry cellular phone. Tpr. II K. Sirakides provided a formal statement to OPS investigators in which he advised that he separated from Det. II Sirakides in July 2011 and that she did not have his permission or authorization to access his Hotmail email account. Det. II Sirakides' access to the email account was investigated by the NJSP Cyber Crimes Unit (CCU) and the saved files were located on the MicroSD card from her Blackberry, which was seized as a result of a communications data warrant. The NJSP CCU deemed Det. II Sirakides' actions a criminal act, however, the Department of Criminal Justice declined to charge her criminally. On February 19, 2014, Det. II Sirakides provided a formal statement to OPS investigators in which she admitted accessing Tpr. II K. Sirakides Hotmail account multiple times beginning in 2006 and from her Blackberry, the Heggan Library computer and other houses where she had access to a computer.

CHARGE #2:

Violation of Article XIII, Section 19.b., of the Rules and Regulations of this Division, which reads:

A member shall treat as confidential, unless the contrary is specifically authorized by competent Division authority, any matters or information which pertain to the Division, its operations, investigations or internal procedures.

More specifically,

S.O.P. B6, Section VI, Paragraph C.2.a, which reads:

Members of the New Jersey State Police shall not provide information on any matters pertaining to New Jersey State Police operations, investigations, internal procedures, or confidential information regarding state police personnel, unless specifically authorized by the OPI.

CHARGE #3:

Violation of Article XIII, Section 19.d., of the Rules and Regulations of this Division, which reads:

A member shall release such information which pertains to the Division as may from time to time be authorized by competent Division authority to any person or to the news media upon request.

More specifically,

S.O.P. B6, Section III, Paragraph B.8., which reads:

Non-Routine Information: Information which shall be forwarded to the OPI for release to the media is hereby defined to include the following incidents: inquiries about policies, procedures, personnel, etc.

The above listed charges are supported by the following specification.

SPECIFICATION #1:

From March 11, 2012 to March 22, 2012, Detective II Georgina Sirakides #6689, acted to her personal discredit and to the discredit of the Division by releasing photographs and discussing non-routine State Police business with members of the news media. Specifically, she communicated with members of the media and assisted Acting Detective Sergeant First Class Kenneth Franco #5053 and former Division member Victor Cooper #4955 in the release of photographs of Trooper II Kenneth Sirakides and other enlisted members holding a Puerto Rican flag during a drug seizure. In addition, she assisted A/DSFC Franco in providing a member of the media with information regarding Tpr. II K. Sirakides' involvement in a Velocity Sports Performance internet video. A review of call logs and text messaging, which were obtained by a communication data warrant from Det. II Sirakides' Blackberry cellular phone, revealed a pattern of calls between herself, media reporters, Mr. Cooper, and A/DSFC Franco during the time period surrounding the release of the photographs to the FOX 29 News on March 12, 2012, and the subsequent broadcast of the photographs on March 13, 2012.

CHARGE #4:

Violation of Article V, Section 8., of the Rules and Regulations of this Division which reads:

A member shall communicate promptly through the Division chain of command all crimes, breaches of the peace, suicides, attempted suicides, fires, accidents, complaints, misconduct, or other information of which the Division takes cognizance,

that may come to the member's attention, during the performance of such member's duty. A member shall not withhold any information on such matters for any reason.

More specifically,

Standing Operating Procedure (S.O.P.) B10, Section IV., Paragraph A., which reads:

Reportable incidents include but are not limited to the following: A complaint that a member has engaged in any form of misconduct whether on or off-duty.

The above listed charge is supported by the following specifications.

SPECIFICATION #1:

On December 12, 2011, Detective II Georgina Sirakides #6689, failed to notify the Division of the misconduct of Trooper II Kenneth Sirakides #6654. Specifically, Det. II Sirakides did not report her knowledge of Tpr. II K. Sirakides' misconduct contained within his personal Hotmail account documents, images and videos which she obtained by improperly accessing his personal Hotmail electronic mail account. Det. II Sirakides failed to report this information in a timely manner until she filed a formal complaint with the Office of the Attorney General, Office of Equal Employment, nine days later on December 21, 2011.

SPECIFICATION #2:

In March 2012, Detective II Georgina Sirakides #6689, failed to notify the Division of her knowledge that Acting Detective Sergeant First Class Kenneth Franco #5053 had contacted media sources regarding the release of photographs depicting Trooper II Kenneth Sirakides #6654, and other enlisted members holding a Puerto Rican flag during a drug seizure.

SPECIFICATION #3:

On August 2, 2011, and October 11, 2011, Detective II Georgina Sirakides #6689, failed to immediately notify the Division that she had been involved in domestic violence incidents with her spouse, Trooper II Kenneth Sirakides #6654, in which he claimed she had assaulted him causing injuries. Specifically, Det. II Georgina did not report these two altercations to Division until October 13, 2011 during her NJSP EEO complaint. On February 19, 2014, Det. II Sirakides provided a formal statement to OPS investigators in which she acknowledged she was involved in these incidents with Tpr. K. Sirakides, however, she claimed there was no physical contact and that both incidents were verbal arguments.

CHARGE #5:

Violation of Article IV, Section 3.b, of the Rules and Regulations of this Division which reads, in part:

A member shall not willfully disobey any lawful verbal or written order of any superior commissioned officer, superior non-commissioned officer, or other member placed by competent authority in a position of supervision over such member.

More Specifically:

Standing Operating Procedure (S.O.P.) B10, Section XI, Paragraph D, which reads:

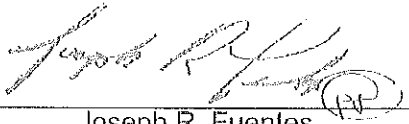
All members of the Division are obligated to answer questions and provide full and complete information to investigating officers during internal investigations. Less than complete candor during any statement may lead to serious disciplinary sanctions, which may include suspension or termination.

The above listed charge is supported by the following specification.

SPECIFICATION #1:

On February 19, 2014, Detective II Georgina Sirakides #6689, refused to answer direct questions by OPS investigators related to her alleged misconduct during her principal interview regarding an administrative internal investigation. Specifically, Det. II Sirakides refused to answer questions some of which were related to the following topics: her dates of marriage, separation and divorce with her former spouse; her relationship with enlisted member Acting Detective Sergeant First Class Kenneth Franco #5053; her Blackberry cellular phone records regarding the release of the Puerto Rican flag photographs; her Blackberry calendar entries; the fictitious Facebook identity "Diane Sirakides"; and her address changes on her driver license. Det. II Sirakides' refusal to answer questions obstructed OPS investigators efforts to gather information regarding additional alleged misconduct by her. In addition, during Det. II Sirakides' principal interview she asserted she did not contact members of the media, however, her Blackberry phone records indicated that she initiated contact with members of the media in March 2011.

DATE: 4/22/15



Joseph R. Fuentes
Colonel
Superintendent

Date Served To Member: 5/14/15