

May 15, 2015

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Ref. OSC File No. DI-14-1099

Dear Ms. Biggs,

I am satisfied with the actions taken against Officer Molitor. However, the actions taken against Officer Day are grossly inadequate. A verbal counseling is not in line with the misconduct he has committed for 3+ years.

Giglio Doctrine and the Brady Disclosure apply here. "Giglio v. United States, 405 U.S. 150 (1972), was a landmark decision which began to apply a number of duties of disclosure to prosecutors in criminal cases as it pertained to government witnesses (and chiefly among them police officers). The Supreme Court, in Giglio, along with a few other related and following cases essentially established a doctrine where prosecutors acquired a duty to disclose evidence about the credibility of government witnesses (typically, police officers) which had to be turned over following a request by defense counsel. The principal holding in Giglio was explained by the Supreme Court when it held that when the reliability of a given witness may be determinative of either guilt or innocence nondisclosure of evidence affecting credibility could become reversible error.", John V. Berry, Berry & Berry, PLLC

Per the Brady Disclosure in Brady v. Maryland, "Prosecutors are required to notify defendants and their attorneys whenever a law enforcement officer involved in their case has a sustained record for knowingly lying in an official capacity." It has clearly been proven in this official investigation that he lied.

Both of these landmark cases makes Officer Day unable to testify in court, ergo, making him ineffective as a police officer.

Regards