



New Hampshire Liquor Commission
Division of Enforcement, Licensing & Training
Office of Professional Standards
2020 Internal Investigation Report

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Created by: Lt. Danielle Ellston



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Executive Summary

The Division of Enforcement, Licensing, and Training believes the public has a right to expect efficient, fair and impartial service. Any misconduct by Division personnel must be detected, thoroughly investigated, and properly adjudicated, to assure the preservation of these qualities.

Employees must be protected against false accusations or misconduct. Although being a focus of an investigation may be a very unpleasant or uncomfortable situation, the best protection for an employee who is innocent is a complete, thorough investigation, conducted in a timely manner that clearly and unequivocally supports the employee's honesty, integrity, or action

The Division is constantly seeking to improve its efficiency, and the efficiency of its personnel. Occasionally, personnel investigations uncover faulty procedures that would otherwise go undetected. These procedures can be improved and/or corrected if properly identified.

Personnel who engage in serious acts of misconduct, or who have demonstrated that they are unfit for work, must be removed for the protection of the public, the personnel within the Commission and the Division

The Division strives for improvement through personnel development, policy enhancement and proactive response in order to provide effective and efficient service to the citizens, license holders, and other constituents of the State of New Hampshire.



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Introduction

It is the policy of the Division to accept and investigate all complaints of personnel misconduct or wrongdoing from any citizen or agency employee. Such complaints are investigated thoroughly, completely, and impartially. The Division may also identify internal controls, behaviors, or policy violations, which cause an investigation to be initiated. This report is based on data tracked throughout 2020 on 40 employees, sworn and civilian and comprised of both full time and part time (26 sworn and 16 civilian.)

There are five possible dispositions the Division of Enforcement, Licensing, and Training utilizes when concluding an internal investigation:

1. Unfounded - A determination that the charges are false or not factual.
2. Not Sustained - A determination that the facts presented are insufficient to clearly prove or disprove the allegation.
3. Exonerated, Proper Conduct and Policy - A determination that the incident occurred, but was justified, lawful and proper.
4. Exonerated, Proper Conduct Policy Failure – A determination that the incident occurred and the actions were in accordance to Division policy and procedures; however, the policy failed to achieve the desired results. v.
5. Sustained - A determination that the allegations are supported by sufficient evidence to justify a reasonable conclusion of guilt or that sustained acts have been discovered that indicate misconduct not based on the original complaint.



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The State of New Hampshire Personnel Rule Per 1002.01 states “the following disciplinary measures shall exist for full-time employees within the state system: Dismissal during initial probationary period, Written Warning, Withholding salary increment, Disciplinary suspension without pay, disciplinary demotion, and dismissal” No disciplinary action is issued in 2020.

Internal Affairs Investigations

Thirteen (13) Internal Affairs investigations were conducted in 2020. Seven (7) out of the Thirteen were employment background investigations. Six (6) investigations were initiated as a result of employee behavior. Three (3) of six (6) were initiated by citizen complaints. One (1) investigator received two (2) of the citizen complaints, both of which was unfounded.

Of the six (6) investigations, four (4) investigations resulted in an unfounded finding, while two (2) were sustained. The two sustained complaints were resolved with the employee accordingly. The six (6) Internal Affairs Investigations not related to employment backgrounds involved five separate employees. One employee accounted for two (2) separate investigations.

Citizen Complaints:

Three Citizens complaints were filed in 2020. Internal Affairs Investigations were conducted resulting in two complaints unfounded and the other as sustained. The sustained investigation was resolved with the employee accordingly.