



June 12, 2012

MEMORANDUM

TO: Mr. Kelly Burchell  
Legal Counsel  
USCP/FOP Labor Committee

FROM: Acting Assistant Chief Matthew R. Verderosa

SUBJECT: Appeal Response OPR #12-016

I have reviewed the appeal you submitted on behalf of Officer Harry Dunn for violating Operational Directive PRF 1.3, Rules of Conduct, Category B: Performance of Duty, Rule B14: Use of Weapons, when Officer Dunn stored his Department issued service weapon in a home lockbox with a broken locking mechanism over a period of approximately one month, and when he retrieved and handled his weapon in an intimidating manner during a domestic dispute on November 22, 2011.

After careful analysis of the facts and appeal, the following information is provided:

On November 22, 2011, Officer Harry Dunn was involved in an off-duty altercation with his wife, Danyel Dunn. Officer Dunn and his wife had an argument about his 16 year old stepson not doing the dishes. The argument escalated to pushing and pulling each other. The Montgomery County Police Department report noted that Officer Dunn and his wife both had minor scratches on their arms due to the altercation, but neither of them were willing to press charges. The MCPD Officer determined they were victims of "mutual battery" and no arrests were made. At some point during the altercation, Mrs. Dunn "wiggled" a paring knife in Officer Dunn's direction. Officer Dunn testified that after that he immediately went to a spare bedroom to retrieve his service weapon and rifle. Officer Dunn told the MCPD officer that he was attempting to "remove the weapons from the equation." Officer Dunn's service weapon was holstered and in his Department issued lockbox, but the lock was broken and had been for about a month prior to the incident. Officer Dunn stated that he was the only one in the house that knew the lock was not working. When asked why he retrieved the weapons, Officer Dunn stated he didn't want "anything bad to happen." He carried the weapons past his wife and to