

basement. Mrs. Dunn was on the phone with her sister when he walked by with the weapons. She stated to her sister "Oh, so now he is getting his guns." Mrs. Dunn's sons stated they heard Mrs. Dunn refer to a gun being pointed at her by Officer Dunn. However, neither son could see if they were or not. Officer Dunn denies this allegation. Officer Dunn alleged he took the weapons in the basement. He testified that he was alone in the basement when he unholstered and unloaded his duty weapon. He placed the ammunition from the duty weapon on the couch and put the weapon in the freezer chest with the slide locked to the rear. He placed the rifle which was in a locked case on the floor. The key to the locked rifle case was also placed in the freezer.

When MCPD arrived Officer Dunn was outside on the porch, he advised them that he was a police officer and advised them where his weapons were. He then took the officer down to the basement and showed him where he had put the weapons.

Officer Dunn's step son reported to MCPD that Officer Dunn had punched him in the face a week earlier. After further investigation Officer Dunn's stepson changed his story and later told the investigator he was not punched.

On December 13, 2011 the Office of Professional Responsibility requested Officer Dunn undergo a psychological fitness for duty examination. On December 15, the request was approved and on December 22, 2011 he was seen by Doctor Hibler and deemed fit for duty.

Montgomery County Police presented the case to the Montgomery County State's Attorney Office and they declined to prosecute Officer Dunn and the case was "closed by exception."

In the appeal you wrote, "During the period in question, Officer Dunn's family had moved to a new residence and his wife had given birth to their daughter. This transitory phase was very rough on his family. Aggravating the situation was the fact Officer Dunn's stepson was acting out and causing problems." While I understand it may have been a stressful time for Officer Dunn's family, it still does not dismiss the fact that during an already hostile situation, Officer Dunn retrieved his weapons. Officer Dunn's explanation for retrieving his weapons was to remove the guns from the equation, instead he introduced them to the situation. While there may not have been sufficient evidence that Officer Dunn threatened his wife, there was a preponderance of evidence that he handled his weapon in a careless or imprudent manner, which made his wife feel threatened, which is an aggravating factor. In addition, Officer Dunn stored his Department issued service weapon in a lock box with a broken lock for approximately one month, leaving his weapon unsecure and accessible to anyone. As you wrote in the appeal, Officer Dunn's stepsons or wife could have easily got ahold of his weapon and the situation could have been worse.