



News Release

Dallas Police Department

Police Media Relations Unit

Phone: 214-671-4065 Fax: 214-670-8154

www.dallaspolice.net

March 7, 2014

Employee Disciplined for Misconduct

Lieutenant Michael Magiera, #7210, received two 10 day suspensions this morning from two separate investigations that were heard in hearings held on March 6, 2014.

In October 2012, Lieutenant Magiera, who is assigned to the Auto Pound, approached his commander seeking permission to allow Dallas Fire Rescue (DFR) to use “totaled” or “demolished” vehicles for training. Authorization was granted with the explicit understanding that the vehicles used were considered “scrap”.

Several Auto Pound employees stated Lieutenant Magiera instructed them to remove vehicles he personally selected that were considered OK, Rebuilt and/or Salvageable for DFR to use in their training. These vehicles were returned and categorized as “demolished” due to the damage.

Several Auto Pound employees stated that Lieutenant Magiera removed various property from the impound vehicles which was not considered a standard practice. He felt these items could be used for departmental purposes. Lieutenant Magiera also instructed Auto Pound personnel to remove various items from the vehicles so that these items could be sold individually at auctions. He was given instructions by his commander to assign Inventory Control Numbers (ICN) to batteries removed to ensure each battery could be tracked and returned to the vehicle in case a citizen claimed it. However, it was discovered that he did not place ICN numbers on batteries as he was instructed.

An Internal Affairs investigation concluded that Lieutenant Magiera damaged property belonging to a citizen by improper handling and/or negligence, and that he took property from others without authorization. The investigation also concluded that Lieutenant Magiera disobeyed an order from his supervisor.

Lieutenant Magiera received a 10 day suspension for his actions in this incident.

On October 25, 2013, Lieutenant Magiera reported to duty at the Communications Services Section. When he arrived, several supervisors observed Lieutenant Magiera’s demeanor to be odd, with his speech being lethargic, and his appearance disheveled. Lieutenant Magiera’s commander and another command officer recognized his appearance and also noticed he had difficulties keeping his eyes open and head leveled. It was agreed that Lieutenant Magiera appeared to be under the influence of medication and needed to be drug tested.

A Drug Recognition Expert (DRE) responded to the location and performed a Drug Influence Evaluation exam. After completing the exam, the DRE believed Lieutenant Magiera was under the influence of drugs and should not have been driving. An Internal Affairs investigation concluded that Lieutenant Magiera reported for duty and was not able to perform his duties in an effective and safe manner due to being under the influence of drugs.

Lieutenant Magiera received a 10 day suspension for his actions in this incident.

Lieutenant Magiera also received a Letter of Reprimand for sleeping at his desk while on-duty in July 2013.

Under civil service rules, Lieutenant Magiera has the right to appeal his discipline.