

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	November 8, 2020/ 9:00 A.M./ 3340 W. Fillmore St.
Date/Time of COPA Notification:	November 8, 2020/ 1:38 P.M.
Involved Officer #1:	Rodgeric Germino, Star #18289, Employee ID# [REDACTED], Date of Appointment: November 29, 2004, Rank: ET, Unit of Assignment: 177, DOB: [REDACTED], 1971, Gender: Male, Race: API.
Case Type:	Accidental Discharge- No Hits.

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Germino	1. It is alleged that on November 8, 2020, at approximately 9:00 A.M., at or near 3340 W. Fillmore St. Officer Germino #18289 committed misconduct by: unintentionally discharging a firearm, Inventory [REDACTED], in the Firearms Lab in violation of G0-03-02.	Sustained

II. SUMMARY OF EVIDENCE

On November 8, 2020, COPA received an Initiation Report¹ from Sgt. Kwong #2514, regarding an accidental discharge that occurred in the Firearms Lab. Evidence Technician (ET), Rodgeric Germino, loaded two rounds into the inventoried firearm (# [REDACTED])² to discharge into the ballistic water tank per his duties. Officer Germino discharged the firearm twice into the ballistic water tank and walked the firearm back to his desk. While sitting at his desk, he pointed the firearm downwards and pulled the trigger. Once he pulled the trigger, the firearm discharged into a bookshelf next to his desk. No one was hurt during this incident. A Tactical Response Report (TRR)³ was completed regarding the use of deadly force. Sgt. Kwong #2514 made the necessary notifications, and Sgt. Assaf #1440 arrived to conduct the breathalyzer test and drug test for the Synoptic Report.⁴

¹ Attachment #5.

² Attachment #2.

³ Attachment #14.

⁴ Attachment #15.

In **Officer Germino's** statement to COPA on **October 1, 2022**,⁵ he related the same information in the above summary. Officer Germino added that while he had the firearm at his desk, he pointed the firearm in a safe downward position and pulled the trigger of the firearm, to release the striker to the forward position, ensuring there was no round in the weapon.⁶ During this time, he was working canceled days off. He elaborated, "That was my second week of canceled days off, 12-hour days. I was at the time of the incident, doing my second day of 12-hour days."⁷ He remembered only putting two rounds into the firearm, but there must have been a third. Officer Germino stated that his judgment might have been altered because he had worked consecutively with no days off. Officer Germino admitted that he should have been more cautious when handling the weapon. It should be noted this is the first time he has accidentally discharged a firearm in his 18 years of service with the Department.

There is no **Body-Worn Camera (BWC)** from this incident because ET's are not required to have on BWC during their tour of duty. Officer Craig #105388⁸, who arrived to complete case report #JD394532 and notified Area 4 detectives, activated his BWC. Officer Craig's BWC⁹ shows what happened after the accidental discharge. Sgt. Kwong explains to Officer Craig what Officer Germino's actions were in the Firearm's Lab, which is substantially the same as what is detailed above.

III. ANALYSIS AND CONCLUSION

COPA finds the allegation that Officer Germino accidentally discharged an inventory firearm while working in the Firearms Lab in violation of G03-02 to be **Sustained**. Officer Germino was admitted to the incident, but described it as a result of him working consecutive canceled days off, Officer Germino admitted to discharging the weapon and failing to make sure the weapon was safe before pulling the trigger. However, accidentally discharging a firearm in the Firearms Lab in a manner that is not associated with your regular duties is a violation of Department policy. Based on the evidence obtained, COPA finds the allegation is **Sustained**.

IV. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. P.O. Rodgeric Germino

i. Complimentary and Disciplinary History

11 Complimentary Letters. 16 Honorable Mentions. 1 Meritorious Performance Award.
No Disciplinary history.

ii. Recommended Penalty, by Allegation

⁵ Attachment #22.

⁶ Attachment #25, page #19, lines 6-8.

⁷ Attachment #25, page #20, lines 7-10.

⁸ Attachment #10.

⁹ Attachment #10.

Officer Germino accidentally discharged a loaded weapon while working in the firearms lab. Officer Germino works with firearms daily, and safety should be his and his colleagues' top priority. COPA has considered the officers explanation in mitigation and has also considered his complimentary history and lack of disciplinary history. Officer Germino should have been careful and alert while handling a firearm in the Firearms Lab. It is for these reasons that COPA recommends a 7-day Suspension.

Approved:



Suzday Jackson
Deputy Chief – Investigations

March 29, 2023

Date