

City of Hoonah

P.O. Box 360 Hoonah, AK 99829 (907) 945-3663 Fax (907) 945-3445

## Employment Review of Police Chief Eric Hurtado

### Duties of Employment

During his first year of employment with the City of Hoonah, Chief Hurtado has developed a reputation as a nice guy who is an asset to the Hoonah community. He and his family volunteer with the church and are perceived as a good fit for Hoonah.

However, a number of concerns and issues have been raised by City of Hoonah Department heads and members of the public with regard to Chief Hurtado's duties of employment and operation of the Hoonah Department of Public Safety. These concerns and issues are as follows:

1. *EMT calls* – It has been reported that Chief Hurtado doesn't follow EMT procedures. Specifically, Chief Hurtado reports directly to the scene of the event (as opposed to convening at the fire station along with EMT personnel) and frequently brings his wife along on EMT calls. Chief Hurtado has been told, repeatedly, that this is unacceptable behavior.
2. *Scheduling/Overtime* – Chief Hurtado has historically disregarded City protocol for avoiding overtime and putting time sheets together promptly. Chief Hurtado has routinely put employees at dispatch when others are available, resulting in overtime, and been late in putting together timesheets and supporting documents. City staff has had to track down fuel card receipts each month. Chief Hurtado has been counseled about these problems, and thus far, been unwilling to do anything different.
3. *Harbor Parking* – There is a posted parking lane for trailers hooked to vehicles. The City has been advised that Chief Hurtado does not enforce this parking restriction, in part because he does not patrol.

4. *Time in Hoonah v. Time Away* – It has been reported to the City that Chief Hurtado was away from the City of Hoonah for about four months last year. This amounts to a breach of Chief Hurtado's employment contract, which permits, pursuant to paragraph 8(A), total vacation time of 15 days per annum.
5. *No Accountability for Lack of Action* – I have tried to discuss these concerns and issues with Chief Hurtado, but it has not done any good. Chief Hurtado has not been receptive to review and evaluation of his performance as the Chief of Police and head of the Hoonah Department of Public Safety.
6. *Not Enough Police Presence* – Residents have complained that there is not sufficient police presence in the City of Hoonah. This may be because Chief Hurtado frequently works from home and does not require his staff to patrol, nor does he, himself, patrol. Hoonah residents are reporting that when they call the Hoonah Police Station, it takes a very long time for a police officer to respond.
7. *Maintenance of Police Vehicles* – Hoonah Department of Public Safety vehicles are the responsibility of the Chief of Police. These vehicles are not being maintained correctly. On July 13, 2022, two months after talking to Chief Hurtado about this problem, one or more of the police vehicles was 4 quarts low on oil. Another vehicle's transmission went out, due to being low on transmission fluid. A third vehicle went 1 ½ years without plates being put on while the plates sat inside the car.
8. *Underage and Unlicensed Drivers* – Due, in part, to a failure to do traffic stops, it has been reported by Hoonah residents that there has been no effort to check unlicensed or underage drivers. There is a similar lack of effort for vehicle speeding and violation of basic traffic laws.
9. *Fight Between a Tenant and the Owner's Guest* – A Hoonah resident reported that she rented a room to a woman. The tenant has been coming to the resident's home drunk, late at night, and has been sending the owner threatening text messages. On July 12, 2022, the tenant came home drunk again and attacked the owner's guest. Numerous fighting occurred and threatening of the owner by the tenant occurred. By the time Hoonah PD arrived, the tenant was passed out. The police did not escort her out of

the house, nor did they open an investigation. The next morning, the tenant called the police claiming she was assaulted by the owner and the guest. The PD is refusing to intervene.

10. *Police Chief's Wife Coming to DV Calls* – A Hoonah resident complained to the City about the Chief's wife coming to her DV call. The resident was very upset about this. Chief Hurtado has been advised that bringing his wife to DV calls and EMT calls is unacceptable, but to date, has refused to stop bringing his wife.
11. *Syringe Found* – A resident found a syringe while walking from Hemlock to downtown on the side of the road. They felt it wasn't good to have it just lying there with kids traversing the area on a regular basis, so they picked it up and brought it to the Police Station. Upon turning it in, they felt like they were being accused of using it rather than being a good citizen for turning it in.
12. *Fentanyl* – A Hoonah resident reported to the Hoonah Department of Public Safety where/when Fentanyl was brought into Hoonah. There was no action taken by the Hoonah Department of Public Safety. Shortly after the resident reported this issue, a Hoonah man died. The death was directly related to pills with Fentanyl.

#### Recommendations and Advisement

Chief Hurtado needs to be told as follows:

1. *EMT calls* – Chief Hurtado must follow proper procedures for EMT calls. Chief Hurtado may not bring his wife on EMT calls. Failure to follow proper procedures and allowing an untrained person to assist or ride along during EMT calls may result in liability to the City. If Chief Hurtado has questions or concerns regarding proper procedures for EMT calls, he must communicate those questions and concerns to Hoonah's senior EMT person. If Chief Hurtado fails to correct these actions, I will recommend to the City Council that Chief Hurtado be terminated for cause.
2. *Scheduling/Overtime* – Chief Hurtado needs to create a schedule for employees of the Hoonah Department of Public Safety that avoids overtime

pay. Overtime is costly to the City. Chief Hurtado needs to promptly turn in time sheets and all supporting documentation related to timesheets. If Chief Hurtado fails to correct these actions, I will recommend to the City Council that Chief Hurtado be terminated for cause.

3. *Wife on Calls* – Chief Hurtado may not bring his wife or other family member on any police calls, EMT calls, or ride along for City of Hoonah business because this action may result in liability to the City. If Chief Hurtado fails to correct this action, I will recommend to the City Council that Chief Hurtado be terminated for cause.
4. *Maintenance of Police Vehicles* – Chief Hurtado is responsible for maintenance and safety of operation of Hoonah Department of Public Safety vehicles and equipment. Failure to fulfill this responsibility will result in unnecessary liability to the City. If Chief Hurtado fails to fulfill this responsibility, I will recommend to the City Council that Chief Hurtado be terminated for cause.
5. *Time in Hoonah v. Time Away* – Chief Hurtado may not violate section 8(A) of his employment contract. If Chief Hurtado fails to correct this action, I will recommend to the City Council that Chief Hurtado be terminated for cause.
6. *Police Presence is Vital* – Police presence in the City of Hoonah is vital. Chief Hurtado and employees of the Hoonah Department of Public Safety may not work from home. No officers or employees of the City of Hoonah are authorized to telework or work from home, unless they request and receive an accommodation to telework or work from home from the Mayor (after consultation with the City of Hoonah Attorney). Further infractions of this nature by Chief Hurtado and employees of the Hoonah Department of Public Safety will result in a recommendation to the City Council that Chief Hurtado be terminated for cause.

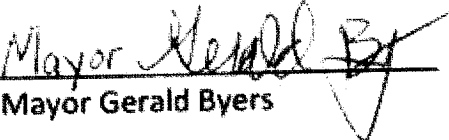
### Conclusion

I am offering Chief Hurtado a new employment contract, but, as noted herein, I have serious concerns regarding Chief Hurtado's job performance and his ability to lead the Hoonah Department of Public Safety. My concerns are based

on my own observations, City of Hoonah Department heads, and complaints my office received from Hoonah residents. I am hopeful Chief Hurtado will use this review and employee evaluation as an opportunity for his own betterment and the betterment of the Hoonah Department of Public Safety.

I will provide this employee review to the Hoonah City Council, when the City Council considers whether to approve Chief Hurtado's new employment contract.

Dated this \_\_ day of July, 2022.

  
\_\_\_\_\_  
Mayor Gerald Byers