

Delaware Criminal Justice Council

11 Del. C. §9210 Authorized Disclosures

Agency Information

Law Enforcement Agency: Division of Alcohol and Tobacco Enforcement

Date of Incident: October 19, 2023

Incident Details

Law Enforcement Officer has discharged a firearm at a person. Yes | No

Law Enforcement Officer's use of force that results in serious physical injury. Yes | No

An investigation that results in a sustained finding that a Law Enforcement Officer engaged in a sexual assault or sexual harassment. For purposes of this paragraph, "sexual assault" means the commission or attempted initiation of a sexual act by means of force, threat, coercion, extortion, or offer or implication of leniency or official favor, under the color of authority. Propositioning sex or commission of a sexual act while an officer is on duty is deemed a "sexual assault." Yes | No

An investigation that results in a sustained finding that a Law Enforcement Officer engaged in dishonest conduct. This includes, but is not limited to sustained findings of perjury, false statements, filing false reports, witness tampering, and destruction, falsification, or concealment of evidence. Yes | No

A sustained finding of domestic violence by a Law Enforcement Officer. Yes | No

Detailed Narrative

Please include a detailed narrative of the incident. A "detailed narrative" means a complete description of the facts, steps taken to further an investigation, evidence collected, conclusions reached, the names of officers involved for whom misconduct was substantiated, any discipline assigned in connection with the event, and the employment status of disciplined officers. 11 Del. C. § 9200(b)(1).

The detailed narrative may not reveal the name or any personal identifying information of a victim or witness. In a domestic violence case where revealing the name of the officer would also allow identification of the victim, the officer's name may be redacted.

The Criminal Justice Council shall post the narratives they receive under this paragraph on their website within 30 calendar days of receipt.

I. Complete Description of the Facts:

A criminal investigation determined Dominic had been issued 30 cartons of cigarettes from DATE supervisors in order to provide them to other law enforcement agencies, but instead provided the cartons to an unauthorized third party for sale. The profits from these sales were allegedly shared evenly between Dominic and the third party, whom authorities believe also provided Dominic with illegal drugs. Dominic was indicted on January 17, 2024, and faces felony charges of Official Misconduct, Theft, Theft by False Pretense, Conspiracy Second Degree, and Tampering with Public Records First Degree, and a misdemeanor charge of Illegal Possession of a Controlled Substance.

II. Investigatory Steps:

DATE's investigation into Dominic's actions began in October 2023 when supervising officers became suspicious of his handling of seized cartons of cigarettes. The indictment alleges that DATE supervisors became suspicious about Dominic's handling of cigarette cartons that were issued to him. DATE leadership called in the Delaware State Police to help investigate Dominic's actions.

Detectives discovered that Dominic had been issued 30 cartons of cigarettes from DATE supervisors in order to provide them to other law enforcement agencies, but instead provided the cartons to an unauthorized third party for sale. The profits from these sales were allegedly shared evenly between Dominic and the third party, whom authorities believe also provided Dominic with illegal drugs. Dominic is also accused of illegally submitting false information in police reports in order to conceal his conduct.

Dominic faces felony charges of Official Misconduct, Theft, Theft by False Pretense, Conspiracy Second Degree, and Tampering with Public Records First Degree, and a misdemeanor charge of Illegal Possession of a Controlled Substance.

III. Evidence Collected:

Please see *State of Delaware v. Joseph Dominic*, Case No. 2310008763. A summary of evidence is not available until the criminal prosecution is finally concluded.

IV. Conclusions Reached:

This investigation resulted in sustained findings of policy violations by Joseph Dominic for the following policies of the Division of Alcohol and Tobacco Enforcement. These policies include:

- Directive 19: Standards of Conduct (Conformance to Laws)
- Directive 19: Standards of Conduct (Conduct Unbecoming a Police Officer)
- Directive 19: Standards of Conduct (Abuse of Position)
- Directive 19: Standards of Conduct (Neglect of Duty)
- Directive 19: Standards of Conduct (Processing of Property or Evidence)
- Directive 19: Standards of Conduct (Use or Possession of Alcohol, Drugs or Steroids)

On January 18, 2024, Joseph Dominic waived a hearing pursuant to 11. Del. C. § 9203.

V. The names of officers involved for whom misconduct was substantiated:

Joseph Dominic

VI. Any Discipline Assigned in Connection with the Incident:

Joseph Dominic was suspended from duty on October 19, 2023.

Joseph Dominic was terminated on January 26, 2024.

VII. The Employment Status of Disciplined Officers:

Joseph Dominic was terminated on January 26, 2024.