

Delaware Criminal Justice Council

11 Del. C. §9210 Authorized Disclosures

Agency Information

Law Enforcement Agency: Millsboro Police Department

Date of Incident: July 8, 2025

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."

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:

On July 27, 2025, the administration received a complaint from a Millsboro Police Department officer concerning the behavior of Senior Corporal (S/Cpl) John Wharton. The complaint alleged that S/Cpl Wharton made inappropriate and distressing statements about other officers, provided subordinates with guidance regarding improper police conduct, and showed subordinates nude photographs of a former college intern.

Allegations:

- A. S/Cpl Wharton made statements about falsely planting weapons on subjects to justify the use of force.
- B. S/Cpl Wharton made sexually explicit comments about another female police officer.
- C. S/Cpl Wharton made several racial jokes and used racial slurs on multiple occasions.
- D. S/Cpl Wharton showed nude photographs to other officers while on duty, creating an uncomfortable work environment.
- E. S/Cpl Wharton made derogatory comments to subordinates about a supervisor's mental capacity.

Investigation Findings:

During his initial interview, S/Cpl Wharton denied sending or receiving nude photographs involving the former college intern. The college intern, when interviewed, denied sending nude photographs but confirmed that S/Cpl Wharton had sent nude photographs of himself. The intern further disclosed that S/Cpl Wharton contacted her prior to her interview and requested that she provide false information to the investigator.

In a follow-up interview, S/Cpl Wharton admitted to sending nude photographs to the college intern and acknowledged attempting to influence her interview.

The investigation concluded that S/Cpl Wharton engaged in conduct that violated department policies regarding professionalism, sexual harassment, racial sensitivity, courtesy, and truthfulness.

II. Investigatory Steps:

Interviews were conducted with all officers that witnessed the alleged misconduct, interview was conducted with the former college intern and interview was conducted with Senior Corporal John Wharton.

III. Evidence Collected:

Recorded interviews

IV. Conclusions Reached:

Count 1: Conduct Unbecoming an Officer – Class C Violation: Substantiated

The investigation determined that on July 8, 2025, S/Cpl Wharton claimed to carry a knife while on duty to "beat the system." Interviews with multiple officers indicated he intended to use the knife as a "drop knife" on an unarmed suspect to falsely indicate the suspect was armed.

Count 2: Immoral Conduct – Class C Violation: Substantiated

The investigation revealed S/Cpl Wharton sent a nude photograph of himself to a Millsboro Police Department college intern, constituting a violation of department standards.

Count 3: Insubordination – Class C Violation: Not Substantiated

No evidence supported that S/Cpl Wharton engaged in insubordination during the timeframe of the complaint.

Count 4: Disrespect – Class C Violation: Not Substantiated

The investigation found no violation of department policy regarding disrespectful behavior.

Count 5: Courtesy – Class D Violation: Substantiated

S/Cpl Wharton made multiple statements violating the department's courtesy policy, including racial slurs and racial jokes related to use of force.

Count 6: Sexual Harassment – Class A Violation: Substantiated

The investigation determined S/Cpl Wharton violated the department's sexual harassment policy. He made inappropriate comments about a female officer's private areas and showed officers photographs of a nude woman without consent while on duty.

Count 7: Truthfulness – Class A Violation: Substantiated

S/Cpl Wharton provided false statements during his internal affairs interview:

- On August 5, 2025, he denied sending or receiving sexually explicit photographs, including to the college intern.
- On August 7, 2025, following confirmation that the intern had been interviewed, he admitted to sending a nude photograph to her.

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

Senior Corporal John B. Wharton

VI. Any Discipline Assigned in Connection with the Incident:

N/A: Officer resigned from the police Department when asked to provide a final interview and prior to the completing the Internal Affairs Investigation. S/Cpl Wharton was asked to provide a final statement to close the Internal Affairs investigation and he refused.

VII. The Employment Status of Disciplined Officers:

Senior Corporal John B. Wharton resigned on August 11th, 2025.