

Charge Dropped Against Immoos, But He's Demoted

By STEVE PEPPLE
Staff Writer

A misdemeanor criminal charge filed in Cass County against Berrien Sheriff's officer Ronald Immoos was dismissed Thursday in a deferred prosecution agreement, but Immoos was demoted from captain to lieutenant for violating sheriff's department rules and regulations.

Immoos was charged in Cass County Fourth District Court, Cassopolis, with possessing a firearm while under the influence of intoxicants in connection with an Oct. 31 incident in Silver Creek Township near Dowagiac in Cass County. The sheriff's department disciplinary action stemmed from the same incident.

Under the terms of the agreement announced Thursday by Cass Prosecutor William Grimmer, the charge has been dismissed without prejudice for one year.

Grimmer said that means the charge can be reinstated any time during the next year if Immoos fails to meet certain conditions set forth in the agreement.

Immoos, 42, was demoted as a result of an independent sheriff's department investigation that found him in violation of three department regulations in connec-

tion with the incident, according to Berrien Sheriff Forrest "Nick" Jewell.

Jewell said Thursday the violations were: allowing person who was not a sheriff's deputy to operate a Berrien County vehicle; possessing a county vehicle after consuming intoxicants; and improper use of a revolver.

The investigation by Undersheriff Robert Kimmerly revealed that a passenger in an unmarked county car fired two shots out a window while the car was moving, Jewell said. The shots were fired into the air.

The incident was alleged to have occurred on Garrett Road near Michigan 152 in the Sister Lakes area, according to Grimmer. Immoos was reported off duty at the time.

The demotion will cost Immoos about \$700 in annual salary, according to Jewell. He said Immoos was paid about \$23,000 as a captain and will make about \$22,300 as a lieutenant.

In addition, he was suspended for two weeks and put on probation for six months, the sheriff said. The suspension time has already been served, since Immoos has been suspended without pay since the incident. Jewell said he will return to work Monday.

Grimmer said he could



RONALD IMMOOS
Demoted

not comment on the conditions Immoos must meet to avoid reinstatement of the charge, since there is a possibility the case may still be tried.

In reaching the deferred prosecution agreement with Immoos' attorney, Elden Butzbaugh Jr. of St. Joseph, Grimmer said he considered the facts of the case, Immoos' lack of a criminal record and the officer's employment history.

Immoos has been a policeman since 1963.

Deferred prosecution is not used often in Cass County, Grimmer said, but "it is not the first time this has been used (here) and it certainly won't be the last."

He said the purpose of the procedure is to allow a first-time offender to correct "what appears to be an aberration in his behavior" without acquiring a criminal record.

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