
POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #13-12-08

December 2013

OVERVIEW

Complainant alleged that she and her mother walked into a party at a hotel, not knowing it was a private event. Complainant alleges she was verbally and physically attacked by the bride (the event was a wedding). Complainant alleged she contacted the police, and Officer 1 arrived. Complainant alleged Officer 1 stated that he could not do anything as it was a "he said, she said matter." Complainant alleged that while talking to Officer 1, hotel staff approached them and apologized, stating that they had to restrain a guest that was attempting to attack her. Complainant alleged that when she asked if the reason Officer 1 would not take a report was because of her race, Officer 1 stated, "I was wondering when that was going to come up."

THE COMPLAINT

1. Failure to Provide Adequate Protection: That Officer 1 did not make any arrests, provide medical attention, or take a report after Complainant was assaulted.

OPCR AND MPD POLICIES

1. OPCR Ord. § 172.20(2) Failure to Provide Adequate Protection
2. 5-105(2) PROFESSIONAL CODE OF CONDUCT: On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances.

COMPLAINT PROCESSING

OPCR joint supervisors believed that the allegations, if proven true, would constitute an A-level violation. The case was sent to coaching for resolution.

EVIDENCE

In the course of investigating this complaint, the following steps were taken.

1. Complainant submitted a detailed written complaint.
2. Visinet records were obtained.
3. No police reports were available.
4. No squad recordings were available.
5. Coaching documents were prepared and sent to the precinct inspector.

SUMMARY OF EVIDENCE

The Complaint

Complainant first alleges that she was "physically and verbally assaulted by a group of party-goers[sic] of about 20-30 people." Complainant alleges she and her mother walked into a private party at a hotel, apparently a wedding, stating that they did not know it was a private event. Complainant alleges that there were no signs or "restrictive devices" to prevent their entry.

Complainant alleges that after 2-3 minutes, the bride and “some males” attacked them “as a manner to remove [them] from the party.” Complainant alleges the bride stated, “I’m the bride, get the f*ck out of here” while lifting Complainant from the chair. Complainant alleges that as she was escorted out, wedding guests started to “hit [them] in the back, punch [them] in the back, and kick [them] in the back as well.” Complainant alleges her hair was pulled out.

Complainant alleges that she called for police services, and Officer 1 arrived. She alleges that Officer 1 first talked to Complainant and next talked to the wedding guests. Complainant alleges that Officer 1 returned and stated it was a “he said, she said matter.” Complainant alleges that Officer 1 told Complainant that she “needed to prove what had happened.”

Complainant alleges that a supervisor for the catering company approached them and apologized on behalf of the staff. Complainant alleges that the catering supervisor told her that staff had to restrain a partygoer. Complainant alleges that the catering supervisor told her that a bridesmaid pulled her hair. Complainant alleges that Officer 1 asked which bridesmaid pulled Complainants hair and she could not be identified.

Complainant alleges that Officer 1 refused to take a police report. Complainant alleges that she told Officer 1 that she felt that discrimination was occurring, and Officer 1 responded by stating, “I was wondering when that was going to come up.”

Visinet Report

The Visinet report states that Officer 1 spent 40 minutes responding to the call. Officer 1 added notes to the report stating that the Complainant and friend had no injuries. Officer 1 stated that “staff who catered the wedding and several guests claimed that the caller and friend were the aggressors and attempted to assault the bride.” Officer 1 stated in the notes that he explained to Complainant the result “who was unhappy with Officer’s advice.” Officer 1 wrote that the Complainant was “advised on mutual combatants.”

COACHING

Coaching was sent to the precinct inspector who referred it to the appropriate supervisor to complete. The supervisor first interviewed Officer, next a guest service agent at the incident location, a staff supervisor of the catering company, and finally a bartender from the catering company.

Interview of Officer 1

Officer 1 stated that the private banquet hall described by Complainant had a clearly marked sign posted at the door stating that the event was a “private wedding.” Officer 1 stated that he spoke to 4-5 staff members who told Officer 1 that they asked the Complainant and her mother to leave but they refused. The staff members stated that Complainant swore at them when asked to leave. Members of the wedding party reported that they believed Complainant stole several disposable cameras from the event. Officer 1 stated that all parties identified Complainant as the aggressor.

Officer 1 stated that the staff supervisor of the catering company attempted to apologize to the Complainant for her hair being pulled. Officer 1 stated that the context of the apology “did not show proof that the complainant was assaulted.” Officer 1 stated that the apology “appeared to be more of an attempt to mitigate the situation for the [hotel].”

Interview of guest service agent

The supervisor interviewed a guest service agent at the location of the incident. The agent told the supervisor that “the [hotel] will post a sign at the front desk to notify guests of the event.” It is also standard practice to post a sign in front of the main door of the banquet hall informing guests of a private event like a wedding.”

Interview of the catering staff supervisor

The staff supervisor of the catering company stated that a sign was posted in front of the banquet hall stating “private wedding.” The staff supervisor did not witness the incident but stated that she heard that someone had pulled the Complainant’s hair. She stated that she approached the officer “to tell [him] what she had heard.”

Interview of the wedding bartender

The bartender stated that he observed the entire incident. The bartender told the supervisor that Complainant and her mother entered the banquet hall and sat down at a table. The bartender stated that “several of the bridesmaids noticed the two unwanted guests and became verbally upset.” The father of the bride approached the bartender and asked him to remove the Complainant and her mother.

The bartender stated that he asked the Complainant to leave and she argued about whether the event was a private party. The bartender stated that the wedding party became upset and “words began to be exchanged.” The bartender escorted the Complainant and her mother out of the banquet hall.

The supervisor asked the bartender if he witnessed anyone assaulting the Complainant or her mother. The bartender stated that “he never witnessed a physical assault.” The bartender stated that he relayed this information to Officer 1 on the night of the incident.

Supervisor’s Conclusion

The supervisor concluded that based on the information received from all parties, Officer 1 responded to the call in a timely manner, ensured the Complainant was not in any danger or in need of medical attention, and spent a reasonable amount of time investigating the incident before concluding that an assault did not occur and a report was unnecessary. Hence, the supervisor recommended that no policy violation occurred and the officer was not coached.