
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #7
APRIL 2014

OVERVIEW

Complainant alleges that she went to the 2nd precinct to report an assault. Complainant alleges that Officer 1 refused to take a statement, because Complainant could not identify the attacker.

THE COMPLAINT

1. Failure to Provide Adequate Protection: That Officer 1 refused to take a statement from Complainant.

OPCR AND MPD POLICIES

1. OPCR Ord. § 172.20(6) 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. Police report was obtained.
4. No squad recordings were available.
5. Coaching documents were prepared and sent to the precinct inspector.

SUMMARY OF EVIDENCE

Complaint

Complainant alleges that she, along with her mother, husband, and sister, went to Precinct 2, to report assaults on each of them by two adult males. Complainant alleges that Officer 1, who was working at the desk, did not write up her description of the assault or report it because she could not accurately tell Officer 1 which of the two males was the one who assaulted her. Complainant alleges that Officer 1 did not ask about her injuries, but instead just dismissed her. Complainant

alleges that she has a large bruise on her arm but because she cannot determine which of the two men caused it, she “wasn’t treated respectfully nor was a report filed.”

Complainant provided the name and phone number for one civilian witness.

Visinet Report

The Visinet record states that Officer 1 was assigned to the incident. Officer 1 was working the precinct desk and was asked to conduct an assault report. The duration of the incident was approximately fifty-six minutes.

Case Report/CAPRS

The CAPRS report states the following:

“Victim 1 and victim 2 were inside an apartment [sic.] trying to move the belongings out for a female who was in a relationship with the supect's father. This female was in the hospital from an assualt [sic.] that had occurred earlier in which the suspect's father was suspected of doing. A report had been filed for this assault. Both the suspect and his father, who was suspected in the original [sic.] assault, were now inside the apartment confronting victim 1 and 2 along with several others friends of victim's 1 and 2 who were also inside the apartment. Words were exchanged and at one point the suspect in this assualt report reached over victim 2's shoulder and caused a scratch on the victim 2's right side of his neck. Victim 1 had also rec[ei]ved a bruise under the right eye by the suspect. The suspect father, who was there, had been living in this apartment with his girlfriend in this apartment until the of [sic.] this assualt.”

The civilian witness listed by Complainant in her complaint is listed as one of the victim’s in the CAPRS report.

Officer 1 did not provide a supplement.

COACHING

Coaching was sent to the precinct inspector who referred it to the appropriate supervisor to complete. After the document was sent to MPD supervisors, OPCR received notification that the officer would be temporarily unavailable for coaching. OPCR sent a notification letter to Complainant regarding the unforeseen extended delay in the processing of her case.

Roughly eleventh months after the complaint was filed, the supervisor completed the coaching documentation. In doing so, the supervisor reviewed the CAPRS report. The supervisor concluded that there were no policy violations, as “The officer did in fact make a report on this incident.” The supervisor provided the case number and date the report was made.