
POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #6

October 2014

OVERVIEW

Complainant alleges that he was attacked by four individuals who tried to steal his cell phone. Complainant alleges that he flagged down a squad and explained what happened. Complainant alleges that the attackers were still visible. Complainant alleges that the officers stated that there was nothing they could do. Complainant left and encountered another squad, who radioed dispatch to send another squad to assist Complainant. Complainant alleges that the same squad arrived, checked his ID, and told him, Go home, go get your money and crack from somewhere else."

THE COMPLAINT

1. Failure to provide adequate protection: Complainant states when he spoke to Officer 1 and Officer 2 about a robbery, he was not assisted and told to "go home, go get your money and crack from somewhere else."

OPCR and MPD POLICIES

1. OPCR Ord. § 172.20(6) Failure to Provide Adequate Protection
2. MPD P&P 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

Complainant filed a written complaint detailing the incident. The complaint went through intake investigation, and was reviewed by the joint supervisors. The joint supervisors concluded that the complaint should be sent for coaching. The final coaching document was returned to OPCR and indicated that no policy violation was found.

EVIDENCE

1. Complaint was filed detailing the allegations.
2. VisiNet reports were obtained.
3. Coaching documents were sent to the supervisor for completion.
4. Complete coaching documents were returned to OPCR.

SUMMARY OF EVIDENCE

Complaint

Complainant alleges that he approached a squad car after being robbed. Complainant alleges that Officer 1 and Officer 2 asked him questions, but stated there was nothing they could do. Complainant alleges as he was walking home, he spotted an unmarked squad car. The squad radioed for officers. Officer 1 and Officer 2 arrived and spoke again with Complainant. Complainant alleges Officer 1 and Officer 2 did not provide assistance. According to the Complainant Officer 1 and Officer 2 told him to “go home, go get your money and crack somewhere else.”

VisiNet report 1

The first VisiNet report indicates that the squad car was at the location of the incident.

VisiNet report 2

The second VisiNet report indicates that the squad car was at the location of the incident again later in the evening.

COACHING

Coaching Documents

Coaching documents were completed by two supervisors after it was determined two additional officers were involved. The supervisors spoke with the Complainant, reviewed the CAPRS report, and reviewed VisiNet report. Upon further investigation, the supervisors found no policy violation. The document indicates that the each supervisor included a supplemental memorandum.

According to the first supplement, it was determined that Officer 1 and Officer 2 were present at the initial call. Supervisor 1 stated she spoke with both officers about the incident, but neither could recall the incident. Supervisor 1 spoke with Complainant about the incident. According to the Complainant, he attempted to report a robbery. Complainant told Supervisor 1 that Officer 1 and Officer 2 said they could not do anything. However, Supervisor 1 determined that it was not Officer 1 and Officer 2 on the second call, but it was Officer 3 and Officer 4. Supervisor 1 determined that Officer 1 and Officer 2 were unfounded.

A second supplement regarding Officer 3 and Officer 4 was completed by Supervisor 2. Supervisor 1 and Supervisor 2 spoke with Officer 3 and Officer 4. Officer 3 and Officer 4 told the supervisors that Complainant stated he believed he was going to be robbed. The officers stated they then asked the Complainant if he knew who was attempting to rob him, and the Complainant pointed to a group of African American males. The officers then stated that the Complainant did not know which males specifically were going to rob him. Officers stated they did not call EMS as they did not notice any injuries. Finally, officers stated they could not remember telling the Complainant to “go home, go get your money and crack somewhere else.” Supervisor 2 attempted to contact the Complainant to discuss the incident with Officer 3 and Officer 4. Supervisor 2 was eventually able to contact the Complainant via email. The Complainant was supposed to meet with Supervisor 2 at the precinct, but failed to show up for the meeting. Ultimately Supervisor 2 determined there was no policy violation because Officer 3 and Officer 4 did not volunteer medical services since the Complainant did not appear injured.