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# POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #7

August 2015

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## OVERVIEW

Complainant went to an event at an arena and attempted to gain entry solely to purchase concert tickets. Complainant alleges that he was approached by an officer and the conversation was cordial. Complainant states that the officer referred him to an employee about permission to enter the event. After a discussion with the employee, Complainant states that the officer moved towards him in an intimidating manner, using hand gestures, and telling complainant "we're done" within a close proximity. Complainant states he felt intimidated and the officer acted unprofessionally considering the Complainant "did not physically attack anybody, did not yell and scream, did not swear, [and] did not call anyone any names." Complainant states he asked for the officer's name and badge number, and the officer showed Complainant his nametag but refused to show Complainant his badge number.

## THE COMPLAINT

1. Inappropriate Attitude: Complainant states that the officer moved towards him in an intimidating manner, using hand gestures, and telling complainant "we're done" within a close proximity. Complainant states he felt intimidated and the officer acted unprofessionally
2. Violation of P&P Manual: Complainant asked for the officer's name and badge number, and the officer showed Complainant his nametag but refused to give his badge number.

## OPCR AND MPD POLICIES

1. OPCR § 172.20(2) Inappropriate Attitude
2. OPCR Ord. § 172.20(8) Violation of the P&P Manual
3. MPD P&P § 5-105(14) PROFESSIONAL CODE OF CONDUCT: Employees shall not use any derogatory language or actions which are intended to embarrass, humiliate, or shame a person, or do anything intended to incite another to violence.
4. MPD P&P § MPD P&P § 5-105 (9) Professional Code of Conduct: Employees shall give their name and/or badge number to any person upon request.

## COMPLAINT PROCESSING

A complaint was filed. The complaint underwent intake investigation, and was reviewed by the joint supervisors. The complaint was sent to the precinct for coaching. Completed and approved coaching documents were returned to OPCR.

## **EVIDENCE**

### **1. Complaint**

## **SUMMARY OF EVIDENCE**

### **Complaint**

The Complainant alleged that he asked the officer if he could enter the arena to go purchase tickets for a concert. Complainant alleges he was told “no,” but continued to have a cordial conversation. Complainant alleges the officer referred him to an employee. Complainant alleged he spoke with the employee, and asked repeatedly to speak to a supervisor. Complainant alleges the officer then moved towards him in an intimidating manner, using hand gestures, and shouting at the Complainant “we’re done.” Complainant alleged he felt intimidated by this reaction. The Complainant alleged he was not screaming or attacking anyone. Complainant alleged he asked for the officer’s name and badge number. Complainant alleged the officer flashed his name badge, but would not give his badge number.

### **COACHING**

The complaint was sent for coaching. The supervisor spoke with the officer. The officer stated he directed the Complainant to a staff member. The Complainant began arguing with the staff member. According to the officer, the Complainant was upset and would not listen to directives. The officer stated the staff member appeared shaken. The officer indicated he walked over to the Complainant and told him to leave. The officer denied using intimidating gestures. The officer did not recall being asked for his name and badge, but they were visible to the Complainant.

The supervisor spoke with the Complainant about the incident. The Complainant reiterated the initial story he alleged in the complaint. The Complainant stated he became upset with the policy, and the fact that he could not speak with a supervisor. The Complainant admitted that his voice can get really loud and carry over a crowd when he is upset. The supervisor explained to the Complainant that his behavior was likely the reason the officer intervened.

Finally, the supervisor spoke with the employee. The employee described the officer as professional, and greatly appreciated his presence during the incident. The employee described the Complainant as being very upset. The employee stated he appreciated the officer for the job he did at the arena. The employee did not recall the Complainant request the officer’s name and badge number. Ultimately the supervisor determined no policy violation and the officer was not coached.