
POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #1

October 2015

OVERVIEW

Complainant was arguing with her boyfriend about money at a bus stop. The complainant alleges Officer 1 filmed the interaction. The complainant alleges when her boyfriend saw the camera he became upset and ran at Officer 1 with the intent to assault him. The video indicates that Officer 1 told the Complainant's boyfriend "You want to approach me mother*ck*r? Get on the f*ck*ng ground and put your hands behind your back." Complainant alleges that she is upset that they were filmed by an officer in an unmarked car, and in plain clothes.

THE COMPLAINT

1. Professional Code of Conduct- Complainant alleges the officer used profane language.

OPCR AND MPD POLICIES

1. OPCR § 172.20(2) – INAPPROPRIATE LANGUAGE
2. 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.

COMPLAINT PROCESSING

The Complainant made multiple calls to a local precinct regarding the incident in question. Following those calls, precinct staff forwarded the complaint to the OPCR. The complaint underwent intake investigation, was reviewed by the joint supervisors, and sent to the precinct for coaching. Completed and approved coaching documents were returned to OPCR.

EVIDENCE

1. Complaint
2. VisiNet Report
3. CAPRS Report
4. Cellphone Video

SUMMARY OF EVIDENCE

Complaint

Complainant was arguing with her boyfriend about money at a bus stop. The complainant alleges Officer 1 filmed the interaction. The complainant alleges when her boyfriend saw the

camera he became upset and ran at Officer 1 with the intent to assault him. The video indicates that Officer 1 told the Complainant's boyfriend "You want to approach me mother*ck*r? Get on the f*ck*ng ground and put your hands behind your back." Complainant alleges that she is upset that they were filmed by an officer in an unmarked car, and in plain clothes.

VisiNet Report

VisiNet report shows the alleged officer at the alleged place at the alleged time. It notes the officer responding to a possible domestic situation at a bus stop.

CAPRS Report

The CAPRS report showed that the alleged officer was in plainclothes at the time of the incident and driving an unmarked car. While stopped at a stoplight in his vehicle, the officer witnessed the Complainant being confronted by a male and being yelled at to give him money. The officer then took out his cellphone and began to record. The officer witnessed the male take the Complainant's wallet and go through it, asking where the money was. The officer then witnessed the male getting in the Complainant's face, with hands clenched in fists, looking like he was going to assault the Complainant. The light then turned and the officer pulled up, planning to go around the corner and call police, which is when the male saw the officer recording the situation. The male then charged the officer with his arms out and the officer was concerned the male would run up to his window and assault him. At this time, the CAPRS report states that the officer said "You want to approach me mother**ck*r? Get on the f**king ground and put your hands behind your back." The male did so and the officer checked his ID, called for additional officers to assist and arrested him for a violation of an Order for Protection filed by the Complainant.

The CAPRS report demonstrates that Complainant was very angry after being informed that the male would be arrested and yelled and swore at officers until they left the scene.

Cellphone Video

The cellphone video shows the altercation between the Complainant and the male consistently with what was recorded in the CAPRS report. The recording shows the male arguing with the Complainant over money, taking her wallet, and approaching her in a physically threatening way. It then shows the male noticing the officer recording and approaching the officer aggressively and audio captures the officer saying the alleged profane language.

COACHING

The Complaint was sent to the precinct for coaching. The coaching officer reviewed the evidence and spoke with the officer in question. He determined that a policy violation had taken place and that the language used by the officer was inappropriate. As such, the officer was coached regarding his language. Coaching documents were signed and returned to the OPCR.