
POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #1

February 8, 2016

OVERVIEW

Complainant alleges Officer 1 was directing traffic and had told her to stop. Complainant alleges she stopped her SUV but because of the size it did not stop right away. Complainant alleges Officer 1 came up to her window, hit it with his wand, and left a mark. Complainant alleges she spoke with Officer 1 who told her "b*llsh*t" that she was trying to stop, was rude, and told her he "was hoping to smash [her] window to get her attention."

THE COMPLAINT

Complainant alleges Officer 1 was directing traffic and had told her to stop. Complainant alleges she stopped her SUV but because of the size it did not stop right away. Complainant alleges Officer 1 came up to her window, hit it with his wand, and left a mark. Complainant alleges she spoke with Officer 1 who told her "b*llsh*t" that she was trying to stop, was rude, and told her he "was hoping to smash [her] window to get her attention."

ALLEGED VIOLATIONS

1. OPCR § 172.20(2) – INAPPROPRIATE ATTITUDE
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.
3. MPD P&P § 5-105(10) – Employees shall not use indecent, profane or unnecessarily harsh language in the performance of official duties or in the presence of the public.
4. MPD P&P § 5-105(3) – Officers shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions.

COMPLAINT PROCESSING

Following receipt of the complaint via the online system, an intake was conducted, and the matter was put before the joint supervisors for review. Upon review, the supervisors sent the matter to preliminary investigation and an investigator was assigned. Afterwards, the matter was again brought before the joint supervisors, who determined that the case be dismissed as the officer was no longer employed by the Minneapolis Police Department and due to the Complainant's lack of cooperation.

EVIDENCE

1. Complaint

SUMMARY OF EVIDENCE

1. Complaint: In the complaint, Complainant alleges that an officer directing traffic at an intersection ordered Complainant to stop abruptly. Complainant contends that, upon or

in the process of stopping, the officer struck Complainant's vehicle "vehemently" with a "light wand" or stick. According to Complainant, after the officer had struck Complainant's window, the officer asked Complainant if Complainant was "trying to kill someone," to which Complainant responded that he was trying to stop. Complainant alleges that in reply the officer exclaimed, "B*****!! I've been doing this for thirteen years and you were not trying to." Afterward, Complainant contends that he asked the officer if he was trying to break his window earlier, to which the officer responded, "Yes, I was trying to break your window." According to Complainant, the encounter ended when Complainant's sibling began recording the it.

INVESTIGATION

The investigator attempted to contact Complainant via certified letter, email and by phone to no avail. A phone call was returned by a sibling who agreed to leave a message for the investigator. However, the investigator failed to receive a return call, email or other communication from Complainant. The case was dismissed as the matter became "exceptionally cleared" due to the officer's release from the department and the lack of follow up from Complainant.