
POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #9

February 8, 2016

OVERVIEW

Complainant reported he was stopped behind a police interceptor at a red light. The light changed to green, but the officer did not move for 10-15 seconds. Thinking the officer hadn't seen the light change, complainant tapped the horn; the officer then looked out the driver side window back at complainant before turning on his top lights and getting out of the car. Complainant alleges the officer was very aggressive and antagonizing, saying to him, "What's your malfunction, idiot?" Complainant told the officer why he had used his horn, but alleges the officer kept interrupting him, saying things like, "You don't ever honk at cops" and "I should give you a ticket". Complainant reported he was very polite and apologetic to the officer, but felt the officer was nothing but rude and abusive to him.

THE COMPLAINT

Complainant reported he was stopped behind a police interceptor at a red light. The light changed to green, but the officer did not move for 10-15 seconds. Thinking the officer hadn't seen the light change, complainant tapped the horn; the officer then looked out the driver side window back at complainant before turning on his top lights and getting out of the car. Complainant alleges the officer was very aggressive and antagonizing, saying to him, "What's your malfunction, idiot?" Complainant told the officer why he had used his horn, but alleges the officer kept interrupting him, saying things like, "You don't ever honk at cops" and "I should give you a ticket". Complainant reported he was very polite and apologetic to the officer, but felt the officer was nothing but rude and abusive to him.

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.

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 moved the matter to coaching.

EVIDENCE

1. Complaint
2. VisiNet

SUMMARY OF EVIDENCE

1. Complaint: In the complaint, Complainant contends that he was behind an officer at an intersection and honked at the officer when the officer failed to move after the light had been green for ten to fifteen minutes. Afterwards, the officer pulled Complainant over and told him, "What's your malfunction, idiot?" Complainant claims that when he tried to explain to the officer in a polite and apologetic manner why he had honked, the officer stated to him, "You don't ever honk at officers," and threatened to give Complainant a ticket. Lastly, Complainant contends that he was "shocked" by the incident.
2. VisiNet: The VisiNet report confirms that the officer was at the scene of the incident. Further, the officer noted in the report that the "driver was advised about honking squad car...thought squad should move faster thru light...he was adv." The Complainant's license was also checked.

COACHING

The officer was interviewed by his precinct supervisor in relation to the incident. During the interview, the officer admitted to making the statements alleged in the complaint. The officer also admitted that he could have used a better choice of words and that he should have stressed to Complainant that the horn should not be used absent warning others of danger. The precinct supervisor noted that the officer had no same or similar complaints and found that a policy violation occurred and coached the officer.

Afterward, the precinct supervisor called Complainant regarding the incident. Complainant was instructed that the officer had been coached, and that the officer had apologized for his behavior during the incident. Upon being told of the outcome, the precinct supervisor stated that Complainant was "satisfied." Lastly, the precinct supervisor claims that Complainant stated that he made the complaint so that the "officer's behavior would not escalate."