
POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #10

June, 2016

OVERVIEW OF THE COMPLAINT

Complainant alleges that the officer has repeatedly harassed her and her fellow co-workers. On one occasion, Complainant alleges that the officer made a sexually implicit comment to a co-worker who stated that she wished to "go to bed," to which the officer replied "Not going to lie, I'd like to go with you." On another occasion, Complainant alleges that the officer, while laughing and stating "Can't you see anything," shined a bright light in her face while she was attempting to prepare a hot drink. Lastly, Complainant contends that her and her co-workers feel "scared," "uncomfortable," and "unsafe" around the officer.

ALLEGED VIOLATIONS

1. OPCR Ord. § 172.20(8) – Harassment
2. MPD P&P § 5-105 (C) (1) – Professional Code of Conduct: Employees shall not use derogatory, indecent, profane or unnecessarily harsh language in the performance of official duties or while representing the MPD.
3. MPD P&P § 5-105 (5) – Professional Code of Conduct: Employees shall be decorous in their language and conduct. They shall refrain from actions or words that bring discredit to the Department.

COMPLAINT PROCESSING

An email was submitted to a precinct supervisor, who then forwarded the complaint to Internal Affairs. After receiving the complaint, Internal Affairs passed along the complaint to the Office of Police Conduct Review, and an intake review of the matter was conducted. After reviewing the complaint, the matter was sent to preliminary investigation. Upon receiving the complaint, the investigator attempted to contact the complainant but failed to receive a response. As such, the investigator recommended that the matter be dismissed for "failure to cooperate."

EVIDENCE

1. Complaint

SUMMARY OF EVIDENCE

Complaint: Complainant, a local café barista, alleged that the officer had "acted inappropriately towards many of [the] female baristas multiple times" and his actions were "making many us feel uncomfortable and unsafe." Complainant provided several examples of the officer acting inappropriately. For instance, Complainant recalled in the complaint an incident where the officer told a coworker that "I'm not going to lie, I'd like to go with you" after her coworker had told others that she was tired and would "like to go to bed." Complainant asserts that the incident left her coworker feeling "extremely uncomfortable and insecure."

In another instance, Complainant asserts that the officer standing two feet from her, flashed a flashlight in her eyes while she was espresso machine and commented, "Can't you see anything," and began laughing. Complainant asserts that the situation was very dangerous as hot steaming milk shoots from the machine; she also claims to have been threatened by the incident and had to remove herself from the area.

INVESTIGATION

Upon being assigned the complaint, the investigator attempted to contact Complainant but was unable to reach her. With the entire complaint based upon Complainant's observations and experiences and absent her statement regarding them, the investigator recommended that the matter be dismissed for "failure to cooperate."