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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #1  
July, 2016

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**OVERVIEW OF THE COMPLAINT**

Complainant called 911 to report someone trying to break into her house. Complainant alleges an officer came out, looked around her property, and when she opened the door and greeted the police officer, the officer shined the flashlight into her face and told her to come out with her hands up. Complainant reported she told the officer it was her house and she didn't need to do that. Complainant alleges the officer made her feel as if she was the criminal. The officer never introduced himself, asked if she were okay or took a report. Complainant felt as if the officer did not take this matter seriously. When complainant was questioned, the officer made her feel as if she was wasting his time.

**ALLEGED VIOLATIONS**

1. OPCR Ord. § 172.20(2) – Inappropriate language or attitude
2. MPD P&P § 5-104.01 Professional Policing: When contacting any citizen, regardless of the reason for the contact, officers shall be courteous, respectful, polite and professional; Introduce or identify themselves to the citizen and explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of officers or other persons.

**COMPLAINT PROCESSING**

The complaint was received via the online system. After intake investigation, the matter was put before the joint supervisors for review. Upon review, the joint supervisors determined that that the matter be sent to coaching.

**EVIDENCE**

1. Complaint
2. VisiNet 1
3. VisiNet 2

**SUMMARY OF EVIDENCE**

Complaint: In the complaint, Complainant claims that someone broke into her house and that she called 911 when she learned of the breaking and entering. She further states that an officer came to her house. However, Complainant alleges that, after opening her door to invite the officer into her house, the officer reacted by shining a flashlight in her face and ordering her out of her own home with hands up. After being ordered to stand behind the tree, Complainant asserts that the officer asked questions regarding: whether the burglar was inside; the burglar's appearance; and where the burglar had gone to. Complainant alleges that the officer never asked her if she was OK or "[take] a report." Complainant feels that the officer was dismissive and made her feel like a "criminal."

VisiNet 1: In the report, the Problem is listed as "Burglary Dwing in Progress." In the comment section the following is noted: "...GROUP OF 3-4 JUVS TRYING TO INTO ADDR/GROUP CAME FM DRK [vehicle] WITH YLW TAIL LIGHT." It is also noted that officers entered from the alley and then proceeded to the front of the home. The officers also noted that the Complainant may have known who attempted to burglarize her house and an address was

provided. Lastly, the officers noted that Complainant "DECLINED ANY PD SERVICE," making a note to see VisiNet 2 for further information.

VisiNet 2: In the comment section it is noted by dispatch that: the "SUSP HAD NO TOOLS THAT CLR SAW"; Complainant's dog may have scared the burglar away; and that Complainant would be securing her dog before their arrival. It is also noted that "SOMEONE TRIED MAKING ENTRY IN HER BACK [Complainant's] WINDOW." Aside from approaching the home, it is noted that the officers made contact with the occupants of a home that Complainant alleged she saw the burglar go into. However, after speaking with the residents of the home, the officers determined that one of the suspects did not match the description of the burglar. It also noted that the residents of the home denied any involvement in the burglary.

## **COACHING**

The precinct supervisor reviewed the police reports and spoke with Complainant. According to the precinct supervisor, no officer was specifically identified by Complainant. Further, the precinct supervisor claims that another squad car was shown to have arrived at the scene and others may have as well, further clouding whether Officers 1 and 2 were the proper parties to the complaint. As the precinct supervisor determined that the appropriate officers could not be identified, a policy violation was not found and Officers 1 and 2 were not coached.