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POLICE CONDUCT OVERSIGHT COMMISSION  
Case Summary Data #7  
August, 2016

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**OVERVIEW OF THE COMPLAINT**

Complainant states that she called officers to deal with a fight between her children. Complainant alleges that when officers were trying to get one of her children to cooperate, and after she was instructed by Officer 2 to sit down, Officer 1 told Complainant that, "you need to get off your ass and help us get him [her child]." Complainant believes it was "wrong" that the officer spoke to her in this way.

**ALLEGED VIOLATIONS**

1. OPCR Ord. § 172.20(2) – Inappropriate Language or Attitude
2. MPD P&P § 5-105 (A) (5) – Employees shall be decorous in their language and conduct. They shall refrain from actions or words that bring discredit to the Department.

**COMPLAINT PROCESSING**

The Office of Police Conduct Review (Office) received an online complaint form and an intake investigation was begun shortly after. After intake, the matter was brought before the joint supervisors for review, who determined that the matter be sent to coaching for the use of language and attitude.

**EVIDENCE**

1. Complaint
2. VisiNet
3. CAPRS

**SUMMARY OF EVIDENCE**

Complaint: In the complaint, Complainant alleges that she called police to help her with her son who was misbehaving. Complainant claims that her son is fairly large and that he has assaulted her and a relative before, and that she relayed this information to dispatch. In the end, Complainant alleged that it took nearly 15 minutes for her son to cooperate. At the scene, Complainant alleges that a juvenile representative asked Complainant for monitoring equipment her son was on, but was told by Officer 2 to remain seated. According to Complainant, Officer 1 told complainant, when she saw her seated, that she "needed to get off her a\*\* and help [officer] get [her son]." Complainant contends that Officer 1's actions were unnecessary, aggressive and disrespectful.

VisiNet: The problem listed in the report is "Officer Needs Help". It is also noted in the report that:

MT CLR AT FRT DOOR...CLR PICKED HIS 13 YO SON YESTERDAY JVS...MIXED MALE...PHYS ASLT'G HIS BROTHERS...NO WEAP...MAY NOT BE COOP WITH POLICE

Further it is noted that the mother called dispatch back and wished to make a complaint, to which she was transferred to the precinct desk.

CAPRS: In the Public Data section it is noted that that “Officers responded to...a domestic call” and that the mother of the “suspect” said that her son was “fighting with his siblings.”

Supplement 1 (Officer 1 did not write a supplement): Officer 3 states that he and Officer 4 responded to a call in which Complainant claimed her son was “fighting with his brothers and she wanted him out.” It is also noted by Officer 3 that the son was on a home-monitoring device and his mother wanted him taken into custody for violating his supervision.

Officer 3 contends that he was met at the scene by Complainant, who told him that her son had been “combative and unruly” and had violated his supervision. After this, Complainant contends that he told the son that he was going to be put in custody, and the son responded by crying and asking his mother “if he could stay in the home” However, Officer 3 states that the son’s mother told him that “she wanted him to go.”

Officer asserts that he spoke to the child for a “long time.” Officer 3 states that the son took his shirt off and pleaded with officers to let him stay home. Officer 3 alleges that this occurred for approximately 10-15 minutes.

Supplement 2: Officer 2 contends that officer went to a home in which other officers had previously dealt with a juvenile. At the scene, Officer 2 asserts that two other employees from the Juvenile Detention Center were present.

After arriving, Officer 2 states that he was let into the home by Complainant. Also, Officer 2 states that his purpose on the scene was to help officers place into custody the son for violating his supervised release. At the home, Officer 2 asserts that Complainant’s mother told him and the other officers that her son was being “disrespectful”.

When asking the son to come with the officers, Officer 2 asserts that the son began “walking backwards away from us” and placed his hands behind his back when officers attempted to grab his arm. Next, Officer 2 states that the son went down to his “knees and layed [sic] down on the floor,” grasping his hands in an attempt to keep from being handcuffed. According to Officer 2, the son writhed on the floor as he pulling his hands apart. Further, Officer 2 claims that he placed the “instep of his left shin over this upper right arm to prevent” the son from “swinging around.” After this, Officer states that the son stood up and placed his hands behind his back.

## **COACHING**

Upon receiving the coaching document, the precinct inspector contends he reviewed the reports and complaint. After this, the precinct inspector contacted Complainant, who he contends told him that she had been advised previously to contact police and home monitoring when “there were problems” with her son. Further, he claims that Complainant told him that her son had been fighting with his “family and that she could not handle him being home.”

She also stated that three officers arrived at the scene, including Officer 1, and also several individuals from juvenile supervision. According to the inspector, Complainant told him that her son “put up quite a fight” when being arrested. It was during this time, the inspector contends, that Complainant told him that Officer 1 told her “get up off you’re a\*\*\* and help.” After speaking to Complainant, the inspector claims that he told her that he would call her back.

Afterwards, the inspector state that he contacted the juvenile detention workers, who told him: that Complainant’s son was very large; that Complainant’s son resisted arrest; that the episode last for 7-10 minutes; that the son was put into custody without the use of force; and that the officers were “nothing but professional.”

Later, the inspector contends that he met with Officer 1 and asked if her if she recounted the incident. Officer 1, according to the inspector, told him that she was only “trying to get the parent help and get a shirt” for the son. Also, the inspector states that Officer 1 did not affirm or

deny the incident. At the conclusion of the interview, the inspector contends he “discussed the call which had been toned as a help call during the struggle with [the son] and the need to stay professional even during stressful contacts.”

In the coaching document, the inspector marked in the affirmative whether a “policy violation” occurred and whether Officer 1 was “coached.”