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## POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #5

April 2017

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### OVERVIEW OF THE COMPLAINT

Complainant alleges that, when trying to alert an officer to public drinking, that an officer was too concerned with socializing than listening to his complaint, even going so far as to telling Complainant "not with that F\*\*\*ing attitude" upon his request that she repeat his statement.

### ALLEGED VIOLATIONS

1. MPD P&P § 5-104.01–PROFESSIONAL POLICING: Officers shall use the following practices when contacting any citizen, regardless of the reason for the contact: Be courteous, respectful, polite and professional.
2. MPD P&P § 5-105 (A) (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

Upon receipt of the complaint, an intake investigation was conducted and the matter was subsequently brought before the Joint Supervisors for intake review. Upon review of the complaint, the Joint Supervisors sent the matter to the appropriate precinct for coaching. After the officer's supervisor completed the coaching investigation, the coaching documentation was received by the Joint Supervisors, who then approved it.

### EVIDENCE

1. Complaint

### SUMMARY OF EVIDENCE

Complaint: Complainant asserts that he noticed drinking and public intoxication at Peavey Plaza, and attempted to alert a nearby officer to the activity.

Complainant claims that he found an officer nearby who was talking to some kids in a vehicle, and waited about 10 minutes before the officer noticed his presence. Complainant asserts that the officer asked if there was a problem, and that he told the officer "if you are done socializing, can I talk to you?" Complainant claims the officer said, "not with that f\*\*king attitude" and told him to call 911.

Complainant also states that the officer did take a report, but did not read the report back, then returned to the conversation he was previously having.

### COACHING

The matter was sent to coaching due to the officer's alleged unprofessionalism when interacting with Complainant. The supervisor spoke with the officer, who told him that he had been courteous and professional despite the complainant's confrontational and verbally demeaning approach. The officer contends that he was on-post, and offered to have a squad dispatched after weighing the potential danger to the public of leaving his post against the importance of responding immediately to the alleged public intoxication.

The supervisor also asserts that the complainant was confrontational and verbally demeaning in follow-up email correspondence relating to the coaching. The officer was not coached and no policy violation was found.