
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #5
July 2017

OVERVIEW OF THE COMPLAINT

Complainant contends that an officer was "verbally aggressive" in a public area at a local hotel and that the officer "exhibited bias against [the] hotel staff," by assuming that a theft was perpetuated by them before "taking the time to receive all pertinent information and give consideration to the facts in the case." More specifically, Complainant asserts that the officer told a guest that "[h]otels regularly steal from their guests, especially housekeepers and engineers," and that the hotel in question has "had a number of [theft] calls" in the past. Lastly, Complainant claims that he "had to calm the officer and encourage reasonable discussion," doing things such as pointing out to the officer that a video showed a "third-party" was involved.

ALLEGED VIOLATIONS

1. MPD P&P § 5-105(A)(4) -- PROFESSIONAL CODE OF CONDUCT: Employees shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions. (04/01/05) (05/03/05) (01/05/16)

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 requested a preliminary investigation be conducted. Upon review of the preliminary report, the case was sent to coaching.

EVIDENCE

1. Complaint
2. VisiNet
3. CAPRS
4. Complainant's Statement

SUMMARY OF EVIDENCE

Complaint: Complainant alleges that an MPD officer responded to a theft call from a local hotel and "immediately took a verbally aggressive stance toward the situation" in a public area that drew unwanted and unwelcome attention to the situation from hotel guests and visitors prior to any facts about the situation being presented. Complainant alleges that the disruption was significant enough that a hotel employee had to calm the officer and encourage the officer to engage in a more reasonable discussion in a non-public area.

Complainant alleges that the officer "exhibited bias" against hotel staff by assuming that the theft reported by a guest had been perpetrated by the hotel's housekeeping staff prior to being given any information about the situation. Further, Complainant alleges that the officer told the complaining guest that "hotels regularly steal from their guests, especially housekeepers and engineering staff" and that the hotel "had a number of calls made in regards to these sorts of situations in recent history."

Subsequent to the officer's alleged statements, the officer was shown video footage showing that a third party was involved; however, Complainant alleges that the officer "immediately assumed

that this person was working in tandem with hotel staff.” Additionally, Complainant alleges that the officer repeatedly complained that they should not have been involved with the situation.

VisiNet: The Problem section is listed as Theft – Report Only and the listed time is 3:51pm. The total response to the call is about 50 minutes. There are no notes from the officer in the VisiNet report.

CAPRS: Public Data section states solely “I was dispatched to the incident address on a theft from the hotel where the suspect was gone.”

Supplement: Officer 1 asserts that they spoke with Victim 1, who stated he left his room around 11:00, and when he returned, there were items missing from the room.

Officer 1 contends that they spoke with the manager of the hotel who had viewed CCTV footage of the incident, which the manager alleged showed that a housekeeper had gone into the room to clean it and left the door open, when Suspect 1 arrived, claiming to be a guest and asked the housekeeper to leave. The housekeeper allegedly complied, as she did not know the person was not a guest. There is additional footage of Suspect 1 leaving the hotel via the parking garage carrying Victim 1’s bag.

A still picture of Suspect 1 from the CCTV footage was printed out and placed into evidence.

Complainant Interview: Complainant stated that there was a situation at the hotel where a guest complained that some items were missing from their room. They assert that the standard procedure is to contact the police in these types of situations in addition to looking into the situation themselves. Complainant stated that when they first encountered Officer 1, the officer was speaking with the housekeeping manager and acting very aggressively. They assert that the reason they got involved is because of the aggressive nature of Officer 1, as often times anyone in management can address these types of situations.

Next, Complainant stated that the housekeeping manager was not comfortable with the way in which Officer 1 was addressing the situation and asked Complainant, who was in the back room at the time, to assist. Complainant asserts that Officer 1 was immediately verbally aggressive toward him and asked why the hotel even called the police, as these situations are “usually handled in-house.” Complainant stated that Officer 1 asked if the door had been knocked in, to which Complainant responded it was not, at which point Officer 1 assumed it was an “inside job.” Complainant asserts this interaction was occurring at the front desk area, in front of guests. Complainant contends that despite Officer 1’s insistence that Complainant provide a statement, they urged Officer 1 to get a statement from the guest first. Complainant asserts that Officer 1 ignored this suggestion and continued to suggest it was an “inside job,” at which point the guests began talking about suing the hotel. Complainant feels that the guest began thinking this way due to Officer 1’s suggestion that the situation was an “inside job,” as well as Officer 1’s assertion that she was a veteran on the force.

Complainant stated that eventually they were able to move the conversation to the restaurant area of the hotel, away from other guests, at which point Officer 1 continued to insinuate that the situation was an “inside job” and that “this happens at this hotel often,” which Complainant asserts is false, and that they have never seen this officer at the hotel previously. Complainant admits that the housekeeping associate could have handled the situation better by not letting Suspect 1 into the room, and that the hotel staff has learned from the situation; however, the implication by Officer 1 that it was an “inside job” was inappropriate. Complainant stated that they told Officer 1 that Suspect 1 had also tried to get into another room with a different housekeeper present, which made Officer 1 “slow down a little bit.”

Next, Complainant asserts that they were able to present the facts to the officer, which included an internal investigation which took place in the 2 hours between the time of the call to police and Officer 1 arriving to the scene. Complainant asserts that they got a description of Suspect 1

from the housekeeping associate who let Suspect 1 into the room, which did not match any registered guests, then viewed video surveillance and saw Suspect 1 leaving the hotel through the elevator. Complainant stated that they took a still picture of Suspect 1 from the footage and provided it to Officer 1, at which point Officer 1 became more helpful. Complainant asserts that Officer 1 made a number of assumptions prior to having any facts about the situation.

Complainant stated that Officer 1 did not use any derogatory language or imply that it was an “inside job” due to the race or ethnicity of the staff members involved, but did imply that hotel staff stole the items, which caused the guest to view the hotel in a negative light. Complainant asserts that Officer 1 insinuated that it was suspicious that it took Complainant 2 hours to talk to the guest; however, Complainant suggests that they were waiting for all parties, including police, to arrive before addressing the situation with the guest, as well as to thoroughly investigate the situation. Complainant stated that Officer 1’s insinuation regarding response time made the guest feel as though the hotel “didn’t care” and again caused the guest to bring up obtaining a lawyer. Complainant adds that at this time, the guest stated that they did not want to stay at the hotel anymore and left. Complainant asserts that they worked diligently to ensure that the situation did not result in negative reviews for the hotel and that they “covered everything that was missing” and “went extra above... and beyond” with the guest for the remaining time the guest was in Minneapolis.

Next, Complainant reiterated their feeling that Officer 1’s attitude and insinuations about the situation contributed to the guest’s negative feelings and, absent them, the guest may not have “gone down that road” of thinking the hotel was behind the theft. Complainant stated that no other guests checked out as a result of the incident, but that some guests asked what had happened, which Complainant attributes to the conversation having taken place at the front desk.

Complainant stated that Officer 1 likely provided their name verbally, but could not recall for certain, and that there was a second officer present who did not participate in the conversation. Complainant concluded by stating that they appreciate what the Minneapolis Police Department does, and that they just wanted to let the Minneapolis Police Department know that the situation could have been handled differently.

COACHING – NO POLICY VIOLATION OR COACHING

After reviewing the preliminary investigation, the Joint Supervisors sent the case to coaching. The supervisor attempted to contact the victim and left a message, but did not receive a response.

The supervisor spoke to Officer 1, who stated that they are direct when trying to get information, which can be a part of law enforcement. While Complainant perceived Officer 1’s approach differently, no policy violation was found.

According to the supervisor, the hotel management put off speaking to the victim for approximately 6 hours, and were evasive and “obstructing the investigation” upon arrival of Officer 1. Further, the supervisor claims that Complainant denied any involvement by hotel staff of the theft, but later admitted that a housekeeping associate had allowed Suspect 1 into the room.

