
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #5
December 2017

OVERVIEW

It is alleged that a black civilian was rear-ended a white individual he believed to be drunk. According to the civilian, officers never conducted field sobriety tests on the driver nor file a report. Also, when asking for a business card, the civilian claimed that the officers told him, "The Chief is cutting costs and [he] didn't have any." The civilian accordingly stated that he believed the officers failed to properly assist due to bias.

THE COMPLAINT

1. MPD P&P § 5-104(B) – PROFESSIONAL POLICING No person shall be singled out or treated differently as a consequence of his/her race, ethnicity, national origin, gender, sexual orientation or religion.
2. MPD P5P § 5-10105 (A) (1) – PROFESSIONAL CODE OF CONDUCT Sworn employees shall give their name and badge number to any person upon request.

COMPLAINT PROCESSING

Complaint was received by the precinct from mother of the civilian who was rear-ended. A supervisor at the precinct conducted a coaching with the focus officer and then sent the documentation to the Joint Supervisors for review and approval. An intake investigation was conducted and the matter was subsequently brought before the Joint Supervisors for intake review. Upon review of the complaint and coaching documents, the Joint Supervisors determined that the coaching was appropriate.

EVIDENCE

1. Coaching documentation
2. VisiNet Report

SUMMARY OF EVIDENCE

Coaching documentation: Coaching documentation shows that supervisor tracked down the civilian involved in the accident and spoke with him twice. The supervisor also spoke with the officers involved in the incident.

VisiNet Report: The VisiNet Report indicates officers responded to an accident call. Drivers had already exchanged information when they arrived on the scene. Drivers did not appear to be intoxicated and call was changed from none to 2. Call was cleared advised.

COACHING OUTCOME

Supervisor who conducted the coaching determined that there were no bias issues after 2 conversations with the subject off the incident. She explained the DWI laws to him and why the officers did not need to file a report per the law regarding the incident. The subject assumed that field sobriety test were automatic in any accident and the supervisor explained the thresholds and when those tests would occur by law. After conversations with the subject, it also appeared that the drivers had some miscommunication with each other and that contributed to the subject's feelings about the incident. Supervisor determined that not providing a business card was a policy violation and indicated this on the coaching document. Supervisors spoke with officers about how to handle situations like this better in the future and the civilian seemed satisfied with the level of communication with the supervisor about the incident.