
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #4
January 2018

OVERVIEW OF THE COMPLAINT

Complainant alleges that he went to a precinct to report a "sexual assault" in private but was instead told by Officer 1--who was at the front desk--that there were "no officers available" to speak to him in that manner. Complainant claims that he witnessed "several" officers go into the main room and even saw an officer "standing near [Officer 1] eating and watching television," listening to him as he told his story regarding the sexual assault. Complainant states that he felt "miserable and embarrassed" during the whole experience.

Later, upon arriving home, Complainant asserts that he called Officer 1 several times regarding the status of his case and instead was hung up on. Next, Complainant contends that he tested the officer by calling from a different number using a "texting app on [his] phone" and the officer this time answered.

Lastly, Complainant believes that he was discriminated against because he is a "black man."

ALLEGED VIOLATIONS

1. MPD P&P § 5-104 (B): IMPARTIAL 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 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. Attempt to answer any relevant questions that the citizen may have regarding the citizen/officer contact, including relevant referrals to other city or county agencies when appropriate. If asked, provide the procedures for filing a complaint about police services or conduct.

COMPLAINT PROCESSING

Upon receipt of the complaint, a preliminary investigation was attempted and the matter was subsequently dismissed due to the failure to cooperate.

EVIDENCE

1. Complaint
2. VisiNet Report
3. CAPRS Report
4. Investigative Memo
5. Dismissal Letter

SUMMARY OF EVIDENCE

Complaint: The complainant wanted to file a police report regarding sexual assault and the officer declined, telling him that there were no officers available to speak. The complainant alleges that he was humiliated for standing out in the open to give his story, in which it felt like he was not only speaking to the officer but everyone else who come through the main door. The complainant contends that upon arriving home he called the front desk to ask when his case would be investigated and the officer hung up on him. The complainant then called from a different number and the officer answered the phone call and did not hang up.

VisiNet Report: The report indicates that the problem changed from miscellaneous to Crim Sex Conduct/Report.

CAPRS Report: The report explains the victim's sexual assault case that occurred approximately 12-13 years ago. The Complainant stated he was taken advantage of by an older woman when he was a teenager.

Investigative Memo: The memo gives an overview of the complaint. It also states that an investigatory sent a letter to the complainant, requesting him to contact her to schedule a time for a statement. The investigator phoned the complainant and he reiterated his description of the events. The complainant told the investigator to call back on a certain day and time to schedule a date for his statement. The investigator called him on the specific date and an automated message from Verizon wireless stated that the number dialed had been changed, disconnected, or no longer in service. To date, the complainant has not contacted the investigator, and therefore, it is recommended this case be closed due to failure to cooperate.

Dismissal Letter: The letter states that the OPCR will not proceed with the complaint because of the failure to cooperate.

DISMISSED—FAILURE TO COOPERATE

According to the Investigatory Memo the investigator made contact with the complainant, called him back at a requested date and time to set a date for his statement, but was left with an automated message from Verizon wireless stated that the number dialed had been changed, disconnected, or no longer in service. To date, the complainant has not contacted the investigator, and therefore it has been recommended this case be closed due to failure to cooperate.