
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #4
December 2018

OVERVIEW

Complainant asserts that he was riding his bike en route to a park when he passed a SUV. While passing the SUV, Complainant contends that discovered Officer 1 kneeling by a trash can who was currently pointing a gun in the direction of the SUV. Afterwards, Complainant alleges that Officer 2 "walked over to [him] and asked if [he] was 'f*c#ng stupid,'" to which Complainant replied that he did not see the gun till after he passed Officer 1. Further, Complainant contends that he has disabilities and would like for the officer to apologize.

THE COMPLAINT

5-105 (C) (1) - Professional Code of Conduct

Employees shall not use derogatory, indecent, profane or unnecessarily harsh language in the performance of official duties or while representing the MPD.

COMPLAINT PROCESSING

Upon receiving the complaint, the joint supervisors referred the case to mediation. However, the mediation contract with Conflict Resolution Center was expired, and due to the length of time needed to negotiate a new contract and get it approved, the joint supervisors instead referred the matter to coaching.

EVIDENCE

1. Complaint
2. CAPRS report
3. Squad video

SUMMARY OF EVIDENCE

CAPRS Report

Officers were dispatched to a shooting where one individual was wounded and began pursuing a vehicle involved in the shooting. The car was eventually stopped and a felony stop was conducted. Officers took cover positions with weapons drawn. The driver and three passengers were removed from the vehicle. The focus officer notes in the CAPRS report that he helped secure the scene.

Squad Video

A squad recording captures Complainant riding through the scene while the felony stop was occurring. A conversation occurs between Complainant and the focus officer, but it is not captured on audio.

COACHING

When the focus officer was asked about his interaction with Complainant, he was apologetic and regretted his word choice and harshness. He stated that the statement was made “in the heat of the moment” and that he “was concerned for the safety and security of the complainant” as guns were drawn and pointed at the suspect’s vehicle. The focus officer attended a procedural justice refresher course and apologized for his “poor choice of words.”

The supervisor considered the complaint sufficiently addressed and noted that the officer has had no similar complaints since the incident.