

**OFFICE OF POLICE CONDUCT REVIEW**

**CLOSED CASE SUMMARY**

**OPCR-21-22**



PUBLISH DATE: May 6, 2022

FROM: Office of Police Conduct Review

CASE SUMMARY NUMBER: OPCR-21-22

**ALLEGATIONS**

	<b>Policy Implicated</b>	<b>MPD Policy Manual Range</b>	<b>OPCR Outcome</b>	<b>PCRP Finding</b>	<b>MPD Outcome</b>
<b>Allegation 1</b>	7-809 (IV)(B)(1)(a)(ii) Crisis Intervention	A-D	Dismiss-No Basis	NA	Dismissed
<b>Allegation 2</b>	7-809 (IV)(B)(1)(a)(iii) Crisis Intervention	A-D	Dismiss- No Basis	NA	Dismissed

**REPORTED DEMOGRAPHICS**

**Race:** N/A

**Gender:** N/A

**Police Precinct:** 1

**SUMMARY OF COMPLAINT**

It is alleged that the officer falsified his report when speaking to hospital staff. Complainant alleges that the officer failed to listen to the complainant and was illegally detained while the complainant was trying to file a lawsuit.

**SUMMARY OF INVESTIGATION**

*1) INTAKE INVESTIGATION*

a) VisiNet report

VisiNet lists the incident as “Assist Other Agency.” Officers arrived at the scene and security at that location detained the complainant. Officers then transported the complainant to the hospital on a hold.

b) Police Report

i) Public Section of the report states that officers responded to the listed address to assist another agency. Officers then transported the complainant to the hospital.

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2) *VIDEO ANALYST REVIEW*

a) Body Worn Camera (BWC) Review

- i) BWC footage exists for this complaint. Officers are seen activating their BWC prior to arrival. Officer 1 is driving the squad. Officer 2 is the passenger.
- ii) Officers park the squad and step into the lobby where building security has the complainant detained. Officers speak to security staff and were told that the individual was causing a disturbance and refused to leave. The individual was trespassed earlier from this location. Security mentions that the individual has been let go four times from security that same day, but he still returns.
- iii) Officers approach the complainant. Officer 2 asks the complainant to provide his side of the story. The complainant states that he has business to do there and wants to file a lawsuit. Officer 2 asks why the complainant keeps coming back and the complainant states that he has every reason to file a lawsuit. The officer tries to explain the trespass notice and the complainant asks to be remain silent. The officer acknowledges and ends the conversation.
- iv) Officers then exchange the handcuffs for MPD issued handcuffs without incident. Officer 2 asks the complainant if the cuffs are too tight. The complainant states, "it's fine." The complainant is briefly searched and then loaded into the squad.
- v) Officer 2 walks back into the building to get the security officer's information. Officers responded that the individual has been in the building for a long time and keeps returning and briefly address their concerns that the individual would benefit from some form of assistance. Officer 2 walks back to the squad.
- vi) They begin to transport the individual to the hospital on a mental health hold. During the transport, Officer 2 describes the differences between sending him to jail or placing him on a mental health hold. The complainant then states that he does not understand and asks for an interpreter. Officer 2 asks for what language and the complainant requests for Arabic. Both parties converse in Arabic.
- vii) The complainant is taken into the hospital and the transfer of custody is given to hospital staff.

3) *CASE REVIEW & JOINT SUPERVISOR ROUTING*

- a) After reviewing the relevant and available evidence collected during intake, the Joint Supervisors agreed the case should be dismissed.