



# Coaching Process Analysis

Police Conduct Oversight Commission

December 2014

**It is recommended that the document be read in an electronic format with internet access. The document contains live links to information discussed, including videos, transcripts, and PDFs whenever possible.**

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## Table of Contents

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<b>Introduction</b>	<b>1</b>
<b>Background</b>	<b>2</b>
<b>Methodology</b>	<b>3</b>
<b>Coaching Process Results</b>	<b>5</b>
<b>Coaching Outcome Results</b>	<b>8</b>
 <b>Quick Statistics</b>	 <b>10</b>
 <b>Coaching Process Statistics</b>	 <b>12</b>
Attempted to contact Complainant when Contact Information was provided	12
Attempt to contact Complainant by Supervisor Rank	12
Attempt to Contact Complainant by Supervisor Shift	13
Attempt to Contact Complainant by Precinct	13
Documented Conversations	14
Contacting Complainant/Witnesses Before Speaking to Focus Officer	14
Reviewing Evidence	15
1st Precinct Duration Timeline	16
2nd Precinct Duration Timeline	16
3rd Precinct Duration Timeline	17
4th Precinct Duration Timeline	17
5th Precinct Duration Timeline	18
Other Division/Unit Duration Timeline	18
Average Time to Return Coaching Documents Over Time	19
All Coaching Documents Returned Timeline	19
 <b>Coaching Outcome Statistics</b>	 <b>20</b>
Ratio of Coached/Not Coached by Allegation (no multiple allegations)	21
Ratio of Policy Violation/No Policy Violation by Allegation (no multiple allegations)	21
Ratio of Coached/Not Coached by Precinct Where Document was Sent	22
Policy Violation Ratio by Precinct Where Document was Sent	22
Ratio of Coached/Not Coached by Coaching Officer Shift	23
Ratio of Coached/Not Coached by Focus Officer Rank	23
Ratio of Coached/Not Coached by Coaching Officer Rank	24
Ratio of Coached/Not Coached When Focus Officer Admits Some Allegations	24
Ratio of Coached/Not Coached When Supervisor Spoke with Complainant	25
Amount of Time Between Coaching Sent and Returned and Ratio of Coaching	25
Amount of Time Between Incident Date and Coaching Returned and Ratio of Coaching	26
Ratio of Coached/Not Coached When Multiple Focus Officers Involved	26
 <b>References</b>	 <b>27</b>
<b>Appendix</b>	<b>28</b>

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## Introduction

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The Police Conduct Oversight Commission assures that police services are delivered in a lawful and nondiscriminatory manner and provides the public with meaningful participatory oversight of police policy and procedure. Commission members have a variety of responsibilities including shaping police policy, auditing cases, and engaging the community in discussions of police procedure. The Commission strives to be the citizen advisory group the community relies upon to openly discuss policy and procedures of the Minneapolis Police Department, to voice concerns regarding law enforcement/civilian interactions, and the organization that advances credible and meaningful feedback, without obligation to political influences, for the betterment of the City of Minneapolis. For more information about the work of the Commission, meeting times and locations, and meeting minutes, please visit the Commission website.<sup>i</sup>

Additionally, in the Police Conduct Oversight Ordinance, the Commission has direction to conduct programs of research and study, "review police department policies and training procedures and make recommendations for change."<sup>ii</sup> To facilitate this process, the Commission created this study by motion on February 11, 2014, at the regular Commission meeting. The motion requests the Office of Police Conduct Review to create and conduct a comprehensive study of the OPCR and MPD coaching process, including a performance audit, with the goal of achieving racial and other equity outcomes, and of building and supporting an accountability culture within MPD.

This report shall address each of the objectives in the motion.

## Background

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Upon receiving a complaint, the OPCR has four methods for resolution: (1) dismiss it, (2) send it directly to the focus officer's supervisor for action, (3) mandate mediation between the officer and complainant, or (4) send the complaint to an investigation involving a civilian or sworn investigator. The joint supervisor assessment is based on the seriousness of the allegations, the likelihood of a successful mediation, and evidence available for investigation. Method 2 is known as "coaching."

Coaching consists of sending a complaint directly to the precinct of the officer that is the focus of the complaint to address the allegations contained within. Coaching is used only for lower level violations, and if a more significant violation is discovered during the coaching process, the complaint is referred back to the OPCR. Coaching documents will first be submitted to precinct inspectors or unit commanders. The inspector or commander will forward the coaching documents and attached material to the appropriate supervisor to handle. Find a sample coaching document at Appendix 1.

The supervisor will determine whether a policy violation has occurred based upon the information gathered by the supervisor, and complete the coaching documentation form. The standard for this determination is preponderance of the evidence, a 51% likelihood that the allegation is true. A referral to the officer's supervisor does not denote that a policy violation has occurred. Policy violations or the lack thereof are noted in the completed documentation. Multiple policy violations in one year may cause a lower level complaint to be treated as a more significant violation. Supervisors may also coach the officer on how to improve performance and improve customer service regardless of whether a policy violation occurred.

If the supervisor determines the allegation is supported by a preponderance of the evidence, he or she will determine the appropriate corrective action. This may involve coaching, counseling, training, or other non-disciplinary actions. The supervisor shall notify the officer of the recommendation and contact the complainant to explain that the complaint has been handled.

Only A-level (the least severe) complaints are sent to coaching, but the expectation is that supervisors will address inappropriate behavior before it leads to more severe misconduct. Additionally, coaching represents an immediate opportunity to repair relationships between community members and officers through supervisor action, as the OPCR has set an expectation that coaching complaints will be completed within the 45 day timeline. When a coaching supervisor completes the process, the completed coaching documents are reviewed and signed by the precinct inspector or commander and returned to the joint supervisors for review. If the joint supervisors find the coaching documents are incomplete, they are returned to the precinct inspector or commander for completion.

## Methodology

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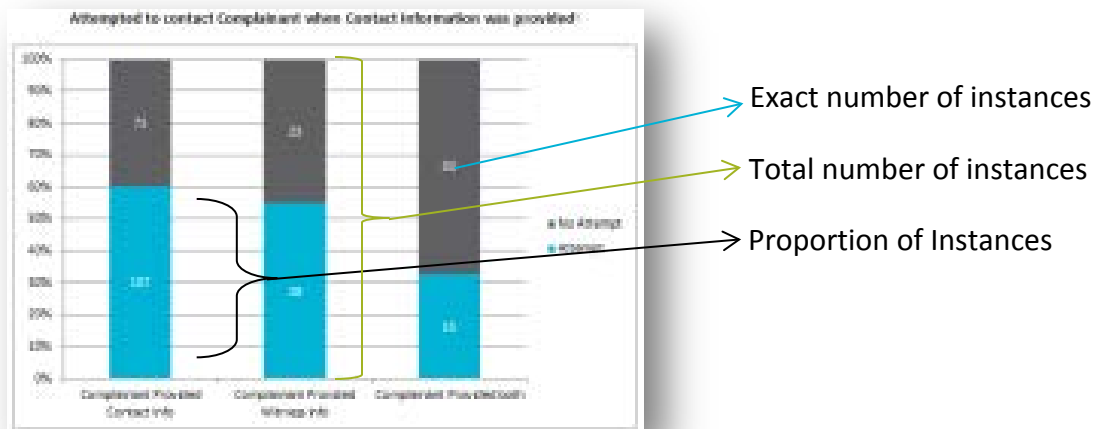
The Office collected all completed coaching documents returned by precincts/units between October 2012 and October 2014. In total, 194 coaching documents were analyzed using criteria selected by the OPCR and Commission. The criteria included:

- Duration of various aspects of the coaching process;
- Allegations sent to coaching;
- Precinct, shift, and rank of focus officer and coaching officer;
- Whether the focus officer was involved in past complaints, either as a focus officer or witness officer;
- Steps taken during the coaching process (e.g. whether complainant/witnesses were interviewed, police reports reviewed, focus officer interviewed);
- Documentation of steps during the coaching process;
- Policy violations and coaching; and
- Complainant notification information

Data on each document was collected in an excel spreadsheet ultimately used to create the data contained within this report. In total, approximately 16,500 data points were collected..

Once data was completed, various related categories were selected for comparison. Categories were divided into two sections, Coaching Process and Coaching Results. The Coaching Process section includes data on the steps taken during the coaching process, such as whether the complainant was contacted. The Coaching Results section contains comparisons involving whether an officer was coached or whether a policy violation occurred and various factors, such as precinct, shift, or rank.

When possible, data is depicted using 100% stacked column graphs to allow cross comparison. The actual amount of instances is displayed as numbers within the columns. For example:



In comparing data, it is important to note both the exact number of instances, as a very small number may lead to unreliable comparisons. For example, when only four instances of an event are recorded, one additional event may change the ratio by 20%.

Data may also be displayed in timeline format when necessary. Timeline intervals are one month and span October 1, 2012 – October 31, 2014.

## Coaching Process Results

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When a complainant submits allegations, the complainant is not required to describe the events in detail, instead merely describe the interaction that is the basis of the complaints. Hence, for a full understanding of what occurred from the Complainant's perspective, it is expected that they will be contacted for an interview. In 60% of cases, supervisors attempted to contact complainants. There was little difference in this rate between sergeants and lieutenants, or across shifts. Precincts, however, contacted complainants at significantly different rates, with a 40% + difference between precincts. Witnesses were contacted less frequently, and when complainants provided both their contact info and witness contact info, supervisors contacted both at a rate of approximately 33%.

It should be noted that there were instances where supervisors sought their own witnesses or complainant when contact info was not provided. In this small population of cases, decisions made by supervisors were clear and supported by evidence. For an example of this effort to obtain additional information, see Case Summary 13-12-08 (Appendix 2).

When supervisors actually reached complainants, they did so after the meeting with the focus officer in 60% of cases. It seems good practice for supervisors to have all relevant information available before discussing the situation with the focus officer, and a complaint is not intended to be a complete record of an event. Case Summary 14-07-08 (Appendix 3) provides an example of a case where Complainant was able to clarify the exact issues in the complaint before the supervisor spoke to the focus officer. Be aware that when little or no documentation of conversations occurred, it was difficult to tell whether it occurred before or after the meeting with the focus officer.

As such, documenting attempts to contact the complainant, conversations with all parties involved, and the steps taken to resolve the complaint is critical. Without this information, the coaching document is a poor reflection of the coaching process that occurred. It is little use to future parties and it is difficult to tell if an adequate coaching investigation took place. This is evident in Case Summary 14-01-08 (Appendix 4). Complainant made language and Policy and Procedure Manual allegations, yet the supervisor only mentioned one of them in the interview with the focus officer. No conversation with the complainant is mentioned. The conclusion, therefore, is not supported. It is possible the supervisor did more in the case, but the summary does not reflect this assertion. If the supervisor leaves the MPD, the account of the event leaves with him or her.



Supervisors did document conversations with complainants and focus officers to some degree in approximately 90% of cases where these conversations occurred. However, the range in the quality of documentation is vast. Some supervisors used one sentence to describe the interaction, others wrote detailed descriptions, including dates of attempts to contact complainants and witnesses, as is seen in Case Summary 14-05-04 (Appendix 5). The quality of documentation is critical; when it is poor it is nearly as useful as no documentation at all.

Generally, coaches reviewed most evidence provided, usually CAPRS reports, MECC communications, or squad recordings. In 45 cases, coaches located additional evidence by visiting the scene, seeking court records on outcomes, or locating additional witnesses. In nine of these cases, the supervisors conducted background checks on complainants such as arrest records or conviction; an example of which occurred in Case Summary 14-08-09 (Appendix 6). There were no reported instances where supervisors sought background information on officers other than the supervisor's personal opinion—generally that the officer behaves well. This subjective evidence differs significantly from a background check of a complainant.

In 158 cases, supervisors provided some documented reason for the outcome (e.g. coached/policy violation/nothing). Hence, in some 30+ cases supervisors did not document specific reasons supporting their outcome. The outcome may have been justified and all allegations addressed, but it is difficult to conclude this when such limited information exists. This is evident in Case Summary 14-02-08 (Appendix 7) where the supervisor concludes that no coaching or discipline should occur without any additional information. Additionally, like the documentation of conversations with relevant parties, when documentation of decision making occurred, the quality varied significantly.

In almost all cases where complainant provided contact information, the supervisor followed up on outcome in a timely manner. The average time to follow up with a complainant after speaking with the focus officer was 19 days. However, in only 31% of cases were these conversations documented. The documentation of these conversations is important for two reasons. First, for data practices considerations, it is important to note what information was provided. "Outcome" in this case should be very basic, that the complaint was handled, as the content is not public. By documenting the information provided, reviewers can be assured that data practices violations did not occur.

In some cases, a more detailed notification is possible. In Case Summary 14-04-10 (Appendix 8) the supervisor was able to explain the situation without describing the coaching that took place. Because it was documented, the OPCR could conclude that the supervisor actually resolved the issue involved.

Some complainant outcome notifications were documented as occurring before a conversation with the focus officer. While this may be a typo by the coaching supervisor, it could indicate that coaching supervisors made up their mind before discussing the incident with the focus officer. This appears to have taken place in Case Summary 1-11-07 (Appendix 9). Considering that the supervisor has not obtained all evidence before talking to the focus officer, this should be avoided if it is occurring.

The timeliness of the coaching process has significantly improved. This can be seen across precincts. To smooth outliers, the average time to return coaching documents (total and ten prior) demonstrates this effect.

There were fourteen cases where unrelated opinions were included in documents. Unrelated opinions significantly detract from the professionalism of a coaching document. In Case Summary 14-01-07 (Appendix 10), the supervisor expresses significant dissatisfaction with the MPD language policy. This is not relevant to the coaching session, and other outlets are available to express this to MPD administration. In Case Summary 14-01-02 (Appendix 11), the supervisor describes the complaint as “the baseless ramblings of a person who seems to not be fond of law enforcement in general.” Considering that the supervisor was unable to contact complainant, this characterization appears out of place. If the allegations are not supported by obtainable evidence, the decision is supported with no need for this subjective characterization.

## Coaching Outcome Results

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While officers received coaching for language, attitude, harassment, failure to provide adequate protection, and violations of the Practice and Procedure Manual, these occurred at different rates. In the chart depicting this, cases with multiple allegations were removed to allow for an accurate cross comparison of allegations. Violation of the Policy and Procedure Manual (e.g. normal vehicle operation, traffic accident investigation procedures) were the largest source of policy violations and coachings. While coaching occurred in a wide variety of cases, policy violations only occurred for language, failing to provide adequate protection, and violations of the Policy and Procedure Manual.

The rate at which coaching occurred differed across precincts. While there are multiple explanations for why this may have occurred, it is still worth noting. The same can be said for officer shift, as daywatch seems to coach at a higher rate.

Officers and sergeants were coached at very similar rates, and there are too few coaching documents with lieutenant focus officers to compare. Similarly, whether the coaching supervisor was a sergeant or lieutenant does not appear to impact the rate at which coaching occurred. Again, there were too few cases where inspectors or commanders were coaches to draw an accurate comparison.

Officers admitted to at least some behavior described in the complaint 55 times. When they did so, they were coached at nearly twice the average rate. In some cases where the officer admitted allegations, they were not coached, but this may be because the behavior was acceptable with additional justification not included in the complaint.

Coaching outcomes in cases where coaching supervisors spoke with the complainant versus those who did not speak with complainant were very similar. This does not detract from the importance of contacting complainants, as allegations can be clarified which enhances the benefits of the coaching session. When witnesses were involved and contacted, the rate of coaching slightly decreased.

The duration of the coaching investigation does not appear to create great variation in coaching results. However, the effectiveness of a coaching session or policy violation is significantly weakened when it takes a lengthy amount of time to complete. Timely coaching can prevent problematic behavior before it occurs again.

When multiple focus officers were involved, coaching was less frequent, particularly when the supervisor spoke to both at the same time. Coaching occurred approximately 17% of the time, almost half the average rate of coaching. When the officers were interviewed separately, the rate increased approximately 5%.

The quality of the documentation of the coaching session and policy violation varied

significantly. In Case Summary 14-07-08 (Appendix 12), the supervisor clearly stated the policy and the expected behavioral change when describing the coaching session. Were the officer to be involved in a similar event in the future, this coaching document would be of utility to the coaching supervisor. While no policy violation occurred in Case Summary 14-07-10 (Appendix 13), the supervisor stated that the focus officer should provide a more detailed explanation in reports for decision making in the future. The expectation is clear.

Alternatively, in Case Summary 14-08-03 (Appendix 14), the supervisor checked the box on the coaching form indicating that coaching occurred, but there is no explanation as to why. As such, it is unclear what expectations were set. Similarly, in Case Summary 14-10-07 (Appendix 15), the supervisor stated that he discussed “the inappropriate use of harsh language” with the officer with no detail. Hence, it is difficult to determine if any expectations were set.

## Quick Statistics

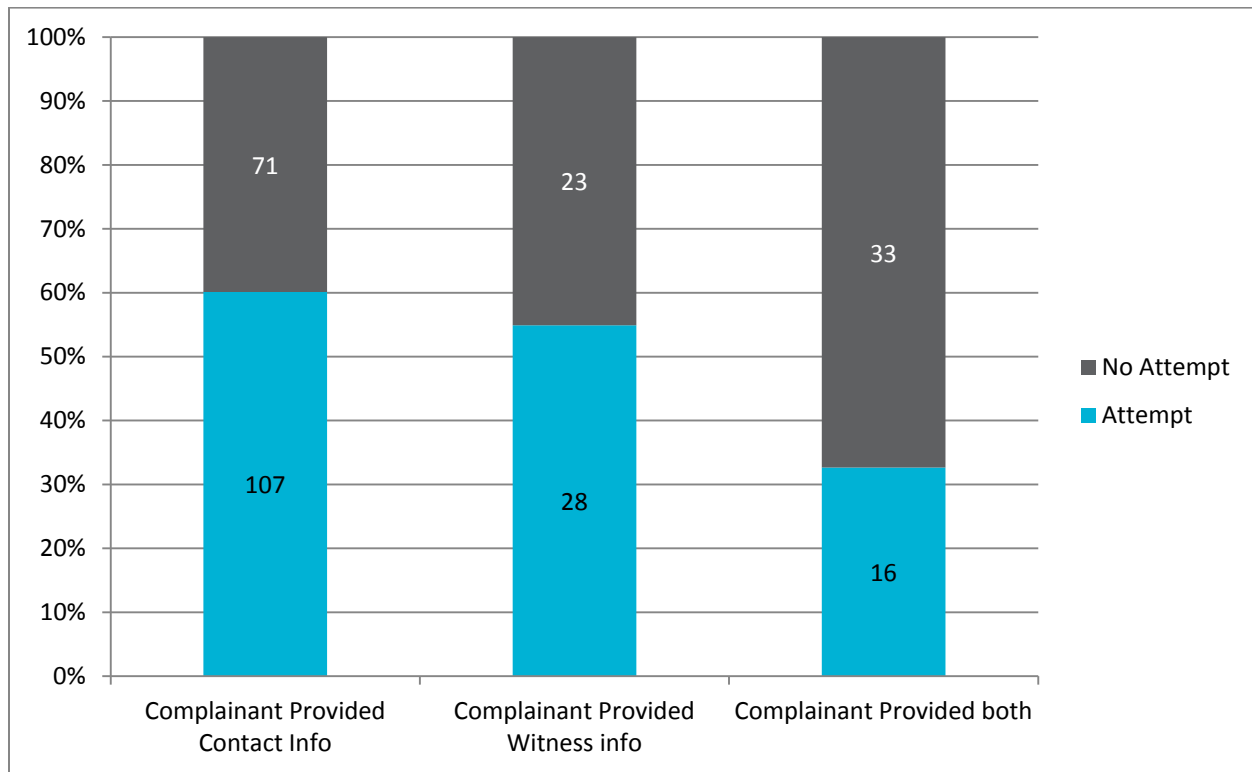
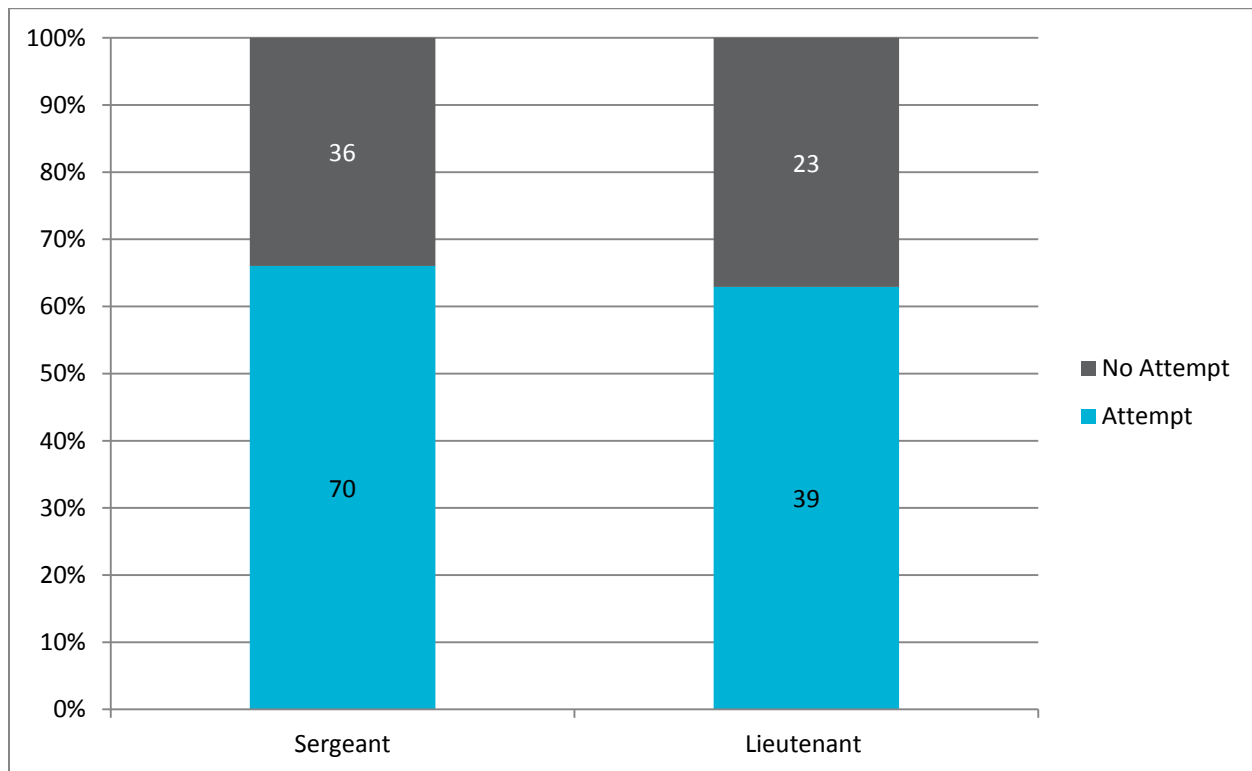
Duration of Coaching Documents	
Average Time to Complete Coaching	81 Days
Median Time to Complete Coaching	30 Days
Outcomes	
Policy Violations	17
Coaching	66
Rate of Coaching	34%
Rate of Policy Violations	9%
Number of Documents Sent to Precincts	
1st	36
2nd	26
3rd	41
4th	29
5th	36
Other	25
Allegations in Documents	
Use of Force	1
Inappropriate Language	30
Inappropriate Attitude	48
Harassment	27
Discrimination	1
Theft	0
Failure to Provide Adequate/Timely Protection	37
Retaliation	1
Violation of the Policy and Procedure Manual	67
Multiple Allegations	16

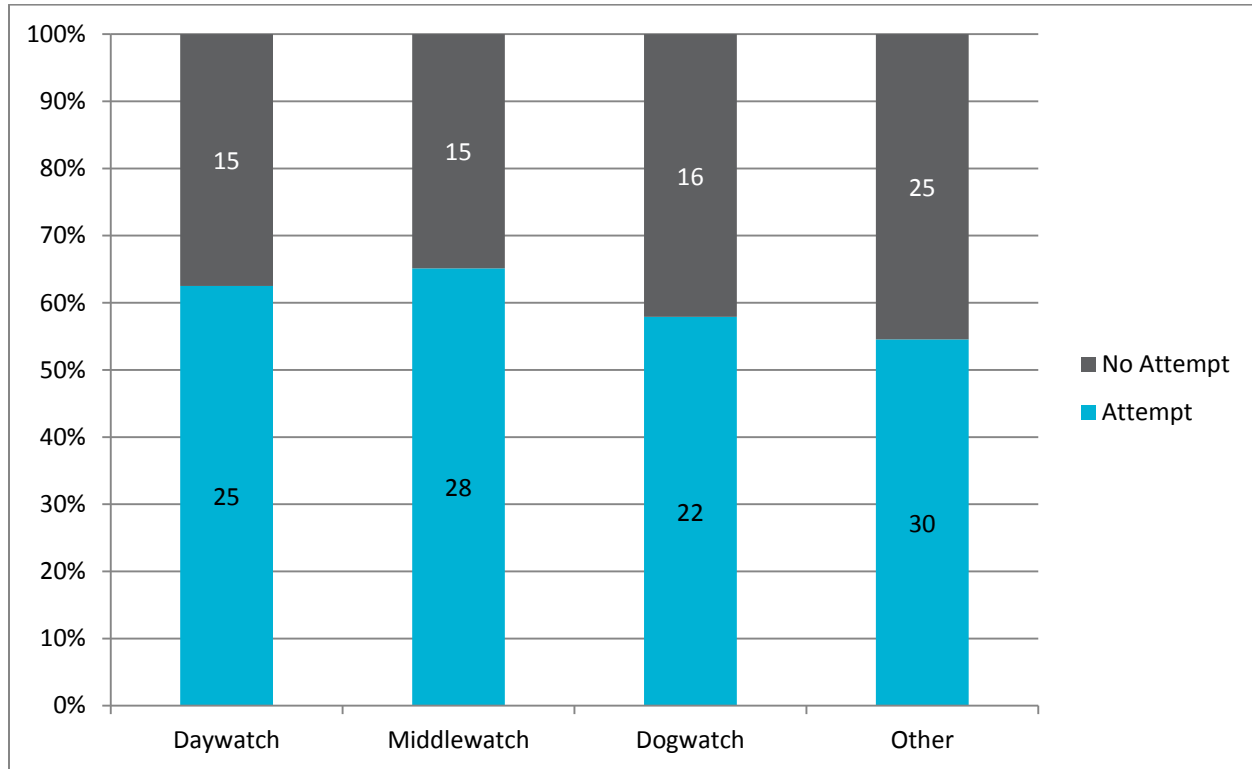
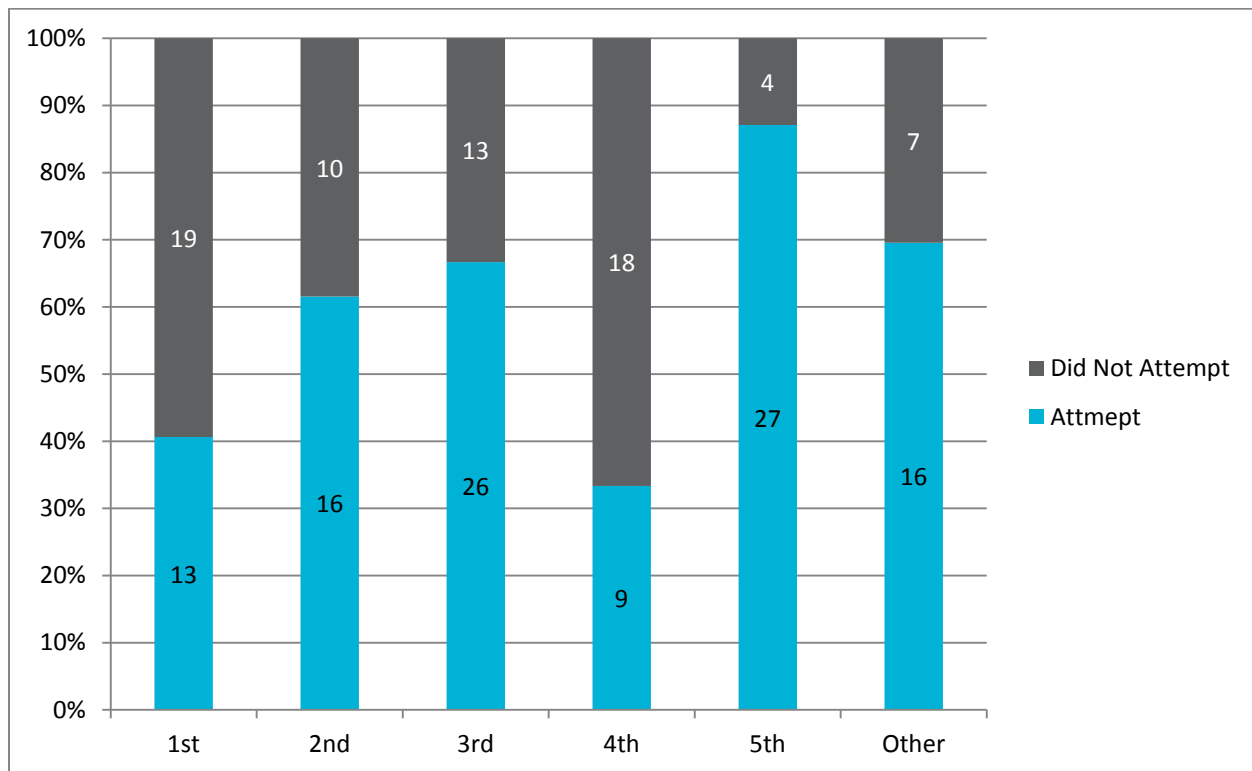
Focus Officer Rank	
Officer	160
Sgt	28
Lt	5
Coach Rank	
Sgt	117
Lt	66
Inspector	4
Other (Commander)	6
Shift of Focus Officer	
Day	44
Mid	48
Dog	43
Other	49
Shift of Coach	
Day	44
Mid	46
Dog	43
Other	58

## Coaching Process Statistics

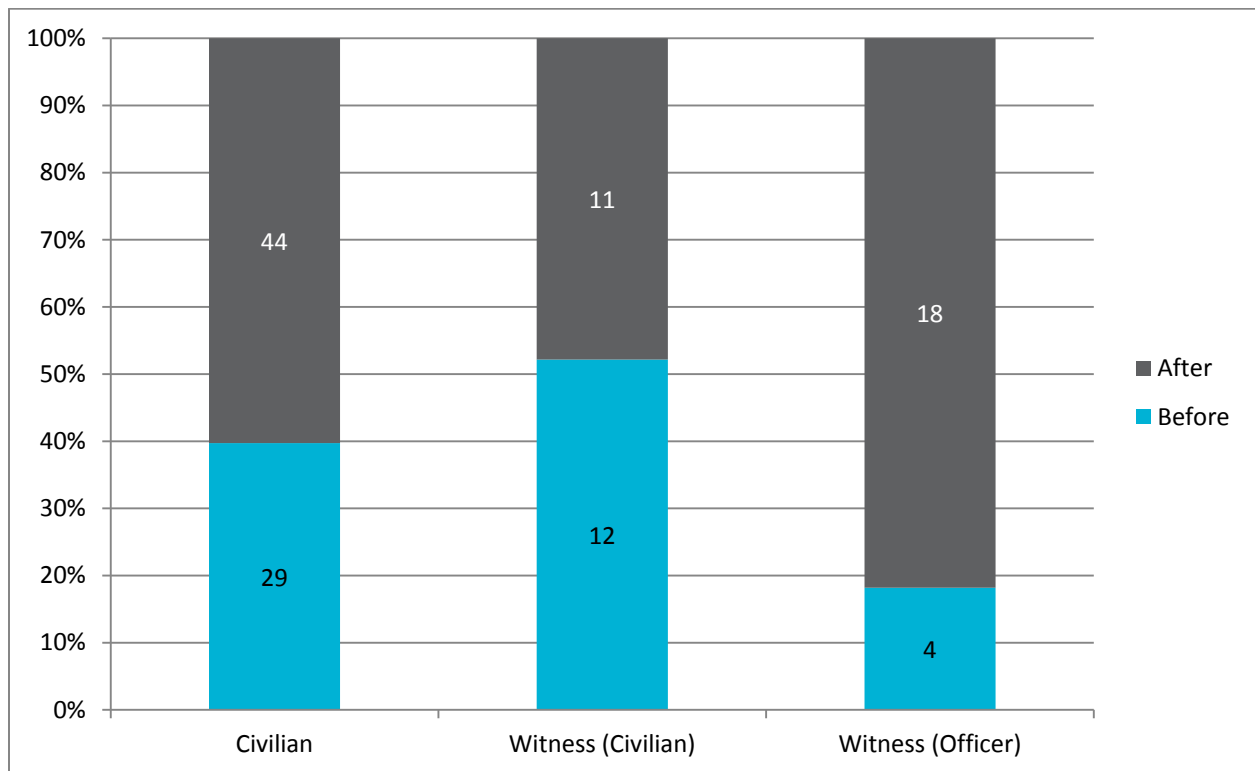
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Chart	Page
Attempted to contact Complainant when Contact Information was provided	12
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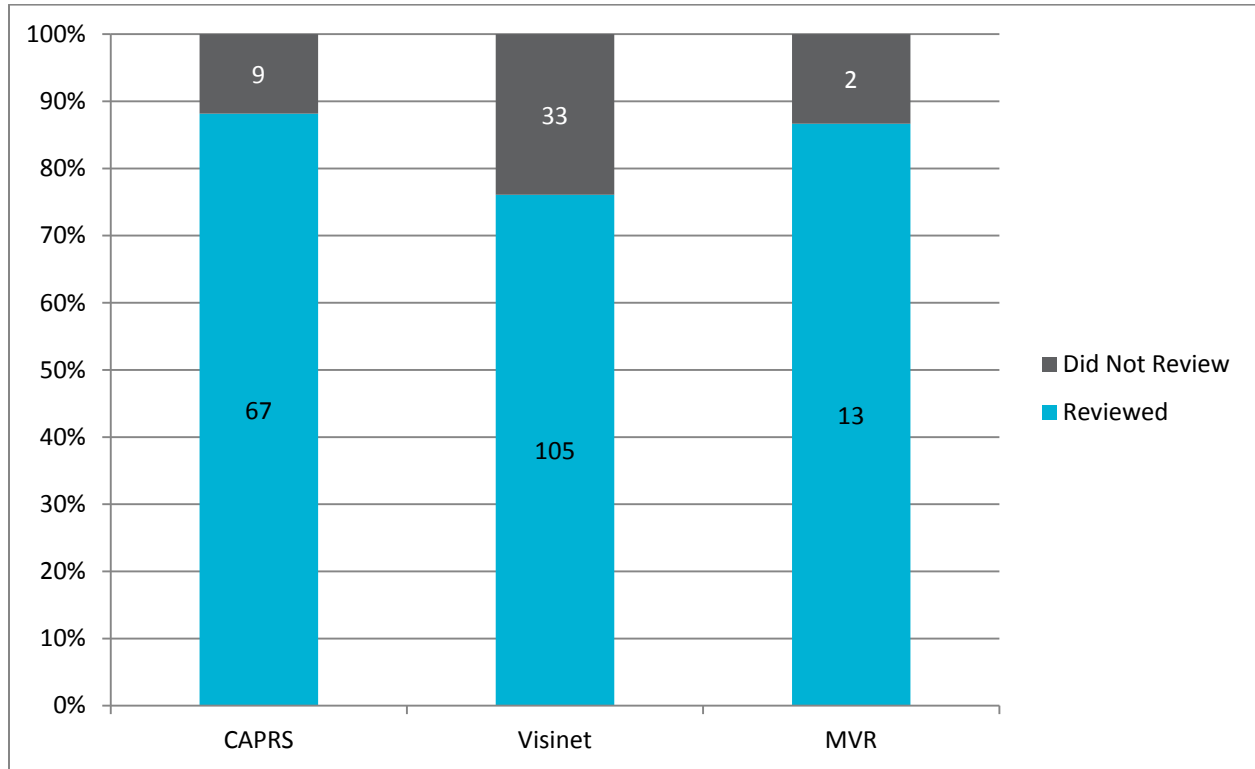
**Attempted to Contact Complainant When Contact Information was provided****Attempt to Contact Complainant by Coach Rank**

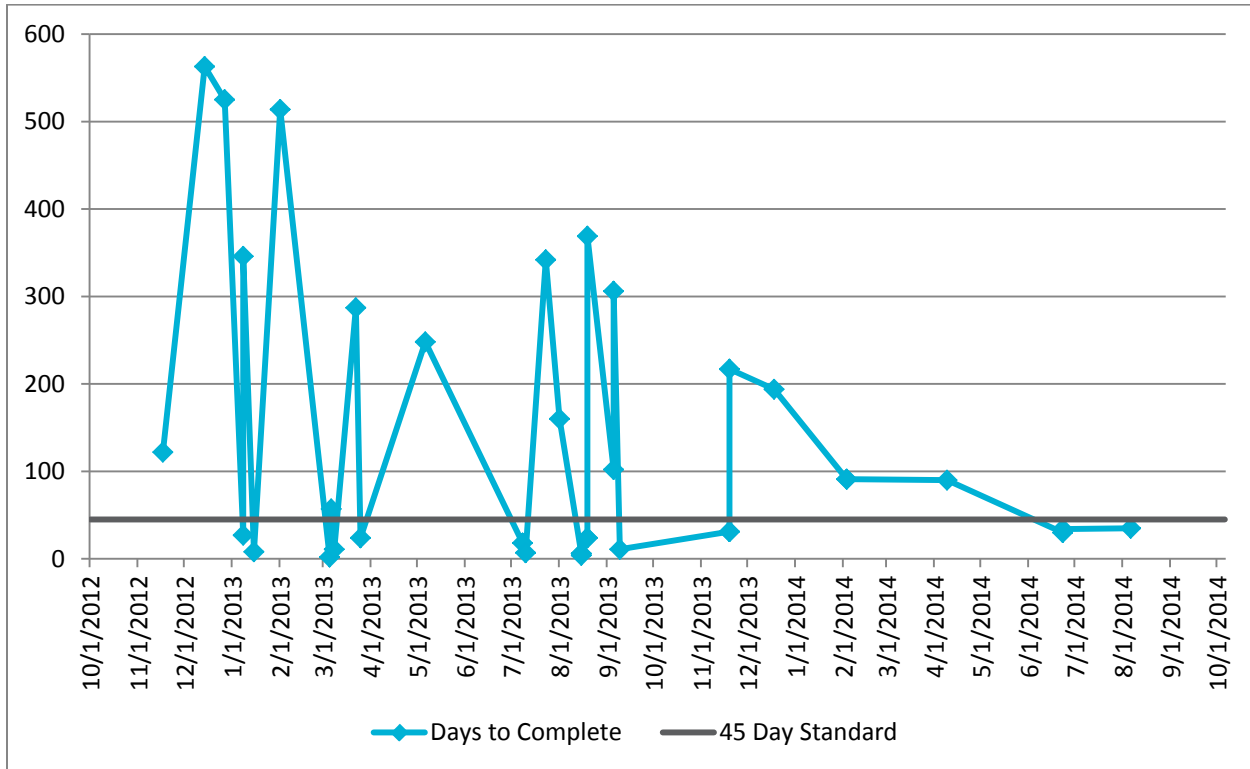
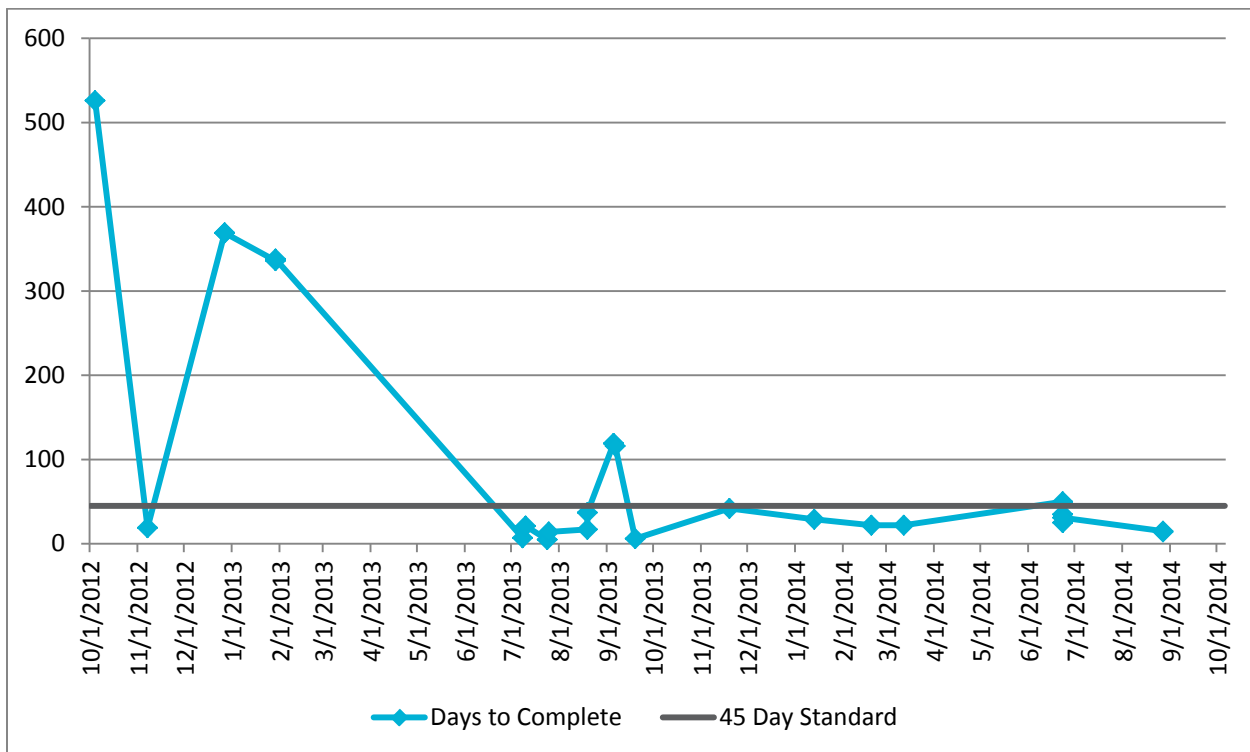
**Attempt to Contact Complainant by Shift****Attempt to Contact Complainant by Precinct**

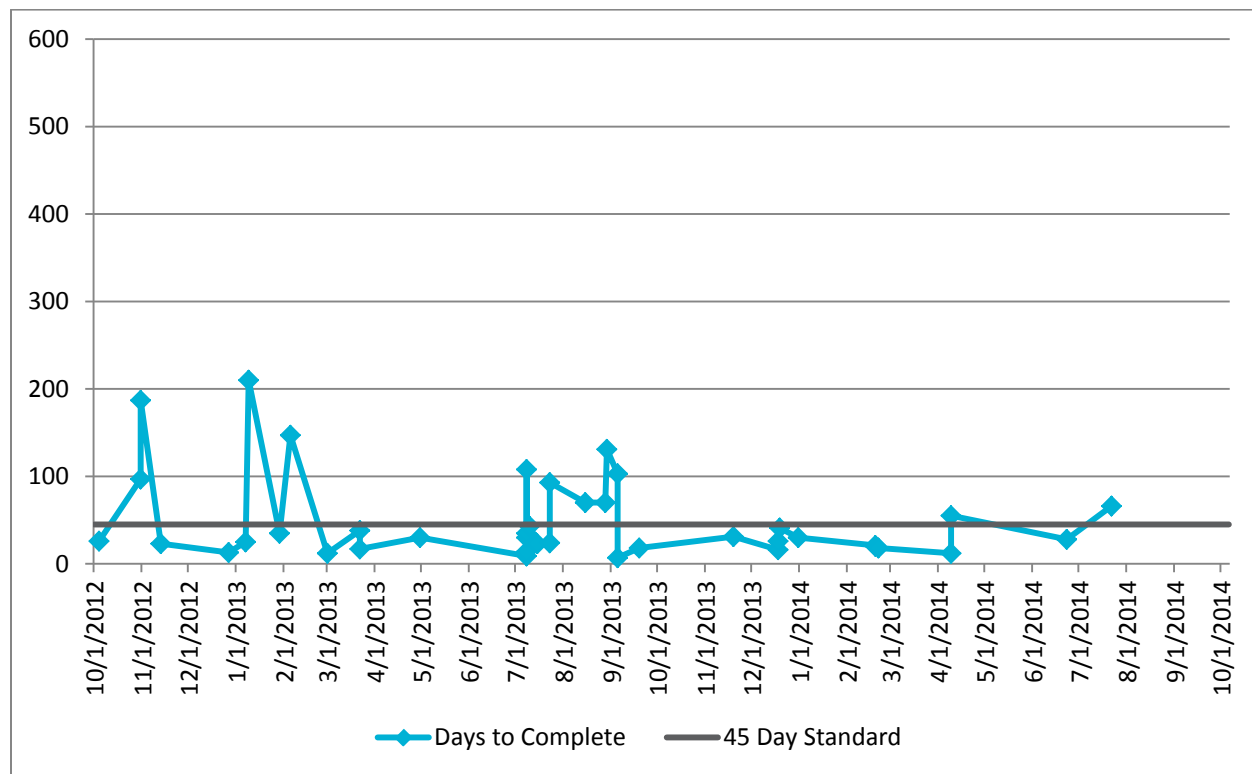
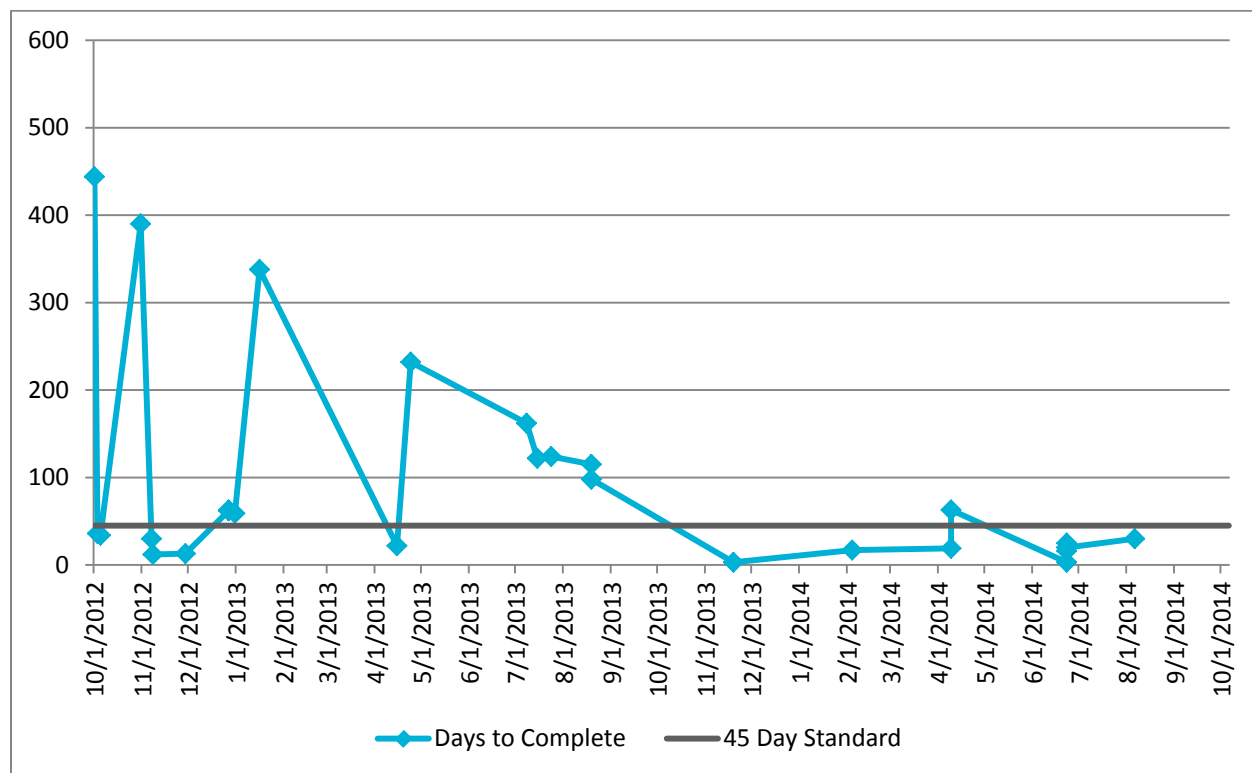


**Coaching Supervisor Documented Conversations****Contacting Complainant/Witnesses Before Focus Officer Conversation**

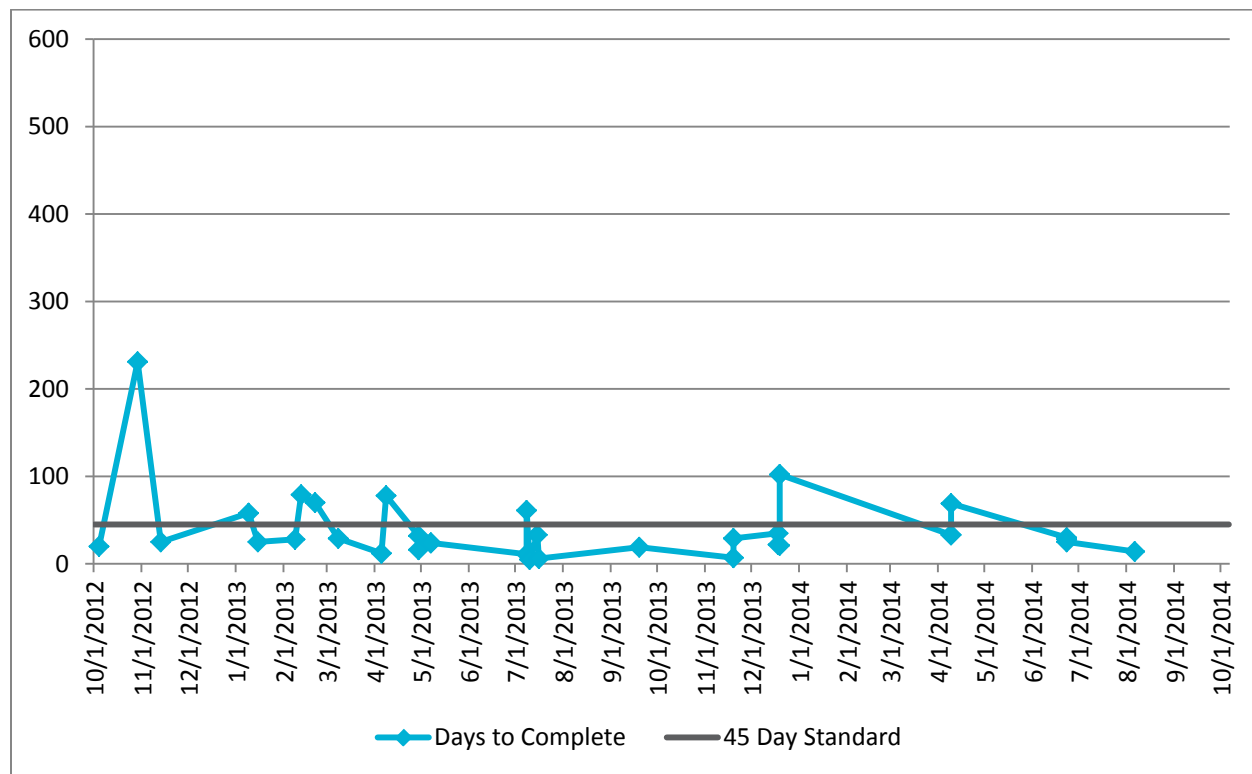
## Reviewing Evidence



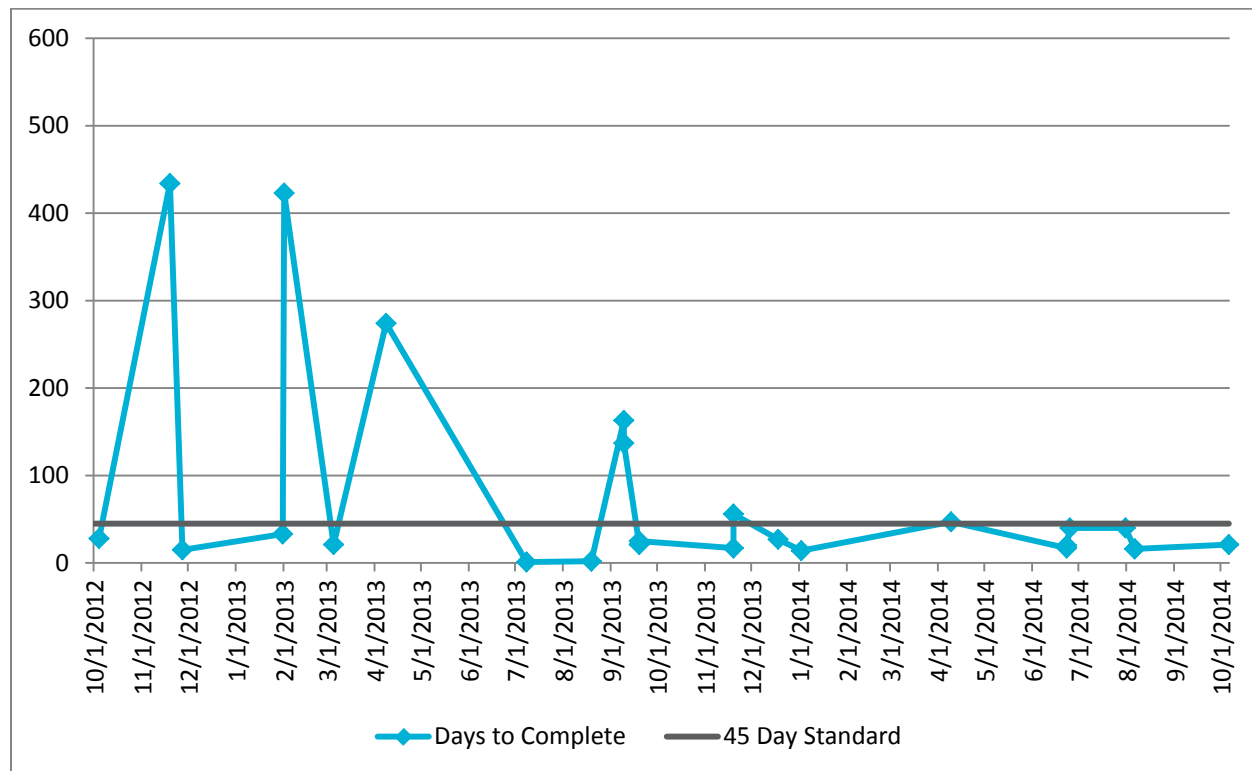
**1st Precinct****2nd Precinct**

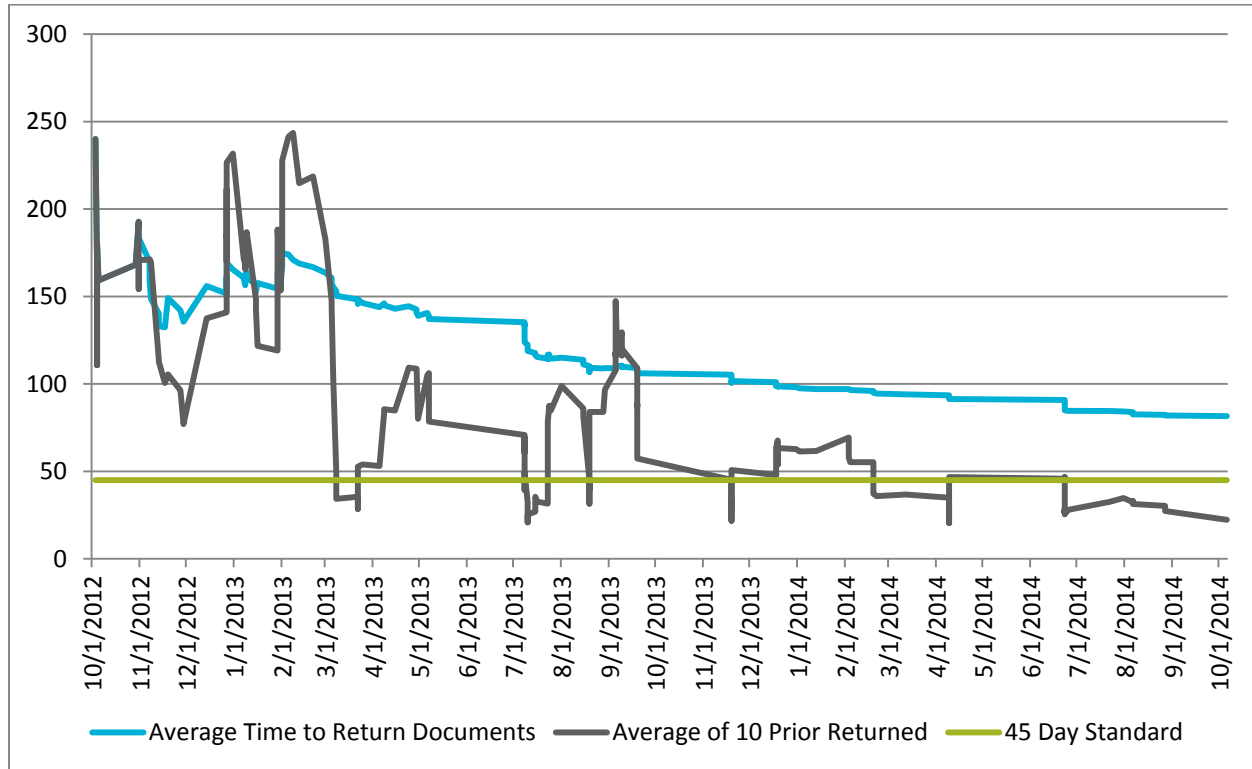
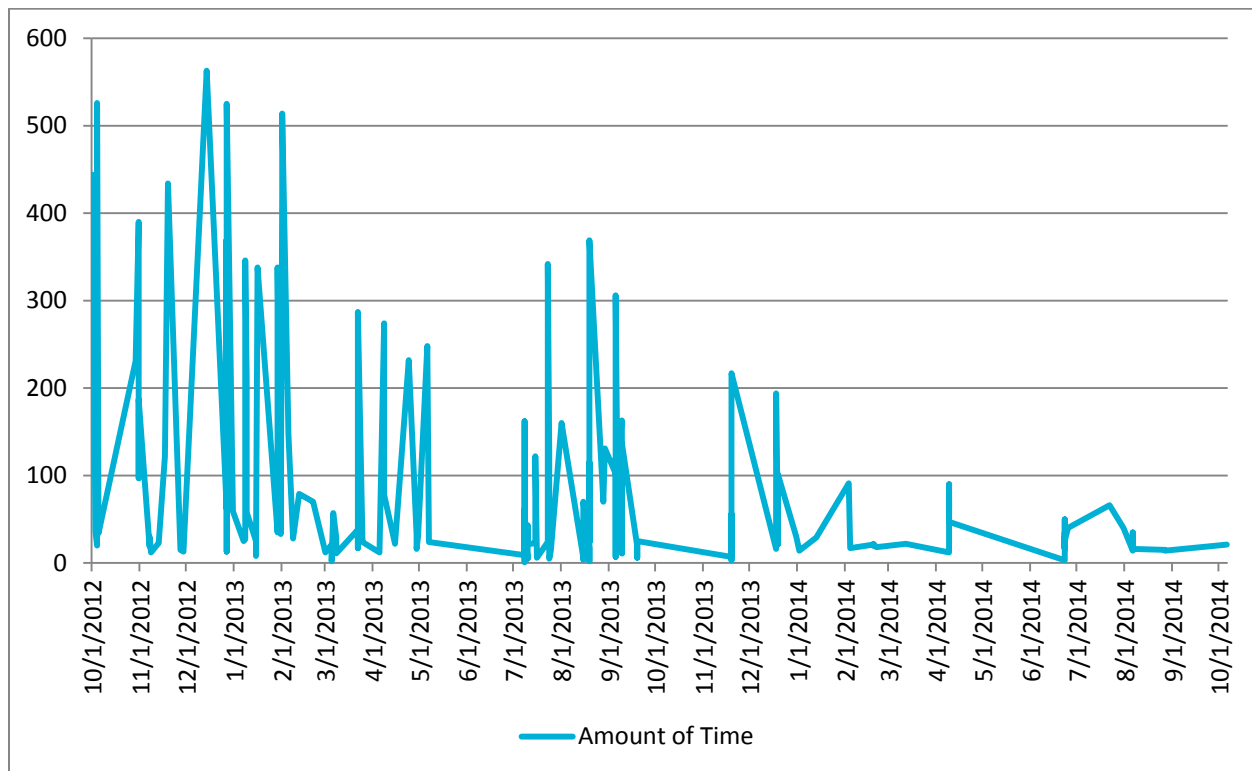
**3rd Precinct****4th Precinct**

## 5th Precinct



## Other

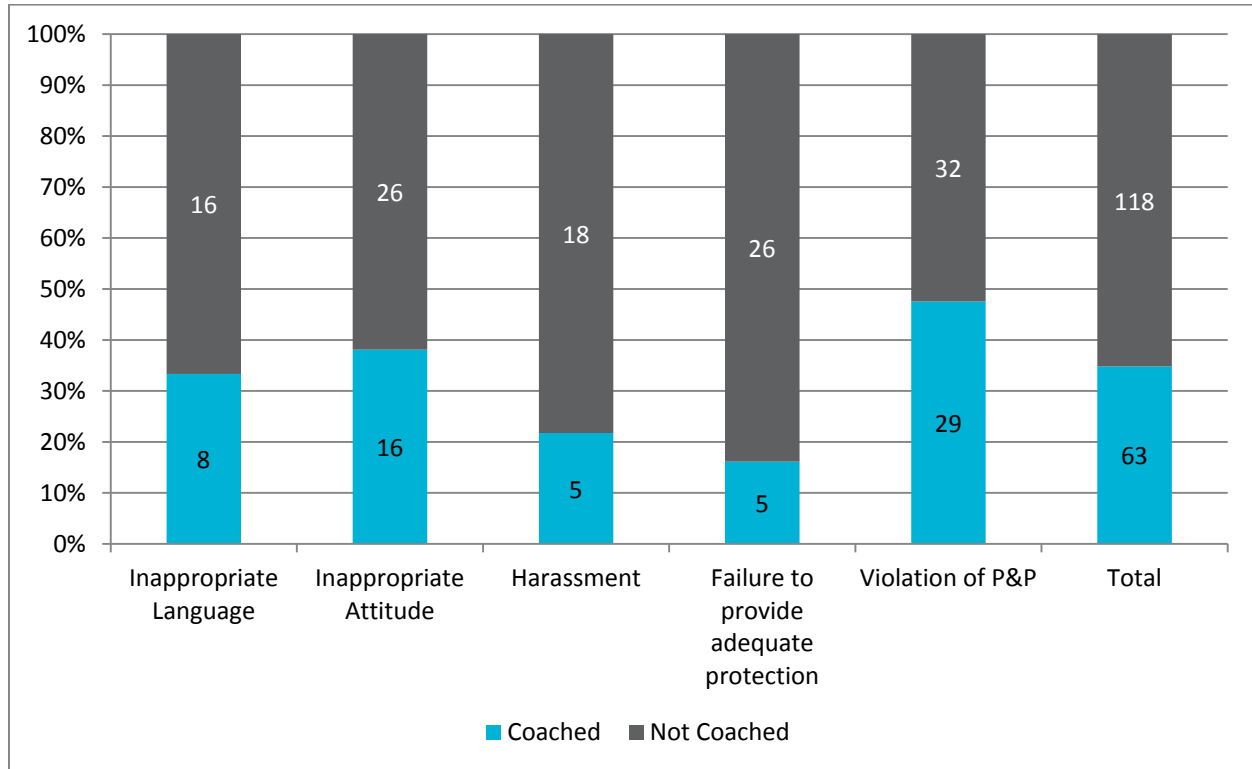
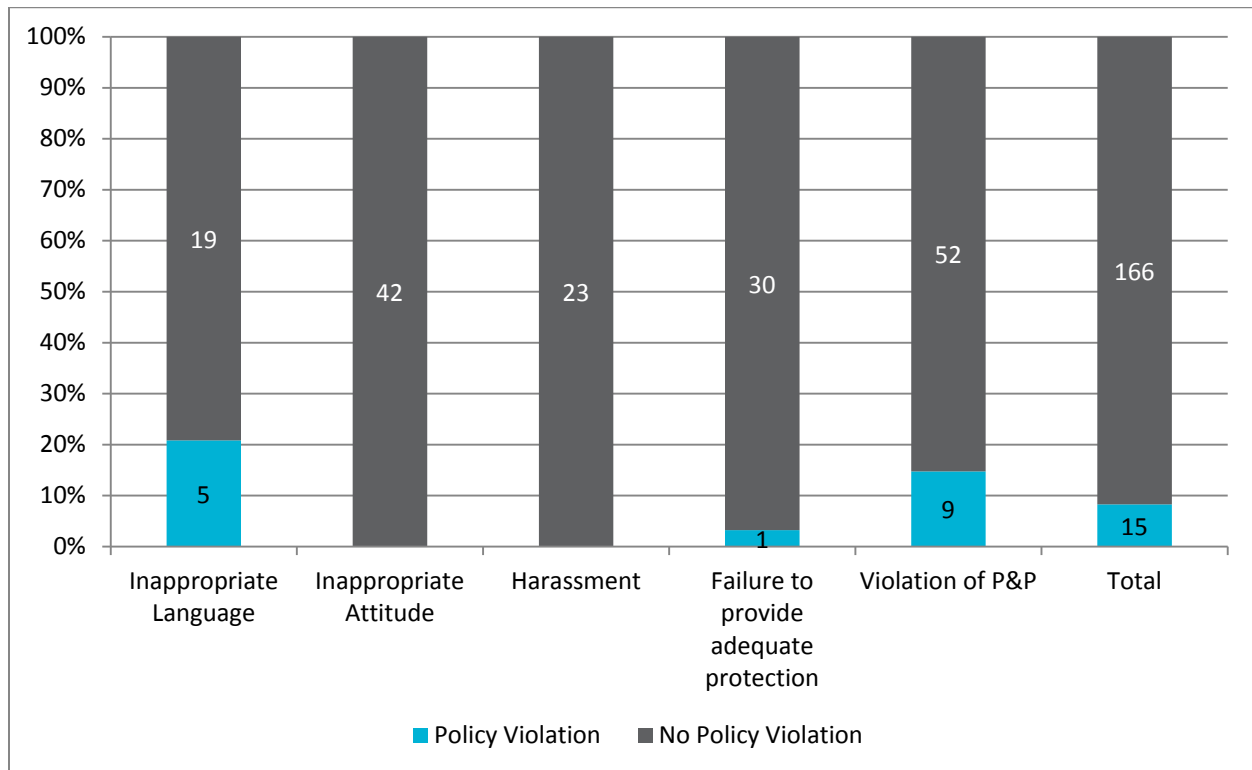


**Average Length of Coaching Over Time****Duration of All Returned Coaching Documents**

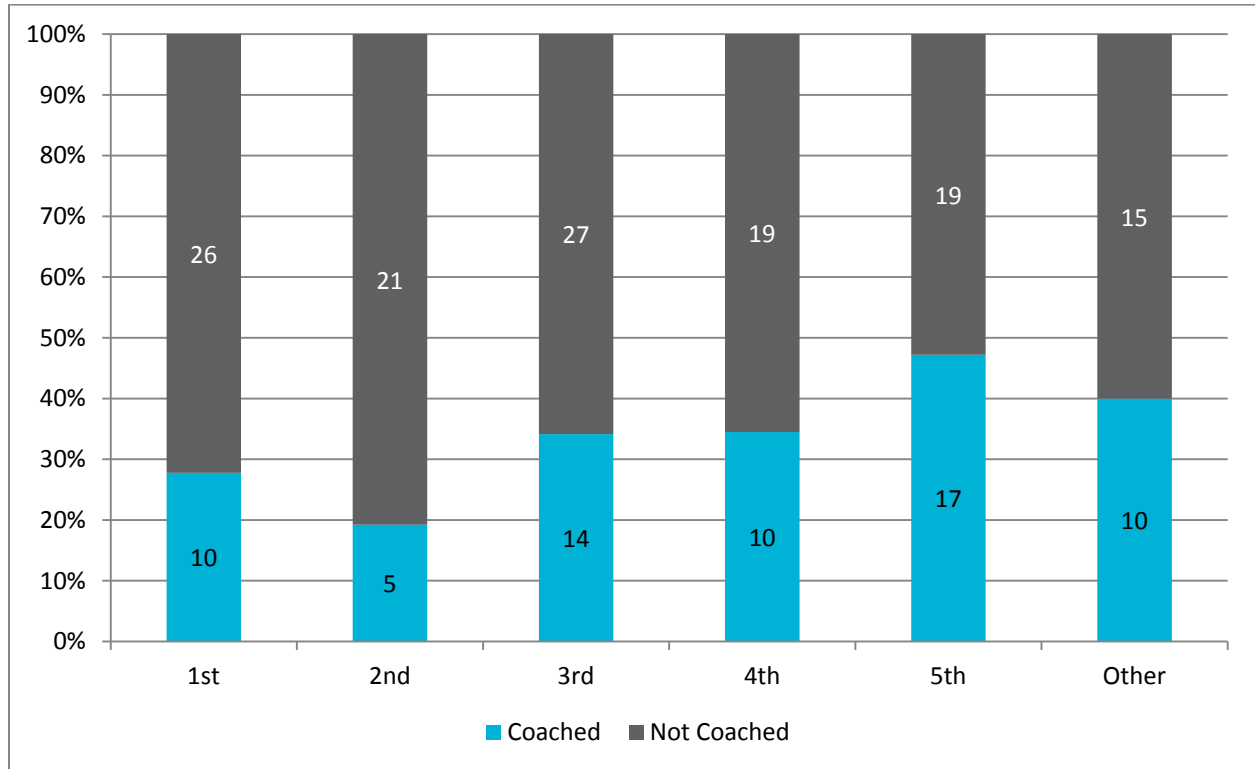
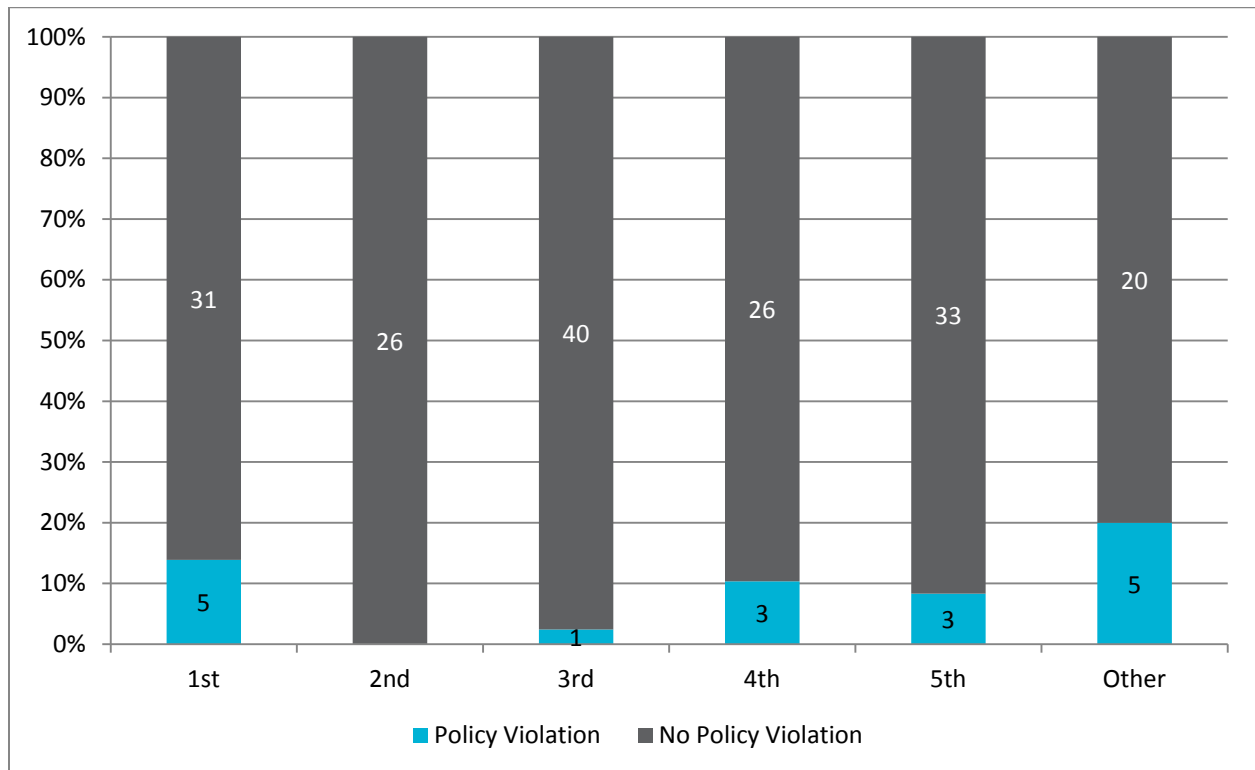
## Coaching Outcome Statistics

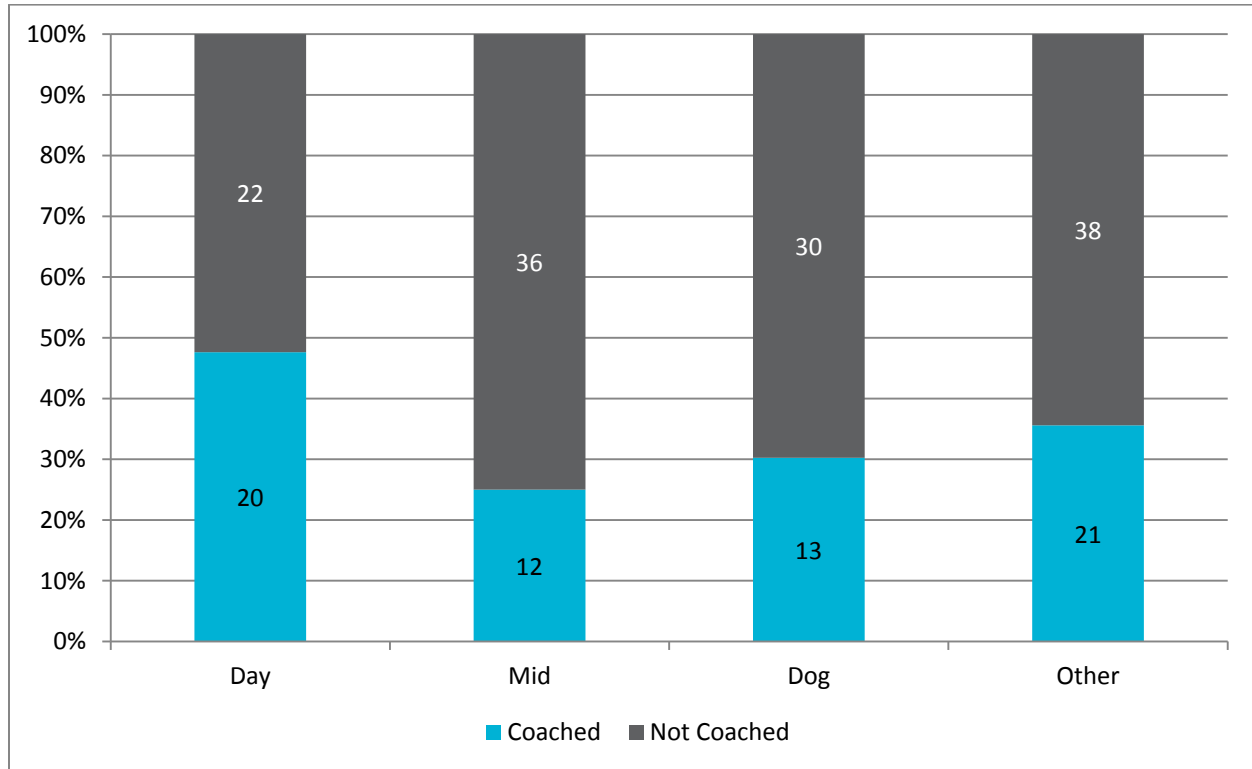
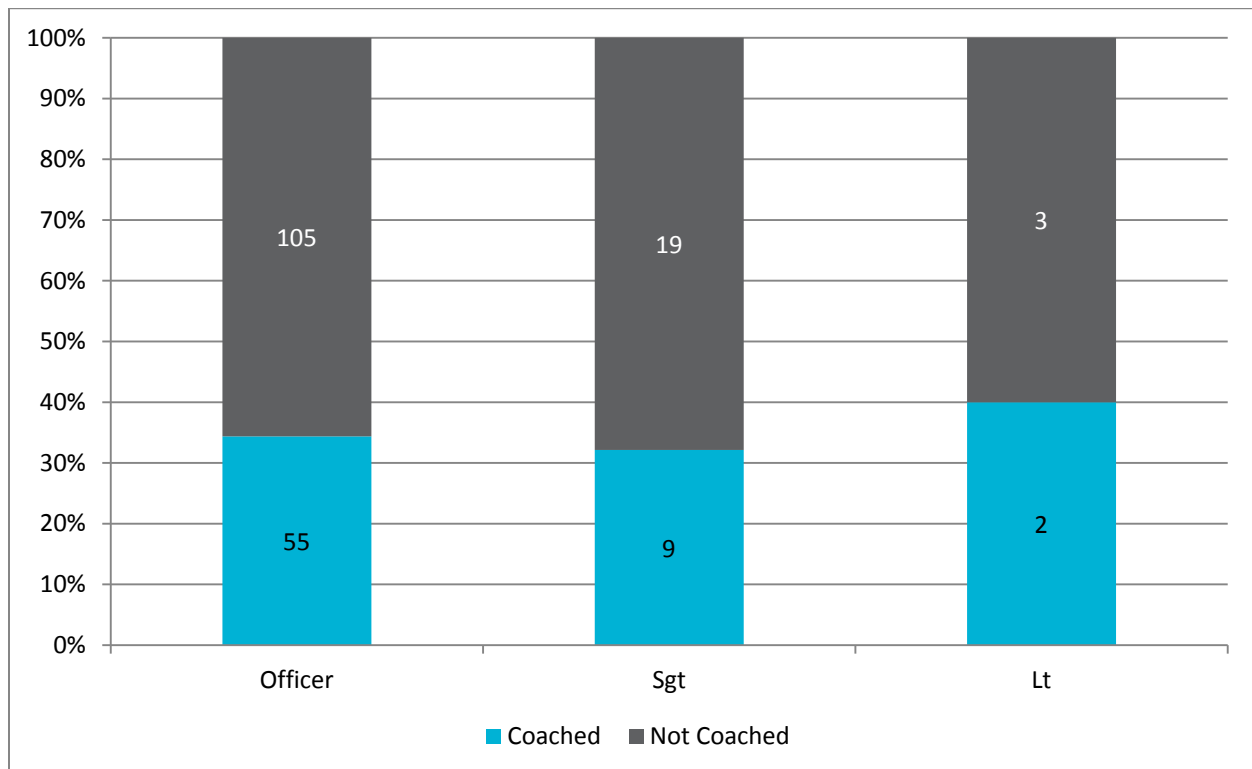
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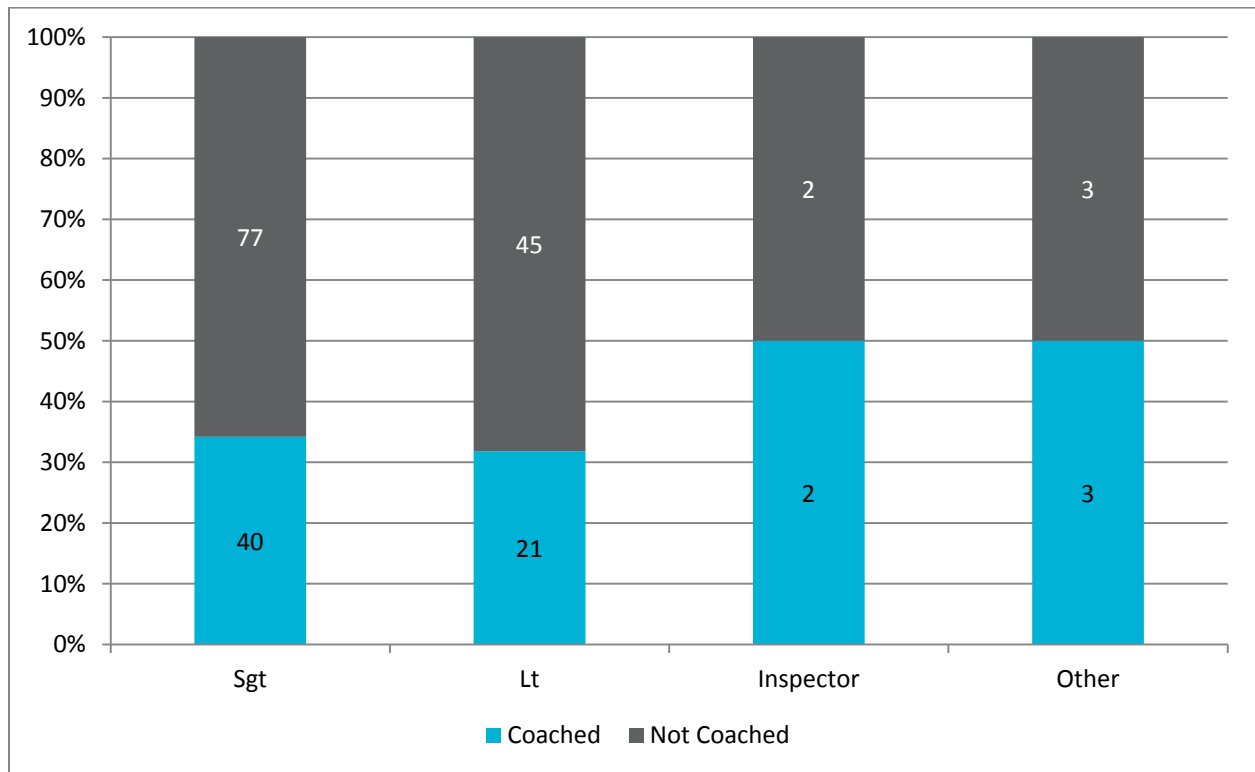
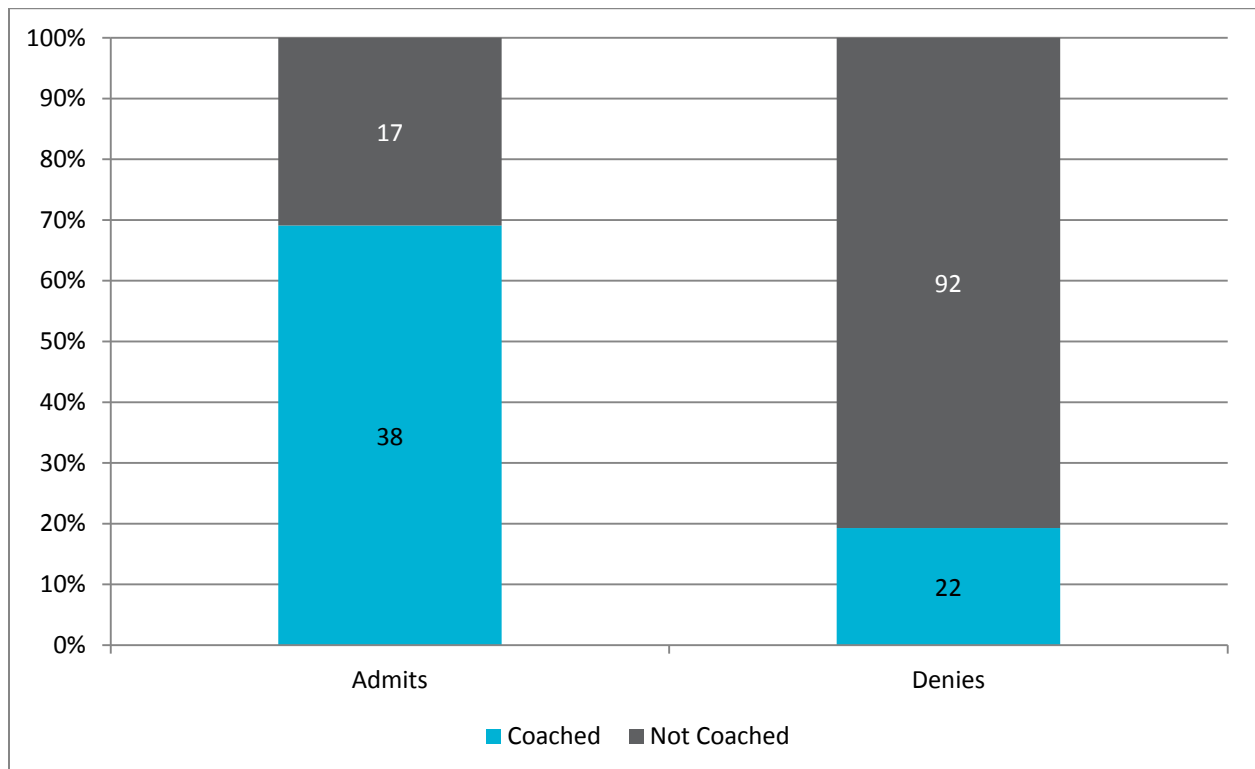
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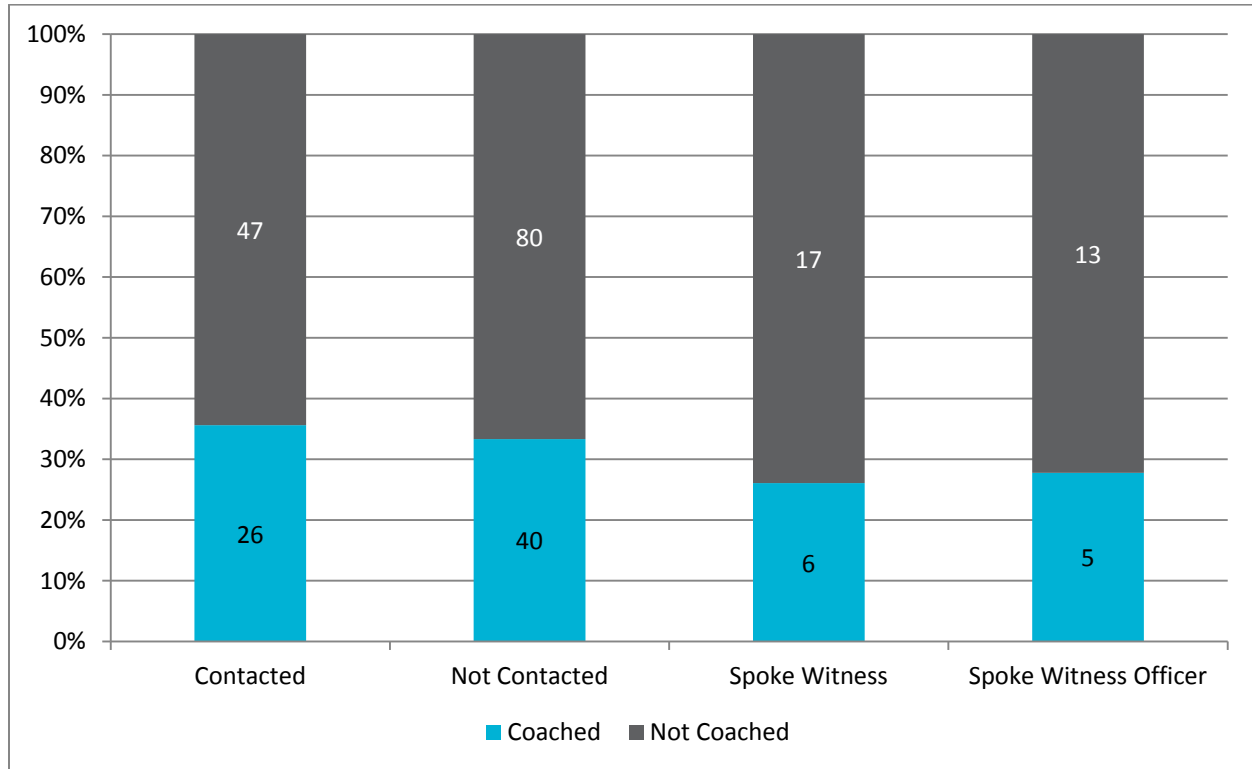
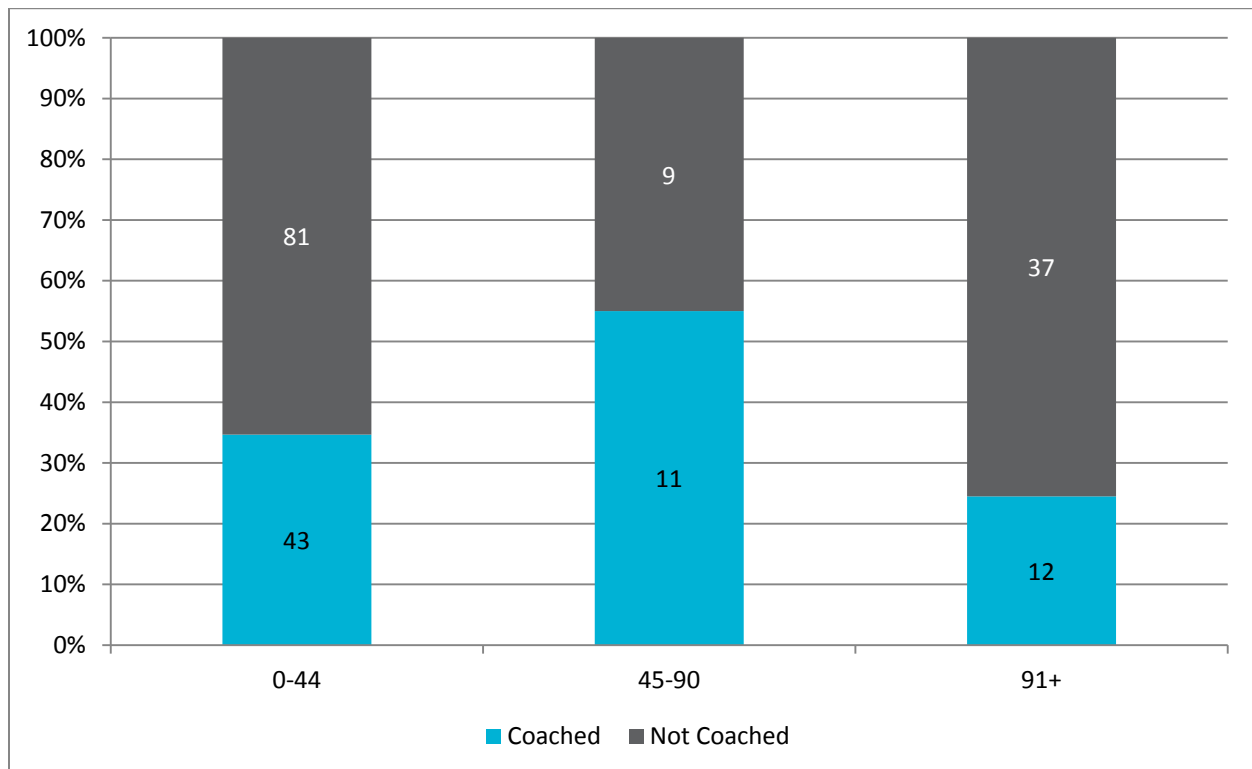
**Ratio of coached/not coached by Allegation - Removed cases with multiple allegations****Policy Violation and Allegation - Removed cases with Multiple Allegations**

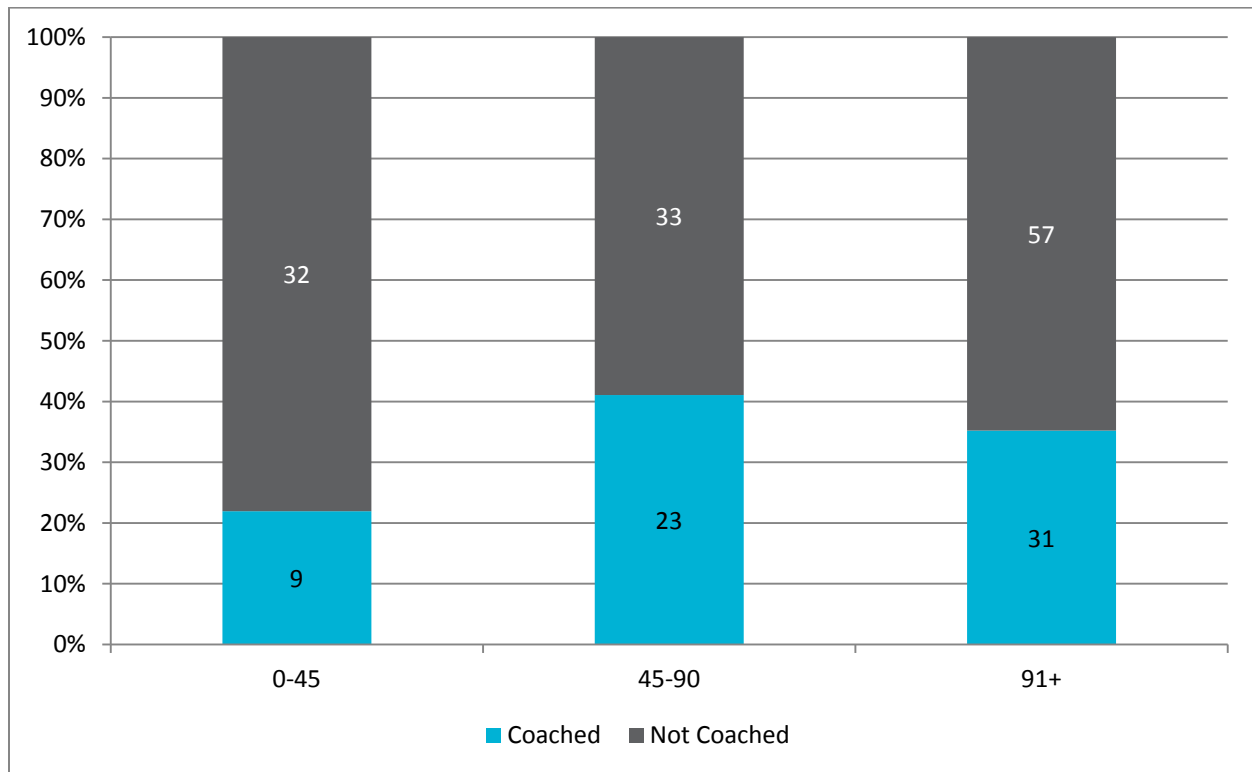
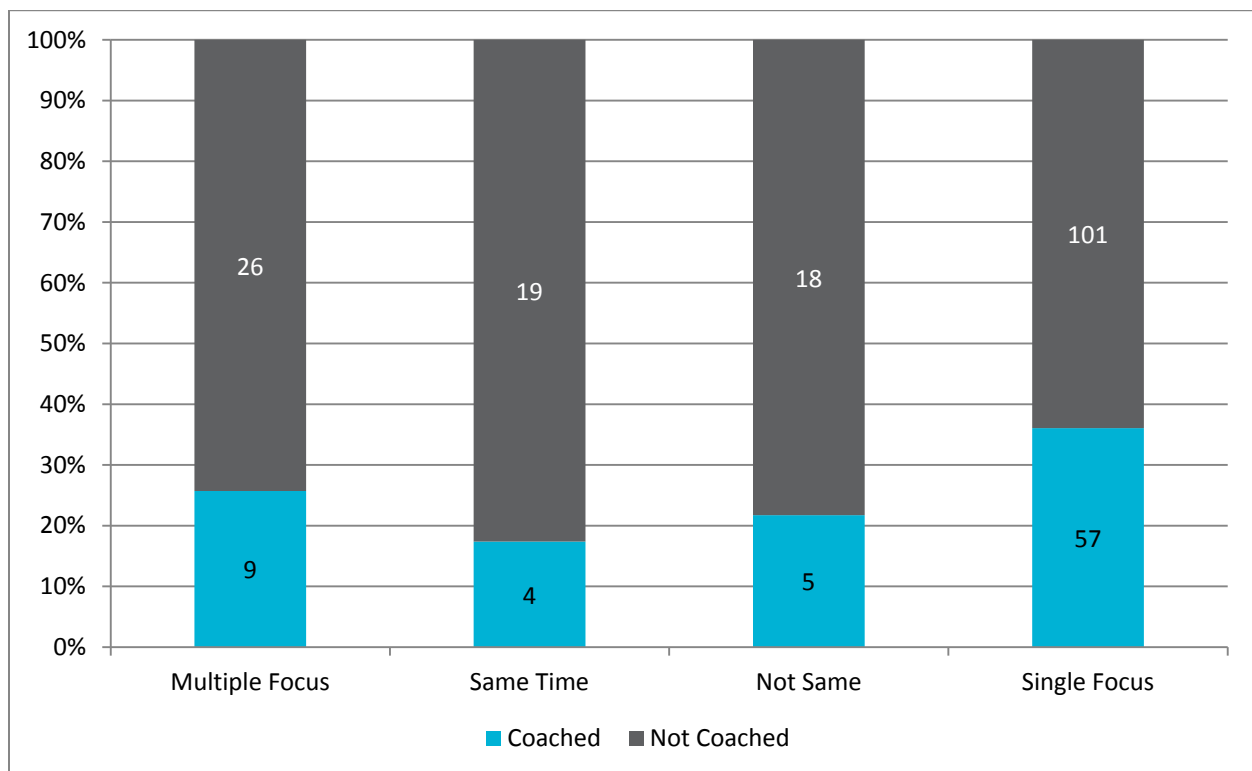


**Ratio of Coached/Not Coached by Precinct Where Document was Sent****Policy Violation Ratio by Precinct Where Document was Sent**

**Ratio of Coached/Not Coached by Coaching Officer Shift****Ratio of Coached/Not Coached by Focus Officer Rank**

**Ratio of Coached/Not Coached by Coaching Officer Rank****Ratio of Coached/Not Coached When Focus Officer Admits Some Allegations**

**Ratio of Coached/Not Coached When Supervisor Spoke with Complainant****Amount of Time Between Coaching Sent and Returned and Ratio of Coaching**

**Amount of Time Between Incident Date and Coaching Returned and Ratio of Coaching****Ratio of Coached/Not Coached When Multiple Focus Officers Involved**

## References:

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- i <http://www.ci.minneapolis.mn.us/civilrights/conductcomm/index.htm>
  - ii Minneapolis Code of Ordinances Section 172.80(f)(4)

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## Appendices

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Appendix 1 Sample Coaching Document

Appendix 2 Commission Case Summary 13-12-08

Appendix 3 Commission Case Summary 14-07-08

Appendix 4 Commission Case Summary 14-01-08

Appendix 5 Commission Case Summary 14-05-04

Appendix 6 Commission Case Summary 14-08-09

Appendix 7 Commission Case Summary 14-02-08

Appendix 8 Commission Case Summary 14-04-10

Appendix 9 Commission Case Summary 14-11-07

Appendix 10 Commission Case Summary 14-01-07

Appendix 11 Commission Case Summary 14-01-02

Appendix 12 Commission Case Summary 14-07-08

Appendix 13 Commission Case Summary 14-07-10

Appendix 14 Commission Case Summary 14-08-03

Appendix 15 Commission Case Summary 14-10-07

## **Appendix 1 Sample Coaching Document**

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**Office of  
Police Conduct Review**

**Velma J. Korbel**  
*Director*

*Department of Civil Rights*

**Civilian Unit**

350 S. 5th Street - Room 239  
Minneapolis MN 55415  
Office 612-673-5500

**Janeé L. Harteau**  
*Chief*

*Minneapolis Police Department*

**Internal Affairs Unit**

350 S. 5th Street - Room 112  
Minneapolis MN 55415  
Office 612-673-3074

[policereview@minneapolismn.gov](mailto:policereview@minneapolismn.gov)

**Date Sent**

**Inspector**

**Minneapolis Police Department**

**6th Precinct**

**Re: Complaint No.**

**Dear Inspector,**

This complaint is being referred to you pursuant to the authority granted to the Office of Police Conduct Review Ordinance, § 172.30(b), for coaching. Please complete the attached coaching form and return it to Ryan Patrick at [Ryan.Patrick@minneapolismn.gov](mailto:Ryan.Patrick@minneapolismn.gov).

Sincerely,

Joint Supervisors  
Office of Police Conduct Review

**MICHAEL K. BROWNE**  
*Director – Office of Police Conduct Review*

**DECHRISTOPHER GRANGER**  
*Commander of Internal Affairs*



## COACHING DOCUMENTATION

Name of Complainant	Complaint Date	Coaching #	
Home Address	City	Zip	Phone Numbers
Date of Incident	Time	Location	Case Number
Name of Employee Involved	Employee Number	Assigned Shift	
Name of Employee Involved	Employee Number	Assigned Shift	
Name of Employee Involved	Employee Number	Assigned Shift	
Name of Employee Involved	Employee Number	Assigned Shift	

### NATURE OF COMPLAINT

Complainant Description of Employee's Actions:

MPD Policy and Procedure Manual Number(s):

## DETAILS OF INVESTIGATION

Supervisor that Conducted Investigation: \_\_\_\_\_

☐ Spoke with complainant for full details      Date: \_\_\_\_\_

☐ Spoke with witnesses (civilian/officers)      Date: \_\_\_\_\_

☐ Reviewed CAPRS

☐ Reviewed squad MVR

☐ Reviewed other evidence (describe): \_\_\_\_\_

## DETAILS OF COACHING SESSION

Supervisor that met with Employee: \_\_\_\_\_

Meeting Date: \_\_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_

### EMPLOYEE'S RESPONSE:

Allegation #1:

Allegation #2 (if applicable):

### SUPERVISOR RECOMMENDATION:

Allegation #1:

Allegation #2 (if applicable):

## ACTION TAKEN

Did policy violation occur\*      ☐ Yes      ☐ No

Was officer coached\*\*      ☐ Yes      ☐ No

Other (describe):

\*A determination of whether an MPD policy violation occurred must be made for each allegation.

\*\* Supervisor may want to discuss options for handling similar situations in the future to prevent complaints.

Complainant notified of outcome by:	Date:
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Complainant contacted via:	<input type="checkbox"/> Telephone	<input type="checkbox"/> E-mail	<input type="checkbox"/> In person	<input type="checkbox"/> Other
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Reviewed and approved by: (Shift Lieutenant)	Date:
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Received and approved by: (Precinct or Division Commander)	Date:
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**ADDITIONAL INFORMATION**

**ADDITIONAL INFORMATION**

## **Appendix 2 Commission Case Summary 13-12-08**

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**POLICE CONDUCT OVERSIGHT COMMISSION**

Case Summary Data #13-12-08

December 2013

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**OVERVIEW**

Complainant alleged that she and her mother walked into a party at a hotel, not knowing it was a private event. Complainant alleges she was verbally and physically attacked by the bride (the event was a wedding). Complainant alleged she contacted the police, and Officer 1 arrived. Complainant alleged Officer 1 stated that he could not do anything as it was a "he said, she said matter." Complainant alleged that while talking to Officer 1, hotel staff approached them and apologized, stating that they had to restrain a guest that was attempting to attack her. Complainant alleged that when she asked if the reason Officer 1 would not take a report was because of her race, Officer 1 stated, "I was wondering when that was going to come up."

**THE COMPLAINT**

1. Failure to Provide Adequate Protection: That Officer 1 did not make any arrests, provide medical attention, or take a report after Complainant was assaulted.

**OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(2) Failure to Provide Adequate Protection
2. 5-105(2) PROFESSIONAL CODE OF CONDUCT: On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances.

**COMPLAINT PROCESSING**

OPCR joint supervisors believed that the allegations, if proven true, would constitute an A-level violation. The case was sent to coaching for resolution.

**EVIDENCE**

In the course of investigating this complaint, the following steps were taken.

1. Complainant submitted a detailed written complaint.
2. Visinet records were obtained.
3. No police reports were available.
4. No squad recordings were available.
5. Coaching documents were prepared and sent to the precinct inspector.

**SUMMARY OF EVIDENCE**The Complaint

Complainant first alleges that she was "physically and verbally assaulted by a group of party-goers[sic] of about 20-30 people." Complainant alleges she and her mother walked into a private party at a hotel, apparently a wedding, stating that they did not know it was a private event. Complainant alleges that there were no signs or "restrictive devices" to prevent their entry.

Complainant alleges that after 2-3 minutes, the bride and “some males” attacked them “as a manner to remove [them] from the party.” Complainant alleges the bride stated, “I’m the bride, get the f\*ck out of here” while lifting Complainant from the chair. Complainant alleges that as she was escorted out, wedding guests started to “hit [them] in the back, punch [them] in the back, and kick [them] in the back as well.” Complainant alleges her hair was pulled out.

Complainant alleges that she called for police services, and Officer 1 arrived. She alleges that Officer 1 first talked to Complainant and next talked to the wedding guests. Complainant alleges that Officer 1 returned and stated it was a “he said, she said matter.” Complainant alleges that Officer 1 told Complainant that she “needed to prove what had happened.”

Complainant alleges that a supervisor for the catering company approached them and apologized on behalf of the staff. Complainant alleges that the catering supervisor told her that staff had to restrain a partygoer. Complainant alleges that the catering supervisor told her that a bridesmaid pulled her hair. Complainant alleges that Officer 1 asked which bridesmaid pulled Complainant's hair and she could not be identified.

Complainant alleges that Officer 1 refused to take a police report. Complainant alleges that she told Officer 1 that she felt that discrimination was occurring, and Officer 1 responded by stating, “I was wondering when that was going to come up.”

#### Visinet Report

The Visinet report states that Officer 1 spent 40 minutes responding to the call. Officer 1 added notes to the report stating that the Complainant and friend had no injuries. Officer 1 stated that “staff who catered the wedding and several guests claimed that the caller and friend were the aggressors and attempted to assault the bride.” Officer 1 stated in the notes that he explained to Complainant the result “who was unhappy with Officer's advice.” Officer 1 wrote that the Complainant was “advised on mutual combatants.”

### **COACHING**

Coaching was sent to the precinct inspector who referred it to the appropriate supervisor to complete. The supervisor first interviewed Officer, next a guest service agent at the incident location, a staff supervisor of the catering company, and finally a bartender from the catering company.

#### Interview of Officer 1

Officer 1 stated that the private banquet hall described by Complainant had a clearly marked sign posted at the door stating that the event was a “private wedding.” Officer 1 stated that he spoke to 4-5 staff members who told Officer 1 that they asked the Complainant and her mother to leave but they refused. The staff members stated that Complainant swore at them when asked to leave. Members of the wedding party reported that they believed Complainant stole several disposable cameras from the event. Officer 1 stated that all parties identified Complainant as the aggressor.

Officer 1 stated that the staff supervisor of the catering company attempted to apologize to the Complainant for her hair being pulled. Officer 1 stated that the context of the apology “did not show proof that the complainant was assaulted.” Officer 1 stated that the apology “appeared to be more of an attempt to mitigate the situation for the [hotel].”



Interview of guest service agent

The supervisor interviewed a guest service agent at the location of the incident. The agent told the supervisor that “the [hotel] will post a sign at the front desk to notify guests of the event.” It is also standard practice to post a sign in front of the main door of the banquet hall informing guests of a private event like a wedding.”

Interview of the catering staff supervisor

The staff supervisor of the catering company stated that a sign was posted in front of the banquet hall stating “private wedding.” The staff supervisor did not witness the incident but stated that she heard that someone had pulled the Complainant’s hair. She stated that she approached the officer “to tell [him] what she had heard.”

Interview of the wedding bartender

The bartender stated that he observed the entire incident. The bartender told the supervisor that Complainant and her mother entered the banquet hall and sat down at a table. The bartender stated that “several of the bridesmaids noticed the two unwanted guests and became verbally upset.” The father of the bride approached the bartender and asked him to remove the Complainant and her mother.

The bartender stated that he asked the Complainant to leave and she argued about whether the event was a private party. The bartender stated that the wedding party became upset and “words began to be exchanged.” The bartender escorted the Complainant and her mother out of the banquet hall.

The supervisor asked the bartender if he witnessed anyone assaulting the Complainant or her mother. The bartender stated that “he never witnessed a physical assault.” The bartender stated that he relayed this information to Officer 1 on the night of the incident.

Supervisor’s Conclusion

The supervisor concluded that based on the information received from all parties, Officer 1 responded to the call in a timely manner, ensured the Complainant was not in any danger or in need of medical attention, and spent a reasonable amount of time investigating the incident before concluding that an assault did not occur and a report was unnecessary. Hence, the supervisor recommended that no policy violation occurred and the officer was not coached.

## **Appendix 3 Commission Case Summary 14-07-08**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #8  
July 2014

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## **OVERVIEW**

Complainant was in an accident with an individual who did not have a driver's license. The individual was not the owner of the car he was driving. The individual was allegedly giving a ride to the owner of the car who was impaired due to her medications. Complainant alleges that after he told Officer 1 this, Officer 1 filled out an accident report and told Complainant to "move along." Complainant alleges that Officer 1 allowed the impaired individual to drive the other vehicle from the scene. Complainant alleges that the accident report did not contain the name of the other driver. Complainant believes that the address information may be incorrect for the other driver as well.

## **THE COMPLAINT**

1. Failure to Provide Adequate Protection: That Officer 1 allowed an impaired driver to drive.
2. Failure to Provide Adequate Protection: That Officer 1 did not record complete information on the accident sheet.

## **OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(6) Failure to Provide Adequate Protection
2. OPCR Ord. § 172.20(8) Violation of the P&P Manual
3. 7-501 TRAFFIC ACCIDENT INVESTIGATION PROCEDURES: At any accident scene, officers shall check for evidence that the driver may be under the influence of alcohol or drugs.
4. 7-509 ACCIDENT PACKETS – PROPERTY DAMAGE: Accident packets may be issued at property damage accidents if . . . all drivers involved have a valid driver's license.

## **COMPLAINT PROCESSING**

Complainant filed a written complaint with the OPCR. Reports were obtained. After checking the Officer's disciplinary history, the joint supervisors determined that the remaining allegations, if true, would constitute an A-level violation. Accordingly, the case was sent for coaching.

## **EVIDENCE**

1. Complainant filed a written complaint with the Office detailing allegations.
2. Visinet logs were obtained.
3. Coaching documents were submitted to the precinct supervisor
4. Final approved coaching documents were returned to OPCR

## **SUMMARY OF EVIDENCE**

### **Complaint**

Complainant described that accident and parties involved. Complainant alleged that Officer 1 responded to the accident call, listened to Complainant's account of the accident, took information, and provided paperwork. Complainant alleged that he told Officer 1 that the person allowed to drive the other vehicle away was impaired, and Officer 1 told Complainant that he

was “all set” and to “move along.” Complainant explained that he was upset that an individual who might be impaired was allowed to drive away from the accident site. Complainant also stated that information on the accident packet was incorrect.

### **Visinet Reports**

The Visinet report indicates that Officer 1 was flagged down on a property damage accident. Officer 1 checked Complainant’s ID. Officer 1 indicates that a packet was provided. No CAPRS report was filed.

### **COACHING**

Coaching documents were sent to the precinct supervisor to resolve. The supervisor reviewed the documents and Visinet report and discussed the complaint with Officer 1. Officer 1 stated that he completed accident sheets for both vehicles and knew that one of the drivers did not have a license. Officer 1 stated that he allowed the passenger in that vehicle to drive after checking to see if she was impaired.

The supervisor then contacted the Complainant to discuss the incident. The supervisor first noted that Complainant’s “main concern was that the female passenger was impaired and was allowed to drive.” The supervisor also noted that Complainant clarified that insurance information obtained at the accident was correct and the accident claim was satisfied. The supervisor “reviewed with [Complainant] [his] expectation of Officer [1] and [Complainant] was satisfied with [his] response.”

The supervisor again met with Officer 1 at a later date to inform him that he had violated MPD policy 7-509 which stipulates that packets cannot be utilized when a driver does not have a valid driver’s license at an accident scene. The supervisor stated that “Officer [1] agreed and stated he would not make the same error again.” The supervisor concluded that no violation of MPD policy 7-501 occurred because Officer 1 felt the passenger that was allowed to leave with the car was not impaired.

## **Appendix 4 Commission Case Summary 14-01-08**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #10  
January 2014

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## **OVERVIEW**

Officer 1 responded to an accident involving the Complainant and another woman. The other woman had no driver's license or insurance. The complainant alleges that Officer 1 stated that he did not want to go to St. Joe's "to pick up car seats to take her into custody" as the other driver had children with her. The Complainant alleges that Officer 1 allowed the other woman to drive away. The Complainant alleges that Officer 1 told the Complainant that she "got the sh\*tty end of the deal."

## **THE COMPLAINT**

**Inappropriate Language or Attitude:** That Officer 1 told Complainant "you go the sh\*tty end of the deal."

**Failure to Provide Adequate Police Protection:** That Officer 1 did not want to go pick up car seats for the other driver's children and instead let the other driver drive away, with no license or insurance.

## **OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(2) Inappropriate Language or Attitude
2. OPCR Ord. § 172.20(6) Failure to Provide Adequate Protection
3. 5-105(10) PROFESSIONAL CODE OF CONDUCT: Employees shall not use indecent, profane or unnecessarily harsh language in the performance of official duties or in the presence of the public
4. 5-105(2) PROFESSIONAL CODE OF CONDUCT: On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances.

## **COMPLAINT PROCESSING**

OPCR joint supervisors believed that the allegations, if proven true, would constitute an A-level violation. The case was sent to coaching for resolution.

## **EVIDENCE**

In the course of investigating this complaint, the following steps were taken.

1. Complainant submitted a detailed written complaint.
2. Visitnet records were obtained.
3. The CAPRS police report was obtained.
4. No squad recordings were available.
5. Coaching documents were prepared and sent to the precinct inspector.

**SUMMARY OF EVIDENCE****The Complaint**

Complainant alleges that she was rear-ended by another car. Complainant alleges that the driver of the other car had no insurance or driver's license. Complainant alleges that Officer 1 told Complainant that he did not want to go to St. Joes to pick up car seats to take the other driver into custody, because she had children with her. Complainant alleges that Officer 1 let the other driver drive off. Complainant alleges that Officer 1 told her, "You got the s\*itty end of the deal" because the other driver lives in transitional housing and is from out-of-state.

**Visinet Records**

A party not involved in the accident witnessed the accident and called the police. Officer 1 commented that the other driver had an expired driver's license.

**CAPRS Report**

The report indicates that Complainant was rear-ended by the other driver. All parties refused EMS and stated they were not injured. The other driver was driving on a suspended Minnesota driver's license, had expired tabs, and admitted to having no insurance. Both the Complainant and the other driver were given blue cards. The other driver was issued a citation for these infractions and a state accident report was completed.

**COACHING/MEDIATION/INVESTIGATION**

Coaching was sent to the precinct inspector who referred it to the appropriate supervisor to complete. The supervisor interviewed Officer 1 and reviewed the CAPRS report.

**Interview with Officer 1**

The officer stated that the suspect was not allowed to drive away; a male associate of the suspect with a valid driver's license drove the vehicle away. While the officer mentioned this in his interview, it was not in the Visinet records or CAPRS report.

**Supervisor's Conclusion**

The supervisor found that all of the actions of the officer were appropriate; "[Officer 1] followed all MPD policy/procedure including citing AP-1-driver." Supervisor recommended "non-sustained with 'no coaching.'"

## **Appendix 5 Commission Case Summary 14-05-04**



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**POLICE CONDUCT OVERSIGHT COMMISSION**

Case Summary Data #4

May 2014

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**OVERVIEW**

Complainant alleges he called 911 after a dispute with another escalated into a physical attack. Complainant alleges that he was struck twice in the face by the other party, injuring him. Complainant alleges that Officer 1 arrived, and decided that the situation was mutual combat without viewing security camera recordings. Complainant received medical attention from an ambulance that arrived, and Officer 1 allegedly told Complainant to leave. Complainant alleges that when he tried to ask Officer 1 questions about why nothing was being done, Officer 1 replied, "get the f\*ck out of here." Complainant alleges that when he asked Officer 1 not to use inappropriate language, Officer 1 stated, 'now you are going to jail' and handcuffed him. Complainant alleges that his keys were lost while being searched.

**THE COMPLAINT**

1. Harassment: that Officer 1 arrested the Complainant after the Complainant asked Officer 1 to stop using profanity.
2. Inappropriate Language: that Officer 1 told Complainant to "get the f\*ck out of here."
3. Failure to provide adequate protection: that Officer 1 did not arrest the individual that attacked Complainant.
4. Violation of the P&P Manual: that Complainant's keys were lost while being searched.

**OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(3) Harassment
2. OPCR Ord. § 172.20(2) Inappropriate Language
3. OPCR Ord. § 172.20(6) Failure to Provide Adequate Protection
4. OPCR Ord. § 172.20(8) Violation of the Policy and Procedure Manual
5. 5-104 IMPARTIAL POLICING: All investigative detentions, pedestrian and vehicle stops, arrests, searches and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and statutory authority.
6. 5-105 PROFESSIONAL CODE OF CONDUCT: Employees shall not use indecent, profane or unnecessarily harsh language in the performance of official duties or in the presence of the public.
7. 5-105(2) PROFESSIONAL CODE OF CONDUCT: On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances.
8. 10-401 RESPONSIBILITY FOR INVENTORY OF PROPERTY AND EVIDENCE All MPD employees taking possession of property, whether evidentiary or non-evidentiary, shall place such property in the custody of the Property and Evidence Unit and complete the inventory prior to the end of their shift.

## COMPLAINT PROCESSING

After taking into consideration the complaint, CAPRS reports, and Visinet logs, the joint supervisors concluded that the case could likely be resolved in mediation. The case was first sent to mediation. Mediation was scheduled, and after being properly notified, Officer 1 failed to report to mediation. The case was returned to the joint supervisors. A second complaint was filed concerning Officer 1's failure to appear for mediation. The original complaint was sent to coaching to resolve

## EVIDENCE

1. Complainant submitted a detailed written complaint.
2. Police reports were obtained.
3. Dispatch logs were obtained.
4. Coaching documents were prepared and sent to the precinct inspector.

## SUMMARY OF EVIDENCE

### Complaint

Complainant stated that he had a dispute over a business transaction, namely that he was charged for services that were not provided. Complainant alleged that when he complained, Employee 1 punched him twice on the left side of his head. Complainant called 911 for medical and police assistance.

Complainant alleges that after he was checked by paramedics, he spoke to one of two police officers that arrived while the other officer talked to the employees of the business. Complainant alleged that he was told by the officer that an independent witness told them that Complainant started the fight. Complainant alleged that he asked the officer for a police report while trying to show the officer that the services he paid for were not completed, and the officer stated, "get the f\*ck out of here." Complainant alleged that he told the officer that he "shouldn't use that language," and the officer told him he was under arrest for "talking back and not leaving." Complainant alleged that he continued to try to show the officer that the services were not provided. Complainant was arrested soon thereafter by Officer 1. Complainant alleges that his keys disappeared at some point during the arrest process.

### CAPRS Report

The CAPRS report indicates that two officers responded to the scene, Officer 1 from MPD, and Officer 2 from University of Minnesota Police Department. Both officers provided supplements to the report.

#### Supplement by Officer 1

Officer 1 stated that after being dispatched to the location, he first talked Complainant. Officer 1 reported that Complainant told him that he was not provided services for which he paid, and when he complained, Employee 1 punched him twice in the head. Officer 1 reported that the Complainant told him that he wanted to be checked out by EMS. Officer 1 reported that Officer 2 talked to multiple witnesses to the incident (listed in the CAPRS report). Officer 2 told Officer 1 that these witnesses all identified Complainant as the aggressor.

Officer 1 next reported that he told Complainant that he would not take an assault report as he believed this was a mutual combatant situation. Officer 1 reported that Complainant became "very upset and no longer appeared to have any discomfort." Officer 1 stated that Complainant began yelling at him, refused medical attention, and demanded a report. Officer 1 stated that

Complainant was given badge information for Officers 1 and 2. Officer 1 stated that Complainant began to yell at the employees that they would regret hitting him.

Officer 1 stated that, "fearing that [Complainant] would begin fighting with the worker if [officers] left, [Officers 1 and 2] ordered [Complainant] to leave so there would be no more trouble despite the fact he said he never paid." Officer 1 stated that Complainant was given multiple commands to leave the area but would not begin to do so. Officer 1 stated that he arrested Complainant for obstruction of legal process.

#### Supplement by Officer 2

Officer 2 stated that he first spoke with employees of the store. Employee 1 stated that he argued with Complainant about the quality of work that was performed. Employee 2 stated that Complainant became physical and pushed the employee. He stated that they pushed each other back and forth but that he did not punch Complainant. Officer 2 stated that he next spoke with a witness from a neighboring business. The witness told Officer 2 that Complainant was the aggressor and pushed the employee first.

Officer 2 stated that he, along with Officer 1, determined the situation to be mutual combatants, and the Complainant was told to leave the area. Officer 2 stated that Complainant was told multiple times to leave, but he continued to argue with employees of the store. Officer 2 stated that after both officers gave multiple orders to the Complainant to leave that were ignored, Complainant was arrested for obstruction by Officer 1.

#### **Visinet Log**

The visinet log indicates that Complainant called for police service, alleging that he was hit after a dispute over services. Complainant alleged in the 911 call that he was threatened with a screwdriver. Both officers arrived, and Officer 1 ran Employee 1's identification. EMS reported that the incident was closed with no service. Officer 1 ran complainant's identification. The next line indicates that Officer 1 transported Complainant to jail. Officer 1 advised the jail that Complainant was uncooperative.

#### **MEDIATION**

Complainant expressed an interest in mediation during his initial conversations with OPCR staff. The case was referred to mediation, and after coordinating a date and time, notifications were sent to all parties. Officer 1 failed to report to the mediation session, and a separate complaint against Officer 1 was created.

#### **COACHING**

Allegations of inappropriate language, failure to provide adequate protection, improper property inventory, and harassment were sent to the precinct for coaching. A precinct supervisor conducted the coaching investigation, and spoke with Officer 2, three witnesses, Complainant, the employee that fought with Complainant, and Officer 1.

#### Interview of Officer 2

Officer 2 stated that the incident occurred as he described it in his report. He stated that Complainant was ordered to leave multiple times before he was arrested. Officer 2 stated that he told Complainant to "Get the f\*ck out of here" after Complainant used profanity directed at Officer 2. Officer 2 stated that Officer 1 did not use inappropriate language.

#### Interview of Complainant

The supervisor reported that he had a 40 minute conversation with Complainant. Complainant told the supervisor about the services that were not performed. Complainant told the supervisor that they got into an argument, and the employee was aggressive, punching him twice in the head. Complainant asked for a blue card so he could sue the employee.

The supervisor reported that he asked Complainant what he wanted to occur, and Complainant told him that he “wanted the employee arrested for assault so he could get his money back.” The supervisor asked Complainant if he could provide any witnesses that could corroborate his allegations, and Complainant provided the supervisor with Witness 3’s contact information.

Complainant told the supervisor that he was sure that Officer 1 used inappropriate language. Complainant also told the supervisor of another recent incident where the employee assaulted someone at work. Complainant also stated that he was not given his keys when released from jail.

#### Interview of Witness 1

Witness 1 recalled being present at the time of the incident, but did not recall details. He confirmed that he provided a statement to police.

#### Interview of Witness 2

Witness 2 is the owner of the property where the dispute occurred. Witness 2 stated that Complainant was attempted to renegotiate the price for services that were already provided, and that prompted the argument. Witness 2 stated that that Complainant and the employee pushed each other, but Complainant was not struck in the face. Witness 2 stated that he had to break up the argument approximately five times prior to the officers’ arrival. Witness 2 stated that Complainant has caused trouble in the location prior to this incident. Witness 2 stated that the claim that the employee assaulted another individual was not true.

#### Interview of Witness 3

Witness 3 was identified by Complainant as an individual who could corroborate his account. Witness 3 works at a different business in the same complex as the incident location. Witness 3 stated that he did not witness the event and could not recall the details of what he was told about it.

#### Interview of Employee 1

Employee 1 stated that Complainant “came at him in an aggressive manor; he was defending himself by pushing [Complainant] away as he was being pushed by [Complainant]. Employee 1 stated that the officers were very professional and that Complainant refused to leave.

#### Interview of Officer 1

Officer 1 stated that he did not remember all the details of the incident but denied using inappropriate language “because he knows it would generate a complaint, especially when [Officer 1] knows there was a good chance he may have to arrest someone.” Officer 1 stated that all property went with Complainant to the jail. Officer 1 explained that he has no relationship with the business owners.

Supervisor Determination

After taking into account the statements and evidence, the supervisor determined that Officer 1 did not use profanity, advised Complainant to leave the property, and lawfully arrested him when he refused.

## **Appendix 6 Commission Case Summary 14-08-09**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #9  
August 2014

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## **OVERVIEW**

Complainant alleges that sometime in late January or early February, he was at a shelter when he encountered Officer 1. Complainant alleges that Officer 1 shouted out, "[Complainant is] a sex offender. He's a rapist. He do kids." Complainant alleges that he "had words" with Officer 1 and became upset. Complainant alleges that Officer 1 grabbed Complainant and removed him from the shelter. Complainant alleges he is constantly harassed by Officer 1 who is sometimes accompanied by Officer 2.

## **THE COMPLAINT**

1. Inappropriate Language: That Officer 1 shouted inappropriate language about complainant.
2. Harassment: That Officer 1 removed him from the shelter and constantly harasses Complainant.

## **OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(2) Inappropriate Language
2. OPCR Ord. § 172.20(3) Harassment
3. 5-105 (10) PROFESSIONAL CODE OF CONDUCT. Employees shall not use indecent, profane or unnecessarily harsh language in the performance of official duties or in the presence of the public.
4. 5-104 IMPARTIAL POLICING. All investigative detentions, pedestrian and vehicle stops, arrests, searches and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and statutory authority.

## **COMPLAINT PROCESSING**

Complainant filed a written complaint with the OPCR. No reports were available and Complainant could not recall the date of the incident. After reviewing the Complaint and checking Officer 1's background, the joint supervisors determined that if true, the allegations would constitute an A-level offense.

## **EVIDENCE**

1. Complainant filed a written complaint with the Office detailing allegations.
2. The Complaint included a supplement from the Bureau of Criminal Apprehension
3. Coaching documents were submitted to the precinct supervisor
4. Final approved coaching documents were returned to OPCR

## **SUMMARY OF EVIDENCE**

### **Complaint**

Complainant filed a detailed signed complaint via an advocate stating that a Officer 1 while working off duty at a shelter shouted out "[Complainant's] a sex offender. He is a rapist. He do kids." Complainant stated the two had words and he became upset. The officer then "grabbed Complainant and removed him from the facility with his coat into the windy elements." The

Complainant stated he is constantly harassed by Officer 1 and Officer 2 is sometimes with him. Complainant stated that he was not sure about the dates of contact with Officer 1 and 2.

### **BCA Supplement**

The BCA supplement indicates that Complainant is not required to register as a predatory offender, noting that "Out of state offenders and offenders charged at the federal level have to be convicted of a registerable offense in order for registration to be required."

### **COACHING**

#### **Returned Coaching Document**

The coaching document contains both a handwritten and typed section. The handwritten section states that the supervisor conducting the coaching process spoke with Complainant and attempted to contact listed witnesses. It states that Officer 2 has never worked in the shelter and has never worked with Officer 1.

The handwritten section describing Officer 1's response states that Officer 1 remembers the incident. Officer 1 stated that Complainant came into the shelter "highly intoxicated and belligerent." Officer 1 stated that Complainant "started to scold Officer [1] for harassing him as Officer [1] has arrested him in the past." Officer 1 "told [Complainant] to leave and [Complainant] did." Officer 1 denied swearing at Complainant or calling him a sex offender.

The supervisor recommendation section states, "I find no merit in this complaint. [Complainant] is on the top 100 downtown offender list and has been arrested numerous times."

The typed section was added by a lieutenant and submitted to the precinct inspector. It reviews the supervisor's handwritten section but contains additional information. The lieutenant states that he spoke with the complainant via telephone who stated that he has not had any contact with Officer 1 since the alleged incident. The complainant told the lieutenant that "he wants no further action taken regarding his allegation." The lieutenant stated that he attempted to contact the advocate but did not receive a return call. The lieutenant agreed with the supervisor's assessment that no policy violation occurred.



## **Appendix 7 Commission Case Summary 14-02-08**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #8  
March 2014

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## **OVERVIEW**

Officers responded to Complainant's home after a child called 911 to report abuse. Officers arrived and found that the child called 911 because her grandmother made food she did not like. Complainant alleges that officers checked her 3 year-old daughter's diaper area, touched her, and shined flashlights in her face. Complainant alleges this "scared her to the point she was crying and shaking.

## **THE COMPLAINT**

1. Failure to follow the Professional Code of Conduct: That Officer 1 and Officer 2's actions consequently scared Complainant's 3-year-old daughter.

## **OPCR AND MPD POLICIES**

1. 5-105- PROFESSIONAL CODE OF CONDUCT: Officers shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions.

## **COMPLAINT PROCESSING**

OPCR joint supervisors believed that the allegations, if proven true, would constitute an A-level violation. The case was sent to coaching for resolution.

## **EVIDENCE**

In the course of investigating this complaint, the following steps were taken.

1. Complainant submitted a detailed written complaint.
2. Visinet records were obtained.
3. No police reports were available.
4. No squad recordings were available.
5. Coaching documents were prepared and sent to the precinct inspector.

## **SUMMARY OF EVIDENCE**

### The Complaint

Complainant alleges that the police were called to her home because her 12-year-old daughter had lied to neighbors about being homeless and that there was no food to eat in the house.

Complainant alleges that the officers who responded to the call, Officers 1 and 2 were rude. Complainant alleges that Officers 1 and 2 checked her 3-year-old daughter's diaper area, which scared the child to the point where she was crying and shaking. Complainant alleges that the officers were also shining flashlights in her face. Complainant alleges that as a result of the Officers 1 and 2 touching and shining flashlights at her 3-year-old daughter, the child was unable to sleep until 2:00 a.m.

Complainant states that, "They should have been professional and should not have tormented a 3 year micro preemie who is mentally handicapped and cannot defend herself."

### Visinet Reports

The first of two Visinet reports in this case is from 21:41:48 on the date of the incident. This report indicates that a female child caller, with children giggling in the background, said that "mom... and grandma... has locked child outside of house... Grandma not feeding children and 'trying to kill me.'" The child caller gave Complainant's address but the call was mapped to a different address.

The Visinet report indicates that Officers 1 and 2 found that the address the call was mapped to was "all ok" and that they would be checking the address provided by the caller. The officers "spoke with juvenile female outside of the influence of the adults in the house and she stated that she had friends call 911 because her grandma had made spaghetti with peppers and she did not want to eat it. She is being fed just does not always like what is made. There was no signs [sic.] of physical assault and juvenile female said that she was not assaulted by adults at the house." The call was changed to "Kid Trouble."

The second of the two Visinet reports in this case is from 22:40:13 on the date of the incident. This report logs a call from Complainant's mother, the juvenile female's grandmother. The call was related to the earlier call. The caller here stated "Granddaughter now missing, requests different squad that [sic.] was here earlier."

Officers 1 and 2 were again assigned to the call. When the officers arrived the juvenile female was home. Officers stated that they "spoke with runaway female and she was told to stay in house for the night."

### **COACHING**

Coaching was sent to the precinct inspector who referred it to the appropriate supervisor to complete. The supervisor spoke with Officer 1. It appears that the supervisor did not speak with Officer 2. The supervisor also indicated that he reviewed other evidence, but did not specify what other evidence in particular that he reviewed.

### Interview of Officer 1

Officer 1 remembered dealing with a 12-year-old on this call. Officer 1 stated that he advised the 12-year-old caller that getting a meal that was not satisfactory is not what the 911 system is for and then on the return call, he advised her about being a runaway. Officer 1 indicated that there was no contact with the 3-year-old child.

### Supervisor's Conclusion

The supervisor recommended. "None coaching or discipline." No other information was included in his coaching document and it appears no further action was taken.

## **Appendix 8 Commission Case Summary 14-04-10**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #10  
April 2014

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## **OVERVIEW**

Officers were responding to a domestic on Complainant's block. The house number listed in the incident report was XXXX; Complainant lives several houses away from that address. Complainant alleges that officers "pounded" on Complainant's door early in the morning. Complainant woke up and opened the door. Complainant alleges he asked "what was going on" and an officer responded, "you tell me." Complainant alleges he was placed in handcuffs and was told to put shoes on but could not locate them. Complainant alleges that one of the officers stated that "they'd take [Complainant] to the car without shoes if that's what [he] wanted." Complainant was told to put boots on but could not while handcuffed. Complainant alleges he repeatedly asked why officers were at his home, but no officers would respond. After talking to Complainant and his fiancé, the officers determined that they were at the wrong house and Complainant was released. Officers went to the correct address. Complainant alleges that no officer "gave [Complainant] his name or badge number."

## **THE COMPLAINT**

1. **Inappropriate Attitude:** That Officers 1 and 2 acted discourteously and unprofessionally toward Complainant by not answering when he asked why officers were at his home, telling him he would have to go to the squad car without shoes on, and not providing their name and badge numbers.

## **OPCR AND MPD POLICIES**

1. **OPCR Ord. § 172.20(2) Inappropriate Language or Attitude**
2. **5-104.01 PROFESSIONAL POLICING:** Officers shall utilize the following practices when conducting pedestrian and vehicle stops: be courteous, respectful, polite and professional; introduce or identify themselves to the citizen and explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of officers or other persons; ensure that the length of detention is no longer than necessary to take appropriate action for the known or suspected offense; 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; provide name and badge number when requested, preferably in writing or on a business card; explain and/or apologize if you determine that the reasonable suspicion was unfounded (e.g. after an investigatory stop); if asked, provide the procedures for filing a complaint about police services or conduct.

## **COMPLAINT PROCESSING**

OPCR joint supervisors believed that the allegations, if proven true, would constitute an A-level violation. The case was sent to coaching for resolution.

**EVIDENCE**

In the course of investigating this complaint, the following steps were taken.

1. Complainant submitted a detailed written complaint.
2. Visinet records were obtained.
3. Police Reports and summaries were obtained.
4. No squad recordings were available.
5. Coaching documents were prepared and sent to the precinct inspector.

**SUMMARY OF EVIDENCE****The Complaint**

Complainant alleges that he was awoken at an early morning hour by Officers 1 and 2 pounding on his door. Complainant alleges that when he came downstairs, he was told to open the door or it would be kicked in. Complainant alleges he opened the door and Officers 1 and 2 entered. One of the Officers grabbed a baseball bat that was leaning against the wall inside the door. Complainant alleges that he asked what was going on and the Officers replied, "You tell me," to which Complainant responded, "No. You're in my house."

Complainant alleges that one of the Officers placed him in handcuffs, and told him to put shoes on. Complainant alleges that he told the Officers that he did not know where his shoes were at that moment. Complainant alleges that one of the Offices said, "they'd take [Complainant] to the car without shoes if that's what [he] wanted." Complainant alleges that he was told to put on boots that were on the porch but struggled to do so because his hands were cuffed behind his back, and he was told to "quit wasting time." Complainant alleges that he was sitting on his porch in his pajamas for several minutes.

Complainant alleges that he kept asking why the Officers were there and was given no information. Complainant alleges that he asked who the Officers were looking for, and then they asked his name which he provided. Complainant alleges that at this point, another officer, Witness Officer 1, who had been speaking with his fiancé, Civilian Witness 1, came out to the porch and told Officers 1 and 2 that the names did not match the 911 call. Complainant alleges that the Officer who handcuffed him said that Complainant matched the description of the suspect from the 911 call.

Complainant alleges that after confirming with dispatch that the 911 caller refused to verify the address, he was finally unhandcuffed. Officers went to another house on the block, while the third Officer removed the cuffs. This third Officer told Complainant that his attitude was the cause of the Officers' behavior.

Complainant alleges that no Officer gave him his name or badge number.

**Visinet Report**

The Visinet report states that the incident duration was 35 minutes. During the early morning, 911 received a call stating that the caller had been punched in the mouth by her boyfriend, for whom she provided a name that was not Complainant's name. The caller said she was now in the bathroom and that she did know where her boyfriend, the suspect, was in the house. The 911 dispatcher said she was staying on the phone with the caller, but the caller hung up. Dispatch provided a description of the suspect.

Approximately fourteen minutes after being assigned, Officers 1 and 2's squad responded that they were transporting one male and to change the code to a "domestic" from a "domestic abuse-in progress." Their squad commented, "Caller and subject were involved in a verbal altercation. Ongoing problem. Caller wanted subject sent for the evening. Advised caller to resolve dispute at a later time."

No reference to going to the wrong house or the interaction with Complainant is indicated in the visinet report.

## **COACHING/MEDIATION/INVESTIGATION**

Coaching was sent to the precinct inspector who referred it to the appropriate supervisor to complete. The supervisor interviewed Officers 1 and 2, and then spoke with Complainant. The supervisor also reviewed the police reports and summaries.

### **Interview with Officers 1 and 2**

The supervisor stated that both Officers "appreciated the nature of the complaint and understood the complainant's issues about responding to the wrong address." Officer 1 did maintain that they were sent to the wrong address, but "owned the issues the complainant brought forward with regard to attitude and thoughtfulness of the complainant's position." Officer 2 "understood the necessity for the coaching session and added that his procedure, though spot on, was interpreted by the complainant appropriately."

### **Conversation with Complainant**

The supervisor stated that Complainant asked that "nothing further be done to the employees regarding this issue." The supervisor stated that at the end of their phone call, Complainant "acknowledged that the officers' response was appropriate and knew that if he called 911 from a locked bathroom and was waiting for help he would want the police to treat his attacker the same way." Complainant stated that he was impressed with Witness Officer 1. Complainant also expressed his concern for the actual victim, as she had to wait for service while the address was being figured out. The supervisor assured him and Civilian Witness 1 that, "this occurs with very rare frequency and their time spent bringing these issues forward were appreciated by the City of Minneapolis."

### **Supervisor's Conclusion**

The supervisor concluded that no policy violations occurred. As described above, the supervisor followed up with Complainant via telephone.

## **Appendix 9 Commission Case Summary14-11-07**



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## POLICE CONDUCT OVERSIGHT COMMISSION

### Case Summary Data #7

November 2014

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#### OVERVIEW

Complainant alleges that Officers 1 and 2 encountered the Complainant's daughter after she was caught shoplifting. They contacted the Complainant to request that the Complainant pick up the child. The Complainant informed the officers that the daughter was a runaway. Officers 1 and 2 released the daughter before the Complainant arrived.

#### THE COMPLAINT

1. Failure to Provide Adequate Police Protection: Officers 1 and 2 released Complainant's runaway daughter after she was caught shoplifting.
2. Violation of MPD P&P Manual: Officers 1 and 2 released Complainant's daughter before Complainant arrived.

#### THE OPCR AND MPD POLICIES

1. § 172.20(6) - Failure to Provide Adequate Police Protection.
2. § 172.20(8) - Violation of the MPD P&P Manual.
3. § 8-201 MISSING / RUNAWAY JUVENILES: When an officer encounters a listed missing/runaway juvenile and the juvenile cannot be released to a parent/legal guardian, officers shall transport the juvenile to JSC. Officers shall ensure that MECC Channel 7 is notified to remove the juvenile from NCIC.
4. § 5-105 PROFESSIONAL CODE OF CONDUCT: On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances.
5. § 5-105 PROFESSIONAL CODE OF CONDUCT: Officers shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions.

#### COMPLAINT PROCESSING

Complainant filed an online complaint detailing the allegations. The complaint underwent intake investigation and was reviewed by the joint supervisors. The joint supervisors determined that the complaint should be sent for coaching. Coaching documents were sent to the precinct. Completed coaching documents were returned to OPCR.

#### EVIDENCE

1. An online complaint was filed.
2. A VisiNet report was obtained.
3. A CAPRS report was obtained.
4. Coaching documents were sent to the precinct.
5. Completed coaching documents were returned to OPCR.

## **SUMMARY OF EVIDENCE**

### **Complaint**

An online complaint was filed. According to the Complainant, she was contacted by an officer regarding a shoplifting incident involving Complainant's runaway daughter. Complainant stated she told the officer she was going to pick up her daughter. Complainant stated she later received a call from store security telling her not to pick up her daughter. Complainant stated store security said her daughter had been cited and released by the officers.

### **VisiNet**

The VisiNet report indicates that Officer 1 and Officer 2 responded to a shoplifting incident at Macy's. The suspect was a juvenile female.

### **CAPRS**

The CAPRS report states that Officer 1 and Officer 2 reported to a shoplifting incident involving a juvenile female at Macy's. The juvenile female was detained by store security until Officer 1 and Officer 2 arrived. According to the CAPRS report, Officer 1 contacted Complainant who stated she was coming to pick up the juvenile. Officer 1 and Officer 2 cited and released the juvenile to wait for Complainant.

### **COACHING**

Coaching documents were sent to the precinct to be completed by Officer 1 and Officer 2's supervisor. According to the coaching documents, the supervisor reviewed the CAPRS report, spoke with the officers, spoke with the Complainant, and spoke with MECC channel 7. The supervisor indicated no policy violation occurred.

The supervisor included supplemental document explaining his investigation in more detail. According to the supervisor, he spoke with Officer 1 and Officer 2. Both officers stated they recalled the incident. The officers agreed if they would have had confirmation that juvenile was a runaway the charge would have been included on the citation, and officers would have waited to ensure the juvenile was released to the Complainant.

The supervisor stated he then tried to determine if the juvenile was listed as a runaway by contacting MECC channel 7. The supervisor was informed the juvenile had been removed from the system and it was not possible to pull up an old runaway entry.

The supervisor contacted the Complainant and advised her he had completed his investigation. The supervisor indicated he told Complainant that because of privacy laws he could not provide details regarding the investigation. The Complainant stated she had no additional information and the supervisor determined that the evidence was insufficient to find a policy violation.

## **Appendix 10 Commission Case Summary14-01-07**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #7  
January 2014

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## **OVERVIEW**

Complainant alleges that Officer 1 arrived at the location after the Complainant's daughter was accused of stealing. Officer 1 searched the Complainant's two daughters and the Complainant. The Complainant alleges that Officer 1 told the Complainant that if she paid for the item she would let them go; Complainant alleges that she refused and asked her daughter to allow Officer 1 to further search her. Complainant alleges that Officer 1 stated "f\*ck this," grabbed her daughter, threw her in the squad car, and slammed the door. Complainant alleges that Officer 1 yelled obscenities about "you people," yelled obscenities directly in the Complainant's daughter's face, and cited the Complainant and her daughters for trespassing, banning them from the area.

## **THE COMPLAINT**

1. Inappropriate Language or Attitude: That Officer 1 yelled and used profanity towards Complainant and her daughters.
2. Discrimination in the provision of police services: That Officer 1 treated Complainant and her daughters as criminals despite having no evidence that Complainant or her daughters had the stolen item.

## **OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(2): Inappropriate Language or Attitude
2. OPCR Ord. § 172.20(4): Discrimination in the provision of police services
3. 5-105 PROFESSIONAL CODE OF CONDUCT: Employees shall not use indecent, profane or unnecessarily harsh language in the performance of official duties or in the presence of the public. Employees shall not use any derogatory language or actions which are intended to embarrass, humiliate, or shame a person, or do anything intended to incite another to violence.
4. 5-104 IMPARTIAL POLICING: All investigative detentions, pedestrian and vehicle stops, arrests, searches and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and statutory authority. Officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for a pedestrian or vehicle stop, investigative detention, arrest, non-consensual search or property seizure.

## **COMPLAINT PROCESSING**

## **EVIDENCE**

In the course of investigating this complaint, the following steps were taken.

1. Complainant submitted a detailed written complaint.
2. Visinet records were obtained.
3. No police reports were available.
4. No squad recordings were available.
5. Coaching documents were prepared and sent to the precinct inspector.

## **SUMMARY OF EVIDENCE**

### **The Complaint**

Complainant alleges that she and her two adult daughters were shopping, when a store employee accused her daughters of stealing a weave pony tail. Complainant alleges that she and both of her daughters had checked out with their items and were exiting the store when the store employee yelled at them for taking the item and told them he had called the police. Complainant alleged that she told her daughters to put everything on the counter and not move until the police got there. Complainant claims they waited for over ten minutes and then she asked the store employee where the police were, and he again said he had called. Complainant alleges that because she has a medical condition which makes her unable to stand for long periods of time, she called the police herself. Complainant alleges that dispatch told her that no one else had called for that location but that they would send a car.

Complainant alleges that within five minutes, Officer 1 arrived. After explaining what was going on to Officer 1, Complainant alleges that Officer 1 went through Complainant and her daughters' purses and bags and searched Complainant's daughters thoroughly. Complainant alleges that Officer 1 then went with the store employee to view store camera footage and when Officer 1 came back she said that she saw on the tape that they had picked up the pony tail and when they put it back down it was empty. Complainant alleges that Officer 1 went through their bags and purses and searched her daughters again, and still did not find the pony tail.

Complainant alleges that Officer 1 then asked to speak to Complainant and took her into an aisle of the store. Complainant alleges that Officer 1 told her that if she paid the fifty dollar value of the pony tail, that Officer 1 would let them go. Complainant alleges that she would pay for it when Officer 1 could tell her where the pony tail was and which of her daughters took it. Complainant alleges that Officer 1 went back to the store employee, came back, and pointed to one of Complainant's daughters. Complainant alleges that she told the daughter that Officer 1 identified to come over to Officer 1 so that they could go somewhere and she could be searched more thoroughly. Complainant then alleges that her daughter began to remove her clothing in front of the store, and she was crying and saying that she had not done anything.

Complainant alleges that Officer 1 then said "f\*ck this," grabbed Complainant's daughter and her purse and threw her in the squad car. Complainant alleges that Officer 1 slammed the car door and yelled obscenities about "you people" and then returned to the store.

Complainant alleges that Officer 1 then yelled in the face of Complainant's other daughter saying, "When they said they called the f\*cking police you don't turn around and call again, they have my personal fu\*cking number to call me so they don't need to call 911." Complainant alleges that she told Officer 1 that she had called the police, and Officer 1 responded by telling Complainant that she was citing the Complainant and her two daughters with trespassing so "get the f\*ck off the property now and don't come back to this mall or you will be arrested."

### **Visinet Report**

Two Visinet reports exist for this incident. The first Visinet report describes a call by Complainant. The caller states, "EMP ACCUSING DAUG OF STEALING." No officers were assigned.

The second describes a call received immediately thereafter, again by Complainant. The record states again that "EMP ACCUSING DAUG OF STEALING." Officer 1 was assigned and arrived at the location. After running Complainant's daughter's identification, Officer 1 states that she

“sent 3” and “could not find 50 dollar item they took.” The incident duration was twenty minutes.

## **COACHING**

Coaching was sent to the precinct inspector who referred it to the appropriate supervisor to complete. The supervisor interviewed Officer 1, spoke with the Complainant, and reviewed the Visinet report.

### **Interview of Officer 1**

Officer 1 stated that at the time of the incident all three parties involved were excited, agitated, and became loud and uncooperative. Officer 1 stated that she did not specifically remember swearing, but that she could have to de-escalate the situation and safely put the main suspect in her squad car.

### **Interview of Complainant**

The supervisor did not include any details regarding this interview in the coaching documents.

### **Supervisor's Conclusion**

The supervisor found no violation for impartial policing. Because Officer 1 reviewed the video tape which “clearly showed the suspect opening the package and removing the contents” and suspected that the item was put in Complainant’s daughter’s undergarments or disposed of while being detained, the supervisor recommended no policy violation for impartial policing.

The supervisor did find that a policy violation for the use of profane language did occur, but “in this case, profanity was used to take control of an escalating situation. The suspect needed to be separated from her mother and sister, [Officer 1’s] words and actions enabled the officer to take the suspect into custody. Physical force was avoided because of the officer’s actions.” The supervisor expressed his opinion that the profanity policy is “flawed” because “profane language is commonly used by almost all suspects that officers encounter in the ... precinct.” Ultimately, the supervisor concluded that “Yes there was a policy violation of using profane language. Yes in my opinion the profane language accomplished what the officer needed to do. Yes I believe the policy is flawed and there should be exceptions. Yes the employee/Officer [1] was coached by me on the policy.”

## **Appendix 11 Commission Case Summary 14-01-02**

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**POLICE CONDUCT OVERSIGHT COMMISSION**

Case Summary Data #2

January 2014

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**OVERVIEW**

Complainant alleges that Officer 1 entered her home without her permission and made "highly aggressive comments." Complainant alleges she told him that she did not want him in the home, and Officer 1 responded that he could "come in if he wanted" and made antagonizing remarks, telling her to "go downstairs, tough-girl."

**THE COMPLAINT**

1. Inappropriate Language or Attitude: That Officer 1 acted insensitively towards the situation, made comments to antagonize Complainant.

**OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(2): Inappropriate Language or Attitude
2. 5-105(15) PROFESSIONAL CODE OF CONDUCT: Employees shall be decorous in their language and conduct.

**COMPLAINT PROCESSING**

OPCR joint supervisors believed that the allegations, if proven true, would constitute an A-level violation. The case was sent to coaching for resolution.

**EVIDENCE**

In the course of investigating this complaint, the following steps were taken.

1. Complainant submitted a detailed written complaint.
2. Visinet records were obtained.
3. No police reports were available.
4. No squad recordings were available.
5. Coaching documents were prepared and sent to the precinct inspector.

**SUMMARY OF EVIDENCE****The Complaint**

Complainant alleges that following a physical altercation between her sister and her mother, her sister called the police. Complainant alleges that she and her boyfriend were consoling her mother when Officer 1 let himself into Complainant's home despite her protests and objections. Complainant asserts that Officer 1 caused Complainant and her mother "significant emotional distress" with Officer 1's "highly aggressive comments." Complainant asserts that Officer 1 was insensitive to the situation, as Complainant's sister had allegedly falsified the police call. Complainant's mother then left the house, and Complainant claims that Officer 1 would not let her walk her mother out of the house.

Complainant alleges that Officer 1 then re-entered Complainant's home, again despite her protests. Complainant alleges that she explained to Officer 1 that her sister was not a resident of the house, that she in fact was the resident of the house and that she did not want Officer 1 "violating [her] right to reasonable privacy." Complainant alleges that Officer 1 said that he



“could come in if he wanted” and told her to “go downstairs, tough-girl.” Complainant alleges that she felt antagonized. Complainant alleges that she tried to explain the situation to Officer 1, who appeared to have no interest.

Complainant alleges that she asked for Officer 1’s badge number. Complainant claims that Officer 1 gave his badge number in a way that made it impossible for her to hear, so she asked for Officer 1’s card.

Complainant alleges that she told Officer 1 that he was very good at escalating a situation, to which he smirked and responded, “thank you.”

Complainant references a prior lawsuit (not involving Complainant) in her Complaint. Complainant asserts that Officer 1’s behavior in that case and Officer 1’s behavior in handling her case indicate that Officer 1 “uses his position to abuse . . . and puts himself above the law and the rights of the people he is hired to protect and serve.”

Complainant’s mother and boyfriend were listed as witnesses in the Complaint, but no contact information was provided.

### Visinet Report

Complainant’s sister called 911 reporting that her mother shoved her into a wall. Records indicated that Complainant’s mother had attempted to resist arrest about ten months prior to this incident. The report indicates that the call center informed Officer 1 that there were Tasers in the house. The Visinet report indicates that Officer 1 found that no assault occurred, as the Complainant’s sister and mother were “in a verbal and both shoved each other.” Officer 1 found no injuries. Complainant’s sister wanted her mom sent, and her mom agreed to leave. The status of the incident was changed to a Domestic.

The Visinet report indicates that Officer 1 spent twenty-three minutes responding to the call.

## **COACHING**

Coaching was sent to the precinct inspector who referred it to the appropriate supervisor to complete. The supervisor interviewed Officer 1 and Officer 2, who was also on the call and was a witness. The supervisor interviewed Complainant’s sister, the caller in this incident. Complainant provided no contact information, and the supervisor “attempted a reverse directory search for a phone number” for Complainant but was unable to locate her to discuss the incident.

### Interview of Officer 1 and 2

The supervisor interviewed Officer 1 and Officer 2 together.

Officer 1 stated that Complainant’s sister (the caller) was standing in the house when Officer 1 arrived, had a set of keys, and invited Officer 1 to go in the house to deal with her mother. Officer 1 stated that once inside the house, Officer 1 and Officer 2 were confronted by Complainant and her boyfriend. Officer 1 stated that Complainant was angry, yelling at them, and attempting to interfere with their investigation. Officer 1 stated that he did tell Complainant to go downstairs but did not recall saying “tough girl.” Officer 2 stated that she was on the verge of arresting the Complainant for obstruction.

Officer 1 stated that he did not allow Complainant to go outside with her mother for fear that it would elevate the situation between the Complainant and her sister.

Officer 1 and Officer 2 both stated that Complainant was screaming at them.

Interview with Complainant's Sister/Caller

Complainant's sister stated that she was on the front steps of the house and could hear the Complainant yelling at the officers. She volunteered that the officers were "very professional."

Supervisor's Conclusion

The supervisor concluded that based on his interviews with Officer 1, Officer 2, and Complainant's sister, as well as the call and coaching documents that Officer 1 had reason to be in the residence as Officer 1 was investigating a domestic assault and was invited in by a resident standing in the house. The supervisor also concluded that Office 1 had reason to tell the Complainant "go downstairs, tough girl," even if those were the words used, as the Complainant was a "hostile person" on the verge of being arrested.

The supervisor considers Complainant's reference to Officer 1's previous lawsuit to be "absurd" and stated that "you cannot base present events on something that happened in the past." Therefore, the supervisor did not address them during coaching. The supervisor characterized a large portion of the Complainant's written complaint as the "baseless ramblings of a person who seems to not be fond of law enforcement in general."

No policy violations were found and coaching was not conducted.

## **Appendix 12 Commission Case Summary 14-07-08**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #8  
July 2014

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## **OVERVIEW**

Complainant was in an accident with an individual who did not have a driver's license. The individual was not the owner of the car he was driving. The individual was allegedly giving a ride to the owner of the car who was impaired due to her medications. Complainant alleges that after he told Officer 1 this, Officer 1 filled out an accident report and told Complainant to "move along." Complainant alleges that Officer 1 allowed the impaired individual to drive the other vehicle from the scene. Complainant alleges that the accident report did not contain the name of the other driver. Complainant believes that the address information may be incorrect for the other driver as well.

## **THE COMPLAINT**

1. Failure to Provide Adequate Protection: That Officer 1 allowed an impaired driver to drive.
2. Failure to Provide Adequate Protection: That Officer 1 did not record complete information on the accident sheet.

## **OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(6) Failure to Provide Adequate Protection
2. OPCR Ord. § 172.20(8) Violation of the P&P Manual
3. 7-501 TRAFFIC ACCIDENT INVESTIGATION PROCEDURES: At any accident scene, officers shall check for evidence that the driver may be under the influence of alcohol or drugs.
4. 7-509 ACCIDENT PACKETS – PROPERTY DAMAGE: Accident packets may be issued at property damage accidents if . . . all drivers involved have a valid driver's license.

## **COMPLAINT PROCESSING**

Complainant filed a written complaint with the OPCR. Reports were obtained. After checking the Officer's disciplinary history, the joint supervisors determined that the remaining allegations, if true, would constitute an A-level violation. Accordingly, the case was sent for coaching.

## **EVIDENCE**

1. Complainant filed a written complaint with the Office detailing allegations.
2. Visinet logs were obtained.
3. Coaching documents were submitted to the precinct supervisor
4. Final approved coaching documents were returned to OPCR

## **SUMMARY OF EVIDENCE**

### **Complaint**

Complainant described that accident and parties involved. Complainant alleged that Officer 1 responded to the accident call, listened to Complainant's account of the accident, took information, and provided paperwork. Complainant alleged that he told Officer 1 that the person allowed to drive the other vehicle away was impaired, and Officer 1 told Complainant that he

was “all set” and to “move along.” Complainant explained that he was upset that an individual who might be impaired was allowed to drive away from the accident site. Complainant also stated that information on the accident packet was incorrect.

### **Visinet Reports**

The Visinet report indicates that Officer 1 was flagged down on a property damage accident. Officer 1 checked Complainant’s ID. Officer 1 indicates that a packet was provided. No CAPRS report was filed.

### **COACHING**

Coaching documents were sent to the precinct supervisor to resolve. The supervisor reviewed the documents and Visinet report and discussed the complaint with Officer 1. Officer 1 stated that he completed accident sheets for both vehicles and knew that one of the drivers did not have a license. Officer 1 stated that he allowed the passenger in that vehicle to drive after checking to see if she was impaired.

The supervisor then contacted the Complainant to discuss the incident. The supervisor first noted that Complainant’s “main concern was that the female passenger was impaired and was allowed to drive.” The supervisor also noted that Complainant clarified that insurance information obtained at the accident was correct and the accident claim was satisfied. The supervisor “reviewed with [Complainant] [his] expectation of Officer [1] and [Complainant] was satisfied with [his] response.”

The supervisor again met with Officer 1 at a later date to inform him that he had violated MPD policy 7-509 which stipulates that packets cannot be utilized when a driver does not have a valid driver’s license at an accident scene. The supervisor stated that “Officer [1] agreed and stated he would not make the same error again.” The supervisor concluded that no violation of MPD policy 7-501 occurred because Officer 1 felt the passenger that was allowed to leave with the car was not impaired.

## **Appendix 13 Commission Case Summary 14-07-10**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #10  
July 2014

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## **OVERVIEW**

Complainant was staying in a hotel. Complainant's daughter called police reporting that Complainant was suicidal and that she heard gunshots coming from the hotel room. Officers 1 and 2 arrived at the hotel. Assisting squads had already searched the room and could not locate a weapon. Complainant alleges that when the officers discussed the incident with her, she explained that her daughter was mentally ill with a history of making false reports and living in a group home. Complainant alleges she told the officers to contact the group home, and they did not. Officers 1 and 2 took Complainant to HCMC crisis and placed her on a mental health despite any actual evidence to indicate that she was experiencing mental health issues. Complainant also supplied a note from HCMC confirming that she had no mental health issues nor a mental health history and that the group home confirmed that her daughter has a history of false reports.

## **THE COMPLAINT**

1. Violation of the Policy and Procedure Manual: That Officers 1 and 2 took Complainant to HCMC when she was not experiencing mental health issues.

## **OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(8) Violation of the P&P Manual
2. 5-105(3) PROFESSIONAL CODE OF CONDUCT: Officers shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions.

## **COMPLAINT PROCESSING**

Complainant filed a written complaint with the OPCR. Reports were obtained. After checking the Officer's disciplinary history, the joint supervisors determined that the remaining allegation, if true, would constitute an A-level violation. Accordingly, the case was sent for coaching.

## **EVIDENCE**

1. Complainant filed a written complaint with the Office detailing allegations.
2. Complainant submitted a portion of her medical records.
3. Visinet logs were obtained.
4. Police Reports were obtained.
5. Coaching documents were submitted to the precinct supervisor.
6. Final approved coaching documents were returned to OPCR.

## **SUMMARY OF EVIDENCE**

### **Complaint**

Complainant stated that she rented a motel room with her daughter. Complainant next stated that she told her daughter to go back to her group home, and the daughter complied. Complainant alleges that she went to sleep and awoke to her phone ringing and a loud knock on at the door. Complainant answered the door and alleges that an officer told her that she had a gun and that there was gun shots. Complainant alleged that "one after another [officers] started

throwing clothes out of the suit case on the floor walking on them.” Complainant alleges that she explained that her daughter was mentally ill and has a “history of making up stories.” Complainant alleges that the officers would not listen to her. Complainant alleges that the officers took her to the hospital and told staff that she was suicidal and “took a large amount of pills.”

### **Medical Records**

Complainant submitted one page of her medical records from the night of the incident. They state that she was diagnosed with a “mood disorder.” The service provider noted that Complainant “does not have a mental health history and she is not having any thoughts of harming herself or anyone else.” The provider noted that she was not experiencing audio or visual hallucinations. The provider contacted Complainant’s daughter’s group home and verified that her daughter had mental health problems. The provider stated, “Please consider giving her [Complainant] another chance as she does not have anywhere else to go and this is somewhere that she was hoping to stay until she got back on her feet again.”

### **Visinet Reports**

Visinet reports indicate that eight officers were assigned to an emotionally disturbed person call. The call was from an unknown “passer by.” Complainant’s daughter then called after EMS and Fire were assigned. The daughter told MECC that her mom made her leave the room and then she heard a shot. The daughter also stated that her mother had taken pills and threatened suicide. The daughter told officers to meet her at the motel so she could guide them to the location. EMS and multiple squads arrived.

The next line indicates that there was no shooting and Fire and EMS were canceled. Officers checked complainant and her daughter through the dispatch system and notified MECC that they intended to transport

### **Police Reports**

The police report contains one supplement by one of the officers who brought Complainant to HCMC.

#### **Supplement by Officer 1**

Officer 1 stated that he and Officer 2 arrived after other officers were already on the scene. He indicated that no gun was found, nor was there evidence of a gunshot.

Officer 1 talked to Complainant’s daughter. Officer 1 stated that the daughter reported that her mother began yelling, “I’m going to f\*ck\*ng shoot myself.” Complainant’s daughter claimed that her mother owns a gun. The daughter told Officer 1 that Complainant grabbed prescription medication and “chugg[ed] them from the bottle.” The daughter stated that her mother pushed her from the room, and “she swears she heard a gunshot.” Complainant’s daughter reportedly ran from the room and flagged down someone to call police.

Officer 1 stated that Officer 2 located four prescription pill bottles. The prescriptions were listed. Officer 1 concluded by stating that Complainant was transported to HCMC crisis on a mental health hold.

### **COACHING**

Coaching documents were forwarded to the appropriate supervisor to complete. The supervisor submitted a memo to supplement the coaching document that details the steps taken to complete the coaching.



## Supervisor Memo

The supervisor reported that he first attempted to contact the Complainant but received a message stating that her phone number was no longer in service. The supervisor could not locate an address for Complainant.

The supervisor next met with Officer 1 to discuss the complaint. Officer 1 told the supervisor that when they met Complainant, they had limited information. "They had a situation where two people (the complainant and her daughter) were each saying the other was mentally unstable and suicidal." The supervisor reported that Officer 1 determined that "it was best to have the complainant evaluated in person by trained mental health professionals." Officer 1 stated that "simply getting information from [Complainant's daughter's] group home about [Complainant's daughter's] mental health history would provide him with specific information about the complainant's current mental state." Officer 1 stated that "his over-riding concern was to assure that the complainant was not a danger to herself or others."

The supervisor stated that he provided coaching to Officer 1 "that it would have been helpful to include more details in the report of the incident explaining his reasoning for bringing the complainant to CIC for evaluation." The supervisor concludes his discussion of his conversation with Officer 1 by stating that Officer 1 "agreed with this and said that he would be certain to include these types of details in future Crisis Intervention reports."

The supervisor next met with Officer 2. Officer 2 stated that "it was a chaotic situation with both the complainant and her daughter making statements and accusations about each other's mental state and suicidal threats and state of mind." Officer 2 stated that Complainant was "very angry" and "he and his partner were not certain if the complainant was suicidal or not." Officer 2 stated that "hearing from the daughter's group home regarding her past history would not have helped them make an informed decision on the complainant's state of mind or if she had suicidal intentions." Officer 2 stated that in past crisis intervention training, he was advised that "when they are uncertain if a person they encounter is a danger to themselves they should error[sic.] on the side of caution and transport them to CIC so they can be evaluated by trained mental health professionals."

The supervisor repeated the coaching of Officer 1 with Officer 2, "that it would have been helpful to include more details in the report of the incident explaining his reasoning for bringing the complainant to CIC for evaluation." The supervisor stated that Officer 2 also "agreed with this and said that he would be certain to include these types of details in future Crisis Intervention reports."

## **Appendix 14 Commission Case Summary 14-08-03**

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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #3  
August 2014

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## **OVERVIEW**

Complainant is an employee of a secured facility (detox). Complainant alleges that Officer 1 transported an individual to the facility. Complainant alleges that Officer 1 was not in view of the camera outside the facility when he attempted to enter. Complainant alleges that she requested his name several times and he did not comply. Complainant alleges that Officer 1 eventually identified himself and "used a few choice words." Complainant alleges that she informed Officer 1 that his actions "were unprofessional and uncalled for." Complainant alleges that Officer 1 aggressively asked, "were you the one being difficult" when he entered the facility. Complainant alleges she reiterated her perception of Officer 1's behavior, and Officer 1 replied, "shut up young lady. . . be quiet little girl . . . zip it!" Complainant alleges that this behavior went on for several minutes. Complainant alleges that she requested he stop calling her "young lady" and provided Officer 1 her name. Complainant alleges that Officer 1 continued to call her "young lady."

## **THE COMPLAINT**

1. Inappropriate Attitude: That Officer 1's actions were "unprofessional" when he told Complainant to "shut up young lady. . . be quiet little girl. . . zip it!"

## **OPCR AND MPD POLICIES**

1. OPCR Ord. § 172.20(2) Inappropriate Attitude
2. 5-105 (15) PROFESSIONAL CODE OF CONDUCT. Employees shall be decorous in their language and conduct. They shall refrain from actions or words that bring discredit to the Department. They shall also not use words or terms which hold any person, group or organization up to contempt. The use of such unacceptable terms is strictly forbidden.

## **COMPLAINT PROCESSING**

Complainant filed a written complaint with the OPCR. Reports were obtained. The case was first referred to mediation. Officer 1 did not attend the mediation and a separate complaint was filed. The original complaint was sent for coaching.

## **EVIDENCE**

1. Complainant filed a written complaint with the Office detailing allegations.
2. Visinet logs were obtained.
3. Mediation notifications were sent.
4. Coaching documents were submitted to the precinct supervisor
5. Final approved coaching documents were returned to OPCR

## **SUMMARY OF EVIDENCE**

### **Complaint**

Complainant filed a detailed written complaint:

Complainant stated that the officer was delivering a client for service to a secured facility and was asked to identify himself several times at the waiting entrance. Complainant stated that the officer was not in a clear view of the camera. Complainant stated that the officer provided the

client's name and failed to identify himself despite several requests and attempts. Complainant stated that when the officer identified himself, he "used a few choice words." Complainant stated that when Officer 1 entered the facility, he stated "Were you the one that was being difficult?" Complainant and Officer 1 argued, and Complainant stated that Officer 1's behavior was "unnecessary, uncalled for, and unprofessional." Complainant stated that Officer 1 stated, "shut up young lady", "be quiet little girl" and "zip it!" Complainant stated, "at this point I informed him to stop calling me a young lady and provided my name." Complainant stated that Officer 1 called her a young lady several more times.

### **Visinet Reports**

The Visinet report contains no information about the incident. It lists the location where the officer detained the intoxicated individual and that the individual would be sent to detox.

### **COACHING**

On the coaching document, the supervisor indicated that she spoke to the Complainant, Witnesses, and reviewed Visinet Records. The supervisor indicated that no policy violation occurred and that Officer 1 was coached.

To supplement the coaching document, the supervisor submitted a detailed memorandum.

Officer 1 stated to the supervisor that on the incident date he was working alone and had transported a party to the detox center. Officer 1 told the supervisor that while inside at the intake area he had the intoxicated party in front of him standing near the elevators. Officer 1 stated that a woman spoke through the speaker to him and he had a difficult time understanding what she was saying. Officer 1 stated that he identified himself as "Minneapolis Police" and the intoxicated party was talking and swearing. Officer 1 stated that he waited two minutes before again pushing the button and the woman responded and "sounded angry asking who is it!" Officer 1 stated that while he waited for the elevator the intoxicated party continued to talk loudly and used profanity.

Officer 1 stated that when he entered the facility, the woman stated "Don't ever talk to me like that again!" Officer 1 stated that he was confused and asked, "Like what?" The supervisor stated that "Officer [1] let her talk and then when she stopped he started to talk to her as he wanted to know what her problem was with him. As he talked she cut him off stating- shut up, this is over, were done!"

Officer 1 stated that he told her to "zip it young lady" after he "felt berated by her." She continued to say "we are done here" and "do not call me young lady." Officer 1 stated he talked instead to an employee sitting next to her. Officer 1 stated that the male responded, "She is like this all the time."

Officer 1 denied yelling at her or telling her to shut up. He told the supervisor that "he does not remember but has said phrases like zip it." Officer 1 stated he did call her young lady "as she was [significantly] younger than him."

The supervisor also spoke with the director of the facility who was unaware of the incident and did not witness it. The director stated that Complainant was "no longer working part time there and they only use her on call backs" but "she could not get into the particulars." The supervisor also spoke with Complainant's direct supervisor who stated that "[Complainant] has had misunderstandings in the past as she is from Africa, different culture, and there is a language barrier."

On the same day, the supervisor spoke with Complainant. The supervisor stated that the Complainant "was very vague and stated that I should read the report that she wrote and then I would have a better understanding." Complainant told the supervisor that Officer 1 was

“unprofessional and aggressive.” She stated that he was unprofessional as he pointed at her and called her little girl. The supervisor asked if Officer 1 called her “little girl” or “young lady” and she stated both.

The supervisor asked if there were witnesses, and Complainant stated there was. The supervisor attempted to call an employee at the facility that was working on this day, and he reportedly did not recall any incidents.

The supervisor concluded by recommending that no policy violations occurred. While the box was checked indicating that coaching occurred, this appeared to be related to missing mediation and not the original complaint.

## **Appendix 15 Commission Case Summary 14-10-07**

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## POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #7

September 2014

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### OVERVIEW

Complainant alleges that Officer 1 responded to a call regarding a stolen car. Complainant's brother was accused of sexually assaulting a woman and she left in the car. Complainant went to the woman's house to retrieve it, and Officer 1 made a number of inappropriate comments after Complainant refused to leave the area, threatened to arrest him for trespassing, put him in the squad car, and drive him several blocks before releasing him.

### THE COMPLAINT

1. Harassment: Officer 1 threatened to arrest Complainant for trespassing, put him in the squad car, and drive him several blocks before releasing him.
2. Inappropriate Language/Attitude: Officer 1 made a number of inappropriate comments.
3. Impartial Policing: Officer grabbed Complainant by the arm and put him against the squad car, and searched the Complainant.

### OPCR and MPD POLICIES

1. OPCR Ord. § 172.20(3) Harassment
2. OPCR Ord. § 172.20(2) Inappropriate Language/Attitude
3. MPD P&P 5-104 IMPARTIAL POLICING: All investigative detentions, pedestrian and vehicle stops, arrests, searches and seizure of property by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and statutory authority.

### COMPLAINT PROCESSING

Complainant filed a written complaint detailing the allegations. Reports were obtained. The case was referred to the precinct for coaching by the joint supervisors.

### EVIDENCE

1. Complainant filed a written complaint with the Office detailing the allegations.
2. The VisiNet report was obtained.
3. The CAPRS report was obtained.
4. Coaching documents were submitted to precinct supervisor.
5. Final approved coaching documents were returned to OPCR.

## **SUMMARY OF EVIDENCE**

### **Complaint**

Complainant stated that he called 911 to report for a stolen car. Complainant stated Officer 1 arrived and began talking to Complainant from his squad car. Complainant stated Officer 1 asked "what the hell do you want?" Complainant stated that he informed Officer why he called, and Officer said Complainant "should get the f\*ck out of there," and that Officer 1 "heard another story about my brother." Complainant states that Officer 1 told him he should get out of here if Complainant didn't want to get arrested. Complainant states Officer 1 continued to use inappropriate language and had an inappropriate attitude. Complainant states Officer 1 left, then came back telling Complainant to leave. Complainant alleges that when he refused, Officer 1 grabbed Complainant by the arm, forced him against the hood of the squad car, and then searched him. Officer 1 then put Complainant in the squad car and then drove him several blocks before releasing him.

### **VisiNet**

A VisiNet log was obtained indicating that two calls were received regarding the incident. The first call placed by Complainant stating that his brother's car was taken by a female friend who is now refusing to give up the car. A second call was received from a female stating she has just returned from HCMC after a sexual assault. The female states the Complainant and his brother were threatening to call the police on her. The VisiNet report indicates the brother is the suspect in the female's sexual assault.

### **CAPRS**

A CAPRS report was obtained relating to the incident with the Complainant's brother. The CAPRS states the victim was an acquaintance of the brother. The brother forced victim to have sex against her will. After the incident, victim had the opportunity to escape in the brother's car. Victim ultimately ended up at HCMC with the car. The car was later towed and impound as evidence.

## **COACHING**

### **Coaching Documents**

On the coaching document, the supervisor indicated that he spoke with witnesses, reviewed the CAPRS report, and reviewed the VisiNet report. The supervisor indicated that no policy violation occurred and coached Officer 1.

To supplement the coaching document, the supervisor submitted a detailed memorandum.

Officer 1 stated that he did respond to the call and spoke to Complainant about the car. Officer 1 determined that the car was not in that location. Officer 1 stated he was concerned about the victim at the location. Victim reported that Complainant and his brother were pounding on her door, threatening and harassing her. Officer 1 did ask Complainant to leave the area because he was concerned about the victim's well-being.

Officer 1 stated he returned to the area a short time later and observed the Complainant walking back towards the victim's home. Officer 1 stated he did stop the Complainant and would arrest him for trespassing. Officer 1 admits he may have used harsh and forceful language because he wanted the Complainant to leave the area. Supervisor stated that he discussed with Officer 1 the inappropriate use of harsh language.



It is also noted in the memorandum that the supervisor attempted to contact the Complainant three different times to obtain additional information. Complainant never responded to messages left by the supervisor. Supervisor indicated that based on reviewing the coaching documentation, the Complainant appeared untruthful when speaking to officers previously about the car. Supervisor recommended that the complaint of harassment should be cleared unfounded.