

POLICE CONDUCT OVERSIGHT COMMISSION

Public Case Synopses

July, 2016

	Outcome	Description
1	Sent to Coaching, Coached	<p>MPD P&P § 5-104.01 – Professional Policing</p> <p>Complainant called 911 to report someone was trying to break into her house. Complainant alleges an officer came out, looked around her property, and when she opened the door and greeted the police officer, the officer shined the flashlight into her face and told her to come out with her hands up. Complainant reported she told the officer it was her house and she didn't need to do that. Complainant alleges the officer made her feel as if she was the criminal. The officer never introduced himself, asked if she were okay or took a report. Complainant felt as if the officer did not take this matter seriously. When complainant was questioned, the officer made her feel as if she was wasting his time.</p>
2	Sent to Investigation – Dismissed, No Basis	<p>MPD P&P § 5-301– Use of Force</p> <p>Complainant was at a barbeque with a number of friends. There was a gun call to the address. Officers arrived, and Complainant alleges that they approached with guns drawn. Complainant alleges that they were told to lay down on the ground, but he was tackled before he could. Complainant alleges that he was kicked and kneed while he was on the ground. Complainant alleges that one of the officers kicked a hot dog bun towards his face. Complainant alleges he was handcuffed and put in the squad car to go to jail for obstruction. Complainant alleges that he was driven several blocks away from the location, and the officer stopped the squad car. .Complainant alleges that the officer told him that if he apologized "to the officer who hurt [Complainant] that maybe [he] wouldn't go to jail." Complainant alleges that they asked if he had relatives in the area and drove him to his aunt's house instead of the barbeque.</p>
3	Sent to Investigation – Dismissed, No Basis	<p>MPD P&P § 5-301– Use of Force</p> <p>Complainant states he was heading for work, saw a squad car drive by, and then jumped in his car. Complainant states the squad then turned around and pulled next to Complainant's card. Complainant states that from the vehicle Officer 1 asked to see his ID. Complainant states he got out of the car, and gave the Officer's his ID. Complainant's ID was issued by the Mexican Consulate. Complainant states Ofc. 1 then got out of the squad car, grabbed him by the neck, pushed him against the squad car, and searched him. Complainant states he asked Ofc. 1 what had happened and received no answer. Officer 2 got out of the squad car, and with a flashlight looked into Complainant's car. Complainant states Ofc. 1 then asked him where he lived, and Complainant states he told him on the second floor of the apartment building. Complainant states he then asked Ofc. 1 again what was happening and Ofc. 1 proceeded to search the Complainant underneath his shirt, and reached into his underwear to search. Complainant states Ofc. 1 then handcuffed him and physically forced him into the squad car. Complainant states the door frame of the squad hit twice. Complainant states he was injured near his eye, and on his shoulder. Complainant states Ofc. 1 pushed him into the squad car, and he fell face first. Ofc. 2 then opened the opposite door and pulled the Complainant into the squad car. Complainant states officers then began searching his car. Complainant states he was never told a search would occur. The Complainant states that he was in the squad for a total of 20 minutes while the search occurred. Complainant states after the search occurred his car was a mess. Complainant states after the search officers released him. Officer 1 got Complainant out of the car and pushed me</p>

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		<p>against the squad. Complainant states Officer 1 went to the squad and researched him, while Officer 2 searched him again. According to Complainant, Officer 2 removed his handcuffs. Officer 1 told him to raise his hands or I am going to shoot you in Spanish, threw Complainant's keys to the ground, and told Complainant to go home.</p> <p>Complainant states he and his girlfriend then went to HCMC. A nurse called the Police. According to Complainant, two officers arrived. Complainant states photographs were taken of his shoulder and eye, but not his other injuries. Complainant states that he and his girlfriend requested a translator, and were told a translator would be provided. Complainant states no translator arrived. Additionally, Complainant alleges that the female officer made rude comments about Complainant's lack of a Minnesota ID, and both officers were making up excuses for the Complainant's earlier treatment.</p>
4	Dismissal, No Basis	<p>MPD P&P § 5-104.01 – Professional Policing</p> <p>Complainant claims that he was assaulted by a security guard of a bar and told Officer 1 of the occurrence; however, Complainant alleges that Officer 1 failed to file a criminal complaint. Complainant also asserts that Officer 1 refused to provide his badge number, at least initially.</p>
5	Dismissal, No Basis	<p>MPD P&P § 5-301– Use of Force</p> <p>Complainant asserts that she was driving her intoxicated friend home when a "truck crossed the center line," coming toward Complainant's vehicle. In attempting to avoid the vehicle, Complainant contends that she crashed her car into two parked cars. According to Complainant, Officer 1 and 2 arrived at the scene. Complainant claims that Officer 1 was "thorough, professional, and kind." However, Complainant asserts that Officer 2 was "mean" to her and her friends, "rudely telling them to do one thing" but "demanding the opposite." Eventually, Complainant contends that she was handcuffed and that Officer 2 yanked on her arm in an "unnatural angle and fastened the cuffs so tight [she] lost feeling in [her] arm and hand." Complainant states that she asked Officer 2 to unloosen the cuffs "just one click," but he only "smirked" at the request. Further, Complainant alleges that she was put into the squad car without the seatbelt, leading her to be thrown about when the car braked or accelerated--even leading her to hit her head against the roll bars.</p> <p>Lastly, Complainant alleges that she sought medical assistance due to numbness or lack of feeling in her arms from the handcuffs. Complainant contends that her requests went unheralded, and that Officer 2 slyly remarked he could get her "a sandwich."</p>
6	Sent to Investigation – Withdrawn	<p>MPD P&P § 5-303–Use of Force</p> <p>Complainant alleges an officer is harassing him. Complainant states the officer follows him around and gives him tickets. The Complainant alleges the officer calls him names. Finally, the Complainant states the officer took the phone out of his hand and broke his fingernail.</p>
7	Sent to Investigation – Dismissed, Failure to Cooperate	<p>MPD P&P § 5-303–Use of Force</p> <p>Complainant alleges that officers came into her home without a warrant and threw complainant against the wall. Complainant alleges that at another time officers arrived at her home again and pushed her into the ground, and put a knee in her back. Complainant alleges she told officers to stop since she was disabled and an officer responded, "I have seen you walking around, you are not disabled. Complainant alleges she</p>

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		was handcuffed although she told officers she had a rotator cuff injury.
8	Sent to Investigation – Dismissed, No Basis	MPD P&P § 5-303—Use of Force Complainant alleges that a juvenile reported police abuse to him. More specifically, the juvenile alleged to Complainant that the officers grabbed him by the neck and slammed him to the ground, causing bruising to his neck and injury to his fingers.
9	Sent to Investigation – Dismissed, Withdrawn	MPD § 5-105 (5)—Professional Code of Conduct Complainant alleges that, after he had tried to acquire police assistance regarding a theft from his vehicle for approximately forty minutes, an officer who passed by the area failed to provide assistance to Complainant despite his attempts to tell the officer that a theft had taken place.
10	Sent to Coaching, Coached	MPD P&P § 5-103 – Use of Discretion Officer conducted a search based upon the assumption that homeless individuals generally have weapons.