

POLICE CONDUCT OVERSIGHT COMMISSION

Public Case Synopses

June 2017

	Outcome	Description
1	Sent to coaching, policy violation and coaching	<p>5-105 (C)(1) – Language Complainant contends that he was assaulted by a security guard for a property when officers arrived. At the scene, Complainant alleges that the officers "inflamed" the circumstances by acting prejudicially toward Complainant. Further, Complainant asserts that he was threatened by both the guard and officers, and also claims that they physically "mishandled" him to the point of "nerve damage". He also claims that he was ridiculed for his sexual orientation by the guard and officers present. Body camera recordings captured the incident.</p>
2	Sent to investigation, dismissed - no basis	<p>5-301 – Use of Force Complainant alleges that numerous officers used excessive force when apprehending him, including punching him in the back of the head repeatedly and dislocating his finger. Complainant further alleges that his hands were up when arrested.</p>
3	Dismissed - no basis	<p>5-103 – Use of Discretion Complainant--who is a delivery driver--alleges that an officer followed him and assumed that the officer wished to pull him over, so he pulled over and turned on his emergency lights. Afterward, Complainant asserts that the officer pulled over in front of Complainant. After "30 seconds," Complainant states that he beeped his horn as a way of communicating to the officer "what do you want." Complainant contends that, despite this, the officer failed to do anything, so he turned off his hazards and again continued driving.</p> <p>Complainant asserts that the officer continued to follow him and he again pulled over, turned on his hazards, and beeped his horn. After this, Complainant states that the officer finally turned on his lights. Complainant claims that the officer approached his vehicle and, upon coming up to his window, asked the officer the reason for the officer following Complainant. Complainant claims that in response the officer answered quixotically, "I'm following you?" Complainant claims that he responded that the officer was following him through every lane change. After this, Complainant asserts that the officer asked him for his insurance and driver's license. Complainant states that he asked the officer why he was being pulled over, to which the officer replied that Complainant kept honking at him and believed that Complainant needed his help.</p> <p>Next, Complainant contends that he requested the officer contact his sergeant to talk to him about the situation. Upon asking the officer to contact the sergeant, Complainant claims that the officer told him "No!" and kept asking for Complainant's driver's license. After giving the officer his license, Complainant asserts that he pushed the "OnStar" button in his vehicle and contacted the precinct, requesting a sergeant.</p> <p>After this, Complainant asserts that he asked the officer if he was refusing his request for the sergeant, to which the officer replied, "YES! I'm trying to find out what is going on with you first." In reply, Complainant contends that he told the officer that he "shouldn't have followed [him]" and "pulled [him] over several times."</p> <p>Next, Complainant contends that the officer returned to his squad to do a "check" and subsequently three more squads arrived. Meanwhile, Complainant asserts that he was able to get in touch with the sergeant on duty via phone and told him that he would personally go the precinct to file a complaint. Complainant also asserts that the officer, after he had returned from checking his license, had told him that he pulled him over because "[he] honked his horn at [him] and thought [he] wanted</p>

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		<p>something."</p> <p>While enroute to the precinct, Complainant claims that he was escorted to the precinct by a "4[-]car police escort" as a form of "intimidation." Complainant further contends that he threw a "peace sign" to the officer and the officer "laughed and smirked" in a way Complainant believed to be sarcastic.</p> <p>At the precinct, Complainant claims that the sergeant on duty spoke to him and told him that he was pulled over for "erratic" driving.</p> <p>Body camera recordings captured the incident.</p>
4	Sent to investigation, dismissed - pending further information	<p>5-313 Use Of Chemical Agents – Policy</p> <p>Complainant alleges that she was waiting with friends for an "Uber ride" when "[f]our officers on horses...threw two devices that emitted smoke," leading her eyes to immediately swell shut. Complainant also contends that her friend began to throw up as a result of the smoke. Additionally, Complainant contends that she did not have any interaction with the officers prior to the incident and that she and others around her were law abiding. Lastly, Complainant asserts that her eyes were still swollen more than 16 hours after the incident.</p>
5	Sent to investigation, dismissed - failure to cooperate	<p>5-301.01 – Use of Force</p> <p>Complainant contends that she noticed a car speeding toward her at excessive speeds and moved so as to get out of the way of the approaching car by turning at a stop-sign and pulling over. After pulling over, Complainant contends that the car then turned on its lights as it approached the stop sign adjacent to where she pulled over. Upon parking, Complainant contends that Officer 1 approached her door and asked for her license, upon which Complainant asked why she was pulled over while her license was in her hand. Complainant claims that Officer 1 began to count to ten, and Complainant contends that she gave her license when he counted to 1.</p> <p>After giving Officer 1 her license, Complainant claims that he began to walk away and she began to dial 911. Following this, Complainant asserts that Officer returned to her car and asked that Complainant give him her vehicle registration. After opening her glove compartment to retrieve the registration--a 21-day temporary permit, Complainant contends that she asked the officer why she had been pulled over, to which he replied "suspicious vehicle". After handing the permit to Officer 1, Complainant asserts that Officer 1 walked away from the vehicle to speak to Officer 2. After speaking to Officer 2, Complainant asserts that Officer 1 asked for what was in her glove department, to which she told him "it was none of his business". After this, Complainant contends that Officer 1 began screaming at Complainant for having a "21 Day card". She also contends that it was at this point that the officer told her that she had to get out of her car or he would pull her out. Complainant alleges that she exited the vehicle and sat on a curb as instructed to by Officer 1.</p> <p>After sitting down on the curb, Complainant asserts that Officer 1 asked for the keys to her vehicle, to which she replied that she was calling 911 to speak to their supervisor. Complainant claims that "[f]rom that moment one officer grab[bed] my right arm" and the other officer her left arm. Complainant contends that she was pulled so hard that she hit the ground, after which an officer lifted her from the pavement and hit her head against the pavement three to four times. Complainant asserts that these actions led to a torn rotator cuff and also for her to plead for help. As she was pleading for help, Complainant claims that officers repeatedly punched her in the head. She also claims that one officer grabbed her thigh and attempted to</p>

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		<p>reach into her pocket, especially troubling for Complainant as she contends to be a "victim of sexual abuse". She also asserts that one of the officers bent her wrist forward to the point that her hand touched her forearm, leading to a hand deformity. Further, Complainant claims that she screamed to the officer to "not break her wrist".</p> <p>After retrieving her keys, Complainant contends that one of the officers looked through her car while the other picked her up and slammed her against the squad window, leading to a broken jaw. She also contends that the officer began to choke her and only let go when she could no longer speak.</p> <p>Complainant asserts that the officers arrested her for Obstruct Legal Process and for illegal parking. Complainant admits to having a small bag of marijuana in the far left corner of her glove box. Nonetheless, Complainant believes that the officers did not have legal justification to even pull her over; in addition, she claims that they falsely reported that she was illegally parked. Complainant contends that she was never charged with marijuana possession and that the informant who called accusing her of prostitution lacked merit.</p> <p>Lastly, Complainant asserts that her race--black--and that of the officers--white--impacted their treatment of her.</p>
6	Dismissed – no basis	<p>5-105 (E)(2) – Professional Code of Conduct</p> <p>Complainant states that he was robbed by a "good buddy" and called the police thereafter. Complainant contends that, when trying to get information in relation to the incident, Officers 1 and 2 were rude to him. For instance, Complainant asserts that Officer 2 asked Complainant if he had "done anything" to the alleged perpetrator, which upset Complainant. He also claims that Officer 1 failed to do a more thorough investigation in regards to the location of his stolen items and the identity of a second perpetrator. The complaint was filed months after the incident and body camera recordings no longer exist.</p>
7	Dismissed – no basis	<p>5-105 (5) - Professional Code of Conduct</p> <p>Complainant alleges that the officer "violently" knocked on his door when responding to an allegation that the complainant had threatened his landlord's dogs. Complainant states that he and his family were "retiring for the night" and that he asked the officer to come back the next day. Complainant states the officer refused and continued to "violently" knock on the door and demand to be let in. Complainant states he called 911 multiple times, and that agents were rude and refused to ask the officer to leave. Complainant states that the officer ultimately left about 30 minutes after first knocking. Body camera recordings captured the incident.</p>
8	Sent to investigation, Panel recommended merit, A-Level violation sustained with coaching	<p>7-405 Initiating or Continuing a Pursuit</p> <p>It is alleged that the officer "initiates and continues" a pursuit while a ride-along was present.</p>

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9	Sent to investigation, dismissed – no basis	<p>5-301.01 – Use of Force Complainant alleges that he was passing by a restaurant when he noticed officers taking a man out of it. According to Complainant, the man was "clearly inebriated but...already handcuffed." As the man was being led away from the restaurant, Complainant asserts that he, "continued to calmly repeat his question as to what crime he is being suspected of." Complainant claims, however, that, "instead of answering the man's question directly....the officer who was leading the man to the squad car resorted to physical force by purposely sweep kicking and tripping the man so that the man fell onto the sidewalk." It was only after this, Complainant alleges, that the officers explained to the man his suspected crime or reason for detention.</p>
10	Dismissed, no basis	<p>5-104.01 – Professional Policing Complainant alleges that she witnessed her neighbor indecently expose herself and possibly molest her child. After confronting her neighbor about what she witnessed, Complainant asserts her neighbor called the police and provided a false police report. Complainant further believes that "witchcraft" may have been involved as it "it[']s [the] religion" of her neighbors. When officers responded, Complainant contends that the officers failed to enforce her no trespass signs against the neighbor. Complainant also claims that one of the officers mentioned that Complainant home gets "a lot of calls" and that "she is a problem." Complainant also claims that one of the officers recommended that the neighbors place a restraining order on her.</p>