
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #8
March 2017

OVERVIEW OF THE COMPLAINT

Complainant alleges that he heard a doorbell for his apartment complex (not his apartment) ringing, and went to the entrance door to see who was there. At the door, Complainant contends was an officer. Complainant claims that he opened the door to the complex to ask the officer "if he was looking for someone," to which the officer replied that he was "heading to unit #4". Next, Complainant contends that the officer used his foot to "push/kick the door open further," and proceeded to push "past" Complainant. Complainant asserts that the contact with him was so forceful that the officer's body camera fell off. After this, Complainant contends that the officer blamed him for the camera falling off. Complainant also states that the officer went up to the unit he was looking for, but no one responded. Lastly, Complainant claims that he never gave the officer permission to enter the premises.

ALLEGED VIOLATIONS

1. OPCR Ord. § 172.20 (2) – INAPPROPRIATE LANGUAGE OR ATTITUDE
2. MPD P&P § 5-104.01–PROFESSIONAL POLICING: Officers shall use the following practices when contacting any citizen, regardless of the reason for the contact: Be courteous, respectful, polite and professional.

COMPLAINT PROCESSING

Upon receipt of the complaint, an intake investigation was conducted and the matter was subsequently brought before the Joint Supervisors for intake review. Upon review of the complaint, the Joint Supervisors sent the matter to the appropriate precinct for coaching. After the officer's supervisor completed the coaching investigation, the coaching documentation was received by the Joint Supervisors, who then approved it.

EVIDENCE

1. Complaint
2. VisiNet

SUMMARY OF EVIDENCE

Complaint: Complainant asserts that he was leaving his apartment building when an officer approached the entrance and rang the doorbell. Complainant contends that he did not invite the officer inside the building.

Complainant claims that he opened the door slightly to find out what the officer needed. According to Complainant, he asked the officer if he was looking for someone and the officer responded that he needed to speak to somebody in unit 4. At this moment, Complainant claims that the officer pushed/kicked the door open with his foot and attempted to push past Complainant. While doing so, Complainant asserts that the officer came into contact with him, resulting in the officer's body camera falling off.

Complainant claims that the officer blamed him for the body camera falling off while proceeding to unit 4. Complainant states that the resident at unit 4 did not answer the door and the officer left shortly after.

VisiNet: The problem is listed as “Auto Theft.” The following is noted by dispatch: “...HAS KEYS...CLR CB/HE FOUND HIS CAR/ COMING TO MEET SQD.” The focus officer also notes in the report, “[C]aller was too dk to remember where he parked it...walked to gas station for smokes and there it was...clear[,]unfounded.”

COACHING

The matter was sent to coaching due to the officer’s alleged unprofessionalism when interacting with Complainant. The supervisor spoke with the officer, who told him that he and Complainant had “bumped into each other,” resulting in his body camera falling off.

The supervisor also asserts that he called Complainant twice—on consecutive days—but Complainant failed to respond. The supervisor asserts that the officer was coached but no policy was found as the supervisor could not “clarify with” Complainant what occurred.