
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #6
April 2017

OVERVIEW OF THE COMPLAINT

Complainant, who was with her toddler, alleges that she witnessed a woman driver with children passengers struggling to park at a local high school. As this was occurring, Complainant alleges that an officer in a marked squad "sped up" to the woman and called her a "dumb a**h*le" and "other curse words." Due to the incident, Complainant claims that the mother was "shook up" by the incident and pulled over.

ALLEGED VIOLATIONS

1. OPCR Ord. § 172.20(2) INAPPROPRIATE LANGUAGE OR ATTITUDE
2. MPD P&P § 5-105 (C) (1) – PROFESSIONAL CODE OF CONDUCT: Employees shall not use derogatory, indecent, profane or unnecessarily harsh language in the performance of official duties or while representing the MPD.

COMPLAINT PROCESSING

The complaint was received by the Office of Police Conduct Review by way of the online form. 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 preliminary investigation and assigned an investigator. At the conclusion of the preliminary investigation, the matter was sent to coaching, whereupon a policy violation was found and the officer was coached. Upon receipt of the coaching document, the Joint Supervisors approved the document and closed the matter.

EVIDENCE

1. Complaint
2. VisiNet activity for all squads of the precinct
3. VisiNet activity
4. Complainant interview

SUMMARY OF EVIDENCE

Complaint: Complainant, who was with her toddler, alleges that she witnessed a woman driver with children passengers struggling to park at a local high school. As this was occurring, Complainant alleges that an officer in a marked squad "sped up" to the woman and called her a "dumb a**h*le" and "other curse words." Due to the incident, Complainant claims that the mother was "shook up" by the incident and pulled over. Further, Complainant states that the officer's actions, though not egregious, "undermines our trust in the kind of people who are supposed to be keeping us safe."

VisiNet activity for all squads of the precinct: An activity log of all the precinct squads out at the time of the event.

VisiNet activity: In the log it is shown the officer driving the squad was in the same vicinity and present at the same time of the alleged incident.

Complainant interview: Complainant asserted that she was walking with her son near a local high school when she noticed a woman who was having difficulty parking. In an attempt to turn left, and due to an event that may have been occurring at the school, Complainant stated that the woman was blocking both lanes of the road.

At this time, Complainant claimed that an officer quickly came up behind the woman and loudly cursed at her from his window, referring to her as a “dumb a\$\$h*le,” “stupid,” and other “curse words.” After this, Complainant contended that the officer moved around the woman’s vehicle and sped off. According to Complainant, the officer did not have his emergency lights on nor exit his vehicle.

Complainant believed that the woman was trying to find a way to park and also stated that the officer appeared to be “yelling.” Complainant also stated that she was likely within fifty feet of the incident and could “clearly” hear the officer. Also, Complainant was fairly certain that the officer belonged to the Minneapolis Police Department as his car was black, white and had a shield on it. She also provided a physical description of the officer to the investigator and told him that the woman had four kids in her car and that she was walking with her toddler. Complainant asserted that she did not see the woman reply to the officer. Further, Complainant stated that she spoke to the woman afterwards and did not believe the woman could speak “fluent English.”

INVESTIGATION/COACHING

Prior to being sent to coaching, the investigator conducted an investigation and uncovered the likely responsible party and produced findings including: Complainant is a credible witness; Complainant could likely—due to her physical description of the officer—identify the officer; and the language used was offensive and done in the presence of children.

Prior to the coaching, the supervisor asserted that he had been informed of the incident by a council member’s office and had spoken to the officer about the incident, telling him that such language would not be “tolerated.” He also informed the officer that an investigation had been started regarding the matter.

Upon receipt of the coaching documentation, the supervisor contends that he again sat down with the officer and told him that he would “sustain” the violation. During the interview, the precinct supervisor claims that the officer told him that he was on his way to a “domestic” call when he encountered the woman, who was blocking the road. According to the supervisor, the officer told him that the woman’s blocking of the two lanes upset him. At the end of the interview, the supervisor asserts that he told the officer that he needs, “to treat everyone with dignity and respect and to explore other ways of dealing with times of frustration.”