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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.