



Allegation of Biased Policing

In case [2018OPA-0651](#), an officer responded to an altercation between two individuals. The officer's investigation, which included speaking with both involved parties, did not reveal any criminal activity. One of the individuals—an African-American man—was unhappy with the officer's decision to not take law enforcement action and called the officer—who was Caucasian—a racist. The man did not provide any detail as to why he believed the officer was racist. The officer did not report the man's statement to a supervisor as an allegation of biased policing.

OPA investigated whether the officer's failure to report the man's statement violated SPD policy. The officer told OPA he did not believe that simply being called a racist amounted to an allegation of biased policing. OPA agreed and concluded in its [findings](#) that for a statement to be considered an allegation of bias, a subject must claim a nexus between the subject's race or membership in a protected class and the officer's actions or lack of actions. Simply calling an officer racist, without more, is insufficient to meet this standard.

Mobile Fingerprint Reader

In case [2018OPA-0547](#), officers arrested, handcuffed, and attempted to identify a subject. The subject would not provide his name, so a Mobile Fingerprint Reader (MFR) was brought to the scene. The subject clenched his fist to prevent fingerprinting. Body Worn Video captured a conversation between an officer and a supervisor in which they discussed whether they could use force to compel the subject to use the MFR. The officer, who was trained on the MFR, said that they could, so the supervisor approved and officers pried the subject's fingers back—he later complained of injury.

SPD policy specifically states that officers shall not use force to identify a subject using the MFR. This does not include the act of holding and guiding an individual's finger to the MFR, which is technically a use of force, but precludes officers from forcibly compelling an individual. Given OPA's review of the record, including the video and the involved officers' statements, this appeared to be a misunderstanding of policy rather than misconduct. Accordingly, OPA issued [Training Referrals](#) reminding the officers of the requirements of the policy.