



CLOSED CASE SUMMARY

ISSUED DATE: APRIL 21, 2020

CASE NUMBER: 2020OPA-0170

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	8.200 - Using Force 1. Use of Force: When Authorized	Not Sustained (Unfounded)

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

An anonymous Complainant alleged that the Named Employee kicked a woman in the back.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the review and approval of the Office of Inspector General for Public Safety, believed that it could reach and issue recommended findings based solely on its intake investigation and without interviewing the Named Employees. As such, the Named Employees were not interviewed as part of this case.

In addition, during its intake investigation, OPA identified that the Named Employee may have made unprofessional statements during this incident. However, OPA determined that this issue was better handled by the chain of command as a Supervisor Action.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

8.200 - Using Force 1. Use of Force: When Authorized

OPA received a complaint from an anonymous Complainant. The Complainant asserted that an unidentified SPD officer was directing a woman to move her belongings and, at that time, kicked the woman in the back.

OPA identified the incident in question and determined that the involved officer was Named Employee #1 (NE#1). OPA verified that NE#1 contacted two individuals who were trespassing. NE#1 told the individuals that they needed to leave that location. The individuals argued with NE#1 for a period of time. He ultimately ended the contact and left the scene.

NE#1's interaction with the individuals was completely captured on his Body Worn Video (BWV). The BWV conclusively established that, at no point, did NE#1 kick a woman or anyone else in the back. Indeed, he did not make any physical contact with the individuals. Given this, OPA was able to determine that this allegation was fabricated and without merit.



For the above reasons, OPA recommends that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**