



CLOSED CASE SUMMARY

ISSUED DATE: JULY 21, 2020

CASE NUMBER: 2020OPA-0199

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 Standards and Duties 10. Employees Shall Strive to be Professional	Not Sustained (Management Action)

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:

The Complainant alleged that the Named Employee engaged in unprofessional behavior when he incorrectly informed her that she would not have to pay for transport to a hospital.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 Standards and Duties 10. Employees Shall Strive to be Professional

Officers, including Named Employee #1 (NE#1), responded to a report of a suicidal female. The female – who was later identified as the Complainant – was threatening to kill herself in a parking lot. The officers were able to de-escalate her and made the decision to involuntarily detain her to ensure that she would receive mental health care.

While NE#1 was discussing transport to the hospital with the Complainant, she objected because of what she perceived to be the exorbitant cost of an ambulance. NE#1 told her that she would not have to pay for the ambulance because she was being involuntarily detained and that the cost would be billed to the City. At that point, the Complainant agreed to be transported. However, despite NE#1's assertion to the contrary, the Complainant was ultimately billed for the transport.

The Complainant then initiated this complaint with OPA in which she alleged that NE#1 improperly told her that she would not have to pay for the transport. She stated that, otherwise, NE#1 and the other officers who responded to this incident were kind and respectful to her.

OPA's investigation concluded that NE#1 was incorrect when he told the Complainant that she would not be billed for the transport. Indeed, she did have financial responsibility for this service, regardless of whether she was involuntarily detained or agreed to go to the hospital. OPA notes that this not the first case in which such information has been inaccurately relayed to a subject. Moreover, it appears, from OPA's review of Body Worn Video, the NE#1 genuinely believed that the Complainant would not be billed for the transport. Given this, OPA believes that this is a systemic misconception, rather than individual misconduct on the part of NE#1. As such, OPA believes that the appropriate remedy is a reminder to all patrol officers to ensure that what happened in this case does not occur again in the future.



Accordingly, OPA recommends that this allegation be Not Sustained and issues the below Management Action Recommendation.

- **Management Action Recommendation:** The Department should send a reminder to the Patrol Bureau that ambulance transports are billed to the insurance agency of subjects and, where the subjects have no insurance, to the subjects directly. Officers should be aware that the transports are not billed to the City. As such, officers should ensure that this incorrect information is not conveyed to subjects.

Recommended Finding: **Not Sustained (Management Action)**