



CLOSED CASE SUMMARY

ISSUED DATE: OCTOBER 11, 2024

FROM: INTERIM DIRECTOR BONNIE GLENN
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0191

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.100 - Operations Bureau Individual Responsibilities, I. Patrol Officers, A. Responsibilities, 3. Complete Reports Accurately., b. Submit for approval ...	Not Sustained - Training Referral

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 SPD mishandled the investigation of harassment at his apartment by not conducting a follow-up investigation, arresting the suspect, or filing a restraining order. While reviewing the Complainant's allegations, OPA determined Named Employee #1 (NE#1) conducted the primary investigation of the Complainant's case but did not complete an incident report until after she received notice of this complaint.

ADMINISTRATIVE NOTE:

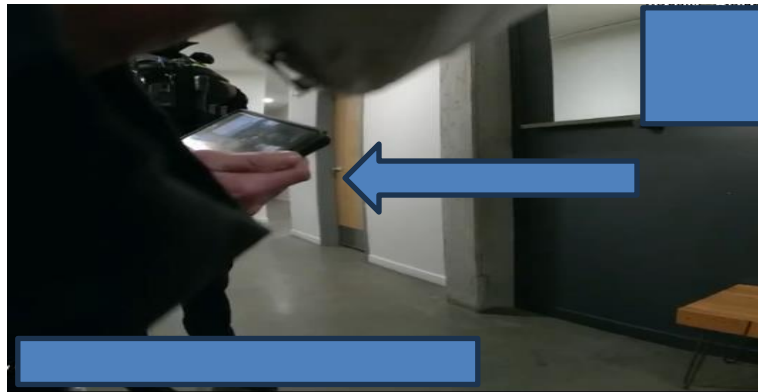
On August 21, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

This is an Amended DCM. On October 11, 2024, a discipline meeting was held. During the meeting participants had a conversation regarding the recommended findings. During the meeting, OPA decided to amend its finding. This is discussed more fully below.

SUMMARY OF INVESTIGATION:

OPA investigated the complaint by interviewing the Complainant, as well as reviewing the computer-aided dispatch (CAD) call report, incident report, and BWV. OPA also interviewed NE#1.

After speaking with the Complainant, OPA located the relevant CAD call report. It showed the Complainant called 9-1-1 on March 10, 2024, to report that another resident in his building kicked in his door, called him a racist, and threatened to "knock his teeth out." NE#1 and her partner were dispatched. The call was cleared as an "assault/harassment" and indicated a report was written. The Complainant showed NE#1 and other responding officers' video from his phone of a loud thud that sounded like someone kicking his door. Also, the Complainant stated he opened the door and observed two males in the hallway. The Complainant stated he did not know who the person was, but he has had people in the building terrorizing him for some time. Also, that he believed the guy lived upstairs, but did not know which unit. Furthermore, that the suspect stated, "If you ever knuckle up on me like that again, I'll take you out," and "If you ever come up to me again, I'll knock the rest of your teeth out."



NE#1's BWV capturing the Complainant Showing NE#1 and other Officer's Video Footage

OPA searched SPD's database but did not discover an incident report. OPA also located BWV depicting NE#1 responding to the call and investigating the Complainant's allegations. In the BWV, the Complainant stated another resident in his building "almost kicked his door in," threatened him, called him a racist, and said he would "knock his teeth out." The Complainant stated the threat caused him to back up and made him feel threatened. NE#1 told the Complainant she would write a report. NE#1 said to call back if anything else happened and that she would send a link to his phone number to upload video evidence. NE#1 also provided the Complainant with her business card and incident number.

On April 25, 2024, OPA sent a Notice of Receipt of Complaint to NE#1. The Notice included the incident date, time, location, and Complainant, as well as the follow summary: "The NE provided the complainant with a case number and said a report would be written; however, there is no report."

On April 28, 2024, NE#1 completed an incident report for the above incident. She concluded with a statement noting, "the day I contact [the Complainant] I did not write this report for unknown reasons. It was later brought to my attention that here was no report."

OPA interviewed NE#1. She recalled the incident and noted that, under policy, she should have completed her report by the end of shift. NE#1 explained she simply forgot to do so, and it was a mistake. She elaborated, "When I got the notification, I went to figure out why the report wasn't written, there was no report and so to correct the mistake I wrote the report."

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.100 - Operations Bureau Individual Responsibilities, I. Patrol Officers, A. Responsibilities, 3. Complete Reports Accurately., b. Submit for approval ...

It was alleged NE#1 failed to complete a required report by the end of her shift.

SPD Policy 5.100(I) outlines various responsibilities of patrol officers. One of these is to submit reports for approval prior to the end of their shift. See SPD Policy 5.100(I)(A)(3)(b).



NE#1 admitted—on both her incident report and in her OPA interview—that she violated this policy. OPA fully credits NE#1's explanation that she simply forgot to write the report. The CAD call report and BWV showed NE#1 followed all other policies during her primary investigation, including providing the Complainant with a business card, incident number, and stating she would send him a link to upload his video. After receiving the Notice of Complaint, NE#1 submitted the report including an explanation that she failed to complete it on the date of incident. Although this was a human error, unfortunately, it is a policy violation not to complete a police report by the end of their shift. Here, the incident occurred on March 10, 2024 and the incident report was completed on or about April 28, 2024. The Complainant stated he felt fear for his safety, was threatened, and was not able to locate the incident report.

Discipline Meeting

On October 10, 2024, a discipline meeting took place. At the meeting, it was discussed that there had not been a prior incident for failing to complete a report by NE#1, that she took full responsibility, completed a report as soon as she knew about it, and followed all other policies during her primary investigation. OPA considered this with all other factors above and finds this was a human oversight and not willful misconduct and amends its DCM.

According, OPA recommends this allegation be Not Sustained – Training Referral.

- **Training Referral:** NE#1's chain of command should discuss OPA's findings with NE#1, review SPD Policies 5.100(l)(3)(b) and 15.180-POL-5 with NE#1, and provide any further retraining and counseling that it deems appropriate. The retraining and counseling conducted should be documented, and this documentation should be maintained in Blue Team.

Recommended Finding: **Not Sustained - Training Referral**