



CLOSED CASE SUMMARY

ISSUED DATE: NOVEMBER 5, 2024

FROM: DEPUTY DIRECTOR BONNIE GLENN ON BEHALF OF DIRECTOR GINO BETTS, JR.
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0210

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)

Named Employee #2

Allegation(s):		Director's Findings
# 1	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded (Expedited)

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:

On March 31, 2023, SPD officers responded to a dispute between the Complainant and her property manager. The Complainant alleged that Named Employee #2 (NE#2)—an unknown officer—unprofessionally coached her property manager into reporting her for harassment. On February 24, 2024, Named Employee #1 (NE#1) responded to a knife threatening incident and arrested the Complainant. The Complainant alleged that NE#1 was biased against her for being a vulnerable woman.

ADMINISTRATIVE NOTE:

This case was approved for Expedited Investigation. That means OPA, with the Office of Inspector General's (OIG) agreement, believed it could issue recommended findings based solely on its intake investigation without interviewing the named employees. As such, OPA did not interview the named employees in this case.

On July 30, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

On May 9, 2024, the Complainant called OPA and discussed two separate incidents. First, the Complainant alleged that NE#2 coached her property manager into reporting her for harassment, allowing the property manager to evict her for cause. Second, the Complainant alleged that NE#1 arrested her based on bias against a vulnerable woman.



OPA investigated the complaint by reviewing the computer-aided dispatch (CAD) call report, body-worn video (BWV), and police reports. On May 21, 2024, OPA interviewed the Complainant but terminated it upon learning she had legal representation.

Incident #1: Landlord-Tenant Dispute

On March 31, 2023, at 5:54 PM, CAD call remarks noted, "SEE [REPORTING PARTY] FOR RESIDENT THAT WAS EVICTED TODAY BUT REFUSING TO LEAVE, NO WEAPONS KNOWN."

Witness Officer #1 (WO#1)'s BWV captured the following:

WO#1 responded to an apartment and spoke with its property manager, who said the Complainant agreed to vacate her unit that day and permitted management to change her locks. WO#1 said she could not order the Complainant to leave but could arrest her based on a warrant. WO#1 spoke with a maintenance employee, who changed the lock on the Complainant's door. The maintenance employee said the Complainant threatened to shoot him with her slingshot. WO#1 and two backing officers approached the Complainant in her apartment and handcuffed her. WO#1 told the Complainant she was arrested for a domestic violence (DV) warrant.¹

WO#1's incident report was consistent with BWV observations. WO#1's incident report stated that the police were not involved in the agreement between the Complainant and property management.

Incident #2: Knife Threatening Incident

On February 24, 2024, at 4:26 PM, CAD call remarks noted, "FEMALE WAS INSIDE POINTING A KNIFE AT EMPL[OYEE]/[REPORTING PARTY] THREATENING TO STAB HIM, SHE JUST WALKED OUTSIDE, SHE WAS REFUSING TO LEAVE, SHE WAS SWINGING THE KNIFE AT THEM FOR ASKING HER TO LEAVE."

NE#1's BWV captured the following:

NE#1 searched for the Complainant while driving. NE#1 called someone and said he spotted the Complainant. NE#1 exited his patrol vehicle in a residential area, drew his Taser, and approached the Complainant, who walked away from NE#1. NE#1 identified himself and explained he was there due to 911 calls about a person carrying a knife. Two backing officers blocked the Complainant's exit route and ordered her to get on her knees with her hands raised. The Complainant complied.² A backing officer handcuffed the Complainant. NE#1 transported a store employee to the Complainant's location for a field show up. That employee identified the Complainant as the person who threatened another employee with a knife.

NE#1's police report was consistent with BWV observations. The backing officer's police report stated that the Complainant was arrested for felony harassment.

¹ WO#1's incident report stated that she verified the DV warrant on her computer, which also listed a second warrant for harassment.

² A backing officer's incident report stated that the Complainant dropped a black folding knife as she went to her knees.



ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing

The Complainant alleged that NE#1 was biased against her for being a vulnerable woman.

Biased policing means “the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well as other discernible personal characteristics of an individual.” SPD Policy 5.140-POL. Officers are forbidden from making decisions or taking actions influenced by bias and expressing prejudice or derogatory comments concerning personal characteristics. See SPD Policy 5.140-POL-2.

Being a vulnerable woman is not a discernible personal characteristic noted in SPD Policy 5.140-POL. Notwithstanding such omission, OPA found no evidence suggesting NE#1 was biased against the Complainant in any way. A 911 caller reported that the Complainant threatened a store employee with a knife. The Complainant had a knife on her person upon police contact. A store employee identified the Complainant at a field show up. Overall, the evidence suggests NE#1 arrested the Complainant based on probable cause for felony harassment, not bias against vulnerable women.

Accordingly, OPA recommends this allegation be Not Sustained – Unfounded (Expedited).

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

Named Employee #2 – Allegation #1

5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional

The Complainant alleged that NE#2 unprofessionally coached her property manager into reporting her for harassment.

SPD employees must “strive to be professional.” SPD Policy 5.001-POL-10. Further, “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers,” whether on or off duty. *Id.*

No such interaction as the Complainant described was captured on BWV. Instead, it captured WO#1 telling the property manager that she could not order the Complainant to leave. WO#1 also said she would arrest the Complainant for a warrant but indicated that the Complainant could return after her release. Neither WO#1 nor the two backing officers coached the property manager into reporting the Complainant for harassment. WO#1’s incident report also noted that the police were not involved in any agreement between the Complainant and property management.

Accordingly, OPA recommends this allegation be Not Sustained – Unfounded (Expedited).

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