



## CLOSED CASE SUMMARY

ISSUED DATE: NOVEMBER 24, 2024

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

CASE NUMBER: 2024OPA-0242

### 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)
# 2	15.180 – Primary Investigations, 15.180-POL-5. Officers Shall Document all Primary Investigations on a Report	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:

At the East Precinct, the Complainant reported to Named Employee #1 (NE#1) that she was a victim of cyberbullying. The Complainant alleged that NE#1 was biased against her based on her sexual orientation and age. The Complainant also alleged that NE#1's report was inaccurate.

### 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 employee. As such, OPA did not interview the named employee in this case.

On July 5, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

### SUMMARY OF INVESTIGATION:

On June 3, 2024, the Complainant told OPA that she reported cyberbullying to NE#1. She said five people were trying to get her to commit suicide. She alleged that NE#1 was biased against her based on her sexual orientation and age and that NE#1 inaccurately documented in his report that she was Asian and had hallucinations.

OPA investigated the complaint by reviewing the computer-aided dispatch (CAD) call report, behavioral crisis report, body-worn video (BWV), and email correspondence. OPA also interviewed the Complainant.

On October 13, 2023, at 5:00 PM, "SUSPICIOUS PERSON, VEHICLE, OR INCIDENT" was coded into CAD.

NE#1's behavioral crisis report stated that the Complainant entered the East Precinct and initially reported that she almost fell victim to a PayPal scam. NE#1 wrote that she then claimed that four ex-friends slandered her online, and her



ex-partner stole her money. NE#1 wrote that she claimed she was assaulted when she confronted her ex-partner, but then suggested a door struck her foot instead. NE#1 noted that the Complainant changed the subject, struggled to stay on topic, and declined additional police assistance. NE#1 believed she did not qualify for a mental health evaluation. NE#1 wrote that on October 14, 2023, he received a protection order for service, listing a woman as the protected party and the Complainant as the respondent. NE#1 wrote that the protected party told him that the Complainant's mental health conditions were deteriorating.

NE#1's behavioral crisis report was consistent with BWV observations. Moreover, the Complainant's emails to OPA on June 16 and 18, 2024, were consistent with her OPA complaint.

**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 based on her sexual orientation and age.

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. It includes different treatment based on sexual orientation or age. *See id.* 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.

BWV captured the interaction between NE#1 and the Complainant at the East Precinct. The Complainant reported cyberbullying to NE#1 and spoke about unrelated topics. During their conversation, NE#1 was courteous, attentive, and responsive to the Complainant. NE#1 was not dismissive of her concerns. Instead, NE#1 provided a business card and said he would document her statements in a report. NE#1 also advised her to call 911 if she needed help or considered harming herself. Overall, OPA found no evidence supporting the Complainant's interpretation of mistreatment based on her sexual orientation or age.

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

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

**Named Employee #1 – Allegation #2**

***15.180 – Primary Investigations, 15.180-POL-5. Officers Shall Document all Primary Investigations on a Report***

The Complainant alleged that NE#1 inaccurately documented in his report that she was Asian and had hallucinations.

Officers must document all primary investigations in a report. SPD Policy 15.180-POL-5. All reports must be complete, thorough, and accurate. *Id.*

NE#1 appeared to have a reasonable basis to label the Complainant as Asian in his behavioral crisis report. Past reports listed her as white or Asian, and her last name, as noted on her driver's license, suggested an Asian name. OPA found no evidence suggesting NE#1 intentionally mislabeled the Complainant's race. Moreover, NE#1's report stated that the



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Complainant “did not meet the criteria for a mental health evaluation.” NE#1 also documented that the protected party in the protection order reported to him that the Complainant’s “mental health issues” were deteriorating. Although NE#1 listed the Complainant’s behavior as hallucinations / delusions, on the Behavioral Crisis Report, he also listed the information shared with him to include her abrupt changes in the subject and the difficulty of her staying on topic. Based on the evidence provided, OPA finds it reasonable that NE#1 observed the Complainant and listed his observations based on his training and experience. Overall, OPA found no evidence NE#1 intentionally provided inaccurate information in his report, but rather listed his observation of her behavior.

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

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