



## CLOSED CASE SUMMARY

ISSUED DATE: DECEMBER 19, 2024

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

CASE NUMBER: 2024OPA-0285

### Allegations of Misconduct & Director's Findings

#### Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 – Standards and Duties, 5.001-POL-2. Employees Must Adhere to Laws, City Policy, and Department Policy	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:

Named Employee #1 (NE#1)—a parking enforcement officer—cited the Complainant for an unattended car blocking traffic infraction next to the East Precinct. The Complainant alleged that NE#1 assaulted him by grabbing his hand.

### 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 a recommended finding based solely on its intake investigation without interviewing the named employee. As such, OPA did not interview the named employee in this case.

On August 20, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

### SUMMARY OF INVESTIGATION:

On June 27, 2024, the Complainant left OPA a voicemail, alleging that NE#1 assaulted him. On July 2, 2024, OPA interviewed the Complainant. He said he parked his car in the center turn lane, retrieved a key fob from his girlfriend, and returned to his car where he was cited by NE#1. He said he argued with NE#1 and demanded it be taken. He alleged that NE#1 grabbed his hand, took the ticket, and walked away while ripping it.

OPA investigated the complaint by reviewing the East Precinct's security camera and traffic infraction.

An East Precinct security camera captured the Complainant parking his car in a center turn lane. He activated his car's emergency lights, exited, and walked away. NE#1 parked his police scooter behind the Complainant's car, exited, and issued a citation. About a minute later, the Complainant approached, entered his car, and closed the door. The Complainant reopened the door and appeared to have thrown the ticket, prompting NE#1 to pick it up and place it on the windshield. NE#1 walked toward his police scooter. The Complainant exited his car, grabbed the ticket from the windshield, and approached NE#1, who stood in front of his police scooter. NE#1 (shown in blue) extended his arm toward the Complainant (shown in red), appearing to grab either the Complainant's hand or ticket:



After a brief dialogue, NE#1 walked toward the right side of his police scooter while holding onto the ticket. The Complainant refused to release it, causing it to rip. The Complainant threw the ticket toward NE#1, reentered his car, and drove away.

The Complainant's infraction noted a "BLOCKING/OBSTRUCTING TRAFFIC" violation. It also noted that the Complainant's car was unattended.

#### **ANALYSIS AND CONCLUSIONS:**

##### **Named Employee #1 – Allegation #1**

##### ***5.001 – Standards and Duties, 5.001-POL-2. Employees Must Adhere to Laws, City Policy, and Department Policy***

The Complainant alleged that NE#1 assaulted him by grabbing his hand.

Employees must adhere to laws, city policy, and department policy. SPD Policy 5.001-POL-2.

The East Precinct's security camera showed the Complainant's apparent agitation over the parking ticket. He initially threw it out of his car. He then removed it from his windshield and quickly approached NE#1, who was walking away. NE#1 extended his arm toward the Complainant in what appeared to be a defensive gesture against the Complainant's aggressive disposition. Any contact with the Complainant's hand, incidental or otherwise, would not constitute assault based on the totality of circumstances.

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

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