

2023 Office of Professional Accountability January 2023 complaints (None received)

November/December 2022 updates

PC22-046

Received:

November

**Complaint: Standards of conduct: relationships Disposition:
Exonerated**

Officers were dispatched to a disturbance. A complaint was received later in reference to one of the investigating officers having inappropriate contact with one of the involved parties in the original disturbance. Specifically, the nature of the complaint was the officer had a familial relationship with one of the involved parties and due to this relationship information was being relayed to the involved subject. After investigation it was found that the officer had appropriately documented and recorded their contact on the phone with the involved party which showed the officer had used their relationship to help de-escalate the disturbance.

PC22-129

Received:

December

Complaint: Bias Based

Disposition: Closed

Officers were on foot patrol downtown when they witnessed a subject walk through the crosswalk against the steady red no walk signal causing two vehicles to stop and wait for the subject. Officers contacted the subject and explained the ordinance to the subject who continued to walk away from officers, but officers walked with the subject speaking slowly and trying to calm the subject down. The subject had no form of identification on their person and was ultimately cited and released from the scene. A third party not involved alleged bias in the manner the citation was issued.

PC22-052

Received:

December

**Complaint: Excessive Use of Force
Exonerated**

Disposition:

Officers were dispatched to a report of suspicious activity, specifically, the reporting party was alleging that people with out of state license plates were parking on the road and they were going to shoot them. Officers arrived and made phone contact with the subject who assured them they were unarmed. The subject proceeded to exit the residence with a rifle in their hand. Officers convinced the subject to drop the weapon, at which time they grabbed a sheathed machete and a cinderblock, throwing both items towards officers. An officer was able to de-escalate the subject to get them away from the weapons and they were placed under arrest safely. The subject never alleged that officers used excessive force, the complaint was made by a third party.

At the conclusion of investigating a personnel complaint, the investigative file will be forwarded to the Chief of Police for review. The Chief of Police or authorized designee will approve or determine the final disposition, and any related corrective or disciplinary actions. Each personnel complaint shall be classified with one of the following dispositions:

- **Sustained** - The greater weight of the evidence establishes that the complaint is valid and that the employee violated department policy and/or law.
- **Not sustained** - Insufficient evidence to either prove or disprove the allegation(s).
- **Exonerated** - When an allegation of policy or law violation is made, and the outcome of the investigation determines the incident occurred but was lawful/within policy.
- **Unfounded** - The allegation is false or not factual or the employee was not involved.
- **Withdrawn** – The complainant withdraws the complaint prior to the investigation being completed.
- **Commended** - The investigation revealed that the involved employee did not do anything wrong and the employee's action is instead worthy of commendation.
- **Training issue** - During the course of the investigation, it is determined that the involved department members were not sufficiently trained to handle the situation.
- **Policy deficiency** - During the course of the investigation, it is discovered that department policies are in need of revision in order to provide department members with direction. Employee was acting within policy that resulted in unfair or inappropriate treatment of a citizen.
- **Inquiry** - An expression of dissatisfaction of conduct or performance was made and even if true the complaint would not be a violation of policy or applicable law.