

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	July 17, 2018
Time of Incident:	3:00 PM
Location of Incident:	[REDACTED]
Date of COPA Notification:	July 20, 2018
Time of COPA Notification:	3:46 PM

Officers conducted a traffic stop after observing [REDACTED] run a stop sign. She refused to cooperate with police officers during the stop, which occurred in front of her home. Now, Ms. [REDACTED] alleges that the Accused Officers used excessive force during the encounter. A review of the audio and video evidence shows there is no factual basis for this claim.

**II. INVOLVED PARTIES**

Involved Officer #1:	[REDACTED] Star [REDACTED] Employee [REDACTED] DOA [REDACTED] DOB [REDACTED] Unit [REDACTED] Male/White.
Involved Officer #2:	[REDACTED] Star [REDACTED] Employee [REDACTED] DOA [REDACTED] DOB [REDACTED] Unit [REDACTED] Male/Hispanic.
Involved Individual #1:	[REDACTED] DOB [REDACTED] Female/Black

**III. ALLEGATIONS**

Officer	Allegation	Finding / Recommendation
[REDACTED]	1. It is alleged by [REDACTED] that on July 17, 2018, at 3:00PM, at [REDACTED] [REDACTED] the accused used excessive force on her person in violation of Department Rules and Regulations.	Unfounded
[REDACTED]	1. It is alleged by [REDACTED] that on July 17, 2018, at 3:00PM, at [REDACTED] [REDACTED] the accused used	Unfounded

excessive force on her person in violation of Department Rules and Regulations.
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#### IV. APPLICABLE RULES AND LAWS

##### Rules

Rule 1: Violation of any law or ordinance.

Rule 8: Disrespect to any person while on or off duty.

Rule 9: Engaging in any unjustified verbal or physical altercation with any person while on or off duty.

#### V. INVESTIGATION<sup>1</sup>

##### a. Interviews

On July 23, 2018, Complainant ██████████ provided a statement to COPA in which she described the following events. On July 17, 2018, ██████████ and her 15-year old brother, ██████████ were at the corner store around the corner from her house. ██████████ was waiting in her vehicle for her brother to finish shopping. According to ██████████ while she was waiting, an unmarked CPD vehicle drove past her parked car so closely to her car that it almost knocked off her driver's side mirror. ██████████ observed the CPD vehicle (a black Ford Explorer) leave the corner store lot and proceed to park at the stop sign on Kolin Avenue, the street where she lives. ██████████ did not give the location of the store, but stated the store was located 3 minutes from her home.

When ██████████ finished shopping and returned to ██████████ vehicle, she drove to their home at ██████████ passing the CPD vehicle, which she said was parked on the corner of Kolin Avenue. ██████████ entered their home and ██████████, still outside, turned and saw the CPD vehicle with its activated emergency lights park behind her vehicle. An officer (later identified as ██████████) got out of the vehicle, ran up the stairs of the home, grabbed ██████████ by her arm and told her not to enter her house as he was stopping her for a traffic violation.<sup>2</sup> ██████████ stated she questioned the officers as to the legality of their actions of detaining and questioning her for a traffic stop, when she was already out of her vehicle, about to enter her home.<sup>3</sup> ██████████ stated that she obtained ██████████ name from his uniform but his partner refused to give his name and stood on the side observing. ██████████ informed her that she had ran the stop sign on Kolin Avenue. ██████████ then placed her car keys on the ledge of the front porch of her house and called her mother from her cellphone. During her interview, ██████████ did not address whether she actually ran the stop sign.

While talking with her mother, ██████████ and ██████████ continued to argue over the traffic stop. ██████████ told her mother to call her grandmother who lived in ██████████ apartment

<sup>1</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>2</sup> The Officer is later identified as ██████████ Star ██████████, and his partner was ██████████, Star ██████████.

<sup>3</sup> BWC footage reveal that this discussion involved ██████████ cursing, refusing to obey the officer's instructions, and being uncooperative.

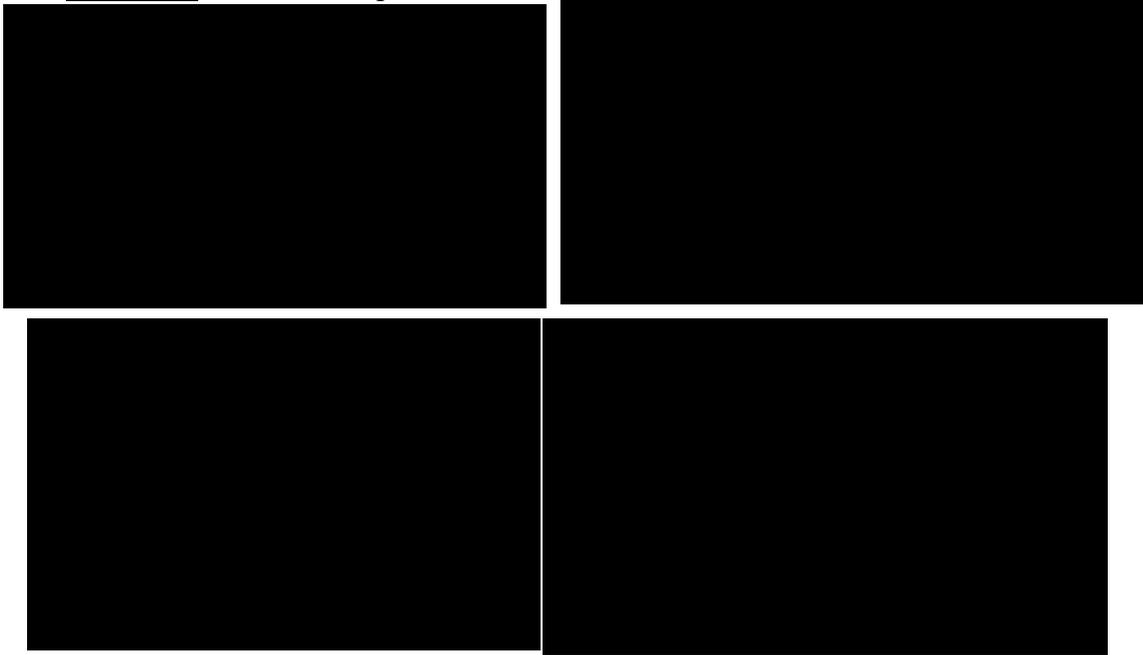
building. [REDACTED] also began to film the officer with her phone. The officer then tried to take [REDACTED] cellphone. When neighbors came outside and started filming, the officer took [REDACTED] car keys from the front porch and eventually gave her car keys back to her.

[REDACTED] never stated whether she received a traffic violation. However, she did state that, shortly after police left, a tow truck arrived in front of her house. She ran to her car and parked it in the garage behind her house, defeating the tow.

**b. Digital Evidence**

**REVIEW OF BODY WORN CAMERA VIDEO – 3 OFFICERS**

1. [REDACTED]  
 An unmarked police vehicle pulls behind [REDACTED] vehicle parked in front of [REDACTED] [REDACTED]. [REDACTED], a passenger in the vehicle, gets out and tells [REDACTED] that if she does not come down from the porch, she will be arrested.<sup>4</sup> [REDACTED] then tries to explain that it is a traffic stop for running a stop sign as his partner stands quietly to the side, and a young man later identified as [REDACTED] brother, attempts to deescalate the argument between [REDACTED] and [REDACTED].



[REDACTED] refuses to provide officers with her license and insurance card and starts recording them on her cellphone. [REDACTED] curses [REDACTED] and he responds by telling her that she will be going to jail. [REDACTED] takes [REDACTED] car keys from the front porch but returns them to her after she continues to argue and curse at him.

[REDACTED] is shown holding [REDACTED] arm for control, while backup police vehicles arrive on scene.<sup>5</sup> [REDACTED] said one curse word throughout the thirteen-minute encounter.

<sup>4</sup> Att. #11, [REDACTED] BWC at timer at 00:43.

<sup>5</sup> Att. #11, [REDACTED] BWC at timer at 06:00.



██████████ grandmother emerges from the apartment building and attempts to grab and control ██████████ who now appears to be emotionally distraught and violently cursing and shaking. An unknown shirtless Black male emerges from the apartment building and grabs ██████████ trying unsuccessfully to control her.<sup>6</sup>

2. Accuse ██████████  
██████████ is ██████████ partner, and was the driver of their vehicle. ██████████ BWC is substantially like his partner's footage.
3. ██████████  
██████████ arrived on the incident scene after ██████████ and ██████████ were already engaged with ██████████. ██████████ is still seen arguing and not cooperating. All police officers present appear to just observe ██████████ behavior.

Backup officers arrived at the scene as ██████████ continued to argue with ██████████. Ultimately, nine officers were present. A female officer placed an orange tow sticker on ██████████ car. Eventually, all officers, including ██████████, left.

### c. Documentary Evidence

#### OEMC Report<sup>7</sup>

The OEMC report indicates that the officers ran a LEADs check on ██████████ vehicle which came back clear for warrants and violations.

## VI. ANALYSIS

██████████ and ██████████ properly made a traffic stop after observing ██████████ failure to stop at a stop sign. They asked ██████████ for her driver's license and proof of insurance. ██████████ refused to cooperate with the officers and began to argue with them about the validity of the traffic stop. She soon started cursing and berating the police officers, with no apparent

<sup>6</sup> Att. #11, ██████████ BWC at timer at 07:36. The entire duration of incident revealed by ██████████ BWC is 13.5 minutes.

<sup>7</sup> Att. #12. OEMC PDT Messages Report July 17, 2018.

provocation on their part. [REDACTED] statement saying officers used excessive force by grabbing her arm is contrary to video evidence, which calls into question the veracity of her statement. Video evidence indicate the officers acted with restraint in attempting to obtain the cooperation of [REDACTED]. [REDACTED] only lightly and briefly held onto [REDACTED] arm to control her. Based upon the BWC footage from three of the responding officers and the totality of the circumstances COPA finds that the allegations against [REDACTED] and [REDACTED] are unfounded.

**VII. CONCLUSION**

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding / Recommendation
[REDACTED]	1. It is alleged by [REDACTED] that on July 17, 2018, at 3:00PM, at [REDACTED], the accused used excessive force on her person in violation of Department Rules and Regulations.	Unfounded
[REDACTED]	1. It is alleged by [REDACTED] that on July 17, 2018, at 3:00PM, at [REDACTED], the accused used excessive force on her person in violation of Department Rules and Regulations.	Unfounded

Approved:

\_\_\_\_\_  
 [REDACTED]  
 Deputy Chief Administrator – Chief Investigator

\_\_\_\_\_  
 Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	█
<b>Investigator:</b>	████████████████████
<b>Supervising Investigator:</b>	██████████████████
<b>Deputy Chief Administrator:</b>	██