

COPA reviewed **Body Worn Camera (BWC)** the arresting officers curbed [REDACTED] for a minor traffic violation and curbed the vehicle. As Officer [REDACTED] contacts the driver [REDACTED] is heard slurring his speech. [REDACTED] admits to consuming several alcoholic beverages but denies having any alcoholic beverages inside the vehicle. [REDACTED] gives Officer [REDACTED] permission to search his vehicle. Officer [REDACTED] asks [REDACTED] to exit the vehicle several times, each time [REDACTED] refuses and becomes irate. As Officer [REDACTED] attempts to remove [REDACTED] from the vehicle, [REDACTED] pulls away from Officer [REDACTED] and bites Officer [REDACTED] on his left forearm causing bruising and penetration to skin. [REDACTED] is taken to the ground, handcuffed and transported to the [REDACTED] District for processing.²

According to the **Department Reports (CB # [REDACTED] & [REDACTED])** during the process of [REDACTED] arrest, [REDACTED] was combative and refused to be fingerprinted and/or photographed upon her initial arrival into lockup.

III. ANALYSIS AND CONCLUSION

Allegation #1 against Officer [REDACTED] is Exonerated

[REDACTED] alleged that Officer [REDACTED] arrested her without justification. Based on the BWC COPA finds that Officer [REDACTED] was justified in requesting the occupants out of the vehicle to conduct a search. Officer [REDACTED] stopped [REDACTED] vehicle for a minor traffic violation, observed the driver, [REDACTED] slurring his speech and suspected that he had consumed alcohol. The arresting officers conducted a preliminary investigation, were given permission to search the vehicle and ordered all occupants to exit the vehicle. [REDACTED] refused to exit the vehicle, pulled away from Officer [REDACTED] as he attempted to remove her from the vehicle and bit Officer [REDACTED] on his left forearm. During her statement to COPA, [REDACTED] admitted that she bit Officer [REDACTED] during her arrest.

Officer [REDACTED] was justified for arresting [REDACTED] for battery when she bit Officer [REDACTED] therefore COPA finds that allegation #1 against Officer [REDACTED] be Exonerated.

Allegation #2 against Officer [REDACTED] is Not Sustained

[REDACTED] alleged that Officer [REDACTED] handcuffed her too tightly. In her statement to COPA, [REDACTED] stated that she requested that the handcuffs be removed and/or loosened because they were too tight. BWC footage shows that [REDACTED] requested that the handcuffs be removed because she argued she had not committed a crime; however [REDACTED] did obtain medical treatment for pain to her hand and wrist. The BWC does not provide any evidence that the officers used the handcuffs to inflict pain however the BWC does show [REDACTED] resist during the entire process of her arrest, which likely caused the handcuffs to move around and cause discomfort. COPA finds that there is not enough evidence to support allegation #2 against Officer [REDACTED] nor is their sufficient evidence to exonerate him, therefore the allegation is Not Sustained.

² Based on the complainant's admission to having bit Officer [REDACTED] and the evidence from the Department reports along with the BWC, the involved and accused officers were not interviewed.

Approved:



January 28, 2020

Andrea Kersten
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	
Investigator:	
Supervising Investigator:	
Deputy Chief Administrator:	
	Andrea Kersten