

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	April 22, 2019, 3:05 p.m., [REDACTED]
Date/Time of COPA Notification:	April 23, 2019, 11:37 a.m.
Involved Officer #1:	[REDACTED] star # [REDACTED], employee ID# [REDACTED], Date of Appointment: [REDACTED], 2012, PO, Unit [REDACTED], DOB: [REDACTED], 1985, Male, White Hispanic
Involved Officer #2:	[REDACTED] star # [REDACTED], employee ID# [REDACTED], Date of Appointment: [REDACTED], 2015, PO, Unit [REDACTED], DOB: [REDACTED], 1985, Male, White Hispanic
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1994, Male, Black
Case Type:	05A

I. ALLEGATIONS¹

Officer	Allegation	Finding
Officer [REDACTED]	It is alleged by [REDACTED] that on or about April 22, 2019, at approximately 3:05 p.m., at or near [REDACTED], Officer [REDACTED] star # [REDACTED], committed misconduct through the following acts or omissions, by: 1. stepped on [REDACTED] foot; and 2. punched [REDACTED] on or about the face.	Unfounded Unfounded

SUMMARY OF EVIDENCE

On April 22, 2019, [REDACTED] ([REDACTED] saw officers coming, aggressively,² toward him while he was stopped talking to a someone.³ [REDACTED] had just recently been locked up, so he took off running.⁴ Officer [REDACTED] (Officer [REDACTED] followed [REDACTED] on foot, and Officer [REDACTED] (Officer [REDACTED] followed in the police vehicle. [REDACTED] did not hear any officer

¹ COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA’s ongoing efforts to increase case closure capacity, certain investigations are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

² [REDACTED] did not explain what he meant by aggressively.

³ [REDACTED] described this person as a close friend but did not identify them.

⁴ Attachment 4.

commands while running, but he did hear someone yell, “He’s running. He’s got a gun.”⁵ Eventually, ██████ stopped in a McDonald’s parking lot, and was detained. As Officer ██████ exited his vehicle, ██████ had his hands in the air and moved to the ground. Per Officer ██████ command, he laid on the ground on his stomach. Officer ██████ handcuffed ██████ without the use of force, conducted a custodial search, and removed two packs of Newport cigarettes from ██████ pocket. ██████ stated he was scared, he just got out of jail. Officer ██████ did not believe him. ██████ said he just had some marijuana that he dropped somewhere. Officer ██████ responded that ██████ got scared because Officer ██████ wanted to stop him because he thought ██████ was selling drugs. ██████ denied selling drugs, and denied having a gun.⁶ Officer ██████ and other officers searched the area, but did not recover the marijuana or a gun.⁷ Officers ██████ (Officer ██████) and ██████ (Officer ██████) transported ██████ to District ████ police station and escorted him directly inside to a processing room. Officers ██████ and ██████ met them inside the station.⁸

██████ alleged Officer ██████ in an attempt to force ██████ to tell on someone else, took him into the alley, stepped on his foot, and punched him one or two times in the jaw. ██████ thought he was going to be killed, while Officer ██████ watched and laughed. Then, Officer ██████ escorted ██████ to the front entrance of the police station. ██████ further alleged, he asked the Detention Aides for medical assistance, but was never provided assistance.⁹ He did not seek medical assistance¹⁰ after he was released because he could not find a ride.¹¹

II. ANALYSIS AND CONCLUSION

COPA finds the allegations that Officer ██████ stepped on ██████ foot and punched ██████ on or about the face is **Unfounded**. An officer will only use force that is objectively reasonable, necessary and proportional in order to ensure the safety of the officer or control the individual.¹² ██████ stated Officer ██████ took him in the alley, stepped on his foot and punched him in the jaw. However, BWC clearly shows ██████ complied with officer commands and no force was used against him. The BWC chronicled the entire interaction between police officers and ██████ from the moment Officer ██████ approached ██████ until he was at the police station, specifically: when Officer ██████ placed ██████ into custody, when officers escorted ██████ to the transport vehicle, the officers transport of ██████ to the District ████ police station, and when ██████ exited the police vehicle and was escorted by Officer ██████ and ██████ into the police station. ██████ complied with officer directions and no force was used against him at any time. The BWC and officer reports are consistent and provide clear and convincing evidence that at no time did Officer ██████ step on ██████ foot, punch him, or use any force against ██████

⁵ Attachment 4. ██████ stated the officers thought he had a gun because he ran. However, on his BWC, Officer ██████ said, ██████ had a gun because he was holding his side the whole time he ran. Additionally, Officer ██████ later, stated to Officer ██████ that he thought there was a gun due to a bulge on ██████ See Attachments 7,8,13.

⁶ Attachments ██████, ██████

⁷ Attachments 13,17.

⁸ Attachments 13,17.

⁹ Because the use of force allegations that caused injury were are unfounded, this allegation was not served.

¹⁰ ██████ stated his jaw still hurts and he gets headaches.

¹¹ Attachment 4.

¹² General Order G03-02 III.B.

Based on the evidence, it is clear Officer [REDACTED] did not step on [REDACTED] foot or punch him on or about the face. Therefore, these allegations are **Unfounded**.

Approved:

[REDACTED]

4-22-2020

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	█
Investigator:	██████████
Supervising Investigator:	██████████
Deputy Chief Administrator:	Angela Hearts-Glass