



## ***CLOSED CASE SUMMARY***

ISSUED DATE: DECEMBER 8, 2024

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

CASE NUMBER: 2024OPA-0284

### **Allegations of Misconduct & Director's Findings**

#### **Named Employee #1**

Allegation(s):		Director's Findings
# 1	5.001 – Standards and Duties, 5.001-POL-11. Employees Will Be Truthful and Complete in All Communication	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:**

Witness Officer #1 (WO#1) and Named Employee #1 (NE#1) detained the Complainant during their investigation into a stolen camper. The Complainant alleged that NE#1 was untruthful about the camper being stolen.

### **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 July 18, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

### **SUMMARY OF INVESTIGATION:**

On June 12, 2024, OPA contacted the Complainant, who sought to file a complaint against NE#1. The Complainant said he was accused of stealing a camper and subsequently detained and Mirandized. The Complainant alleged that NE#1 lied when NE#1 told him the camper was stolen. The Complainant said he was not associated with it.

OPA investigated the complaint by reviewing the computer-aided dispatch (CAD) call report, body-worn video (BWV), and supplement report. OPA also interviewed the Complainant.

On February 27, 2024, at 11:58 AM, CAD call remarks noted, "AUTO THEFT OF TRUCK WITH TOP CAMPER, OCC[URRE]D 01/28/24: 0000 - 2359, SUSP[ECT] INFO[R]MATION POSS[IBLY] AVAILABLE WITH STAFF, NO WEAPONS, NO TRACKING. THE TRUCK WAS IMPOUNDED TO LINCOLN AURORA ON 02/20/24, BUT DOES NOT APPEAR TO HAVE THE TOP CAMPER ATTACHED. NEGATIVE TOPS/TOWS FOR CAMPER." Dispatch noted the camper's physical description, year, type, and vehicle identification number (VIN).

On March 5, 2024, at 1:07 PM, "SUSPICIOUS STOP – OFFICER INITIATED ONVIEW" was coded into CAD.



BWV captured WO#1 and NE#1 driving to a homeless encampment<sup>1</sup> and inspecting a parked camper surrounded by vehicles, bicycles, and motorcycles. The officers inspected the rear of the camper.<sup>2</sup> The Complainant approached the officers, prompting NE#1 to ask, "What's up, man? Why did you circle around?" He replied he could snoop around and hang out. WO#1 asked whether he knew the camper's owner. The Complainant said he thought it belonged to one of the residents. He loitered nearby and watched the officers inspect the camper. NE#1 asked the Complainant whether any item in front of the camper belonged to him. He denied any ownership and said he was unsure who owned any of it. NE#1 asked whether the items were abandoned. The Complainant did not respond, looked at NE#1, and walked away. NE#1 asked, "That was a question. Just gonna wander off?" The officers were unable to enter the locked camper.

BWV captured the officers reapproaching the Complainant and telling him he was detained. WO#1 said he saw the Complainant standing a foot away from the stolen camper upon WO#1's arrival. WO#1 Mirandized him. The Complainant denied any association with the camper, saying he simply socialized with people in the encampment. WO#1 documented the Complainant's identification. NE#1 said he believed the Complainant was associated with the camper. The Complainant again denied any association with it and accused NE#1 of lying. NE#1 said association was different from possession. NE#1 also said they would search the camper. The Complainant denied having any belongings in it or knowing who was inside. NE#1 returned to the rear of the camper and used a wrench to open the door.<sup>3</sup> The officers searched the camper, found no one inside, and then returned to their patrol vehicles.

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

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

##### ***5.001 – Standards and Duties, 5.001-POL-11. Employees Will Be Truthful and Complete in All Communication***

The Complainant alleged that NE#1 was untruthful about the camper being stolen.

Department employees must be truthful and complete in all communications. SPD Policy 5.001-POL-11.

This allegation is unfounded. A record check of the VIN returned as a stolen camper. According to the CAD log, dispatch verified the stolen hit at 1:41 PM. Thus, NE#1 truthfully told the Complainant that the camper was stolen. OPA also found no evidence suggesting any other statement NE#1 made during his investigation was untruthful.

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

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

<sup>1</sup> WO#1's supplement report stated that this location was a known high crime area, with many multiple stolen vehicle recoveries and arrests occurring there.

<sup>2</sup> WO#1's supplement report stated that a sticker attached to the rear of the camper contained the VIN, which radio verified as stolen.

<sup>3</sup> At this time, WO#1 remained with the Complainant. WO#1's supplement report stated that the Complainant was no longer detained after questioning ended.