

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Chief Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GRZ* *oys*
Internal Affairs Section

PD
DATE: June 9, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0021

Complainant:

Alexia L. Jamrowski
c/o Walgreens
4315 6th Avenue
Tacoma, WA 98406
253.222.0841

On March 6, 2023, Alexia Jamrowski contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0021.

Allegation: Courtesy

COMPLAINT SUMMARY

Alexia Jamrowski alleges the officer was rude regarding her call for service of an unwanted subject.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Alexia Jamrowski called South Sound 911 (SS911) to file a complaint stemming from a call for service where an unwanted person was banging on the front door to her business prior to them opening the store. Upon initial intake of Alexia's complaint, she stated Officer Barberi was rude while speaking to her on the phone. At the time, Alexia told Officer Barberi that she wanted the subjects moved off the property. Officer Barberi told her they could ask them to move along but could not make them. She asked Alexia to go outside to see if the subject was still there. Alexia advised that she described the subject and vehicle, did not feel safe going outside, and felt Officer Barberi was rude in asking her to step outside as she felt her safety was threatened. She added that Officer Barberi said, "Okay, I'm ending this call," and then hung up.

A review of the Computer Aided Dispatch (CAD) system showed Officer Barberi, Officer Farinas and Officer Hamer were dispatched to Walgreens. The description of the suspect was a mixed race black and Asian female in a White 2000s minivan "...behind the building inside a vehicle." Officers responded and noted they located a White 2002 Dodge minivan on the east side of the building in the parking lot.

The body worn cameras (BWC) of the officers were then reviewed. They located a white minivan in the far back parking lot on the northeast side of the business behind the tire shop. The description of the white minivan and location of where it was parked matched the information given by the complainant, Alexia. Officer Farinas and Officer Hamer contacted the uncooperative female occupant who would not show herself.

Officer Barberi then went to her vehicle and contacted Alexia on the phone. It can be heard through the audio Officer Barberi talking to Alexia in a low, calm voice with a normal tone. Officer Barberi asked if the vehicle was in the back of the building, and Alexia said it was by the tire shop. Officer Barberi confirmed with Alexia the description of the subject was a mixed black and Asian female. Officer Barberi asked about the subject, what she was doing, and asked if she did not want her as a customer. Alexia stated she did not want the person back. Officer Barberi advised she did not know if the female would identify herself and that they would do what they could to trespass her and move her along. Officer Barberi continued to explain that if she would not identify herself, they would not be able to forcibly remove her or the vehicle. Alexia said she wanted officers to get her off her property. Officer Barberi advised they could not physically pick her up and force her off the property. She also advised they could ask her to leave but if the person did not want to identify herself, they had limitations.

Officer Barberi then spoke about a blue truck next to the white van, which Alexia did not know about. In a low, calm and normal tone, Officer Barberi then asked, "Can you please look out the window because we might be talking to a different person." It was inaudible of Alexia's response, but Officer Barberi asked if she was coming outside. Alexia then raised her voice that she was coming outside but the rest was inaudible. Officer Barberi then replied, "Okay, I'm asking you a question so that I can..." Alexia responds inaudibly, and Officer Barberi replied, "Okay, thank you" and then said, "I'm ending the phone call."

Officer Barberi then spoke to Officer Farinas saying Alexia did give permission to the person in the white minivan to live in her vehicle in the parking lot and may be looking for a different car. She said they would wait for Alexia to come out, but she did not. They eventually spoke to the subject in the vehicle who was a white female and did not match the description given earlier.

Officer Barberi then added notes in CAD about how she contacted the manager and was unclear if officers were contacting the correct problem subject as some vehicles were given permission to be there, and they were unable to identify the correct person. CAD notes were also added after Officer Barberi talked to Alexia when she called back to say it was actually a silver car facing the tire shop on the corner. Officer Barberi and other officers then located the silver minivan and contacted a black male who was the only occupant and asked him to leave, which he did. The BWC showed the silver minivan was on the southeast corner of the building facing the tire shop and was closer to the front of the building than the back of the building. No one matching the female subject in question was located.

Officer Barberi was interviewed regarding this complaint. She stated they were at the white minivan at the back of the building near the tire shop with a female occupant just as Alexia initially reported. The female was uncooperative and would not get out of her vehicle or show herself at first. She called the complainant, Alexia, to get more information about the subject and was advising Alexia that the person was uncooperative. She tried to explain they would try to have her leave but could not use force to make her leave. She said it sounded like the manager allowed people to live in their vehicles in the parking lot, and the officers were at the wrong vehicle. Officer Barberi said she was only trying to ask the manager if she could look out the window or come out to point out where the subject actually was. She did not yell, cuss or was rude in speaking to Alexia and was just trying to explain things and get clarification on where the subject was.

Alexia Jamrowski was re-contacted by phone for follow-up to her complaint. She said she believed Officer Barberi was rude. She said she requested the subject be removed from the property, and Officer Barberi spoke about not being able to physically remove them if they would not cooperate as well as officer limitations. She said she also thought Officer Barberi was rude when she asked for her to come outside of the building when she felt her safety was in question. She added that Officer Barberi said she was ending the call and then hung up.

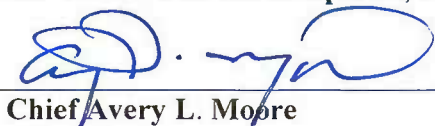
COMMANDER REVIEW

A thorough review of this investigation was completed. Officers were dispatched to an unwanted person in the parking lot of Walgreens as reported by the store manager. The involved officer called the manager on the phone to seek clarification as to exactly who needed to be trespassed. The conversation was captured on the involved officer's BWC. The conversation itself was acceptable from a performance expectation; however, the involved officer abruptly ended the phone call by saying something to the effect of, "Okay, I'm ending the phone call now." The officer then hung up the phone without any follow-up conversation one would expect between two individuals conversing in a normal manner, and particularly from an officer expected to conduct themselves in a professional manner. I recommend this Courtesy allegation be found Sustained.

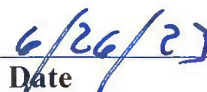
FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Barberi, as well as review of the body worn camera footage. The investigation was then reviewed by the officer's chain of command. The allegation of Courtesy against the involved officer is concluded as **Sustained**, which is *a final disposition of a complaint when it is found that the member acted improperly with respect to the Department policy.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Chief Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

August 3, 2023

Alexia L. Jamrowski
c/o Walgreens
4315 6th Avenue
Tacoma, WA 98406

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0021

Ms. Jamrowski,

On March 6, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0021.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Sustained for the allegation Courtesy. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR CLK* *D* **DATE:** June 9, 2023
Internal Affairs Section

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0036

Complainant:

Mr. Hieu Nguyen
7027 East J Street
Tacoma, WA 98404
253.439.7156

On April 11, 2023, Hieu Nguyen contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0036.

Allegation: Non-Discrimination Policy

COMPLAINT SUMMARY

Mr. Hieu Nguyen alleges the officer who responded to a collision made two statements believed to be due to racial bias.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

The initial complaint was sent via email from Mr. Hieu Nguyen who is a commissioner on the City of Tacoma's Commission on Immigrant and Refugee Affairs (CIRA). He wrote that the officer only asked him for driver license and insurance information for him and his wife. He alleged the responding officer displayed bias by dismissing his daughter's injury to the other driver and by telling Mr. Nguyen she did not see any damage to his vehicle. This made Mr. Nguyen feel Officer Arnone made those unfair statements because of the way he looks. She gave no attention and never asked them about their health conditions after being hit.

The investigating supervisor reviewed Officer Arnone's report, the Police Traffic Collision Report (PTCR), and the Computer Aided Dispatch (CAD) printout of the incident. Officer Arnone correctly listed Mr. Nguyen as Unit 2 on the collision report, indicating the other vehicle was at fault and had rear-ended him.

The body worn camera (BWC) footage was reviewed; the footage was a little over 13 minutes in length. Officer Arnone was the only officer on scene for the incident. In watching the video, Officer Arnone initially contacted Tacoma Fire Department (TFD) personnel at the street who informed her that Mr. Nguyen's child is fine. They told Officer Arnone, "I think Dad just wanted her checked out," and he was being protective of her. Officer Arnone then immediately contacted Mr. Nguyen and asked first how his

daughter is doing. She looked into the Nguyens' vehicle and inquired if the daughter is feeling okay and asked her if she was just scared, to which the daughter nodded in agreement. Mr. Nguyen then told her he won't take his daughter to the hospital that day but will the next day if she is in pain. Officer Arnone then asked what her injury was and was told it was to her head.

Mr. Nguyen alleged two things in his written complaint. The first was that Officer Arnone displayed a dismissive wave of her hand as she told the at-fault driver that Mr. Nguyen's daughter was doing okay. The second was she had only asked him and his wife for their identification and insurance. However, in the video, Officer Arnone clearly asked the at-fault driver for his license, and he voluntarily provided his insurance information to her, so she did not have to ask him for that. Also, when the at-fault driver told Officer Arnone that hopefully Mr. Nguyen's daughter is doing okay, Officer Arnone responded by telling him, "Yeah, I think she's just scared." As she does this, both hands are clearly in view and no downward wave is observed.

Officer Arnone does tell Mr. Nguyen that she will be writing a report because of the possible injury to Mr. Nguyen's daughter and that she does not see visible damage. Mr. Nguyen disputed there not being visible damage and got out of the car to show her there was an imprint of the other vehicle's license plate on his bumper. It should be noted that such damage would not constitute enough to cause a report to be written in most circumstances for any officer, absent a possible injury to any of the involved parties to the collision.

Officer Arnone was contacted regarding this complaint. She reported she contacted TFD personnel who were about to leave the scene, and they informed her the vital signs for Mr. Nguyen's daughter were fine. When she asked what specific injury the child was complaining of, the fire personnel informed her that they thought "Dad just wanted her checked out... he's doing the parent thing, right?" Officer Arnone reported she immediately checked on the daughter, and Mr. Nguyen opened the door for her to see his daughter. Officer Arnone did not inquire of any injuries to Mr. Nguyen or his wife as Mr. Nguyen's own phone call to South Sound 911 (SS911) had mentioned only the injury to his daughter.

Mr. Nguyen was recontacted by phone for follow-up to his complaint. He recounted that he felt Officer Arnone showed bias in her interactions with him because he believed she should not have told the other driver his daughter was fine. He stated she gave a downward wave gesture when she told the other driver that, and she told him that she couldn't see any damage to his vehicle. He further stated he felt Officer Arnone had spent far more time with the other driver than talking to him and his family. In an attempt to discuss with him about the wave gesture of the hand, he said he was more upset with what the officer said, not the wave of the hand. It was discussed that Officer Arnone appeared to be only reassuring the other driver that Mr. Nguyen's daughter was okay, but he still felt Officer Arnone should not have been discussing his daughter's status with the other driver. He felt Officer Arnone should not have told him she did not see the damage to his vehicle. He felt it was very visible and needed to be discussed more. When it was gone over about how Officer Arnone had been told by the TFD personnel that his daughter was fine, Mr. Nguyen ended the phone call saying he felt the investigating supervisor was just defending her actions. Mr. Nguyen did not explain during the interview why he felt Officer Arnone was being biased against him based on his looks, and he ended the conversation prior to being asked.

Another review of Officer Arnone's BWC was done and confirmed that she had spent a nearly identical amount of time speaking to both parties during the incident – 3:13 with one party and 3:23 with the other. It was further confirmed from the BWC that obvious visible damage to Mr. Nguyen's vehicle was not immediately seen.

The investigating supervisor had been an Implicit Bias Trainer for Tacoma Police for nearly seven years and had received several trainings on implicit bias in policing. Nothing in Officer Arnone's demeanor, the questions she asked of the involved parties, the time she spent with each side, or the amount of concern

she showed for them would indicate an obvious or even a hidden bias present for her against either party during the incident.

COMMANDER REVIEW

A thorough review of this investigation was completed involving alleged bias. There were no grounds seen to support the allegation. The involved officer not only acted within policy, but she conducted herself in an extremely professional manner and showed empathy to all involved. The investigating supervisor has been an Implicit Bias Trainer for Tacoma Police for nearly seven years and has received several trainings on implicit bias in policing. He has noted nothing in Officer Arnone's demeanor, the questions she asked of the involved parties, the time she spent with each side, or the amount of concern she showed for them that would indicate an obvious or even a hidden bias present for her against either party during the incident.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Arnone, as well as review of the body worn camera footage. The investigation was then reviewed by the officer's chain of command. The allegation of Non-Discrimination Policy against the involved officer is concluded as **Unfounded**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

August 3, 2023

Mr. Hieu Nguyen
7027 East J Street
Tacoma ,WA 98404

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0036

Mr. Nguyen,

On April 11, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0036.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Unfounded for the allegation of Non – Discrimination Policy. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GRZ* *cyf* *D*
Internal Affairs Section

DATE: June 9, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0038

Complainant:

Ms. Amanda J. Feith
402 Saint Helens Avenue #103
Tacoma, WA 98402
253.778.3611

On April 8, 2023, Ms. Amanda Feith contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0038.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Ms. Feith alleges she was never contacted by Tacoma Police when reporting her Assault.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Ms. Amanda Feith contacted South Sound 911 (SS911) to file a complaint. Upon initial intake of Ms. Feith's complaint, she stated she was dissatisfied with Tacoma Police Department's response to an assault that occurred on March 3, 2023, where she was the victim. She was brutally assaulted by a neighbor in her apartment building at the Cambridge Apartments. The suspect was known to her, and she identified him as Justin Sullivan. When she called SS911 to report the assault, the dispatcher advised there was a long delay in police response times. Ms. Feith then went to St. Joseph Hospital to get medical treatment. She stated she was never contacted by any officer or representative from Tacoma Police. She stated she was injured and continues to have medical issues (including partial paralysis) as a result of the assault.

A review was done of the Computer Aided Dispatch (CAD) system. It showed the initial call came on March 3, 2023, at 9:21 a.m. The CAD notes showed, "Phone contact being made with Feith," at 10:45 a.m., and a disposition of "Report" at 12:55 p.m. The Enforcer report was noted as entered on March 3, 2023, by Officer Macadangdang at 3:58 p.m., and reviewed by a supervisor at 9:19 p.m. The report indicated Officer Macadangdang made phone contact with Ms. Feith. Officer Macadangdang wrote a thorough report with a lot of detail and information. The report noted what had occurred between Ms. Feith and the suspect before and after the assault to include what Ms. Feith told her the suspect said, which were noted in quotes.

Officer Macadangdang was interviewed regarding this complaint. She stated she called Ms. Feith on the phone and while she was getting the details of the assault, Ms. Feith constantly expressed her dissatisfaction of the response times of police. Ms. Feith noted some injuries, and Officer Macadangdang asked her if she needed medical aid or Tacoma Fire Department (TFD) response or needed to go to the hospital. Ms. Feith stated she did not need medical aid and expressed she had kids and could not go to the hospital at that time. Ms. Feith constantly expressed how upset she was during the phone contact, and Officer Macadangdang was able to get the information on what occurred and wrote a report after she got off the phone.

Officer Barberi was contacted and interviewed regarding this complaint as she was next to Officer Macadangdang while she spoke to Ms. Feith on the telephone. She said Officer Macadangdang did call Ms. Feith and spoke to her about the incident. She remembered Ms. Feith complaining about the response times of police to Officer Macadangdang.

Ms. Feith was recontacted by telephone for follow-up to her complaint. She advised that no officer ever called her when she called SS911 to report her assault. She advised that after the assault, she called 911 to report the incident and went to the hospital for medical treatment. She stated no one ever called her, and she did not speak to any police officer until she called on April 8, 2023, to complain about the incident. She said that is when the sergeant called her, and she spoke to someone about the incident. She said there was no one who called her from between the time when the assault occurred and when she called to complain. She was asked if someone called on her behalf who knew what happened, and she said that no one else called as she has no other family in the area other than her husband who did not call.

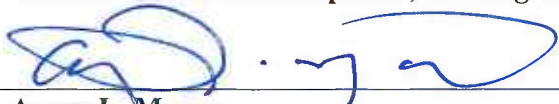
COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant alleged she was never contacted by anyone from the Tacoma Police Department, either in person or over the phone, after she reported being the victim of an assault. The involved officer in this allegation did in fact contact the complainant over the phone and took an Assault report. I recommend this incident be classified as Unfounded.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant, Officer Macadangdang, and witnesses. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Unsatisfactory Performance against the involved officer is concluded as **Unfounded**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police

6/06/23
Date

/man



City of Tacoma
City Manager

August 3, 2023

Ms. Amanda J. Feith
402 Saint Helens Avenue # 103
Tacoma, WA 98402

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0038

Ms. Feith,

On April 8, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0038.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Unfounded for the allegation Unsatisfactory Performance. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Chief Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR*
Internal Affairs Section

DATE: June 16, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0041

Complainant:

Jessica Warden
4815 South Sheridan Avenue
Tacoma, WA 98408
206.305.6306

On April 16, 2023, Ms. Jessica Warden contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0041.

Allegation: Courtesy

COMPLAINT SUMMARY

Ms. Warden alleges the officer spoke to her in a condescending and inappropriate manner.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Upon initial intake of Ms. Warden's complaint, she indicated she was involved in a verbal domestic violence (DV) with her boyfriend the day prior. When she was contacted by officers, she was exiting her truck that she had been sitting in and waiting. She advised the officer, later identified as Officer Jackson, that her foot was hurting. She said Officer Jackson looked at her foot and told her she was fine while smiling "in my face." She said the way Officer Jackson spoke to her was "condescending and inappropriate."

A review was done of Officer Jackson's body worn camera (BWC). It was noted that Ms. Warden did come limping toward Officer Jackson as he approached the residence. Ms. Warden appeared mildly intoxicated. She was attempting to explain what was going on, but it was taking a while for Ms. Warden to convey her thoughts. Officer Jackson had no patience for Ms. Warden and her inability to explain her thoughts. Officer Jackson repeatedly stopped Ms. Warden mid-sentence and argued with what she was attempting to say or would tell her what she was saying didn't make sense. Ms. Warden attempted to tell Officer Jackson that her foot was hurt from a door slamming on it, but Officer Jackson told her that her actions (walking) were not always consistent with her complaint. It was noted that Officer Jackson was slightly condescending to Ms. Warden.

Ms. Warden was contacted for follow-up regarding her complaint. Ms. Warden advised she went to the doctor on the following day after the incident, and her foot did have a hairline fracture. She advised she is not upset with Officer Jackson for not knowing her foot was broken, but that he was condescending and arrogant to her. Ms. Warden advised that Officer Jackson had no patience with her and "it was like he already had his mind made up when he arrived on scene." When asked what Officer Jackson said that upset

Page 1 of 2

"To create a safe and secure environment in which to live, work, and visit by working together with the community, enforcing the law in a fair and impartial manner, preserving the peace and order in our neighborhoods, and safeguarding our constitutional guarantees."

her, and she stated, "I tried to explain that my foot really hurts, and he just dismissed it. I also tried to tell him what had gone on and he implied that I was the problem." Ms. Warden went on to say that Officer Jackson's interaction was not malicious but rather just overly arrogant.

After speaking with Ms. Warden and reviewing Officer Jackson's BWC, it was apparent Officer Jackson had no patience for Ms. Warden. He furthermore was short with Ms. Warden, and he did not allow her to explain her position regarding the incident. Ms. Warden did exhibit signs of impairment, but she was not being belligerent or hostile to the point that would allow Officer Jackson to speak over her or cut her off from talking.

COMMANDER REVIEW

A thorough review of this investigation was completed. Although the involved officer did not egregiously treat the complainant in a discourteous manner, there is still enough evidence to support a sustained courtesy violation. The involved officer appeared to have been frustrated with the complainant's level of intoxication and as such, became argumentative with her at times. It is evident the involved officer became impatient with the complainant. The impatience likely led to frustration on the part of the complainant who likely felt the involved officer was not providing her with adequate levels of service.

Lastly, the involved officer's Shift Commander is looking into training that could be beneficial for the officer to attend that would improve his communication skills.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant as well as review of the body worn camera footage. The investigation was then reviewed by the officer's chain of command. The allegation of Courtesy against the involved officer is concluded as **Sustained**, which is a *final disposition of a complaint when it is found that the member acted improperly with respect to the Department policy.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Chief Avery L. Moore
Chief of Police

Date

/man



City of Tacoma
City Manager

August 3, 2023

Jessica Warden
4815 South Sheridan Avenue
Tacoma, WA 98408

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0041

Ms. Warden,

On April 16, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0041.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Sustained for the allegation Courtesy. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts
Internal Affairs Section

GJR P)
CytH

DATE: June 16, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0042

Complainant:

Mr. Daniel James Rubert
4344 South Warner Street #3
Tacoma, WA 98409
253.343.8105

On April 21, 2023, Mr. Daniel Rubert contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0042.

Allegation: Courtesy

COMPLAINT SUMMARY

Mr. Rubert alleges the officer unnecessarily asked him what was going on, which forced him to repeat himself multiple times.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

On the date in question, Mr. Rubert called SS911 several times over a period of several hours related to a verbal dispute threatening to get physical from a member of a construction crew and another neighbor. Mr. Rubert was upset over having to repeat all facts related to the incident at each calling. Mr. Rubert indicated (and advised dispatch) he only wanted one officer to respond before events became physical. Per the attached Computer Aided Dispatch (CAD) printout, Officer Fischer and Officer J. Miller responded to the scene. Mr. Rubert described the officer he took issue with and that matched Officer Fischer. He added the other officer did not make contact with him.

Upon initial intake of Mr. Rubert's complaint, he stated his main concern was having to repeat the events again to the responding officer. To add to Mr. Rubert's consternation, after Officer Fisher talked with the other party, he again asked Mr. Rubert what had transpired. Mr. Rubert was of the belief that information should have been relayed to the officer prior to arrival. Mr. Rubert indicated that an approach which acknowledged his perspective would have been better for him. Mr. Rubert said the officer opened with, "What's going on?" After having been asked that several times that day by call receivers at SS911, this was not appreciated.

Mr. Rubert was recontacted for follow-up regarding this complaint. Mr. Rubert was very friendly and apologetic. The investigating supervisor apologized for calling again as it was understood he was frustrated with how many times he had to repeat himself about this entire situation. The complaint process

was explained, stating multiple contacts are made because the Tacoma Police Department takes complaints very seriously and wants to be thorough to make sure nothing is missed.

Mr. Rubert verified that his main complaint was the operator on the phone at SS911. He stated it in multiple ways, but essentially there was "no real issue here except for having to tell the operator so many times!" In reference to Officer Fischer, he stated he was initially frustrated having to tell him what had occurred again, but he now understands that the officer would have to verify for himself what had occurred and could not go off what the "operator" told him anyhow.

COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant called SS911 to report a dispute between him and a construction crew performing work near the complainant's apartment. The complainant was upset about the officer asking similar questions of which he already provided answers to with the SS911 call receiver. The officer's conduct was appropriate and expected to determine the exact nature of the call he was dispatched to.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Courtesy against the involved officer is concluded as **Exonerated**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.


Avery L. Moore
Chief of Police


Date

/man



City of Tacoma
City Manager

August 3, 2023

Mr. Daniel James Rubert
4344 South Warner Street #3
Tacoma, WA 98409

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0042

Mr. Rubert,

On April 21, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0042.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Exonerated for the allegation Courtesy. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR cyh P*
Internal Affairs Section

DATE: June 24, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0044

Complainant:

Mr. Bryan Jeffers-Atkins
1212 South 8th Street #B
Tacoma, WA 98405
253.985.5650

On April 30, 2023, Mr. Jeffers-Atkins contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0044.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Bryan Jeffers-Atkins alleges no officer contacted him on his call for service even though he requested in-person contact.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Mr. Bryan Jeffers-Atkins called South Sound 911 (SS911) to file a complaint as no officer responded to his call for service. In review of the call, an officer did in fact respond to his call; however, the call was cleared by Officer Chung as a "Patrol Check."

On the morning of April 30, 2023, at around 1:51 a.m., Mr. Jeffers-Atkins called 911. He reported that it sounded like someone was "messing with his door handle." No further information followed. The supervisor added a note into the Computer Aided Dispatch (CAD) system for Dispatch to hold the incident for additional information from Mr. Jeffers-Atkins. He called 911 again at 3:16 a.m. to report that someone keeps approaching his window every few minutes. Again, no mention of actually seeing a person outside his home, and no crime reported. At 5:33 a.m., Officer Chung cleared the call with a disposition of "Patrol Check." Officer Chung checked for suspicious subjects outside Mr. Jeffers-Atkins' address and observed no one.

Mr. Bryan Jeffers-Atkins has resided in the north end of Tacoma at various addresses for many years and is a frequent caller of 911. He is often uncooperative and verbally abusive to the 911 operator. He screams and cusses and disconnects the line without providing basic information. He has a history of embellishing the circumstances of whatever he is calling about to manipulate a quicker police response. He has refused to answer his door for police after calling 911, and sometimes denies that he called 911. Upon contact with police, he is commonly uncooperative, not forthcoming with details, and rude.

The decision was made to place Mr. Jeffers-Atkins' call in a "hold" status because of the belief it was unnecessary to respond to his address until there was reason to believe he was a victim of a crime or about to be a victim of a crime. Unless he updated his call with a description of an actual person to go with the sounds he was hearing, it was deemed logical to suspect he was experiencing audible delusions or paranoia due to narcotics use and/or a mental health issue, and there was no need for law enforcement response.

Officer Chung was contacted and interviewed regarding this complaint. He confirmed he did check the perimeter of Mr. Jeffers-Atkins' home from his vehicle. He did not contact Mr. Bryan Jeffers-Atkins.

Mr. Bryan Jeffers-Atkins was recontacted by phone for follow-up regarding his complaint on the morning of May 9, 2023. When he was told what the call was about, he said, "That was like two weeks ago." He sounded impaired. His speech was heavily slurred. When asked if he had anything more he would like to add about his complaint, he said, "No. Just that I think it's super disrespectful that no one came to my house. Some proaction instead of reaction would help lower the crime rate."

COMMANDER REVIEW

A thorough review of this investigation was completed. A frequent caller who likely has mental health issues was upset that an officer never contacted him after he reported 1) someone possibly manipulating an exterior door handle, and 2) someone approaching an exterior window of his residence. The call pended for several hours and was being monitored by the patrol supervisor. The involved officer elected to patrol the area of the call approximately three hours after the initial 911 call came in. The involved officer indicated he drove through the area of the complainant's residence and noted nothing suspicious and cleared the call with a "Patrol Check." Because the area check occurred much later than the original calls for service, the officer elected not to wake the caller.

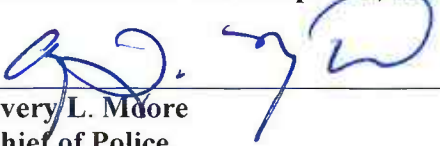
Although it should be expected that officers make contact with any and all complainants, there are at times extenuating circumstances that may influence the involved officer's decision not to do so. The involved officer arrived at the residence, checked the exterior by driving around the house, and cleared. The complainant has a history of verbal confrontations with dispatchers and officers, so the idea of not waking up this individual at 5:30 in the morning after seeing no one on the property is reasonable.

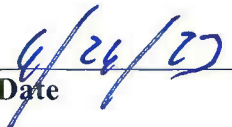
It is recommended this incident be classified as Not Sustained. There is an argument that could be made either way as to what the involved officer's course of action should have been. Follow-up will be done about discussing the "Patrol Check" disposition on calls for service with Shift Commanders.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Chung. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Unsatisfactory Performance against the involved officer is concluded as **Not Sustained**, which is *a final disposition of a complaint when the investigation is unable to substantiate whether or not misconduct or violation of policy or procedures occurred.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.


Avery L. Moore
Chief of Police


Date

/man



City of Tacoma
City Manager

August 3, 2023

Mr. Bryan Jeffers- Atkins
1212 South 8th Street #B
Tacoma, WA 98405

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0044

Mr. Jeffers – Atkins,

On April 30, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0044.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Not Sustained for the allegation Unsatisfactory Performance. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR cyh*
Internal Affairs Section

PD
DATE: June 24, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0045

Complainant:

Anonymous, Maebh
P.O. Box 257, PMB 09688
Olympia, WA 98501
360.402.5071

On May 1, 2023, Maebh contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0045.

Allegation: Courtesy

COMPLAINT SUMMARY

Maebh alleges she was being threatened with arrest for jaywalking and was displeased with the officer's tone.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

The complainant did not want to disclose her last name and preferred to be addressed by her first name, Maebh, or by ma'am. Maebh responded in person at Tacoma Police Department (TPD) Headquarters wishing to file a formal complaint. Due to her schedule, she had to leave and was recontacted by phone.

Maebh stated that either on April 25 or April 27, 2023, she was in the area of 900 Martin Luther King (MLK) Way in Tacoma at approximately 9:00 a.m. She was waiting for a bus and stepped off the curb three to four feet, ostensibly to film a patrol vehicle parked in the street. The Tacoma Police vehicle did not have emergency lights operating. She was contacted by the officer, Officer Keehn, who told her to get back to the sidewalk or she would be arrested for jaywalking. She presumed the officer did not like being filmed and stated she does not respond to intimidation tactics. She did not appreciate the tone and believes the officer was wrong; she could not be arrested.

Maebh was recontacted for follow-up by the investigating supervisor. Maebh did not have much more to add about the incident saying she saw Officer Keehn stop his patrol car near 11th and MLK. Fearing Officer Keehn was going to start harassing some nearby homeless individuals, Maebh started a recording and walked toward Officer Keehn's patrol vehicle. As she was 3 to 4 feet from the curb, Officer Keehn told Maebh to get back to the sidewalk or she would be arrested for jaywalking. Maebh refuted Officer Keehn's authority to arrest her for jaywalking unless she crossed the road completely and further claimed she owned the patrol vehicle. Maebh said she eventually "dismissed" Officer Keehn. Maebh confirmed that Officer Keehn did not curse during the interaction, but Maebh admitted to cursing at Officer Keehn. Maebh

did not describe how Officer Keehn was rude. Maebh further stated she lost access to the recording she had made so could not provide that for the investigation.

Officer Keehn was contacted and interviewed regarding this complaint. He stated he was near People's Park where he observed a verbal argument, which was likely to rise to a physical altercation, involving a passerby and some homeless individuals. Officer Keehn stopped his patrol vehicle in the roadway, activated his emergency lights, and used his Public Address (PA) system to instruct the aggressive passerby to leave the area, which she complied. The other half of the argument contacted Officer Keehn to express his gratitude. During this conversation, an unknown person (Maebh) approached Officer Keehn's vehicle while she was filming. When Maebh would not get out of the roadway, Officer Keehn told her to get out of the road or he could arrest her for jaywalking. She refused and started to curse at him. Officer Keehn chose to disengage the contact and drove away. Officer Keehn said he did not curse during the incident. He stayed in his patrol vehicle during the entire incident, and his interaction with Maebh lasted approximately 30 seconds. Because of this, Officer Keehn did not activate his body worn camera (BWC).

COMMANDER REVIEW

A thorough review of this investigation was completed. The involved officer was parked in the roadway near 9th and MLK with his emergency lights activated to address a passerby who he observed harassing a group of homeless individuals. The officer never left his patrol vehicle, which would have required a BWC activation, and only remained stationary/parked for a very short period of time. The complainant stood in the roadway and began filming the involved officer who advised the complainant to get out of the road or he would arrest her. The officer was never accused of being rude. Once the officer was assured the passerby had stopped harassing the homeless individual, he drove away to de-escalate from the complainant.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Keehn. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Courtesy against the involved officer is concluded as **Not Sustained**, which is *a final disposition of a complaint when the investigation is unable to substantiate whether or not misconduct or violation of policy or procedures occurred.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.


Avery L. Moore
Chief of Police

Date 

/man



City of Tacoma
City Manager

August 3, 2023

Anonymous Maebh
P.O. Box 257, PMB 09688
Olympia, WA 98501

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0045

Ms. Maebh,

On May 1, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0045.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Not Sustained for the allegation Courtesy. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts
Internal Affairs Section

DATE: June 30, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0048

Complainant:
Anonymous

On May 18, 2023, an anonymous community member contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0048.

Allegation: Vehicle Operations

COMPLAINT SUMMARY

An anonymous individual alleges an officer activated the patrol car's emergency overhead lights to avoid waiting in a traffic backup in a school zone.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

On May 18, 2023, Internal Affairs received an email from a person who wanted to remain anonymous and refused to give further contact information. Due to this request, an email is not provided in the address field above. The email indicated that a Tacoma Police Officer was behind them in line at a school zone on Fruitland Avenue at Fruitland Elementary School. The officer waited about three or four minutes before turning on the overhead lights and "completely disregarded all safety so as not to have to wait." The complainant attached a cellphone video to the email, stating one can clearly see the officer's lights shut off as they got to the front. The complainant also provided a still shot of the patrol vehicle in question that clearly showed it to be Tacoma Police Vehicle #2905.

Tacoma Police Vehicle #2905 is issued to Officer Lopez. He was interviewed regarding this complaint. He immediately recalled the date in question. He stated that he often takes that route home and is very familiar with the traffic backup that occurs on Fruitland around 3:30 p.m. He stated that in all of the years he has taken that route home at that time, he has never seen the backup not move for over five minutes. He explained that it usually moves one car at a time with the most amount of time the line does not move as less than 30 seconds. He stated that after approximately five minutes without moving, he began fearing there might be a collision near the school entrance. He said this also led him to believe there was a possibility there was a blocking collision just beyond the apex of the sweeping corner. He cited his duty to render aid and how badly he would have felt if there had been a need for him as a first responder to render aid, and he had just sat in the line and did nothing. He decided he had a duty to check, so he activated his lights and went to the entrance of the school. As he reached the entrance, he could see down into the parking lot and there appeared to be no one in need of medical aid or involved in any type of collision. He

deactivated his lights and proceeded southbound on Fruitland. It was noted that there was no oncoming traffic in the opposite lane when he made his determination to go check if there had been a collision.

A further review of the video also showed there were no children on foot anywhere near the roadway when Officer Lopez elected to safely go around the line of traffic with his emergency lights activated to check on what he believed to be a collision near the school entrance, which of course, would likely have involved children in some capacity.

COMMANDER REVIEW

A thorough review of this investigation was completed of the attached documents and submitted video. The video certainly tells part of the story but not all of it. Officer Lopez explained his concern for activating his emergency equipment due to his belief there may have been an accident at the front of the line. Officer Lopez is very familiar with this area during this time of day and travels this route daily. While Officer Lopez did not find an accident once he was around the traffic, that does not mean his concern was any less valid.

FINDINGS

An investigation into this complaint was conducted to include a review of the email communication with the complainant, the linked video and photo, as well as an interview with Officer Lopez. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Vehicle Operations against the involved officer is concluded as **Exonerated**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

August 3, 2023

Anonymous

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0048

Anonymous,

On May 18, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0048.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Exonerated for the allegation Vehicle Operations. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *(JLR) CRT PJ* **DATE:** June 24, 2023
Internal Affairs Section

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0049

Complainant:

Ms. Renee Armacost
927 West 11th Street
Port Angeles, WA 98363
360.912.3419

On May 19, 2023, Ms. Armacost contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0049.

Allegation: Conformance to Laws

COMPLAINT SUMMARY

Ms. Armacost alleges the officer threw a pair of black gloves out the driver's side window of the patrol car while driving.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Ms. Renee Armacost initially contacted South Sound 911 (SS911) to file a complaint on an officer who threw a pair of black gloves out his driver's side window of the patrol vehicle. Upon contact, Ms. Armacost stated she was traveling eastbound on SR16, approximately five miles west of the Narrows Bridge when she observed the Tacoma Police Department (TPD) vehicle traveling in the high occupancy vehicle (HOV) lane. She then observed the officer throw a pair of black gloves out the driver's side window, landing on the shoulder of the freeway.

Officer Flesher was contacted and interviewed regarding this complaint. Officer Flesher confirmed he was working on that day and does travel eastbound SR16 to transit to work. He typically arrives to work around 12:45 p.m. He was asked if he had thrown black gloves or a black object from his patrol vehicle while on SR16 eastbound during his commute to work, and he denied littering or throwing anything from his vehicle. He did not recall observing any debris in the roadway or anything coming from his vehicle. He was asked if it was possible he or someone else had placed old/used nitrile gloves on his hood, windshield wiper track, or in that area that could have flown away during his commute. Although possible, Officer Flesher did not recall anything on his vehicle or falling from his vehicle. He was clear he did not litter or throw any trash or items from his vehicle during his commute to work.

Ms. Renee Armacost was contacted for follow-up regarding her complaint. Renee stated she was driving behind a clearly marked TPD Ford Explorer patrol vehicle, with vehicle number 2708 stickers, and was behind the patrol vehicle on eastbound SR16 for approximately 20 minutes as she drove to the I-5

southbound interchange. Renee stated she lives in Port Angeles and was not deeply familiar with the exits in the Gig Harbor area, but stated she was behind the patrol vehicle when it was only two lanes across for eastbound traffic. Just prior to the emergence of an HOV lane, possibly near Olympic Drive, Renee said she observed the driver window of the patrol vehicle roll down roughly halfway. Immediately after that, Renee saw what she described as either a black napkin or a black pair of gloves come from the open driver window. Renee said she did not see a hand, wrist, or any clothing emerge from the window but said it appeared the driver just littered. Renee described the object as soft and light, and it fell from the car and tumbled in the lanes of travel. She was asked if she had to swerve to avoid the object or if it struck her car, and she said it did not. Renee stated she remained in the middle of the three lanes and drove alongside the patrol vehicle, which had tinted windows. She could clearly see there was only one occupant, a driver, but was unsure if it was a male or female. Renee stated after seeing this possible act of littering and then observed the patrol vehicle change lanes and enter the HOV lane, she thought this behavior necessitated a complaint. Renee did not have a dash camera or any recording of this incident. Renee was advised of WAC 468-510-010.5 regarding the use of HOV lanes by marked law enforcement or fire department vehicles. She was advised HOV lane travel was permissible, not as to excuse the possible act of littering she observed, but to provide context to her observation and initial complaint.

COMMANDER REVIEW

A thorough review of this investigation was completed. The involved officer is accused of littering by throwing something out the driver's side window of his patrol vehicle, possibly a pair of latex gloves. The involved officer denied littering when questioned by the investigating supervisor. There is no independent evidence such as surveillance video to support the allegation.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Flesher. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Conformance to Laws against the involved officer is concluded as **Not Sustained**, which is *a final disposition of a complaint when the investigation is unable to substantiate whether or not misconduct or violation of policy or procedures occurred.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

August 3, 2023

Ms. Renee Armacost
927 West 11th Street
Port Angeles, WA 98363

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0049

Ms. Armacost,

On May 19, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0049.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Not Sustained for the allegation Conformance to Laws. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR cyh P)*
Internal Affairs Section

DATE: June 30, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0050

Complainant:

Ms. Ieesha M. Irving
4350 East R Street
Tacoma, WA 98404
253.316.0569

On May 21, 2023, Ms. Irving contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0050.

Allegation: Courtesy

COMPLAINT SUMMARY

Ms. Irving alleges the officer made an inappropriate comment during her neighbor dispute involving her dogs.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Upon initial contact with Ms. Ieesha Irving, she stated she wanted to file a complaint regarding comments made to her by officer Flesher. She explained that she thought he made an uncalled-for comment. Her neighbor had been making threats toward her sons over an issue of her family's dogs possibly defecating in his yard. During her interview with the officers, Officer Flesher said that he "empathized" with the neighbor because "who wants to smell dog poop in their yard?" Ms. Irving felt her sons were threatened by the neighbor, and she did not appreciate Officer Flesher's comment and found it to be inappropriate.

In review of the Computer Aided Dispatch (CAD) system, Officer Flesher noted, "No direct threats made. According to Ieehsa, male neighbor yelled at her sons ..., 'Get off my lawn. This isn't a game.'" He also noted this is an "ongoing dispute regarding dogs peeing/pooping in front of neighbor's townhouse." The CAD noted that when Officer Flesher spoke with the neighbor, he "denied yelling at anyone."

Officer Flesher was interviewed regarding this complaint and the incident was reviewed. Officer Flesher appeared to be surprised Ms. Irving called and complained because she appeared to be congenial and understanding of what Officer Flesher explained to her.

The body worn camera footage was reviewed for this incident. There were two videos – one was 17 minutes, 7 seconds; and the other 3 minutes, 19 seconds. In the videos, Ms. Irving thanked Officer Flesher for his response, information provided, and speaking with her. In the second video, as Officer Flesher explained his actions during this contact, Ms. Irving remarked, "Okay, that's fine." At the conclusion of

the second video and interaction, Ms. Irving said, "Thanks so much. Appreciate ya." It appeared Ms. Irving was pleased and had thanked Officer Flesher numerous times.

Ms. Irving was recontacted for follow-up regarding her complaint. She stated she is frustrated by ongoing neighbor disputes and is stressed out. She added she is still in the process of filing for an anti-harassment order against her neighbor because he yells at her children for "allegedly" allowing her dogs to defecate on his lawn. She stated her neighbor is not a property owner but a renter and has no rights to the lawn (as if to justify the actions of dogs defecating on the neighbor's lawn). She still felt it was unprofessional of Officer Flesher to say she should "empathize" with the neighbor because he lives on a corner lot and does not have dogs of his own, but there is routinely dog feces in his lawn. Ms. Irving was upset and felt Officer Flesher's statements were unprofessional. It was pointed out to Ms. Irving that a review was done of all BWC footage of the interactions she had with Officer Flesher, and it appeared she was pleased with Officer Flesher, their interaction and conversation, and the information provided by Officer Flesher. Ms. Irving advised that she was "annoyed" at that point in time. The investigating supervisor then went back to the BWC where it was observed that her body language seemed it could have been condescending or insincere in her, "Thanks so much. Appreciate ya," remark.

COMMANDER REVIEW

A thorough review of this investigation was completed to include review of all body worn camera footage. The complainant felt it was rude for the involved officer to ask the complainant to empathize with a neighbor who was upset that the complainant's dogs continued to defecate in his yard. The involved officer conducted himself in a professional manner, followed policy in addressing a neighbor dispute, and represented the department well. The complainant even stated how much she appreciated the officer at the end of the video and seemed content with the interaction with the officer. It is found the officer acted professionally and appropriately.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Flesher, as well as review of the body worn camera footage. The investigation was then reviewed by the officer's chain of command. The allegation of Courtesy against the involved officer is concluded as **Exonerated**, which is a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.

I have reviewed the complaint, investigation and conclusion and concur with the findings.


Avery L. Moore
Chief of Police


Date

/man



City of Tacoma
City Manager

August 3, 2023

Ms. Ieesha M. Irving
4350 East R. Street
Tacoma, WA 98404

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0050

Ms. Irving,

On May 21, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0050.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Exonerated for the allegation Courtesy. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *for a/h P*
Internal Affairs Section

DATE: June 30, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0051

Complainant:

Mr. Kyle Rohrig
5285 Elder Road
Canal Winchester, OH 43110
614.554.9420

On May 15, 2023, Mr. Rohrig contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0051.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Rohrig alleges the officer did not take a police report.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Mr. Rohrig contacted South Sound 911 (SS911) requesting to file a complaint. Upon initial contact with Mr. Rohrig, he stated he wanted to complain that the officer he spoke to on the phone did not take his fraud report. He has reported other incidents of burglary, motor vehicle theft, and squatting, which are all related to the fraud. He stated he lives in Ohio and has been there for a year, but he still has an apartment he has been paying for at Spanish Hills Apartments. He learned that someone was living in his apartment that he did not know. That person used his Amazon account to order some sort of show or event on his TV. His Amazon account was connected to his Chase account, and the charge went through. Mr. Rohrig said he disputed the charge and needed to report the fraud. When Mr. Rohrig spoke to the officer, later identified as Officer Juarez, the officer allegedly told him it was a civil issue, and we are not going to do anything about it. Officer Juarez told him he needed to go to civil court. Mr. Rohrig added that he called before, and officers contacted the person in his apartment. He said the officers said the person had receipts showing Mr. Rohrig was paid \$2500 for subleasing his apartment. Mr. Rohrig said he was working with the apartment manager to get the person out, but the person used his Amazon account which was connected to his Chase account, and that was fraud. Mr. Rohrig stated Officer Juarez did not take his fraud report and wanted to complain.

A review of the Computer Aided Dispatch (CAD) system was done, and it was noted that Officer Juarez added a note that Mr. Rohrig was "upset that I wouldn't make an arrest on a fraud and threatened a lawsuit despite the referenced information on the related call."

Officer Juarez was interviewed regarding this complaint. He stated he accidentally cleared the call with an "S" (Solved on Arrival) even though he was planning on writing a report, which he did later that same shift. Officer Juarez also stated he gave Mr. Rohrig the case number when he spoke to him on the phone. Officer Juarez also advised the conversation with Mr. Rohrig was recorded on his body worn camera (BWC).

In review of the BWC, it was first noted that Officer Juarez advised Mr. Rohrig that the conversation would be recorded using his BWC, which Mr. Rohrig did not acknowledge but neither objected to the recording. Officer Juarez then interviewed Mr. Rohrig about the incident. Mr. Rohrig asked Officer Juarez for his name and badge number, which Officer Juarez provided. Mr. Rohrig told Officer Juarez that he has probable cause for arrest for identity theft and expressed frustration that Officer Juarez was not going to make an arrest in this civil matter. Mr. Rohrig then told Officer Juarez that he is going to add his name to the lawsuit. Toward the end of the BWC footage, Officer Juarez told Mr. Rohrig that he would be writing a police report. Officer Juarez then asked Mr. Rohrig if he wanted the case number, to which he replied in the affirmative. Officer Juarez then provided Mr. Rohrig with the case number. The call ended shortly thereafter.

Multiple attempts were made to recontact Mr. Rohrig for follow-up, with negative results.

COMMANDER REVIEW

A thorough review of this investigation was completed. Of note, the complainant in this matter has made very similar complaints in the past. The complainant has now filed a civil suit against members of the department for not addressing his concerns. The civil matter has been referred to City Legal.

In this complaint, the complainant alleges Officer Juarez did not write a report about a fraud incident that involved him. Officer Juarez did in fact write a report and provided the complainant with the report/case number over the phone (captured on BWC). Attempts were made by the investigating supervisor to call the complainant, but they went unanswered.

FINDINGS

An investigation into this complaint was conducted to include a review of the initial complaint intake form, an interview of Officer Juarez, as well as review of the body worn camera. The investigation was then reviewed by the officer's chain of command. The allegation of Unsatisfactory Performance against the involved officer is concluded as **Unfounded**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date 7/11/23

/man



City of Tacoma
City Manager

August 3, 2023

Mr. Kyle Rohrig
5285 Elder Road
Canal Winchester, OH 43110

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0051

Mr. Rohrig,

On May 15, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0051.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Unfounded for the allegation Unsatisfactory Performance. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *gjr cyh 1)*
Internal Affairs Section

DATE: June 30, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0053

Complainant:

Ms. Selena J. Woods
2424 South 41st Street #B255
Tacoma, WA 98409

On May 17, 2023, Ms. Woods contacted the Tacoma Police Department regarding the actions of Tacoma Police Officers. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0053.

Allegation: Courtesy

COMPLAINT SUMMARY

Ms. Woods alleges the officers were rude to her when the apartment manager of where she lives had called in for assistance.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

On May 17, 2023, Officer Schneider and Officer Halbleib responded to the Apex Apartments regarding an unwanted tenant, Ms. Selena Woods. Staff members called 911 to report she was being loud and expressing negative opinions toward new potential clients. Later that same day, Ms. Woods called South Sound 911 (SS911) to file a complaint on the responding officers.

Initial contact was made with Ms. Woods via phone regarding her complaint. She spoke very quietly on the phone, sounding very hoarse, similar to someone who had been yelling a lot. She stated, "Clearly my voice is out," as she advised she is a tenant of Apartment #B255. She said she pays for services such as internet Wi-Fi in the lobby, which she was using that day in the common area. She had concerns about the staff at this location charging her extra and potentially charging too much for future occupants. She also was aware the staff called 911 and police were responding. Ms. Woods thought it was rude the police officers walked right past her in the lobby and made contact with the staff first. It was then explained to Ms. Woods that this is standard procedure to contact the 911 caller first and obtain the facts before contacting other people involved. She was also advised that with this heavily populated apartment complex, the officers may not have initially known she was the person involved.

Ms. Woods then complained about the officers not listening to her side of the story. She said they only believed the staff member's side of the story without asking hers. She described she is a "person of color" and has been taken advantage of many times, and she feels this was another example of that. She said she began to tell the officers that this was related to her race, and one officer stated, "Don't make this political." She was then even more offended because she felt the officer was comparing her race to politics.

Officer Schneider and Officer Halbleib were interviewed regarding this complaint. They stated there was no crime as they tried to reason with both sides involved. However, when they contacted Ms. Woods, she did not think she was the problem and thought the 911 call was because of her race. The officers asked her to be reasonable and respectful to the business and then soon left the location. No police report was written, and notes were added to the Computer Aided Dispatch (CAD) call.

A review was done of the body worn camera (BWC) footage, which both officers activated. It showed both officers entering the building and going to the office to contact the 911 caller. The information provided by staff was that Ms. Woods sits in the common area and is purposely “hostile” toward employees and new potential clients that tour the building. They said she screams, calls them racist, says derogatory statements, and will not leave the common area. They ask her to be quiet, but she will not and continues to affect business. The officers then went to the common area and spoke with Ms. Woods. Officer Halbleib talked to her, and she said she had no idea why they are there. He explained that the office employees said she allegedly had been yelling at people walking by and saying this place is a scam. They claimed she yelled at people, is loud on Zoom calls, and they don’t appreciate it. He asked her to cut that out because it was kind of rude. Ms. Woods got defensive and asked why their approach was not to ask what happened? Officer Halbleib told her because that is what the staff told him. She then verbally challenged the officers by saying, “What is your job? I want you to explain to me what your job is.” Officer Schneider then told her that we are all adults, and she knows what their job is. Ms. Woods claimed, “I don’t, I genuinely don’t, I’m confused, I’m a black person.” Officer Halbleib then replied by saying, “Don’t make this political,” because Ms. Woods was turning this issue into a race issue, which it clearly was not. The officers told her to be an adult, ended the conversation with Ms. Woods, and left the complex as she continued to sit in the lobby.

It should be noted, the next day on May 17, 2023, another call for service was pending at the apartment complex. The staff was calling again because Ms. Woods was being loud and unreasonable in the lobby. She was yelling at future clients and being disruptive again.

COMMANDER REVIEW

A thorough review of this investigation was completed. Officers contacted apartment management who complained that a resident was sitting in the lobby and being disruptive. The disruptive behavior had allegedly occurred numerous times in the past. Officers explained that the resident could not be trespassed, and management would have to pursue other civil remedies on their part if they chose to terminate a lease agreement. Management indicated they were aware; however, at the advice of counsel, they were calling to make a record of the disruptive behavior. Officers then contacted the resident herself and encouraged her to behave in a way that was less disruptive. The resident later complained that the officers were rude when they initially arrived because they contacted the apartment management before contacting her. She also insinuated that officers were taking management's side because she is black.

The BWCs of both officers were also viewed. The officers advised the apartment staff of the appropriate civil remedies that needed to be followed regarding the dispute with the tenant. The officers contacted the tenant and tried to get her side of the story. The tenant prevaricated when the officers asked her questions about the situation, and then tried to deflect the reason they were there in an apparent attempt to start an argument. The officers disengaged and did not allow themselves to be baited into a back-and-forth confrontation.

Officers followed policy in contacting the original complainant (apartment management) in response to the call for service. They showed no signs of bias when speaking with the resident that would indicate prejudice toward the resident who is African American.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant, Officer Schneider and Officer Halbleib, as well as review of the body worn camera footage. The investigation was then reviewed by the officer's chain of command. The allegation of Courtesy against the involved officers is concluded as **Exonerated**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

August 3, 2023

Ms. Selena Woods
2424 South 41st Street #B255
Tacoma, WA 98409

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0053

Ms. Woods,

On May 17, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0053.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Exonerated for the allegation Courtesy. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts
Internal Affairs Section

GJR *cyf* *D*

DATE: June 30, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0055

Complainant:

Anonymous
509.986.0354

On June 7, 2023, an anonymous caller contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0055.

Allegation: Vehicle Operations

COMPLAINT SUMMARY

An anonymous caller alleges an officer was speeding through town.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

On June 7, 2023, an anonymous caller who identified himself as "Good Citizen" called South Sound 911 (SS911) to file a complaint about an officer speeding. It had been noted that other very recent complaints from the same phone number about other officers at other agencies have also been made.

Phone contact was made with the complainant to gather more information. The complainant wanted to know why "your officers are fucking speeding through town." He stated that a marked Tacoma Police vehicle sped past him on Union Avenue between 12th Street and 6th Avenue. He said he knew it was speeding at least 10 mph over the posted speed limit. He stated the speed limit is 20 mph in Tacoma now (the speed limit at Union Avenue at this location is 35 mph). He admitted to calling in speeding complaints against four other officers at various police agencies just this past week. He said he knew the officer was speeding because he has a good judgement for speed. He was behind the car going "5 over," and the patrol car was pulling away. He stated he wanted it investigated as a complaint and wanted a call back with a disposition.

Contact was made with Officer Martin who was interviewed regarding this complaint. He acknowledged being in the area at the time the complainant indicated but denied speeding. He also stated the speed limit in that area is 35 mph, not 20 mph.

Multiple attempts were made to contact the complainant. Voicemails were left with phone numbers to call for contact in addition to a City of Tacoma email address. As of June 21, 2023, no contact has been made.

With no contact from the complainant, the investigation is based on the initial contact with the complainant. The complainant did not offer any evidence supporting his allegation that the officer was speeding. The complainant incorrectly believed the speed limit was only 20 mph, which is actually 35 mph. With the complainant claiming the officer was going 10 mph over the 20-mph speed limit, alleges the officer was going 30 mph, which would be 5 mph under that actual speed limit of 35 mph.


COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant alleges the involved officer to have been speeding in a 20-mph zone, doing at least 5 mph over the speed limit while continuing to accelerate. The investigating supervisor determined the location in which the allegation occurred is a 35-mph zone. If Officer Martin was traveling at 25 to 30 mph as alleged by the complainant, Officer Martin is still clearly under the speed limit. Officer Martin acknowledged being in that area and denied he was speeding. The complainant never returned the investigating supervisor's phone calls.

FINDINGS

An investigation into this complaint was conducted to include the initial interview of the complainant and Officer Martin. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Vehicle Operations against the involved officer is concluded as **Unfounded**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

August 3, 2023

Anonymous

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0055

Anonymous,

On June 7, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0055.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Unfounded for the allegation Vehicle Operations. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department