

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GRZ cyth 7)*
Internal Affairs Section

DATE: September 29, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0079

Complainant:

Mr. Thiago Cross
19219 103rd Avenue CT East
Graham, WA 98338
253.262.8631

On July 23, 2023, Mr. Cross 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-0079.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Thiago Cross alleges responding officers told him his title to his RV was filled out wrong and threatened to arrest him.

INVESTIGATION

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

Upon initial complaint intake with Mr. Cross, he stated he was upset the officers who responded to his call threatened to arrest him. He called police because a black male had been in his RV stealing things all day, and he wanted police to remove him. Mr. Cross claimed he had the title to the vehicle with him, but officers told him it was filled out wrong; therefore, they could not confirm he was the owner. Mr. Cross said he did not feel protected or served by the officers' actions and believes they abused their power in their interaction with him.

The investigating supervisor attempted to call Mr. Cross multiple times, with negative results. The call either immediately went to voicemail and dropped or there was no answer. A voicemail was left for a callback to gather more information; however, Mr. Cross has not called back.

The body worn camera (BWC) was reviewed. It was observed that during Officer She's interaction with Mr. Cross, he remained calm and professional. He told Mr. Cross that he cannot prove ownership of the RV because it is not registered to him. Mr. Cross was in possession of the title to the RV, but the title did not have his name on it. Officer She repeatedly told Mr. Cross that the title needed to show his name on it for him to prove ownership of the RV. The major issue that Officer She continued to encounter when dealing with Mr. Cross was that Mr. Cross continued to cut him off or interrupt him, preventing Officer She from explaining the situation, and Mr. Cross would not listen to what Officer She was telling him. Despite Officer She's best efforts, Mr. Cross failed to grasp what was being told to him. At one point, Mr.

Cross attempted to write his own name on the title and cross out the registered owner's name. Officer She told him this would be considered forgery, which is a crime, and he could get arrested for it.

The other officer dispatched to this call was Officer Davidson. It did not appear Officer Davidson had any interaction with Mr. Cross.

COMMANDER REVIEW

A thorough review of this investigation was completed. The officers contacted the complainant and investigated who the owner of the RV was. The officers determined the complainant had not completed the title paperwork and was not the "current/registered" owner of the RV. The complainant acknowledged at one point that he needs to get the RV titled in his name. The officer stated, "Exactly." When the complainant told the officers he was just going to write his name on the title, the officers cautioned him that he could be committing fraud. It is found the officers conducted themselves appropriately.

FINDINGS

An investigation into this complaint was conducted to include an initial interview of the complainant as well as review of the body worn camera footage. The investigation was then reviewed by the officers' chain of command. The allegation of Unsatisfactory Performance 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

December 12, 2023

Mr. Thiago Cross
19219 103rd Avenue CT East
Graham, WA 98338

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0079

Mr. Cross,

On July 23, 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-0079.

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 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 *432 cyf 97*
Internal Affairs Section

DATE: October 13, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0080

Complainant:

Mr. Isiah Stredrick
9818 Kenwood Avenue SW
Lakewood, WA 98498
630.706.1656

On July 25, 2023, Mr. Stredrick 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-0080.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Isiah Stredrick alleges he was unlawfully arrested and traumatized by the officers.

INVESTIGATION

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

On July 25, 2023, Mr. Stredrick filed a written complaint with the City of Tacoma. He wrote he was unlawfully arrested as a Tacoma Officer lied and charged him with attempting to grab an officer's gun when he did not. He wrote it was a very traumatizing situation.

Mr. Stredrick was contacted for follow-up to his complaint. He recounted his arrest which occurred on May 24, 2022. He stated he was upset because "officers lied" on the booking sheet and reports, stating he attempted to grab an officer's gun. Mr. Stredrick stated he was homeless during the incident and had "scrounged up" enough money to get a motel room at Motel 6. Someone complained to the manager at the location because they believed he was beating his dog, which was a puppy at the time. He was disciplining his dog since his dog had defecated in the motel room and on the motel room door. Due to the complaint, the motel staff spoke to Mr. Stredrick and subsequently informed him he would need to leave and vacate the room. He stated he was very irate, swearing, and upset, and the staff told him they were calling the police. Officers arrived and informed him he was going to be trespassed but gave him permission to collect his belongings from the room before leaving the property. The officers followed him to his room, and Mr. Stredrick indicated that he knew police were not going to help once they saw he had money on the bed and a PlayStation in his room. Mr. Stredrick began to collect his belongings and then said he punched the television and broke the screen. Officers informed him he was under arrest for trespassing and the property damage, and they "put their hands on me." Mr. Stredrick said he had cash in his hand which he was trying to put in his pocket, and the police would not let him. The officers were

“tussling” with his arms, and he did not want to put his hands behind his back; he wanted to put his money in his pants pockets. The police forced his hands behind his back, and an officer pulled his hair. The officers were yelling and very upset, but he did not know why. After he was arrested, officers walked him out to a police vehicle. He admitted to screaming profanities at the female manager but did not threaten anyone. Mr. Stredrick was also upset because his dog was inside his vehicle, but the officers just put Mr. Stredrick inside the police vehicle and drove him to jail. The police did not allow him to call anyone to come pick up his dog. Mr. Stredrick was held in jail for three days and upon his release was able to recover his dog from the humane society.

Mr. Stredrick stated he was trying to get a job as a security officer but due to his criminal record, he could not get it. Mr. Stredrick stated he pled guilty to resisting arrest, trespassing, and property damage. The charges of assault, harassment, and disarming a police officer were dropped during his plea deal.

A review was done of the body worn cameras and police reports. These were discussed with Mr. Stredrick to obtain his side of the story. In the BWC footage, the officers informed Mr. Stredrick he was being trespassed from the location and had to leave after collecting his belongings; Mr. Stredrick confirmed this. When Mr. Stredrick was asked about punching the TV, he replied he was so upset at that time and felt the motel could pay for the television since they took his money by forcing him to leave the property. On the BWC, the officers are heard telling Mr. Stredrick he was under arrest; Mr. Stredrick confirmed he understood that. Mr. Stredrick stated he is from Chicago and had been arrested numerous times. Upon further review of the BWC, it appeared Mr. Stredrick was not compliant and did not put his hands behind his back when the officers instructed him to do so. Mr. Stredrick agreed and said, “Well yeah, I wanted to put my money in my pocket. I didn’t want it to fall on the floor.” Mr. Stredrick confirmed that since he had been arrested before, he is aware that officers empty their pockets and put all their property in a bag. Mr. Stredrick also confirmed he got his money back in his property bag at the jail. Mr. Stredrick then added, “I told them I was ready to go to jail, just let me put my money in my pocket.”

All three involved officers – Officer Stephenson, Officer Hauswirth, and now-Detective J. Harris – were interviewed regarding this complaint. All officers indicated they were surprised Mr. Stredrick would file a complaint considering how irate and upset he was during the contact and his attempt to disarm Officer Stephenson. They were informed that a review was done of their BWC and their reports and asked if there was any additional information they wanted to provide. No officer had any additional information they wished to provide besides what was contained in their written reports and captured on their BWC.

After reviewing all BWC of the involved officers, it should be noted that on now-Detective Harris’ BWC at approximately the 26:42-minute mark, he is heard yelling at Mr. Stredrick, “Get off his gun,” and informs Officer Stephenson that Mr. Stredrick had his hand on his gun.


COMMANDER REVIEW


A thorough review of this investigation was completed. This complaint stems from an arrest of the complainant in May 2022. As part of a plea deal the complainant admitted to taking, several of the original booking charges were amended. This is not something within the officers’ control and certainly does not mean they violated policy. No merit is found in this complaint against the officers.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant, Officer Stephenson, Officer Hauswirth and now-Detective J. Harris, as well as review of the body worn camera footage. The investigation was then reviewed by the officers' chain of command. The allegation of Unsatisfactory Performance against the involved officers 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

December 12, 2023

Mr. Isiah Stedrick
9818 Kenwood Avenue SW
Lakewood, WA 98498

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0080

Mr. Stedrick,

On July 25, 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-0080.

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 *for aft 2)*
Internal Affairs Section

DATE: September 29, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0081

Complainant:

Ms. Sierra L. Martos
c/o Public Storage
6312 North 9th Street
Tacoma, WA 98406
360.602.5257

On July 25, 2023, Ms. Martos 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-0081.

Allegations: Unsatisfactory Performance; Courtesy

COMPLAINT SUMMARY

Ms. Sierra Martos alleges the officers on scene did not investigate properly and one officer was rude as he talked down to her.

INVESTIGATION

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

Ms. Martos is an employee of a Public Storage facility in Tacoma. Upon initial contact for the complaint intake, she advised it was her manager who advised her to file a complaint. She stated two subjects came to the facility after winning an auction to recover abandoned items in a unit. The unit included a motorcycle but, according to Ms. Martos, it was clearly stated in writing the motorcycle was not to be taken as part of the winning auction bid. When the subjects started taking the motorcycle from the unit, she confronted them and told them it was not to be taken. The subjects became aggressive and upset when they were advised. Ms. Martos then disengaged and called her manager who instructed her to disable the gate and call the police. When the gate was disabled, Ms. Martos observed via surveillance camera the subjects trying to force the gate open to leave. The gate was reportedly damaged because of the subjects' actions. Officer Ahmed and Officer Powell arrived and contacted the subjects involved and contacted Ms. Martos in the facility office. Ms. Martos' complaint was the officers on scene did not do anything to resolve the incident and seemed to allow the subjects to retain the motorcycle. She believed the incident was not properly investigated. Martos further complained that Officer Ahmed was rude, talked down to her, and made her feel small.

During this complaint investigation, Ms. Martos was re-contacted for follow-up. At the time of the initial contact, Ms. Martos originally complained about the theft of a motorcycle. She originally stated that when

officers left the scene, she was unable to locate the motorcycle and therefore believed officers failed to investigate, effectively allowing the motorcycle to be stolen. She discovered later the motorcycle had in fact remained on the property and was not taken in the officers' presence. She admitted she was unable to confirm that the day of the incident and just assumed the motorcycle was gone. It has since been learned the motorcycle was placed back in the unit as directed. According to Ms. Martos, it appeared the original subject returned to the facility later and removed the motorcycle. Apparently, the subject somehow obtained an employee access code and was able to get into the facility to retrieve the motorcycle. Ms. Martos did not wish to report the theft at the time of the interview, stating an internal investigation within Public Storage is on-going. It appears an employee may be involved in the unauthorized access. All of this took place well after the officers cleared the scene. Ms. Martos admitted she did not request officers go into the unit to confirm their assessment. She stated she may have felt uncomfortable asking them to do so due to Officer Ahmed's rude behavior.

Officer Ahmed's conclusion on scene was that a theft had not occurred as the motorcycle had been put back into the unit and not removed from the property. Further, the dispute over the motorcycle appeared to Officer Ahmed as potentially civil in nature. Officer Ahmed did document the potential vandalism regarding the broken gate appropriately.

Regarding the allegation of the courtesy violation, Ms. Martos stated that during her interaction with Officer Ahmed, he was demeaning and made her feel small. Ms. Martos could not recall any exact quotes. She stated that when she advised the gate was disabled at her manager's request to keep the subjects on property, Officer Ahmed said something along the lines of, "that was stupid" or "that was dumb." When a review was done of Officer Ahmed's body worn camera (BWC). Statements of that nature were not made. Ms. Martos clarified that it was not necessarily Officer Ahmed's words that she deemed as rude, but rather his facial expressions and body language. Ms. Martos felt Officer Ahmed had little care for the incident.

COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant alleges Officer Ahmed was rude, talked down to her, and made her feel small. The complainant also alleged unsatisfactory performance stating the officers on scene did not investigate properly. During a review of Officer Ahmed's BWC, the complainant thanked the officer and at no time were there any rude, demeaning, or unprofessional remarks. The complainant further alleged the officers failed to properly investigate this situation by allowing the other parties in the call to leave with a motorcycle that they supposedly had no right to take. It turns out in the follow-up conversation, the motorcycle never left the property and was not taken by the other parties on that day.

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 officers' chain of command. The allegations of Unsatisfactory Performance and Courtesy against the involved officers are 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



City of Tacoma
City Manager

December 12, 2023

Ms. Sierra L. Martos
c/o Public Storage
6312 North 9th Street
Tacoma, WA 98406

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0081

Ms. Martos,

On July 25, 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-0081.

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 allegations Unsatisfactory Performance and 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 *GR* *YH*
Internal Affairs Section

DATE: September 29, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0082

Complainant:

Ms. Michelle A. Ward
4051 East B Street
Tacoma, WA 98404
206.300.5623

On July 27, 2023, Ms. Ward 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-0082.

Allegations: Unsatisfactory Performance; Courtesy

COMPLAINT SUMMARY

Ms. Michelle Ward alleges officers allowed her estranged husband to take more than essential items during a civil standby. Additionally, she alleges officers laughed at her during the contact and allowed her estranged husband to make comments toward her and their children.

INVESTIGATION

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

During the initial complaint intake process, Ms. Ward stated that she and her estranged husband, Mr. Ward, each have court orders against each other. Mr. Ward called for a civil standby at the residence to remove some belongings and was escorted there by the officers. Ms. Ward was upset the standby was allowed in the first place because she believed her order should have restricted that. However, she was more upset the officers allowed Mr. Ward to remove totes and other assorted belongings in excess of the basic necessities stipulated by his order for civil standby. She believed the officers should not have allowed him to take all the items that he did and that they did not listen to her when she attempted to contest some of the items. Additionally, she stated the officers were rude to her and threatened to arrest her if she did not allow Mr. Ward to remove the items he wanted. She said they even allowed him to have her vehicle, which she stated was hers from before their marriage. Ms. Ward stated the officers refused to read her order when she attempted to show it to them and refused to listen to her when she tried to report prior violations of her order by Mr. Ward. Furthermore, she stated the officers laughed at her during the contact. She alleged Mr. Ward made comments toward her and their children during the contact, and the officers did not stop him from doing so.

A review was done of the incident. Officer Jackson, Officer Kalnasy and Officer Yi were dispatched to the area of South 43rd and Pacific Avenue to meet Mr. Ward regarding a civil standby. Mr. Ward had a

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civil standby order issued by Thurston County Superior Court. The Wards are in the process of a separation and/or divorce, and both have court orders against each other. Knowing about the orders, Thurston County Superior Court issued a standby order allowing Mr. Ward to retrieve items from the house with officers present. Officers and Mr. Ward arrived at the house, and officers attempted contact. A teenage male answered, and a short time later, he was met by a young adult female. Officers advised the reason they were at the house, and the young adult female contacted Ms. Ward via phone. When officers explained to Ms. Ward why they were at the house, she became hostile and demanded officers not facilitate the standby order; however, officers did facilitate the standby. While doing the standby, Ms. Ward showed up. She was very upset that a judge and/or the officers would allow Mr. Ward to take the items on the order. Ultimately, Mr. Ward collected the items on the order, and he left as did the officers.

Multiple attempts were made to re-contact Ms. Ward for follow-up, with negative results. When calling her phone, a recording indicated the voice mailbox has not been set up and to call later.

A review of the body worn camera (BWC) was completed. Officer Jackson was the primary officer on scene. He reviewed and scrutinized the standby order on video and explained to Mr. Ward exactly what the order allowed. He then went to the house and explained the order to the young female adult who called Ms. Ward. When he explained the order to Ms. Ward on the phone, she got very argumentative. Officer Jackson advised Ms. Ward that he was going to assure the order was followed. Ms. Ward advised to not let him collect anything from the house without her there. Officer Jackson asked Ms. Ward how far away she was from the house, and she replied, "A long ways away." Officer Jackson advised the standby would have to occur without her there since she was a long way away. Ms. Ward became enraged and began speaking with the young female. Officers began to facilitate the standby and allowed Mr. Ward to collect items which were on the standby order list. A short time later, Ms. Ward arrived at the residence. She entered the house and began making demands. She immediately attempted to dictate what could and what could not be taken by Mr. Ward. Officers attempted to keep Ms. Ward and Mr. Ward away from each other, but Ms. Ward followed Mr. Ward around dictating what he could take and what he could not take. Officers again advised Ms. Ward they were only allowing Mr. Ward to take the items on the list, and she argued with officers again. It was noted in the videos the officers were very patient with Ms. Ward. The officers did not escalate and/or raise their voices toward Ms. Ward. The officers were not rude but did take control of the scene to maintain order. Ms. Ward advised Officer Jackson that what they were doing was violating her order. Officer Jackson advised her that he reviewed the order and checked into it, and the standby order needed to be facilitated and was allowed per the court.

The order was then reviewed by the investigating supervisor, and it was noted the officers followed the order as it was issued by the court.

The involved officers were interviewed regarding this complaint. All the officers felt they treated Ms. Ward very nicely. Officer Jackson advised he contacted Thurston County Superior Court confirming the standby order was valid and needed to be facilitated.

COMMANDER REVIEW

A thorough review of this investigation was completed. Civil standby orders can be very emotional, as was this incident, and very difficult to navigate. The involved officers were conducting a civil standby as ordered by the Thurston County courts in which a male half was allowed to retrieve specific items listed in the order from a residence previously shared with the female complainant. In short, the complainant alleged the officers were rude and allowed the male half to remove items not specifically listed on the order. Officers were professional in their interactions with all involved. The officers did a good job of trying to maintain order, and the court order was also verified before the process began. The investigating supervisor attempted to contact the complainant four times via phone after he received this complaint but

was met with negative results. BWC did not present any facts to support rudeness or that the officers allowed the male to collect items beyond the scope of the court order.

FINDINGS

An investigation into this complaint was conducted to include the initial interview of the complainant, Officer Jackson, Officer Kalnasy and Officer Yi. Body worn camera footage was also reviewed. The investigation was then reviewed by the officers' chain of command. The allegations of Unsatisfactory Performance and Courtesy against the involved officers are 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 10/12/23

/man



City of Tacoma
City Manager

December 12, 2023

Ms. Michelle A. Ward
4051 East B Street
Tacoma, WA 98404

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0082

Ms. Ward,

On July 27, 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-0082.

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 allegations Unsatisfactory Performance and 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 *(652 cyt p)*
Internal Affairs Section

DATE: September 29, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0084

Complainant:

Ms. Christina Young
4105 South M Street
Tacoma, WA 98418
253.954.5888

On August 7, 2023, Ms. Young 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-0084.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Ms. Christina Young alleges the officer told her she could not live at a residence.

INVESTIGATION

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

Ms. Young called the Tacoma Police Department, and her voicemail was transferred on August 7, 2023, to the Internal Affairs complaint line to file a complaint against Officer Butts. She alleged that he told her she could not live at the residence and was going to cut down her fence, kick her out, and take her dogs. She did not answer any calls made by Internal Affairs for follow-up.

Internal Affairs also received an email from Ms. Mia Tolman on behalf of Christina Young regarding the same situation. She wrote that a Tacoma Police Officer came to their address stating he is off duty and will be there "tomorrow [8/8/2023] with his buddies" to kick in their door, take their dogs, and to kick everyone out. After he stated that, he allegedly went to the back alley where the backyard is and cut their gate down and left. She wrote that they have a lease agreement, but the officer told them it was fake and would not even try to look at it. Ms. Tolman continued in her email that they have a lease agreement, pay property taxes, pay the power bill, and pay the rent.

The residence in question is 4105 South M Street. Officer Butts contacted Ms. Young for trespassing at that residence. Numerous 311 (SeeClickFix) complaints were received from neighbors since May 2023 regarding possible squatters on the property after the death of the homeowner. On this date, Ms. Young was upset at the officer for advising they were trespassing and needed to leave the property.

The complaint was assigned to the investigating supervisor who attempted to contact Ms. Young multiple times, with negative results. The message on her phone stated her voicemail was full, so he could not leave a message.

Officer Butts was contacted and interviewed regarding this complaint. Officer Butts advised he was aware of the property and subjects from the residence. He does not know Ms. Young because the female inside the residence refused to exit the residence to speak with him after impounding a stolen vehicle/recovery. Officer Butts advised he has been at this location multiple times since May 2023 due to numerous 311 complaints and neighbor complaints of trespassers, squatters, and illegal activity (stolen and abandoned vehicles). Officer Butts stated that in May 2023 (TPD case number 23-13000453), he was able to determine the homeowner, Mr. Freddie Davis, had passed away in September 2022, and the residence should be vacant. Officer Butts was able to contact Mr. Davis' sister, Mrs. Audrey Glover, who is out of state. Mrs. Glover informed Officer Butts that Mr. Davis did not have a will, and they needed time for Power of Attorney paperwork to be finalized. Officer Butts stated the paperwork was recently completed and he obtained a copy showing Mrs. Glover responsible and administrator of Mr. Davis' estate. Mrs. Glover confirmed with Officer Butts there should be no one inside or residing at the listed residence. Mrs. Glover informed Officer Butts she has hired a realtor to sell the home. Officer Butts later received a signed trespass authorization from Mrs. Glover in the U.S. Mail (TPD case number 23-22000594).

On August 2, 2023, Officer Butts returned to the residence due to more complaints about activity. Upon arriving, multiple subjects from the backyard ran away into the residence. There were three confirmed stolen vehicles recovered from the backyard/alley. Officer Butts attempted to explain everyone needed to leave and why. An unknown female stated she was "renting" and claimed to have a signed lease with an unknown subject. Officer Butts informed them the lease was fraudulent and anyone inside was subject to arrest. No one came to the door after the listed vehicles were towed (TPD case number 23-21401552).

Officer Butts explained he did not speak with Ms. Young regarding her claims listed above. He only spoke with an unknown male from the property on August 3, 2023. He told the male that if they refused to leave the property, "we could kick in the door, and anyone inside could be arrested for trespassing, and any dogs inside could be taken by animal control." Officer Butts denied cutting any gate down.

Review was done from several body worn camera (BWC) videos of Officer Butts.

- On August 3, 2023, his arrival and the stolen vehicle confirmation through South Sound 911 (SS911) was viewed.
- About 37 minutes into the video, Officer Butts contacted a female explaining the possible fraudulent lease, and he would be available to speak with her after getting the stolen vehicles removed from the property. He explained to the female that no one should be in the house and would like to speak with her. She stated she paid \$500 to rent the residence, and the lease was done online and had no point of contact. Officer Butts explained that everyone needed to leave the residence, but he was not kicking anyone out at that time.
- At the 40-minute mark, a female was seen walking away and refused to speak with Officer Butts.
- No footage was viewed of any gate getting cut or Officer Butts informing a female he would kick in her door, kick her out and take her dogs.
- On August 3, 2023, Officer Butts returned to contact Ms. Young with negative results and no answer at the door. Another vehicle was impounded from the property.
- On August 7, 2023, Officer Butts again attempted contact at the residence with negative results. A vehicle parked in front of the residence was occupied by two passed-out subjects.
- On August 8, 2023, negative results for contact at the front door.
- On August 11, 2023, power was shut off at the listed address due to fraudulent activity. It was determined that someone posed as Mr. Davis (passed away September of 2022) in June 2023 and authorized an unknown subject only identified as Dwayne Brewster to be an authorized user for Mr. Davis' account.

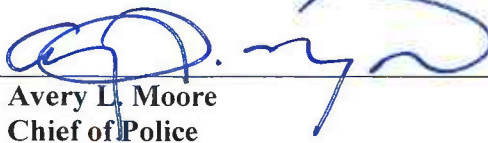
COMMANDER REVIEW

A thorough review of this investigation was completed. The officer involved went to great lengths to address and resolve a situation in which persons were inhabiting a vacant house without authorization or legal standing. There is no violation of policy or procedure. The officer handled this complicated situation appropriately.

FINDINGS

An investigation into this complaint was conducted to include a review of the complainant's email and phone message and interview with Officer Butts. A review of the body worn camera footage was also completed. The investigation was then reviewed by the officer's chain of command. The allegation of Unsatisfactory Performance 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 10/13/23

/man



City of Tacoma
City Manager

December 12, 2023

Ms. Christina Young
4105 South M Street
Tacoma, WA 98418

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0084

Ms. Young,

On August 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-0084.

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 of 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 *GRJ* *cytt 2)*
Internal Affairs Section

DATE: September 29, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0085

Complainant:

Mr. Shaun A. Doyle
614 Upper Park Street #2
Tacoma, WA 98404
253.226.1256

On August 10, 2023, Mr. Doyle 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-0085.

Allegation: Courtesy

COMPLAINT SUMMARY

Mr. Shaun Doyle alleges the officer keeps threatening to tow his vehicle for no reason.

INVESTIGATION

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

Mr. Doyle contacted South Sound 911 to file a complaint on an officer. Upon complaint intake, Mr. Doyle stated that for over a year, an officer, later identified as Officer Butts, has been coming by the street in front of his apartment and threatening him that he will tow his vehicle. The officer has done this several times, and Mr. Doyle said he has never been given an answer as to where else he can park his vehicle, nor why his vehicle must be moved. Mr. Doyle described the officer as always dismissing his questions when he asks them of him. He says his vehicle is in legal standing, but the officer tells him frequently that it is not legal where it is parked.

Mr. Doyle was recontacted for follow-up regarding his complaint. He questioned why Officer Butts informed him he needed to move his vehicle or it could get towed. He was upset this was the second time Officer Butts advised him of this and felt he was being targeted. He stated his vehicle was not registered to him and did not have any vehicle plates. He was unable to get the vehicle registered because the car dealership he purchased the vehicle from went out of business. Mr. Doyle further explained he parks his vehicle on the side streets because the parking lot of the duplex he resides at has limited parking and is full.

It was explained to Mr. Doyle that our Community Liaison Officers (CLOs) have received numerous parking complaints for the area from citizens via 311. Officers/CLOs have removed numerous vehicles for various violations in that area, and Officer Butts was not targeting his vehicle. It was explained he needed to get his vehicle registered and once this gets done, he would be able to park in areas that are not restricted as long as he moves his vehicle every week. Due to the current status of Mr. Doyle's vehicle, officers have

discretion to tow his vehicle. Mr. Doyle was informed to get his vehicle registered and properly licensed, and he would need to contact the Department of Motor Vehicles (DMV) on how to obtain the proper documents. Once he gets his vehicle licensed, we would be able to try and find a solution to his current parking situation. Mr. Doyle was satisfied with this option and explanation of the incident.

Officer Butts was contacted and interviewed regarding this complaint. Officer Butts advised he has had multiple contacts with Mr. Doyle. He has provided numerous warnings to Mr. Doyle regarding his vehicle (parking infractions and vehicle violations), or it would be towed. Officer Butts stated he was working off-duty Transit when he located and recovered a stolen vehicle in the area. After completing the recovery, Officer Butts initiated separate parking/abandoned vehicle calls due to the ongoing complaints in the area. He logged every vehicle and community member. On that day, Officer Butts did not have Mr. Doyle's name since he is not the registered owner of any of the vehicles. Officer Butts stated he has seen Mr. Doyle many times during his visits, and on past calls has impounded vehicles Mr. Doyle has been in. Officer Butts stated Mr. Doyle was in a Mazda 6 (no plates and no temp tag). The vehicle was blocking the handicap spot at the bottom of Upper Park Street by the park. The vehicle had no assigned plate (last registered 2022) and re-registered to "Rose L. Motors."

A review of Officer Butts' body worn camera (BWC) was completed for this complaint. Officer Butts was working Transit off duty. He drove through the area again to see if any parking issues had changed. Mr. Doyle was located sleeping in the same listed vehicle parked on Upper Park Road with the same vehicle violations. While passing by, Officer Butts advised Mr. Doyle he would have to tow his vehicle next time he sees it since he has not moved the vehicle off the street and has not addressed the repeated ongoing warnings about various vehicles violations.

In summary, Mr. Doyle was contacted multiple times to move a vehicle that is not registered to him in the area of Upper Park and McKinley Hill by CLO Officer Butts for parking and vehicle violations. Due to multiple complaints from citizens via 311, Officer Butts returns to this location on a continuous basis to monitor abandoned vehicles, parking violations, and unlicensed vehicles who refuse to move or get them registered. Although Mr. Doyle's vehicle is not registered to him, Officer Butts has given Mr. Doyle multiple warnings to move his vehicle or to get it licensed.

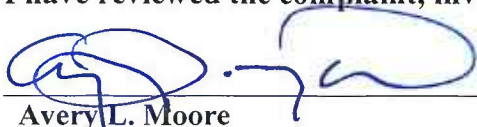
COMMANDER REVIEW

A thorough review of this investigation was completed. There was interaction with the complainant, and the involved officer acted reasonably, timely, and within policy and procedure.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Butts, 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

December 12, 2023

Mr. Shaun A. Doyle
614 Upper Park Street #2
Tacoma, WA 98404

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0085

Mr. Doyle,

On August 10, 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-0085.

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 of 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: Chief Avery L. Moore
Chief of Police

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

DATE: October 13, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0086

Complainant:

Ms. Beverly Brown
13821 Parkview Drive East
Lake Tapps, WA 98391
360.852.6223

On August 15, 2023, Ms. Brown 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-0086.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Ms. Beverly Brown alleges she did not get adequate information regarding the recovery of her stolen vehicle.

INVESTIGATION

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

On August 15, 2023, Internal Affairs received an email from Ms. Beverly Brown. She wrote that on or about July 22, 2023, her vehicle was stolen and reported to the Pierce County Sheriff's Department. In the middle of the night on August 8, 2023, a phone call was received from a Tacoma Police Department (TPD) Officer that the vehicle was located and had been used in a crime. It was at TPD headquarters and was pending a search warrant. No other information was provided as to the case number or how or when to pick up the vehicle. She was given the badge number of U297. The vehicle was impounded a day later, and she discovered this when she received a notice in the mail from the tow company. The bill was over \$700 for the cost of towing and daily storage fees. She did not receive a phone call or voicemail from any TPD employee notifying her of the status.

Ms. Brown was re-contacted for follow-up to her complaint. She advised that the recovered stolen vehicle is owned by her son, Stephen Brown, but he was out of the country for school, and she was handling this matter on his behalf. She stated Officer Boldenow had previously informed Stephen that the vehicle had been recovered but was used in a crime and would be impounded for a search warrant. Ms. Brown did not hear anything else about the vehicle until she received a tow bill in the mail. The bill was for approximately \$700, which she paid; however, she ended up selling the vehicle to the tow company for around \$300, for a total loss of approximately \$400. Ms. Brown indicated she was upset because she had to pay a tow bill after being the victim of a vehicle theft. She or her family could have made arrangements to pick up the vehicle after it was towed post-warrant service. She only carried basic insurance coverage on the vehicle, and it did not cover the tow under her policy.

In an attempt to assist Ms. Brown, she was asked if she considered making a claim to the city in order to recoup the tow cost. She stated she did consider submitting a claim but decided against it because she was told there was a filing fee of \$80, and she did not want to risk losing more money. She was also under the impression she missed the filing deadline.

Officer Hathaway was interviewed regarding this complaint as he was the officer who served the search warrant on the vehicle and had it towed after the warrant service. When asked if he contacted or attempted to contact Ms. Brown or her son, he said he did not. Officer Hathaway was under the impression the tow company would contact the vehicle's registered owner.

COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant's son's car had been stolen and used in a crime. It was recovered by TPD and impounded with a hold for a pending search warrant. After the warrant was served and the hold was lifted, the involved officer failed to notify the complainant of the vehicle's disposition. Because of such, the complainant was billed \$700 dollars for storage fees. The involved officer was not aware of the policy requirement for notifying involved parties as to when their vehicle can be recovered.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Hathaway. 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 **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

December 12, 2023

Ms. Beverly Brown
13821 Parkview Drive East
Lake Tapps, WA 98391
360.852.6223

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0086

Ms. Brown,

On August 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-0086.

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 of 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 *(me cyh P)*
Internal Affairs Section

DATE: September 29, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0088

Complainant:

Alexis Marie Mellema
2424 South 41st Street #444
Tacoma, WA 98409
608.383.9090

On August 18, 2023, Alexis Mellema 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-0088.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Alexis Mellema alleges an officer was illegally parked in front of a business.

INVESTIGATION

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

On August 18, 2023, Internal Affairs received an email from Alexis Mellema wanting to file a complaint against an officer. In the email, Alexis stated a TPD Officer was eating while illegally parked in front of a business, taking up three parking spots, with his lights activated.

During the time of this incident, Sergeant McKenzie informed his Lieutenant he was working the Department-directed emphasis in accordance with the Crime Reduction Plan at that particular location. Sergeant McKenzie parked in a normal parking spot while ordering his lunch from a nearby restaurant. Once he obtained his lunch, Sergeant McKenzie pulled his vehicle to an empty part of the parking lot along the street (his assigned location) and ate his lunch in his vehicle while conducting the emphasis.

Multiple attempts were made to contact Alexis by phone. The phone rang numerous times before being directed to a message that stated the voicemail was not set up or full. It was not possible to leave a message.

In reviewing the video taken and submitted by Alexis, one can clearly see Sergeant McKenzie's vehicle parked crossways through three parking stalls in the lot along the street. In the video, you can see approximately 20 empty parking spaces with only 1 other car taking up a spot. It is clear that Sergeant McKenzie's positioning while conducting the emphasis in no way prohibited any citizens from parking, should the need arise.

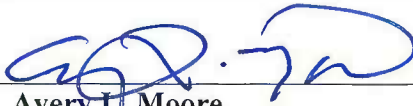
COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant expressed concern the involved Sergeant was "illegally parked" in a parking lot with his lights on while at the same time eating his lunch. However, factually, the involved Sergeant was working a Department-directed emphasis at the location which requires him to sit in the area with his lights on. The involved Sergeant did not inhibit any opportunity for citizens to park at the location. The involved Sergeant was committing no policy violations.

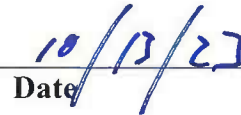
FINDINGS

An investigation into this complaint was conducted to include a review of the complainant's email and interview of Sergeant McKenzie. 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 **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

December 12, 2023

Alexis Marie Mellema
2424 South 41st Street #444
Tacoma, WA 98409

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0088

Ms. Mellema,

On August 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-0088.

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 of 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 *WZ cyh P)*
Internal Affairs Section

DATE: October 13, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0089

Complainant:

Ms. Kathryn O. Buman
5142 North Visscher Street
Tacoma, WA 98407
253.331.3346

On August 21, 2023, Ms. Buman 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-0089.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Ms. Kathryn Buman alleges the officer hung up on her after a brief conversation.

INVESTIGATION

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

On August 21, 2023, at 5:16 p.m., an employee with the Internal Revenue Service (IRS) called South Sound 911 (SS911) to report he had been on the telephone with Kathryn Buman attempting to assist her when she threatened to kill herself, repeating this threat several times. The call was entered as a Welfare Check and at 5:44 p.m., Officer Scheetz and Officer Goakey were dispatched. According to the Computer Aided Dispatch (CAD) system, both officers contacted the brother of Ms. Buman as well as her boyfriend. Her brother and boyfriend reported this is a common occurrence with Ms. Buman (threats of self-harm) and that she was currently sleeping and is fine. Officers cleared the call with notes in CAD.

Later that same day, Ms. Buman contacted SS911 wishing to file a complaint. During the complaint intake process, Ms. Buman stated she was advised by her neighbors that the police were outside her home. Since she did not know why, she contacted SS911 demanding officers contact her and explain why they were at her house. She stated an unknown officer called her back but hung up on her after 47 seconds. She was advised during the complaint intake process that officers were dispatched to her residence for a welfare check with suicidal motive and that her boyfriend spoke to officers. Ms. Buman was unaware this took place and did not know the IRS agent had called SS911 requesting the welfare check. Ms. Buman admitted to the statements but advised she was joking.

A review was done of CAD for this call. It showed that at 10:38 p.m., Officer Scheetz called Ms. Buman back. He recorded notes in CAD of the contact. He wrote she was very uncooperative and "we don't care about her." She started yelling about a hit and run and continued yelling, not allowing the officer to speak. The officer hung up as she was already advised about why they were at her house earlier.

A review was done of the BWC footage of both responding officers. The residence is two stories with the main entrance located on the second floor (stair access from the sidewalk). Officer Scheetz went to the main entrance and contacted a male claiming to be the brother of Ms. Buman. Officer Scheetz explained why officers were there, and the male admitted to hearing his sister screaming inside the house earlier. He said she had threatened to hurt herself before, and officers have been to their residence on previous occasions due to his sister threatening self-harm.

Officer Goakey contacted Ms. Buman's boyfriend at the downstairs door (entrance next to the garage door) where Ms. Buman stays. The boyfriend said that Ms. Buman was sleeping, she was fine, and was no longer angry. Neither the brother nor boyfriend were surprised by the presence of officers or their stated reason for being there to check the welfare of Ms. Buman over her threats.

Ms. Buman was contacted for follow-up to her complaint. After explaining the reason for the call, Ms. Buman thanked the investigating supervisor for the call, said she was no longer interested in making a complaint, and the call was ended.

COMMANDER REVIEW

A thorough review of this investigation was completed. The officer handled this situation appropriately. The officer realized that trying to continue a conversation with someone who is "yelling" and "screaming" will go nowhere. The complainant also wanted to withdraw her complaint during the investigating supervisor's contact.

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 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 D. Moore
Chief of Police


Date

/man



City of Tacoma
City Manager

December 12, 2023

Ms. Kathryn O. Buman
5142 North Visscher Street
Tacoma, WA 98407

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0089

Ms. Buman,

On August 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-0089.

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 of 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*
Internal Affairs Section

DATE: September 29, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0090

Complainant:

Ms. Kierra M. Walton
3911 South Sullivan Street
Seattle, WA 98118
206.665.3412

On August 22, 2023, Ms. Walton 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-0090.

Allegation: Unsatisfactory Performance; Courtesy

COMPLAINT SUMMARY

Ms. Kierra Walton alleges the officer was rude and stuck his finger in her face while being questioned for a domestic violence call.

INVESTIGATION

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

On August 22, 2023, Ms. Walton contacted the Desk Officer in the Tacoma Police Department (TPD) Headquarters lobby wanting to file a complaint. Upon initial contact, she stated Officer Komljenovic was rude, stuck his finger in her face, did not talk to her first as she said she called 911 reference a domestic violence, handcuffed her, and placed her in the back of his patrol vehicle. In addition, she stated she felt the officer was rude while questioning her about the injuries occurred during the domestic violence incident from three hours before officers arrived on scene.

On August 24, 2023, Ms. Walton returned to TPD Headquarters to again file the same complaint. During her interview, she indicated she did not have additional information from her initial complaint.

In review of the Computer Aided Dispatch (CAD) system, Officer Perry and Officer Komljenovic responded reference a male caller, Mr. Moses Howard, who was reporting a verbal altercation between his ex-girlfriend, Ms. Walton, and himself. Mr. Howard stated Ms. Walton was calling people to bring guns to the location (Firestone Complete Auto Care). When she stated this, Mr. Howard called 911. Officers arrived on scene at 8:27 a.m. and located all parties involved. No other officers were on the scene. The call was received by South Sound 911 dispatch at 7:27 a.m. It should be noted CAD did not show Ms. Walton contacting the police three hours before.

Officer Komljenovic was interviewed regarding this complaint. He denied being rude, stating he never yelled at Ms. Walton or pointed his finger at her face. He stated she was not the one who called 911 nor any record of her calling 911. She was never handcuffed or placed in the back of any patrol car. He said he did accuse her of lying as he had caught her in multiple lies. She lied to him about owning the car and filing a restraining order against Mr. Howard. He caught her changing her stories multiple times regarding both incidents. Officer Komljenovic went on to say that Ms. Walton currently has a "false reporting charge" with Puyallup Police Department (PPD). In that case, she told PPD a month earlier that Mr. Howard had pointed a gun at her, stolen her car, and beat her. Puyallup determined none of that happened and charged her with filing a false police report under case #2319000189.

Officer Perry was interviewed regarding this complaint. He stated he did not witness any of the actions that were alleged by Ms. Walton. He also did not hear Officer Komljenovic raising his voice while he was with him during the call.

Body worn camera (BWC) of both officers was reviewed. Officer Perry's BWC had no evidentiary value to the allegations.

The BWC of Officer Komljenovic showed the entire conversation he had with Ms. Walton. The camera was activated the entire call and was not muted when talking with community members. The following are notable points in the footage.

- At the 4:33 mark, first contact was made with Ms. Walton
- At the 13:05 mark, Officer Komljenovic confronted Ms. Walton about the current falsehoods she reported.
- At the 41:02 mark, Ms. Walton asked for officers' identifying information to file a complaint, which was freely given.

In watching the entirety of Officer Komljenovic's BWC footage, Officer Komljenovic did not raise his voice while speaking with Ms. Walton. He talked in a normal calm manner even though he was interrupted by Ms. Walton several times and sworn at. He did not yell at her, and at no time did he point his finger in her face and yell, as she stated in the complaint. Ms. Walton was never handcuffed or put into the back of a patrol car as she claimed. The entire BWC was viewed and at no time was she handcuffed, threatened to be handcuffed, or put into the back of a patrol car.

When officers arrived on scene, they immediately split up. Officer Perry went and spoke with Ms. Walton, and Officer Komljenovic spoke with Mr. Howard. The claim that Officer Komljenovic was supposed to go talk with her first is not accurate as an officer did immediately go speak with her, even though it was not Officer Komljenovic who spoke with her.

Multiple times in the BWC footage Ms. Walton was confronted with the falsehoods of filing a restraining order and the car belonging to her as she claimed. Each time she was confronted, she would change what she was claiming. Regarding the restraining order, she first said a company did it for her, then she said she dropped a blue card off at a desk, and finally she stated she filled out the paperwork but hadn't turned it in yet. Regarding the car, she stated multiple times the vehicle was registered to her; however, it was not, nor was it ever registered to her. It was in fact registered to Mr. Howard.

A review of the CAD incident showed that Mr. Howard was the reporting party, and Ms. Walton did not call 911 as she stated. In a search for Ms. Walton's number to see if she had called 911 showed no record of Ms. Walton calling 911 the day of this incident, contrary to her saying she called 911 several times regarding Mr. Howard. The CAD additionally showed that officers on scene ran both of the parties to confirm there were no restraining orders in place at the time of the call as Ms. Walton had stated.


COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant accused the officer of a variety of things to include actions that would constitute a Courtesy violation as well as Unsatisfactory Performance. A review of the interaction between the complainant and the involved officer proves none of the accusations to be true.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant, Officer Komljenovic and Officer Perry, as well as review of the body worn camera footage. The investigation was then reviewed by the officer's chain of command. The allegations of Unsatisfactory Performance and Courtesy against the involved officer are 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

December 12, 2023

Ms. Kierra M. Walton
3911 South Sullivan Street
Seattle, WA 98118

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0090

Ms. Walton,

On August 22, 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-0090.

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 allegations of Unsatisfactory Performance and 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 cyrt ?*
Internal Affairs Section

DATE: October 13, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0092

Complainant:

Ms. Brenda L. Cave
1313 East 32nd Street
Tacoma, WA 98404
951.201.7086

On August 23, 2023, Ms. Cave 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-0092.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Ms. Brenda Cave alleges poor response time to her call for service of an assault.

INVESTIGATION

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

This complaint is in reference to an in-progress fight that came into South Sound 911 (SS911) at 12:45 p.m. Officers were not dispatched until 2:05 p.m. During the intervening time, the victim had been transported to the hospital, the apparent victim of an aggravated assault. Ms. Cave is the assault victim's mother.

According to the Computer Aided Dispatch (CAD) system, Officer Walsh and Officer Childs were dispatched at 2:05 p.m. and responded to the scene. They arrived at 2:18 p.m. and 2:16 p.m. respectively. Ms. Cave was no longer on the scene and reportedly went to the hospital.

At 4:57 p.m., Ms. Cave was contacted as she was extremely upset that her son was assaulted, and police had not responded. At the time of this contact, the suspect was not on scene, and her son had already gone to the hospital. It was explained to her that officers were tied up on an officer-involved shooting (OIS) and were still currently searching for suspects. Due to the large-scale response for the OIS, she was advised it could potentially be a while before someone would respond. Ms. Cave advised that while sympathetic, she did not believe it took that many officers for an OIS and was adamant that someone go take the report for the assault on her son. She advised her son had a laceration and a broken hand, and it was understood the injuries were not life threatening. She was informed that attempts were being made to call officers in on overtime, and the few officers working were responding only to in-progress priorities until more officers came in. Ms. Cave was extremely upset and said that was not good enough and again said the OIS was not a good enough reason not to respond for a report. She was advised someone will be sent to take a report as soon as possible, and she advised this was unacceptable.

At 8 p.m., Ms. Cave came to Tacoma Police Department (TPD) headquarters very upset and yelling at the desk officer, and at 8:17 p.m. SS911 dispatched an officer to make contact. An officer responded and documented the incident in a report at that time.

Multiple attempts were made to contact Ms. Cave for follow-up, with negative results. By phone, a recorded response stated the call could not be completed since the user is temporarily unavailable, with no ability to leave a voicemail. Due to the inability to make phone contact with Ms. Cave, in-person contact at her address was attempted. Several vehicles were present as well as a dog barking inside and people talking in the background; however, no one came to answer the door after knocking and ringing the doorbell.

COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant was upset about the delayed response time to a call for service involving a reported assault committed against the complainant's son. The investigating supervisor determined the call for service was in fact delayed due to a lack of available officers because of an officer-involved shooting. When the involved officers were eventually dispatched, their response time was just over 10 minutes which is found to be a very acceptable response time to a non-priority call, per SS911 practice.

The investigating supervisor attempted contact over the phone with the complainant as well as in person at the complainant's residence, with negative results.

FINDINGS

An investigation into this complaint was conducted to include an initial interview 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 officers' chain of command. The allegation of Unsatisfactory Performance 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

December 12, 2023

Ms. Brenda L. Cave
1313 East 32nd Street
Tacoma, WA 98404

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0092

Ms. Cave,

On August 23, 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-0092.

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 of 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* *ayh* *PD*
Internal Affairs Section

DATE: October 20, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0093

Complainant:

Mr. Robert C. Clarke
(309) 533-4490

On August 29, 2023, Mr. Clarke 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-0093.

Allegation: Vehicle Operations

COMPLAINT SUMMARY

Mr. Robert Clarke alleges a Tacoma Police vehicle was going through red lights, not appearing to be responding to a call.

INVESTIGATION

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

Mr. Clarke contacted the Operations Desk Officer wanting to file a complaint about a police vehicle "blowing lights" in the area of South 56th and Alaska Street. The call came in at 3:25 p.m. on August 29, 2023. Mr. Clarke stated, "It was in a way like the officer was just tired of waiting." Mr. Clarke recorded the car number as 820.

Mr. Clarke was contacted to gather more information regarding his complaint. He described the incident stating he was driving eastbound on South 56th Street from I-5. He saw a Tacoma Police Crown Victoria car #820 driving eastbound on South 56th Street. The patrol car cleared two intersections with a solid red and "it was in a way like the officer was just tired of waiting." It did not appear he was going to an emergency call because there were no sirens in the distance, and he saw no other police officers in the area. It was an afternoon with a normal flow of traffic going east on South 56th Street. At South Alaska Street, Mr. Clarke was about 2nd or 3rd in line at a red light. The patrol car was about two or three cars behind Mr. Clarke. They were waiting for a moment, then he saw the patrol car turn on the emergency lights, pull out of line, go through the red light, then turn off the emergency lights again. At South Park Street, the patrol car was in front of Mr. Clarke and came to a stop, perhaps first in line. After a moment, the patrol car again turned on its emergency lights, went through the red light, and immediately turned them off again and continued down South 56th Street at a normal pace. It appeared he was not in a rush.

In checking the current roster for vehicle assignments, it was discovered car #820 was issued to Student Officer Stotz from 1 p.m. to 11 p.m. on the day in question, and his training officer was Officer Hartle that day.

The call history for Officer Stotz and Officer Hartle was checked for that day, and it showed they were working as a student officer car. It was determined that at approximately 3:05 p.m., they were responding to a felony court order violation in progress, call #2324101443. That incident involved a male suspect who was reportedly attacking the female victim and her 1-year-old child. Another officer had arrived alone on the call at 2:59 p.m., and only one other officer had arrived as of 3:05 p.m. when Officer Stotz and Officer Hartle were observed clearing intersections with their lights on. Officer Stotz and Officer Hartle arrived on scene at 3:07 p.m.

Officer Hartle was contacted and interviewed regarding this complaint. He confirmed that he and Officer Stotz responded tactically to the call due to the serious nature of the offense – the fact that it was ongoing, and the fact that only two officers were on scene while the suspect was still not in custody. Officer Hartle therefore had instructed Officer Stotz, who was driving, to respond tactically and use his lights to proceed around traffic that was stopped at the lights to expedite their response. They shut down the lights after clearing each intersection.

Given the circumstances, this would be an appropriate response. Based on Officer Hartle's statements that he had instructed Officer Stotz to drive tactically to the call and Officer Stotz was a Student Officer, there was no need to interview Officer Stotz about his driving.

COMMANDER REVIEW

A thorough review of this investigation was completed in which the complainant alleged the involved officers activated their patrol car's emergency lights to "blow" red lights for no apparent reason. It was determined by the investigating supervisor that the involved officers (a two-officer training car) driving car #820 did in fact clear controlled intersections against a red light by utilizing the patrol car's emergency lights. The officers were responding to a priority domestic violence call involving a woman and her 1-year-old child being assaulted. The use of emergency equipment to clear multiple intersections was not only appropriate but in compliance with state law. This elevated level of response is within policy and necessary to this type of call.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Hartle. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officers' chain of command. The allegation of Vehicle Operations 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

December 12, 2023

Mr. Robert C. Clarke
(309) 533-4490

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0093

Mr. Clarke,

On August 29, 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-0093.

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 of 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 *(signature)*
Internal Affairs Section

DATE: September 29, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0095

Complainant:

Ms. Kristine R. Williams
2330 South Sheridan Avenue
Tacoma, WA 98405
360.628.7856

On August 29, 2023, Ms. Williams 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-0095.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Ms. Kristine Williams alleges the sergeant stated he would come to her house to speak to her son, and he never showed up.

INVESTIGATION

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

On August 29, 2023, Ms. Williams called Internal Affairs to file a complaint. On callback, Ms. Williams stated that on August 25, 2023, she called South Sound 911 (SS911) to report her son as missing because he had been staying at the neighbor's house for the last week and refused to come home. Officers contacted Ms. Williams via telephone and explained that her son was not missing because his location was known. Ms. Williams demanded a police report and to speak with a sergeant. A runaway report was completed on August 25, 2023, under case number 2323701495. Ms. Williams stated that Sergeant May called her and said he would "personally come out" to her house to speak to her son regarding his safety. Ms. Williams' complaint is that Sergeant May never came to her house, nor did he call her back, and all subsequent calls she has made to Tacoma Police have been canceled.

Ms. Williams was recontacted for follow-up to her complaint. She stated that on August 25, 2023, she filed a Police report regarding her runaway son. She stated he is currently staying at a residence that is known to her. She is upset because Sergeant May allegedly promised her that he would call her back and come to her residence and counsel her son. Ms. Williams did not specifically say what Sergeant May was to counsel her son on nor whether her son would be at the residence.

Ms. Williams was asked if there were any other complaints she had, and she stated there were. She claimed she called the Tacoma Police Department a total of six times looking for a supervisor to consult with, but

none of her calls were returned. She could not recall who she spoke to nor what their position was. She stated there were no other concerns.

Sergeant May was contacted and interviewed regarding this complaint. Sergeant May denied making any promise to re-contact her or to counsel her runaway son. He stated he ordered the responding officers to write a Runaway Report. Sergeant May advised there is an open Child Protective Services (CPS) case regarding this incident. It was reported to the responding officers that a CPS worker had visited the residence that Ms. Williams' son is staying at. That CPS worker determined it is a safe and suitable environment for Ms. Williams' 15-year-old son. Sergeant May informed Ms. Williams the police would not use force to remove the child from the residence.

A review was done of Sergeant May's body worn camera (BWC) of the initial conversation he had with Ms. Williams. Sergeant May did not make any promise to re-contact Ms. Williams or to counsel her son. Sergeant May asked relevant questions throughout the conversation and was very patient and polite. Sergeant May did not display any rudeness, did not raise his voice, nor did he cut her off during any part of the recorded conversation. Sergeant May displayed a great deal of empathy and understanding for Ms. Williams' situation.


COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant alleged the involved supervisor stated he would personally come to the complainant's residence and counsel her runaway son but never did so. The complainant also alleged to have called the police department six different times to speak with a supervisor but was never contacted. For the purposes of this investigation, the allegation of never receiving a call back should be considered another matter. If the complainant did in fact call six times, it could have been to a non-emergency number that is monitored department-wide by the Police Administrative Support Specialist (PASS) group. If a call was received, there is no telling where it may have ended up. The involved supervisor stated he never agreed or offered to respond to the complainant's residence and speak to the runaway youth. The supervisor's BWC captured the conversation between the complainant and him, which proved his position/recollection of the conversation.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Sergeant May, 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 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

/man



City of Tacoma
City Manager

December 12, 2023

Ms. Kristine R. Williams
2330 South Sheridan Avenue
Tacoma, WA 98405

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0095

Ms. Williams,

On August 29, 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-0095.

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 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 *GRJ cyt* *9* **DATE:** October 20, 2023
Internal Affairs Section

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0101

Complainant:

Mr. Alec James Brock
414 South Division Lane
Tacoma, WA 98418
253.316.9965

On September 14, 2023, Mr. Brock 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-0101.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Alec Brock alleges that when he requested a supervisor to his residence, the supervisor arrived but did not get out of his vehicle and speak to him as requested.

INVESTIGATION

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

Upon contact with Mr. Brock, he stated that he requested Sergeant Miller to his residence on September 6, 2023, during an incident. Mr. Brock said that Sergeant Miller arrived on scene; however, he did not get out and speak with him as requested and then left. Mr. Brock called South Sound 911 (SS911) later that night and requested to speak with Sergeant Miller. Sergeant Miller did call him, and during that conversation, Mr. Brock requested a link to upload his video to forensics; however, he never received it. Mr. Brock said this was also unacceptable, and he wanted Sergeant Miller to be held accountable for not doing his job correctly.

Sergeant Miller was interviewed regarding this complaint. He stated he is aware of whom Mr. Brock is as there have been many calls regarding an ongoing neighbor dispute. Sergeant Miller was requested to the scene by another officer. After speaking with the officers on scene combined with his personal knowledge of prior contacts with Mr. Brock, knowing this is a civil dispute between neighbors, and no probable cause to make an arrest at this time, he felt the best outcome for this call was to deescalate the situation by not contacting Mr. Brock and have the officers write a report. Later that night, Mr. Brock called SS911 requesting to speak with him, and Sergeant Miller called Mr. Brock as requested. During the phone conversation complaining about the neighbors, Mr. Brock never asked to file a complaint. Mr. Brock did request Sergeant Miller respond to his residence that evening. Sergeant Miller told Mr. Brock that he would not be responding to his residence as it was nearly 10:00 p.m., and he was nearing the end of his shift. Mr. Brock understood, and the conversation was concluded. According to Sergeant Miller, at no time did Mr. Brock request from him a link to the department's forensic services.

A review of Sergeant Miller's body worn camera (BWC) showed he responded to the scene; however, he was on mute when speaking with the officers.

COMMANDER REVIEW

A thorough review of this investigation was completed. This involved a complainant who is very well known to the Sector officers. The complainant is known to report constant neighbor disputes and to complain about responding TPD personnel. The facts alleged in the complaint are substantially correct; however, the involved Sergeant acted appropriately and committed no policy violations. The involved sergeant provided the complainant with a reasonable level of service.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Sergeant Miller. 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 **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

December 12, 2023

Mr. Alec James Brock
414 South Division Lane
Tacoma, WA 98418

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0101

Mr. Brock,

On September 14, 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-0101.

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 of 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* *cut 7*
Internal Affairs Section

DATE: October 20, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0102 & 23COM-0104

Complainant:

Mr. Paul D. Conley
1121 South I Street #303
Tacoma, WA 98405
860.819.4720

On August 25, 2023, Mr. Conley 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 numbers 23COM-0102 and 23COM-0104.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Paul Conley alleges that officers have not been responding to his calls for service. He also alleged no follow-up to his report of sexual assault.

INVESTIGATION

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

Mr. Conley contacted South Sound 911 (SS911) to file a complaint. He stated he called the day before reference subjects in a van using narcotics and no officer ever responded. The SS911 supervisor relayed this was in reference to call 2323600865, and the Computer Aided Dispatch (CAD) log shows an officer did respond. Mr. Conley also wanted to complain that he has been having ongoing issues with his neighbor and no officer ever comes out when he calls. The SS911 supervisor stated there are no related calls located in CAD under the phone number, address, or name of the complainant for any neighbor problems.

Mr. Conley was recontacted for follow-up to his complaint. He reiterated the complaint and added that the van he initially reported about had left the area, but he never saw any officers show up.

Officer Avalos was interviewed regarding this complaint as he was the officer in CAD who responded to the call. He stated he arrived and noticed the vehicle was legally parked. He also noticed there was no one inside the vehicle. He reported there was no body worn camera (BWC) footage because he did not contact any community members. He added notes to the CAD that the vehicle was unoccupied, and he cleared the call as there was no enforcement action he could take.

The portion of Mr. Conley's complaint about the sexual assault was forwarded to the Investigations Bureau. He stated he was sexually assaulted by a friend two years ago. He reported it to the Tacoma Police

Department, and there was no follow-up to the incident. Since this portion of the complaint was related to the Investigations Bureau, the Criminal Investigations Division, Sexual Assault Unit Sergeant contacted Mr. Conley to address those concerns. He was advised of how cases are triaged based on solvability, resources, and incident severity. This case would fall in the least severe, least solvable range and therefore it seems clear it was appropriate to not assign.

COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant alleged an officer never responded to a suspicious vehicle complaint that was generated by the complainant himself. The investigating supervisor determined the involved officer did in fact respond to the call for service and indicated such in CAD notes. There appears to be no merit to the claim. It is recommended this incident be classified as Unfounded.

The alleged sexual assault Mr. Conley is referring to occurred on October 7, 2021. It was closed shortly after by the Special Assault Unit (SAU) supervisor at that time due to lack of solvability. The current SAU supervisor reviewed the case and articulated to Mr. Conley on why that was a reasonable and correct decision. After communication with Mr. Conley and reviewing the incident, this portion of the complaint is deemed an inquiry and considered resolved.

FINDINGS

An investigation into complaint 23COM-0102 was conducted to include interviews of the complainant and Officer Avalos. 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.*

An investigation into complaint 23COM-0104 was conducted to include a conversation with the complainant about the case in question. The investigation was reviewed by the chain of command, and the complaint is concluded as an **Inquiry**, which is a *question involving the reason or justification of the delivery of service or procedure used by a member of the Department.*

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

December 12, 2023

Mr. Paul D. Conley
1121 South I Street #303
Tacoma, WA 98405

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0102 & #23COM-0104

Mr. Conley,

On August 25, 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 Complaints #23COM-0102 and #23COM-0104.

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 Unsatisfactory Performance for complaint #23COM-0102. As for complaint #23COM-0104, I concur with the conclusion of Inquiry. 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