

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF POLICE COMPLAINTS**

FINDINGS OF FACT AND MERITS DETERMINATION

Complaint No.:	18-0298
Complainant:	COMPLAINANT
Subject Officer(s), Badge No., District:	SUBJECT OFFICER #1 SUBJECT OFFICER #2 SUBJECT OFFICER #3 SUBJECT OFFICER #4
Allegation 1:	Harassment, Search of Person: SUBJECT OFFICER #1
Allegation 2:	Harassment, Search of Home: SUBJECT OFFICER #2 and SUBJECT OFFICER #3
Allegation 3:	Harassment, Frisking Complainant and Bystander: SUBJECT OFFICER #2
Allegation 4:	Failure to Identify: SUBJECT OFFICER #2, SUBJECT OFFICER #3 and SUBJECT OFFICER #4
Complaint Examiner:	Meaghan Hannan Davant
Merits Determination Date:	March 6, 2019

Pursuant to D.C. Official Code § 5-1107(b-1), the Office of Police Complaints (OPC) has the sole authority to adjudicate citizen complaints against members of the Metropolitan Police Department (MPD) that allege abuse or misuse of police powers by such members, as provided by § 5-1107(a). This complaint was timely filed in the proper form as required by § 5-1107, and the complaint has been referred to this Complaint Examiner to determine the merits of the complaint as provided by § 5-1111(e).

I. SUMMARY OF COMPLAINT ALLEGATIONS

The complainant, filed a complaint with OPC on February 17, 2018 alleging, first, that Metropolitan Police Department (MPD) SUBJECT OFFICER #1 harassed him by unlawfully searching him. Second, COMPLAINANT alleged that SUBJECT OFFICER #2 and SUBJECT OFFICER #3 harassed him by unlawfully searching his home. Third, COMPLAINANT alleged that SUBJECT OFFICER #2 harassed both him and his friend, WITNESS #1 by frisking them.

Finally, COMPLAINANT alleged that SUBJECT OFFICER #2, SUBJECT OFFICER #3, and SUBJECT OFFICER #4 failed to provide their names and badge numbers upon request.¹

II. EVIDENTIARY HEARING

No evidentiary hearing was conducted regarding this complaint because, based on a review of OPC's Report of Investigation and exhibits thereto and the objections submitted by the Subject Officers on December 28, 2018, the Complaint Examiner determined that the Report of Investigation presented no genuine issues of material fact in dispute that required a hearing. *See* D.C. Mun. Regs. tit. 6A, § 2116.3.

III. FINDINGS OF FACT

Based on a review of OPC's Report of Investigation and exhibits thereto, and the objections submitted by the Subject Officers on December 28, 2018, the Complaint Examiner finds the material facts regarding this complaint to be:

1. On February 17, 2018, at approximately 1:00 a.m. or shortly thereafter, COMPLAINANT took his friend, WITNESS #1, to his new property, located at AN ADDRESS IN NE, WASHINGTON, DC, to show WITNESS #1 some of the work his contractors had done.
2. Upon arrival, COMPLAINANT realized that he did not have his key to the home, so he retrieved the key from the lockbox, unlocked the front door with the key, and then replaced the key back in the lockbox. COMPLAINANT and WITNESS #1 then entered the property and began walking around the home turning on lights on the first and second floors and taking photos.
3. At approximately 2:00 a.m., SUBJECT OFFICER #2 and SUBJECT OFFICER #3 responded to a call made by a neighbor that two black males were breaking in the front

¹ COMPLAINANT also alleged that SUBJECT OFFICER #2 and SUBJECT OFFICER #3 harassed him and his friend by unlawfully stopping them. Second, COMPLAINANT alleged that SUBJECT OFFICER #1, SUBJECT OFFICER #4, WITNESS OFFICER #1, WITNESS OFFICER #2, WITNESS OFFICER #3, WITNESS OFFICER #4, and WITNESS OFFICER #5 harassed him by unlawfully entering his home. Third, COMPLAINANT alleged that WITNESS OFFICER #1 harassed him by threatening to arrest him. Fourth, COMPLAINANT alleged that SUBJECT OFFICER #1 harassed him by placing him in handcuffs. Fifth, COMPLAINANT alleged that SUBJECT OFFICER #1 used unnecessary or excessive force against him by handcuffing him too tightly. Sixth, COMPLAINANT alleged that WITNESS OFFICER #1 engaged in conduct toward him that was insulting, demeaning or humiliating by being discourteous. Seventh, COMPLAINANT alleged that WITNESS OFFICER #4 used language that was insulting, demeaning or humiliating to him when WITNESS OFFICER #4 told him to get out of his feelings and stated, "Welcome to NEIGHBORHOOD IN NE, WASHINGTON, DC." Finally, COMPLAINANT alleged that WITNESS OFFICER #1 refused to provide her name and badge number upon request. Pursuant to D.C. Code § 5-1108(1), on December 6, 2018 a member of the Police Complaints Board dismissed these allegations, concurring with the decision made by the OPC's Executive Director.

door at AN ADDRESS IN NE, WASHINGTON, DC, with a screwdriver. The neighbor added that one male was wearing a black jacket and the other a light jacket. The Officers arrived at the scene and found COMPLAINANT and WITNESS #1 inside the home, in the first floor living room.

4. COMPLAINANT asked the officers, "Why are you here?" to which SUBJECT OFFICER #2 responded, "Do you live in this house?" COMPLAINANT answered, "Yes, I do. Why are you walking into my home sir?"
5. SUBJECT OFFICER #3 then asked COMPLAINANT if he had any identification on him. The complainant responded, "Yes, I do, but I don't feel like that's necessary. I just told you that I lived in this home with WITNESS #2. We just purchased it. That's my fiancée. You can call her now." SUBJECT OFFICER #2 was also present for this interaction.
6. SUBJECT OFFICER #1 arrived on the scene and entered the house. SUBJECT OFFICER #2 then asked COMPLAINANT if he had the key to the house, and complainant responded that it was inside the lockbox. At SUBJECT OFFICER #2's request, complainant entered the correct code into the lockbox, removed the house key and demonstrated that the key opened the front door lock. During this exchange, WITNESS OFFICER #1 and SUBJECT OFFICER #4 arrived on the scene.
7. SUBJECT OFFICER #2 again asked to see COMPLAINANT's identification, to which complainant responded that he does not think that was necessary since he had proven he had control of the house key.
8. WITNESS OFFICER #1 told COMPLAINANT, "to stop you from being arrested tonight, you need to make your identity known," and that, if his identification is not in his wallet, complainant would be "placed under arrest for unlawful entry because...[he could] get this lock code from anybody."
9. SUBJECT OFFICER #1 then directed complainant to stand, stating, "I'm gonna place you under arrest for unlawful entry," and placed complainant in handcuffs. During this process, SUBJECT OFFICER #1 also removed several items from his pockets, including complainant's OUT OF STATE license, and patted complainant down.
10. SUBJECT OFFICER #4 asked WITNESS #1 for identification. WITNESS #1 gave the officer his wallet and SUBJECT OFFICER #4 removed WITNESS#1's ID and took both complainant's and WITNESS #1's IDs outside to a police vehicle and ran their information through WALES (Washington Area Law Enforcement System) to determine whether either man had a police record.

11. During SUBJECT OFFICER #4's absence, SUBJECT OFFICER #2 and SUBJECT OFFICER #3 walked upstairs in the home and searched through each of the upstairs rooms, including opening closet doors.
12. SUBJECT OFFICER #2 left the home for a brief period, during which SUBJECT OFFICER #4 told SUBJECT OFFICER #2 that neither COMPLAINANT nor WITNESS #1 had a police record in WALES.
13. SUBJECT OFFICER #2 then engaged in conversation with SUBJECT OFFICER #1 and WITNESS OFFICER #2 outside. SUBJECT OFFICER #1 overheard the complainant giving SUBJECT OFFICER #4 his fiancée's last name and stated, "Now he's giving out his fiancée's name. He wasn't even doing that before." SUBJECT OFFICER #2 responded, "No. And there was nothing about a fiancée before." SUBJECT OFFICER #2 then said, "Putting them in handcuffs. Put them in an uncomfortable position and they start talking." Moments later, SUBJECT OFFICER #2 broke up the conversation, stating, "Let's go give a frisk or two," reentered the home.
14. SUBJECT OFFICER #4 asked COMPLAINANT for his fiancée, WITNESS #2's, phone number. Complainant provided his fiancée's name, phone number and date of birth. SUBJECT OFFICER #4 left the house and called WITNESS #2.
15. While SUBJECT OFFICER #4 was attempting to contact WITNESS #2, SUBJECT OFFICER #2 frisked complainant and WITNESS #1.
16. SUBJECT OFFICER #4 returned to the house and told COMPLAINANT that he had been unable to contact WITNESS #2. SUBJECT OFFICER #4 located complainant's phone and brought it to complainant to unlock it. SUBJECT OFFICER #4 then took the unlocked phone and saw the photos that COMPLAINANT had been taking of the house, corroborating his earlier statement as to why he was there. SUBJECT OFFICER #4 then called and spoke with WITNESS #2, who confirmed that she had purchased the HOME IN NE, WASHINGTON, DC, that complainant was her fiancée and that he had a right to be in the home.
17. COMPLAINANT and WITNESS #2 both remained calm and civil throughout their detention and questioning, and at no time appeared to pose a physical threat to the officers.
18. SUBJECT OFFICER #4 removed COMPLAINANT's handcuffs and returned his ID, at which time complainant asked for business cards from the "ranking officer," or WITNESS OFFICER #4, and SUBJECT OFFICER #1, SUBJECT OFFICER #4, WITNESS OFFICER #1, SUBJECT OFFICER #2 and SUBJECT OFFICER #3. WITNESS OFFICER #4 and SUBJECT OFFICER #1 provided their business cards. SUBJECT OFFICER #3 and SUBJECT OFFICER #4 and WITNESS OFFICER #1 each

stated their names and badge numbers, however, their voices were inaudible. SUBJECT OFFICER #2 handed complainant SUBJECT OFFICER #1's business card.

IV. DISCUSSION

Pursuant to D.C. Code § 5-1107(a), (b-1), OPC has the sole authority to adjudicate “a citizen complaint against a member or members of the MPD . . . that alleges abuse or misuse of police powers by such member or members, including “(1) harassment; (2) use of unnecessary or excessive force; (3) use of language or conduct that is insulting, demeaning, or humiliating; (4) discriminatory treatment based upon a person's race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibilities, physical handicap, matriculation, political affiliation, source of income, or place of residence or business; (5) retaliation against a person for filing a complaint pursuant to [the Act]; or (6) failure to wear or display required identification or to identify oneself by name and badge number when requested to do so by a member of the public.”

A. Harassment

Harassment is defined in MPD General Order 120.25, Part III, Section B, No. 2 as “words, conduct, gestures, or other actions directed at a person that are purposefully, knowingly, or recklessly in violation of the law, or internal guidelines of the MPD, so as to: (a) subject the person to arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien, or other infringement of personal or property rights; or (b) deny or impede the person in the exercise or enjoyment of any right, privilege, power, or immunity.”

The regulations governing OPC define harassment as “[w]ords, conduct, gestures or other actions directed at a person that are purposefully, knowingly, or recklessly in violation of the law or internal guidelines of the MPD . . . so as to (1) subject the person to arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien, or other infringement of personal or property rights; or (2) deny or impede the person in the exercise or enjoyment of any right, privilege, power or immunity. In determining whether conduct constitutes harassment, [OPC] will look to the totality of the circumstances surrounding the alleged incident, including, where appropriate, whether the officer adhered to applicable orders, policies, procedures, practices, and training of the MPD . . . the frequency of the alleged conduct, its severity, and whether it is physically threatening or humiliating.” D.C. Mun. Regs. tit. 6A, § 2199.1.

1. *SUBJECT OFFICER #1 Harassed COMPLAINANT by Performing a Search of his Person Without Probable Cause.*

D.C. Code § 22-3302(a)(1) states, in relevant part, that “[a]ny person who, without lawful authority, shall enter...any private dwelling...against the will of the lawful occupant...or being therein or thereon, without lawful authority to remain therein or thereon shall refuse to quit the same on the demand of the lawful occupant...shall be deemed guilty of misdemeanor.”

MPD General Order 304.10 (III)(B)(4)(c) states, in relevant part, that an officer may direct questions to a detained person to obtain their name, address, and an explanation concerning their presence and conduct, however, the detained person shall not be compelled to answer questions or provide identification for examination by the officer. Section (III)(B)(4)(d) of the General Order further states that, “[n]either refusal to answer questions *nor to produce identification by itself* establishes probable cause to arrest. However, such refusal may be considered, along with other factors, as an element contributing to probable cause if, under the circumstances, an innocent individual could reasonably be expected not to refuse.” (emphasis added).

Here, the Subject Officers initially responded to a neighbor’s call regarding a potential burglary at the home in question. Upon arriving at the scene, SUBJECT OFFICER #2 and SUBJECT OFFICER #3 encountered complainant and WITNESS #1, two black men who fit the neighbor’s physical description of the alleged burglars. In his interview with the OPC SUBJECT OFFICER #2 clarified that, while they were dispatched for a burglary in progress, after observing complainant and WITNESS #1 and specifically learning that they had entered the house by entering the correct code into the lockbox and using the key, he believed that the crime in progress was unlawful entry. It was on those grounds that the subjects were detained for investigation.

Thereby, the relevant question is whether SUBJECT OFFICER #1 had probable cause to search complainant, based on a suspicion of unlawful entry. Pursuant to General Order 304.10, SUBJECT OFFICER #1, as well as several of the other subject officers, had previously questioned COMPLAINANT as to his “name, address, and an explanation concerning [his] presence and conduct.”

First, while COMPLAINANT was not compelled to answer these questions, he had immediately provided—to SUBJECT OFFICER #3 and SUBJECT OFFICER #2—the explanation that he lived in the home with his fiancée WITNESS #2, that he and WITNESS #2 had “just purchased it” and that officers were welcome to “call her now,” to confirm that information, despite the fact that it was approximately 2:00 in the morning, when his fiancée was likely to be asleep. While SUBJECT OFFICER #1 was not on the scene at the time complainant provided this information, SUBJECT OFFICER #3 and SUBJECT OFFICER #2 had a duty to inform the other officers at the scene that complainant had provided a source that could corroborate his right to enter the home.

Second, upon request—and prior to the bodily search—COMPLAINANT demonstrated that he knew the combination to the lockbox at the front door, and that the key worked in the lock. While the officers at the scene suggested that anyone could know the code to the lockbox, complainants’ ready knowledge of the code was further evidence of his right to be in the home and directly contradicted SUBJECT OFFICER #1’s probable cause to perform a search.

Third, complainants' behavior in the home—walking around turning on every working light and taking photos—was in direct contrast to what one might reasonably expect from a burglar, or someone unlawfully entering the home and hoping to remain unobserved.

Fourth, even if complainant had provided the officers with his identification as requested, the officers could not reasonably expect that complainant's driver's license would match the address of the home. Complainant had already repeatedly told the officers, including SUBJECT OFFICER #1, that he had only recently purchased the home with his fiancée and that he had just put down the down payment. Further, the house was visibly under construction and devoid of any furniture or personal possessions, from which the officers should have deduced that no one was currently living in the home.

For all of these reasons, complainant was understandably frustrated and "under the circumstances, an innocent individual could reasonably be expected" to refuse to provide further identification. Thereby, SUBJECT OFFICER #1's search could *only* have been predicated on complainant's refusal to provide identification which, standing alone, did not constitute probable cause for the search.

Based on the totality of the circumstances, SUBJECT OFFICER #1's bodily search of complainant without probable cause constituted harassment, thereby violating § 5-1107(a) and MPD General Order 120.25 and 304.10.

2. SUBJECT OFFICER #2 and SUBJECT OFFICER #3 Harassed COMPLAINANT by Performing an Unlawful Search of his Home.

Immediately after COMPLAINANT was placed in handcuffs by SUBJECT OFFICER #1, SUBJECT OFFICER #2 and SUBJECT OFFICER #3 performed a search of complainant's home, including going through papers on the floor of the downstairs living room and kitchen, and then proceeding upstairs, where the officers searched every room, opening closets as they went. At no time did COMPLAINANT give consent for the search.

The Fourth Amendment prohibits searches of a domicile unless the searching officer "possessed a reasonable belief based on 'specific and articulable facts which, taken together with the rational inferences from those facts, reasonably warranted' the officer in believing" that the area swept harbored an individual posing a danger to the officer or others," *Maryland v. Buie*, 494 U.S. 325, 327 (1990) *citing Michigan v. Long*, 463 U.S. 1032, 1049-50 (1983) (quoting *Terry v. Ohio*, 392 U.S. 1, 21 (1968)).

In his interview with the OPC, SUBJECT OFFICER #2 was asked why he performed the search of complainant's home. While SUBJECT OFFICER #2 did not initially remember conducting the search—or at least did not remember going upstairs in the home—he was told that body worn camera (BWC) footage from the scene clearly showed he had done so. SUBJECT OFFICER #2 thereafter stated that he performed the search because MPD policies

require officers to perform a protective search when entering the house. He further stated that he went upstairs, specifically, to ensure that there were no other suspects or “hidden dangers.” In his interview with the OPC, SUBJECT OFFICER #3 similarly stated that he and SUBJECT OFFICER #2 went upstairs to make sure that there was no one else in the house.

However, SUBJECT OFFICER #2 and SUBJECT OFFICER #3 repeatedly stated that they had responded to a call of suspected burglary involving *two* black men. After encountering complainant and WITNESS #1—who matched the caller’s descriptions of the alleged burglars—there was no reason to suspect that there were additional persons in the home.

Moreover, after arriving on the scene, SUBJECT OFFICER #2 and SUBJECT OFFICER #3 spent approximately seven minutes questioning complainant and WITNESS #1 in the downstairs dining room prior to conducting the search. Thereby the search was not conducted “upon entering” the home, or as a “protective” measure to ensure the officers’ safety from “hidden dangers.” If that had been the case, the officers would have performed the search immediately.

Finally, BWC camera footage clearly shows that complainant and WITNESS #1 remained calm during their entire detention and questioning. At no point did either man give the officers reason to suspect that they were in immediate danger.

Neither SUBJECT OFFICER #2 nor SUBJECT OFFICER #3 were able to provide “specific and articulable facts” supporting a “reasonable belief” that complainant or WITNESS #1 posed a danger to them in others. As such, the subject officers lacked probable cause for their search of complainant’s home.

Based on the totality of the circumstances, SUBJECT OFFICER #2 and SUBJECT OFFICER #3 violated § 5-1107(a) and MPD General Order 120.25 and 304.10 by unlawfully searching complainant’s home.

3. *SUBJECT OFFICER #2 Harassed Complainant and WITNESS #1 by Unlawfully Frisking Them.*

In the landmark case of *Terry v. Ohio*, 392 U.S. 1 (1968), the Supreme Court held that a “careful exploration of the outer surfaces of a person’s clothing in an attempt to find weapons is a ‘search’” under the Fourth Amendment. The court further found that “[w]here a reasonably prudent officer is warranted in the circumstances of a given case in believing that his safety or that of others is endangered, he may make a *reasonable search* for weapons of the person *believed by him to be armed and dangerous* regardless of whether he has probable cause to arrest that individual for crime or the absolute certainty that the individual is armed.” *Id.* at 20-27 (emphasis added).

MPD General Order 304.10(C)(1-2) similarly states, in relevant part, that an officer may frisk a person whom they have stopped if they reasonably suspect that the person is carrying a

concealed weapon or dangerous instrument and that a frisk is necessary to protect themselves or others. "Reasonable suspicion" is further defined in the order as "more than a vague hunch and less than probable cause."

Approximately seven minutes after arriving at the scene, SUBJECT OFFICER #2 placed complainant in handcuffs, patted him down, and removed several items from his pockets, including his driver's license. SUBJECT OFFICER #2 did not find any weapons during the pat down. Moreover, BWC footage clearly shows that both complainant and WITNESS #1 calm throughout their detention and questioning, and at no time appeared to pose a physical threat to the officers. During his interview with OPC, SUBJECT OFFICER #2 was unable to provide any articulable facts to support a claim that COMPLAINANT or WITNESS #1 had exhibited dangerous behavior or possessed weapons.

Nearly 15 minutes later, and approximately 30 minutes into complainant and WITNESS #1's detention and questioning, BWC footage shows SUBJECT OFFICER #2 in conversation with SUBJECT OFFICER #1 and WITNESS OFFICER #2 outside the home. SUBJECT OFFICER #1, who overheard the complainant giving SUBJECT OFFICER #4 his fiancée's last name, stated, "Now he's giving out his fiancée's name. He wasn't even doing that before." SUBJECT OFFICER #2 responded, "No. And there was nothing about a fiancée before." It is unclear whether SUBJECT OFFICER #2 had forgotten that complainant, in fact, had mentioned his fiancée, WITNESS #2, by name immediately after SUBJECT OFFICER #2 arrived on the scene, stating that he lived in the home "with WITNESS #2. We just purchased it. That's my fiancée. You can call her now."

SUBJECT OFFICER #2 then said, "Putting them in handcuffs. Put them in an uncomfortable position and they start talking." Moments later, SUBJECT OFFICER #2 broke up the conversation, stating, "Let's go give a frisk or two," reentered the home and frisked complainant and WITNESS #1. Based on the timing of his comments, it is reasonable to conclude that SUBJECT OFFICER #2's motivation in conducting the frisks of complainant and WITNESS #1 was to "put them in an uncomfortable position and make them talk," and not based on any reasonable suspicion that the men had weapons or posed any danger.

Finally, while the PD 251 incident report filed in relation to this matter, completed on the day of the incident, clearly notes that "officers perform[ed] a protective pat down of [COMPLAINANT and WITNESS #1], the report did not state a reason for the frisks, nor did it note that complainant had already been patted down on a prior occasion, or that he was already in handcuffs at the time of the frisk, and thereby unlikely to be able to access a weapon or be a danger to himself or others.

Based on the totality of the circumstances, SUBJECT OFFICER #2 violated § 5-1107(a) and MPD General Order 120.25 and 304.10 by unlawfully frisking complainant and WITNESS #1.

B. SUBJECT OFFICER #2, SUBJECT OFFICER #3 and SUBJECT OFFICER #4 Violated General Order 201.26 and Special Order 16-08 by Failing to Identify Themselves by Name and Badge Number Upon Request.

MPD General Order 201.26 requires MPD officers to “give their first and last name and badge numbers in a respectful and polite manner” when requested to do so by a member of the public. MPD officers are also required to identify themselves by displaying their badge or identification folder before taking police action, “except when impractical, unfeasible, or where their identity is obvious.”

MPD Special Order 16-08 (III)(A-B) states, in pertinent part, that officers shall carry or otherwise have readily available a sufficient number of MPD business cards while on-duty. MPD General Order 201.26 further requires that, when requested to identify themselves, officers shall, in a respectful and polite manner, verbally state their first and last name and badge number and offer the requestor their MPD business card.

At the end of his detention and questioning, COMPLAINANT asked for business cards from WITNESS OFFICER #4, and SUBJECT OFFICER #4, WITNESS OFFICER #1, SUBJECT OFFICER #2 and SUBJECT OFFICER #3, as clearly shown on the BWC footage. While requesting this information, complainant pointed at each specific officer in turn. WITNESS OFFICER #4 and SUBJECT OFFICER #1 provided complainant with their business cards.

WITNESS OFFICER #1 clearly stated her name and badge number, as evidenced by both WITNESS OFFICER #4 and WITNESS OFFICER #5's the BWC camera footage.

SUBJECT OFFICER #3 and SUBJECT OFFICER #4 also stated their names and badge numbers, but did so only while walking away, with their backs to complainant, and under their breath. In fact, SUBJECT OFFICER #3 and SUBJECT OFFICER #4's responses were in so low a volume that they were not picked up on the BWC footage.

SUBJECT OFFICER #2 handed complainant SUBJECT OFFICER #1's business card, without writing his own name and badge number on it, nor verbally providing his information to complainant.

Based on the totality of the circumstances, SUBJECT OFFICER #2, SUBJECT OFFICER #3 and SUBJECT OFFICER #4 and violated § 5-1107(a), MPD General Order 201.26 and Special Order 16-08 by failing to properly identify themselves by name and badge number upon request.

V. SUMMARY OF MERITS DETERMINATION

SUBJECT OFFICER #1

Allegation 1: Harassment by Unlawful Bodily Search	Sustained.
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SUBJECT OFFICER #2

Allegation 2: Harassment by Unlawful Search of Home	Sustained.
Allegation 3: Harassment by Frisking Complainant and Bystander	Sustained.
Allegation 4: Failure to Identify	Sustained.

SUBJECT OFFICER #3

Allegation 2: Harassment by Unlawful Search of Home	Sustained.
Allegation 4: Failure to Identify	Sustained.

SUBJECT OFFICER #4

Allegation 4: Failure to Identify	Sustained.
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Submitted March 6, 2019.

Meaghan Hannan Davant
Complaint Examiner