

Greetings,

Due to delays in the formation of a new Metro Transit Police Department (MTPD) Investigative review panel (IRP), the new panel is conducting an expeditious review of previously uncovered quarters prior to resuming normal course of duty on more recent cases. In pursuit of this goal, the IRP reviewed six (6) cases between 1Q24 and 2Q24 and six (6) cases between 3Q24 and 4Q24. We respectfully submit the following findings and recommendations:

1Q24 & 2Q24 Cases

1. [REDACTED] **"Excessive Force/Inaccurate Reporting; Supervisory Violation: Failure to Take Appropriate Action"**
 - a. Background - complainant alleged excessive use of force was applied during an arrest.
 - b. Findings - The IRP reviewed the body worn camera footage, inquired around announcing requirements, timelines for notifying supervisors, discipline matrices and coaching requirements related to the request.
 - c. Recommendations - None. MTPD management was able to respond to the inquiries germane to the case to our satisfaction. The IRP felt that the investigation was properly conducted and had no objections to the adjudication.
2. [REDACTED] **"Conduct Unbecoming (2x); Failure to Supervise"**
 - a. Background- an investigation was initiated when a commanding officer was notified that an inappropriate message had been written on the whiteboard in the roll-call room.
 - b. Findings - The IRP inquired around the context and possible motives leading up to the message, as well as camera placement and training protocols following such an event.
 - c. Recommendations - None. MTPD management was able to respond to the inquiries germane to the case to our satisfaction. The IRP felt that the investigation was properly conducted and had no objections to the adjudication.
3. [REDACTED] **" Failure to Pay Full Time and Attention to the Needs of the Department; Failure to Take Necessary Action Concerning Admin Duties"**
 - a. Background - this investigation was initiated upon review of an Overdue Text Tip message generated from the MTPD's MyMTPD Text Tips program.
 - b. Findings - The IRP reviewed relevant artifacts in the investigation file, inquired around the operations around the TextTip program, expected response times, system capabilities and follow-up opportunities.
 - c. Recommendations - Given the temporal nature of the program, the IRP is recommending the MTPD research and establish a general guideline for expected response time to the Text Tips program. The purpose of this guideline would be to monitor specialist performance against an objective target and allow for trend analysis and outlier flagging.
4. [REDACTED] **"Unlawful Arrest"**
 - a. Background - Complainant alleged an MTPD officer unlawfully arrested them for recording the interaction during a fare evasion investigation.

- b. Findings - The IRP reviewed video footage substantiating the investigation conclusions that the complainant was already being placed under arrest for alleged fare evasion and not due to the complainants recording of the events.
 - c. Recommendations - None. MTPD management was able to respond to the inquiries germane to the case to our satisfaction. The IRP concluded that the investigation was properly conducted and had no objections to the adjudication.
5. [REDACTED] **"Failure to Operate Vehicle With Due Regard for Safety"**
- a. Background - A caller tip was lodged alleging that an MTPD vehicle was operating unsafely and against traffic laws.
 - b. Findings - The IRP reviewed available artifacts and testimony but otherwise found that there was a lack of supporting evidence by the caller to properly identify the vehicle in question. The IRP also inquired around follow-up to citizen complaints, availability of traffic camera footage from the Metropolitan Police Department, and GPS tracking.
 - c. Recommendations - MTPD management is encouraged to revisit the universe of possible dispositions of OPRI cases. In this case, the disposition of "unfounded" did not completely follow the fact pattern present in this case. Additional categories such as "insufficient facts" or likewise may more accurately cover the range of possible outcomes. Otherwise, the IRP concluded that the investigation was properly conducted and had no objections to the adjudication.
6. [REDACTED] **" Failure to Take Necessary Police Action While on Duty"**
- a. Background - a complaint was lodged alleging that an MTPD officer failed to take any report or other action against an alleged assault against the complainant's child.
 - b. Findings - the IRP reviewed available security camera footage of the complainant's interaction with the officer. The IRP noted that the complainant was not actually speaking to an MTPD officer but a special police contractor. The IRP inquired around the scope of special police officer duties and their responsibilities in such cases.
 - c. Recommendations - The IRP is encouraging MTPD management to adjust the expectations for contract officers to more clearly communicate to citizens the differences in their authority vs. uniformed MTPD officers. In this case, a more favorable outcome likely would have been obtained if the special officer informed the complainant that they needed to lodge their complaint directly with an MTPD officer. Otherwise, the IRP concluded that the investigation was properly conducted and had no objections to the adjudication.

3Q24 & 4Q24 Cases

1. [REDACTED] – **"Rude, Discourteous or Inappropriate Comments"**
- a. Background - a complaint was lodged that two officers were rude and discourteous to a bystander interacting with the officers during a Metrobus event.
 - b. Findings - The IRP reviewed available bus camera footage and collaborating artifacts contained in the investigation file that substantiated the complainant's recollection of events.

- c. Recommendations: A minor procedural recommendation for OPRI: investigators should avoid paraphrasing complainant and defendant statements in official documentation in favor of actual quotes. Otherwise, the IRP concluded that the investigation was properly conducted and had no objections to the adjudication.
2. [REDACTED] – **“Driving While Intoxicated Off-Duty”**
 - a. Background - MTPD received notification that one of their uniformed officers was arrested for DUI in a different jurisdiction.
 - b. Findings - IRP was unable to review the footage from the arresting jurisdiction due to retention policies but were able to substantiate based on the other evidence contained in the complaint file. The IRP inquired around the context of the arrest and the discipline matrix for such cases.
 - c. Recommendations: None. MTPD management was able to respond to the inquiries germane to the case to the Panel’s satisfaction. The IRP concluded that the investigation was properly conducted and had no objections to the adjudication.
3. [REDACTED] – **“Failure to Take Necessary Admin Action”**
 - a. Background - an officer complaint was lodged alleging improper handling of a call for dispatch and subsequent requests for backup by administrators.
 - b. Findings - The IRP reviewed available camera footage, audio files and related statements by involved parties. The IRP inquired around the context of the situation and clarified the order of events. The IRP noted that there was substantial and cascading confusion caused by an initial error by the administrator.
 - c. Recommendations: None. MTPD management was able to respond to the inquiries germane to the case to the Panel’s satisfaction. The IRP concluded that the investigation was properly conducted and had no objections to the adjudication.
4. [REDACTED] – **“Intentional Misrepresentation or Lying”**
 - a. Background - a complaint was filed from a citizen alleging that they suspected that an MTPD officer was using their department issued vehicle to have intercourse in the parking lot of a private business.
 - b. Findings - The IRP reviewed officer and supervisor statements along with other provided artifacts in the investigation. The initial complaint was validated, along with several other charges resulting from a lengthy timeline of violation of department policies. The IRP inquired around the context allowing the conduct violations to continue on a protracted timeframe, code of conduct and ethical policies, tracking and accounting for officer whereabouts by supervisors, and discipline matrices.
 - c. Recommendations: None. MTPD management was able to respond to the inquiries germane to the case to the Panel’s satisfaction. The IRP concluded that the investigation was properly conducted and had no objections to the adjudication.
5. [REDACTED] - **“Excessive Use of Force”**
 - a. Background - a complainant involved with a fare evasion investigation alleged excessive use of force including respiratory distress during their arrest.

- b. Findings: the IRP reviewed available body worn camera footage that did not substantiate the allegations by the complainant. The IRP inquired around protocols for contacting complainants and witnesses in such cases.
 - c. Recommendations: None. MTPD management was able to respond to the inquiries germane to the case to the Panel's satisfaction. The IRP concluded that the investigation was properly conducted and had no objections to the adjudication.
6. [REDACTED] – **“Improper Arrest”**
- a. Background - complainant alleged an improper arrest related to fare evasion.
 - b. Findings - The IRP reviewed station camera footage related to the events. The IRP did note some confusion given the complainant's use of multiple SmarTrip cards, but ultimately agreed that the video evidence did not support the complainant's allegation. The IRP inquired around the different SmarTrip programs, faregate operations and color coding.
 - c. Recommendations: None. MTPD management was able to respond to the inquiries germane to the case to the Panel's satisfaction. The IRP concluded that the investigation was properly conducted and had no objections to the adjudication.

We look forward to providing oversight and feedback to the MTPD as we move forward with more recent 2025 cases. We welcome any questions or clarifications needed around our findings and recommendations.

Sincerely,

Aron Troost

Chairperson, Metro Transit Police Department Investigation Review Panel