



# EAST LANSING POLICE DEPARTMENT

Quality Services for a Quality Community

## MEMORANDUM

**TO:** Chief Larry Sparkes  
**FROM:** Deputy Chief Steve Gonzalez  
**DATE:** 1/29/20  
**SUBJECT:** 2019 Internal Complaint Audit

City of East Lansing  
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In 2019 the East Lansing Police Department received six complaints from the public regarding ELPD employee conduct. By comparison, the department received four public complaints in 2018 and eight public complaints in 2017.

All complaints were assigned to investigators to determine the facts surrounding the complaint and to determine if any employee misconduct occurred during the incident. The investigation report and findings were then turned over to the Chief of Police for review and final determination of the investigation's disposition.

In order to capture additional information and further increase the department's transparency a change was made to the complaint form effective July 1, 2019. Race and sex information was added to the form for both the complainant and victim. This revised form was first used in complaint 19-5.

Effective February 1, 2020 the police department will begin tracking demographics on all officer-initiated contacts. This effort will capture the race, sex, and reason for contact on every interaction that an East Lansing Police Officer initiates without a dispatched call for service.

### Investigation Findings

Sustained (The alleged act occurred):	0
Not Sustained (Inconclusive evidence):	2
Unfounded (The alleged act did not occur):	3
Exonerated (Employee was within policy):	1
Pending Investigation:	0

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## **Complainant / Officer Demographics**

### **Complainant**

Hispanic Male: 1  
Black Male: 1  
Black Female: 2  
White Male: 1  
White Female: 1

### **Officer**

White Male: 4  
White Female: 2

## **Investigation Summaries:**

**19-01**

*Finding:* *Unfounded*  
*Race of Complainant:* *White*  
*Sex of Complainant:* *Female*  
*Officer Race:* *White*  
*Officer Sex:* *Male*

This complaint was filed via email to the Chief of Police. The complainant alleged that two ELPD employees violated both the Code of Conduct and Complaint Against Employee policies.

The investigator conducted in person interviews with the complainant, employee, and a witness. Further, the investigator reviewed documents from another law enforcement agency relating to this complaint. The completion of the investigation determined that no policies were violated in this incident. The allegations stemmed from a relationship that ended poorly and culminated with the employee obtaining a Personal Protection Order against the complainant. The circumstances surrounding this relationship occurred off duty and outside of ELPD's jurisdiction. This information was reviewed by the law enforcement agency and prosecuting attorney having jurisdiction. It was determined that no criminal acts occurred.

With regards to the alleged violation of the Complaint Against Employee policy the investigator found written evidence from the complainant that directly refuted this claim.

# **EAST LANSING POLICE DEPARTMENT**

Quality Services for a Quality Community

**19-02**

<i>Finding:</i>	<i>Not Sustained</i>
<i>Race of Complainant:</i>	<i>Black</i>
<i>Sex of Complainant:</i>	<i>Female</i>
<i>Officer Race:</i>	<i>White</i>
<i>Officer Sex:</i>	<i>Female</i>

The complainant alleged that the officer involved in this incident affected a traffic stop solely due to her race.

The investigator assigned this complaint conducted in-person interviews with both the complainant and officer, viewed fleet and body worn camera footage, and reviewed documents to include the police report, citation, and LEIN paperwork related to the complainant's traffic stop.

The investigation determined that the officer observed the complainant making an overt movement to shield her face from the officer while stopped in traffic. This action drew the officer's attention to both the complainant and vehicle. The officer ran the license plate of the vehicle in the LEIN system and found that the registration came back "no record on computer". The information also showed that the vehicle did not have any proof of insurance on file with the Secretary of State's Office. A valid traffic stop was made on reasonable suspicion of the traffic violations. Upon making contact with the complainant it was learned that the vehicle was uninsured and the complainant possessed both a suspended and expired driver's license. Enforcement was taken in the form of an arrest for the misdemeanor violation and citation for the civil infraction violation.

**19-03**

<i>Finding:</i>	<i>Not Sustained</i>
<i>Race of Complainant:</i>	<i>White</i>
<i>Sex of Complainant:</i>	<i>Male</i>
<i>Officer Race:</i>	<i>White</i>
<i>Officer Sex:</i>	<i>Female</i>

The complainant alleged that the officer named in this complaint was driving carelessly when making a traffic stop on another vehicle. Specifically, the complainant stated that the officer was exceeding the speed limit, cut him off when changing lanes, and left the patrol car driver's door open after exiting.

The investigator conducted interviews with the complainant, his passenger, and the officer involved. Furthermore, the investigator reviewed both body camera and fleet video of the incident.



# EAST LANSING POLICE DEPARTMENT

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It was found that the officer exceeded the speed limit in a reasonable manner in order to catch up to another vehicle that was speeding. When doing so, the officer passed the complainant on the left to get behind the speeding vehicle. Due to the position of the body worn camera and fleet camera video footage does not exist to substantiate if the officer did in fact cut the complainant off. During the interview the officer claimed that she activated her turn signal and merged safely in front of the complainant. The video does capture the officer closing the driver's side door disproving the complainants claim that it was left open to impede traffic.

While not sustained, the officer's direct supervisor discussed and documented the requirement to drive with due care and caution while on patrol. This is also noted in the Chief of Police's close out letter to the officer.

## 19-04

<i>Finding:</i>	<i>Exonerated</i>
<i>Race of Complainant:</i>	<i>Black</i>
<i>Sex of Complainant:</i>	<i>Male</i>
<i>Officer Race:</i>	<i>White</i>
<i>Officer Sex:</i>	<i>Male</i>

The complainant was stopped in their vehicle due to the passenger headlight not being illuminated when it was required to be so. After the completion of the traffic stop the complainant contacted the police department and claimed that the light was operable and the officer fabricated the reason for the traffic stop.

The investigator spoke with the complainant, the complainant's passenger, the named officer, and the officer's Field Training Officer. Additionally, the investigator reviewed body worn camera and fleet video. The investigator also located surveillance video from a nearby business that captured the incident.

The review of the video confirmed that the officer did indeed have a valid reason to stop the complainant. All three sources of video confirmed that passenger side headlight of the complainant's vehicle was not illuminated.

The complainant's passenger was also concerned that the officer requested her identification. She thought that this request was unreasonable. The investigation determined that this request was within legal and acceptable standard police practices. The passenger was under no legal requirement to provide identification.

# EAST LANSING POLICE DEPARTMENT

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Quality Services for a Quality Community

**19-05**

<i>Finding:</i>	<i>Unfounded</i>
<i>Race of Complainant:</i>	<i>Black</i>
<i>Sex of Complainant:</i>	<i>Female</i>
<i>Officer Race:</i>	<i>White</i>
<i>Officer Sex:</i>	<i>Male</i>

The complainant stated that the only reason the officer stopped her was due to her race.

The investigator conducted interviews, reviewed body worn camera and fleet video, and reviewed LEIN logs to determine the facts of this incident.

The complainant stated that the officer looked over at her as she approached his patrol car while travelling in the same direction. She stated that he then pulled in behind her and immediately pulled her over.

The investigation found that video footage shows the complainant's vehicle in front of the officer in an adjacent lane. The officer states that he was running license plates to confirm insurance compliance. The LEIN logs show that the officer ran four plates in the 14 minutes leading up to traffic stop involving the complainant. The three plates prior to the traffic stop all showed insurance compliance/coverage. However, the fourth plate run was the complainant's. This plate did not show compliance leading to reasonable suspicion for a traffic stop. Lack of insurance coverage was confirmed during the traffic stop.

Video footage the during the 30 seconds preceding the traffic stop the officer is approximately 50 feet behind the complainant and in the adjacent lane. The video never shows the officer parallel to the complainant. Body worn camera shows that the officer is professional and courteous during the traffic stop. The officer explains the reason for stop which is supported by the complainant's lack of proof of insurance documentation.

**19-06**

<i>Finding:</i>	<i>Unfounded</i>
<i>Race of Complainant:</i>	<i>Hispanic</i>
<i>Sex of Complainant:</i>	<i>Male</i>
<i>Officer Race:</i>	<i>White</i>
<i>Officer Sex:</i>	<i>Male</i>

The complainant was stopped for failing to wear a seatbelt when required and expired vehicle registration. The complainant indicated that the officer did not have a valid reason to initiate a traffic stop.

# **EAST LANSING POLICE DEPARTMENT**

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When the investigator followed up with the complainant to obtain a full statement, the complainant told the investigator he did not want to follow through with the complaint. Despite this fact, the investigator continued looking into the matter with a review of video footage, LEIN information, and an interview with the officer involved.

The officer stated that the complainant's vehicle had an expired registration on the date of the traffic stop. LEIN logs show that the officer confirmed this fact. The registration had expired two days prior to the traffic stop and was not renewed until several weeks later.

The officer indicated that the complainant was not wearing his seatbelt when he was required to do so. No independent video footage exists showing this fact.