



To: Andrew Myerberg, OPA Director
CC: Mark Grba, Deputy Director of Investigations; Grainne Perkins, Investigations Supervisor
From: Lynn Erickson, Public Safety Auditor/Investigator
Date: 11/12/2020
Re: 2020OPA-0369

CERTIFICATION:

OIG has reviewed Investigation for 2020OPA-0369 and, based upon the additional information provided, is certifying the investigation as timely and objective.

The investigation is not being certified as thorough because there was a key area of relevant questioning pertaining to the allegations that was not explored during the investigation. OPA's case summary indicates:

On May 20, 2020, the Complainant, who is African-American, came to work dressed in civilian clothes. Specifically, he was wearing an Under Armour shirt, sweatpants, crock shoes, headphones and department issued face mask. When he entered the locker room, Named Employee #6179, who is White, told the Complainant: "You look like a fucking thug." Another officer (#6414) overheard the comment. *The Complainant later approached Named Employee #6179 and told him that he thought that statement was disrespectful (sic). The Complainant recounted that Named Employee #6179 did not apologize and, instead, repeated: "You did look like a fucking thug." (Emphasis added)*

During the investigation, information was provided that suggested the Named Employee repeated the comment to the Complainant and did not apologize, even after the Complainant told the Named Employee that the comment was disrespectful. However, despite this potential evidence of intentional bias, OPA did not question the Named Employee about his actions or words when he repeated the comment and refused to apologize to the Complainant. Because this investigation has been submitted so close to the 180 day deadline, there is no time for OPA to remedy this deficiency.

Thank you.

Lynn Erickson

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