

ST. LOUIS COUNTY DEPARTMENT OF POLICE
BUREAU OF PROFESSIONAL STANDARDS
SUMMARY REPORT

CASE NUMBER: 12-011
DATE OF OCCURRENCE: February 14, 2012
EMPLOYEE(S): Sergeant [REDACTED], DSN 2949
North County Precinct
ALLEGATION: Disobedience of Orders, Article 11.R
COMPLAINANT: Mr. [REDACTED]
[REDACTED] St. Louis, Mo 63138
LOCATION: Krenning and Sunnymeade Court
BPS INVESTIGATOR: Sergeant Eric Walley

Summary

The Bureau of Professional Standards received notice of a complaint from Mr. [REDACTED] following an accusation made to Lieutenant Jeffrey Burk, Watch Commander, North County Precinct, that Sergeant [REDACTED], DSN 2949, conducted a racially motivated traffic stop on February 14, 2012.

Internal Findings

During the course of the investigation, Bureau of Professional Standards Investigator, Sergeant Eric Walley reviewed the complaint submitted by Mr. [REDACTED]. The following account is a synopsis of the allegation. Mr. [REDACTED] entire statement is contained within the "Complaint/Notification(s)" section of this package.

Mr. [REDACTED] indicated on February 14, 2012, he was traveling on Trampe Avenue towards Bellefontaine Road when he noticed a stationary police vehicle at a nearby intersection. As he traveled past the intersection, the police vehicle began to trail his vehicle. Mr. [REDACTED] indicated the operator of the police vehicle (Sergeant [REDACTED]) ran his license plates and followed him to a destination on Sunnymeade Court and waited for him to leave. As he prepared to depart from the neighborhood, the police vehicle emerged from a nearby location traveling in the opposite direction. As they passed one another on the street, Sergeant [REDACTED] abruptly turned the police vehicle around and activated his emergency equipment for a traffic stop.

Mr. [REDACTED] indicated he believed he was targeted because he is black and looks young for his

age. This conclusion was reached because there was another instance where he was stopped under similar circumstances for what he perceived as "no reason".

Lieutenant Jeffrey Burk, assigned to the North County Precinct, conducted an investigation into the allegation which culminated in an interview with Sergeant [REDACTED]. The following is a synopsis of his findings. The details of his investigation are documented in his inter-office memorandum contained within the "Incident Analysis" section of this package.

Lieutenant Jeffrey Burk's investigation revealed on February 14, 2012, Sergeant [REDACTED] was in the area of Trampe Avenue and Criterion Avenue when his attention was drawn to a van traveling in the area. Sergeant [REDACTED] conducted a record check on the license plate and discovered it to be registered as a rental. From his experience, rental vehicles are frequently utilized during burglaries so he decided to surveil the vehicle. The van traveled to a location on Sunnymeade Court only remaining there a short period of time. Sergeant [REDACTED] scouted a nearby area for surveillance purposes. Due to the uncertainty of the van belonging in the neighborhood, Sergeant [REDACTED] wanted to further investigate the van's activities so he proceeded to trail the van following its departure from the address on Sunnymeade Court. While following behind the van, it suddenly pulled to the side of the road so Sergeant [REDACTED] pulled in behind the vehicle activating his emergency equipment. Sergeant [REDACTED] indicated his purpose for stopping was twofold; he wanted to ascertain from the driver if a problem existed and wanted to alleviate any suspicion of criminal activity.

Sergeant [REDACTED] advised he approached the driver who displayed anger over the police contact and initially refused to provide his identification and the rental agreement for the vehicle. Sergeant [REDACTED] indicated the driver eventually cooperated, however, claimed he was stopped because he was black. Sergeant [REDACTED] explained the reason for the contact but the driver refused to accept the explanation and accused Sergeant [REDACTED] of being a "racist" who would soon be unemployed. The driver also stated he was once a cop in Wellston and new exactly what Sergeant [REDACTED] was doing.

Sergeant [REDACTED] indicated he conducted a record check on the driver which proved negative for "wanted" and "warrants". He also inspected the rental agreement thoroughly and found nothing out of the ordinary. Sergeant [REDACTED] concluded that no criminal activity was afoot and returned the previously furnished items to the driver. According to Sergeant [REDACTED], the driver still had an attitude and spouted the same accusations initially communicated. Sergeant [REDACTED] indicated he remained poised and professional throughout the encounter and even provided his name and Department Serial Number when the contact was terminated.

Lieutenant Burk concluded his investigation and determined Mr. [REDACTED]'s complaint lacked merit for the following reasons. Sergeant [REDACTED] was merely conducting a preventative burglary patrol in a high crime area when his attention was drawn to Mr. [REDACTED]'s vehicle. The decision to investigate further into Mr. [REDACTED]'s activities was based on suspicion and not racial bias. Sergeant [REDACTED] did not initiate a traffic stop on Mr. [REDACTED]. Mr. [REDACTED] stopped his vehicle on his own accord and it was only after Sergeant [REDACTED] pulled in behind Mr. [REDACTED] were the emergency lights activated on the police vehicle.

Action Recommended

The Bureau of Professional Standards recommends that the allegation of **Disobedience of Orders, Article 11.R**, against Sergeant [REDACTED], DSN 2949, be classified as **Unfounded**. Sergeant [REDACTED] was in the midst of observing and developing reasonable suspicion from the complainant's activities when the complainant stopped his vehicle on his own accord. Sergeant [REDACTED]'s contact with the complainant was not based on racial prejudices or profiling.