



LOUISVILLE METRO POLICE DEPARTMENT

PROFESSIONAL STANDARDS UNIT

INVESTIGATOR FINDINGS

PSU-017
Revised 10/17

TO: LIEUTENANT JEFFREY ARTMAN
COMMANDER, PROFESSIONAL STANDARDS UNIT

FROM: SERGEANT COREY ROBINSON
INVESTIGATOR, PROFESSIONAL STANDARDS UNIT

DATE: May 2, 2019

RE: PRELIMINARY FINDINGS AND CONCLUSIONS
CASE NUMBER 19-020

ACCUSED: OFFICER CLAYTON POFF, #7489
OFFICER NOAH STRAMAN, #5000
OFFICER JASMINE COLLINS, #7469

COMPLAINANT: [REDACTED]

PRELIMINARY FINDINGS

Officer Clayton Poff

- LMPD SOP 5.1.2 Obedience to Rules and Regulations-----Sustained
- LMPD SOP 5.1.3 Conduct Unbecoming-----Unfounded
- LMPD SOP 5.1.3 Conduct Unbecoming-----Sustained
- LMPD SOP 5.1.32 Appropriate Action----- Sustained
- LMPD SOP 7.9.10 Vehicles Used in Criminal Acts -----Sustained
- LMPD SOP 8.24.3 Warrantless Searches (Search Incident to Arrest)-----Sustained
- LMPD SOP 9.1.3 De-Escalation-----Sustained
- LMPD SOP 9.1.5 Use of Physical Force----- Sustained
- LMPD SOP 10.1.4 Arrests Without a Warrant----- Sustained
- LMPD SOP 11.2.8 Safeguarding of Evidence and Property-----Sustained

Officer Noah Straman

- LMPD SOP 5.1.2 Obedience to Rules and Regulations-----Sustained
- LMPD SOP 5.1.3 Conduct Unbecoming-----Unfounded
- LMPD SOP 5.1.11 Courtesy-----Not Sustained
- LMPD SOP 7.12.7 Strategies & Tactics of Patrol Stops----- Sustained

- LMPD SOP 9.1.3 De-Escalation-----Exonerated
- LMPD SOP 9.1.5 Use of Physical Force----- Sustained
- LMPD SOP 10.1.4 Arrests Without a Warrant----- Sustained

Officer Jasmine Collins

- LMPD SOP 5.1.3 Conduct Unbecoming-----Unfounded
- LMPD SOP 9.1.3 De-Escalation-----Exonerated
- LMPD SOP 9.1.5 Use of Physical Force----- Exonerated

CASE SUMMARY

On March 1, 2019, around 2130 hours, Ms. [REDACTED] was experiencing car trouble with her personally owned vehicle and was attempting to repair it in the rear alley access to her grandmother's residence, at [REDACTED]. She parked her car in the unattached garage of the residence and then positioned her grandmother's car, a 2012 black Chevy Impala, directly behind it in the driveway to provide extra light from the headlights to continue to work on her car. At a certain point she was able to get her car running, but the engine continued to run hot, so she turned off the engine to her car and moved her grandmother's car into the alley to access her car from the garage and leave.

[REDACTED] her brother, had been assisting with the repairs, and [REDACTED] asked him to go inside their grandmother's house and get [REDACTED] her 19-month old daughter, so she could go home. [REDACTED] noticed [REDACTED] had a wet diaper and she decided to change her before departing. [REDACTED] entered the car in the rear passenger seat and [REDACTED] laid her daughter across the front passenger seat to change her diaper. She then turned off the car and proceeded to change her daughter.

Around 2140 hours Officer Noah Straman noticed the Impala parked facing east in the alley. He positioned his car in front of the Impala facing west, activated his blue lights, and then made a passenger-side approach to the vehicle. [REDACTED] noticed Officer Straman, exited the driver door of her vehicle, and stood next to the car with the door open. Officer Straman asked if they were doing alright and [REDACTED] replied she was trying to change her daughter. He then asked if they lived there and [REDACTED] said, "he lives here", referring to her brother and explained her car was there as well. Officer Straman then asked if her car was broken down and [REDACTED] told him it was and she was trying to fix it (she was assuming Officer Straman was referring to her car parked in the driveway). She then pointed her parked car out to the officer. He then said he was coming to help her because he figured she was broken down. Officer Straman asked this question as a ruse to mask the fact he was there for investigative purposes. As if there was some miscommunication, she told Officer Straman she did not need help changing her daughter. She then asked if there was a problem and Officer Straman told her it was because she was sitting in an alley blacked out. [REDACTED] reentered her vehicle and proceeded to change her daughter.

Officer Clayton Poff approached [REDACTED] vehicle from behind in his marked vehicle and made a driver-side approach to her vehicle as she was having the dialogue with Officer Straman. When she reentered her vehicle Officer Poff held her door open and told her she was not going to shut the door. [REDACTED] then tried to exit the vehicle once again and Officer Poff told her she was not going to get out as he placed his hand on her shoulder. He then asked her if she had an ID. Officer Poff then asked her for ID a second time and she gave it to him. Officer Poff was unaware of the ruse used by Officer Straman which aided in the confusion and negative feedback from [REDACTED] who did not even realize she was being stopped.

Investigator: He told her he was there to assist and asked was she having car trouble.

Officer Poff: Okay.

Investigator: So, um, I – I don't know if there was some – maybe some confusion on what – what she thought she was actually bein' stopped or not. Are you even if you have even have knowledge of that. Did – I didn't know if you – that you know that he had said that?

Officer Poff: No sir. (Poff 209-217)

At that same time Officer Straman opened the rear passenger door to access the area in which [REDACTED] was sitting. He asked [REDACTED] if he had an ID and [REDACTED] told him it was in the house. Officer Straman requested an additional car for backup, then got [REDACTED] out of the vehicle. He used an empty open hand to press him against the car. He then asked for consent to search him. [REDACTED] granted consent and Officer Straman searched him. He then placed him in handcuffs and sat him on the rear bumper of the Impala.

Once [REDACTED] gave Officer Poff her ID she proceeded to change her daughter's diaper and reached into the diaper bag which was sitting on the rear seat. Officer Poff told her she would not be getting into bags then grabbed her by the left arm. [REDACTED] asked him to get off her and continued asking why he was doing this. Officer Poff then ordered her out of the car, all while continuing to grasp her left arm. He then counted to three and pulled her out of the car by the left arm, as Officer Jasmine Collins, who had been requested as backup for Officer Straman, assisted with her right shoulder. Officer Straman then disengaged from [REDACTED] and joined in to assist with extracting [REDACTED] from the vehicle. Officer Straman grabbed her by the head and scarf which was tied around her head and pressed her head against the side of the vehicle. Officer Poff continued asking for [REDACTED] hands. During this sequence Officer Collins can be heard saying, "That's my hand!" at the 4:30 point of Officer Poff's wearable video system (WVS). Officer Poff said, "Give me your hands!", to which [REDACTED] replied, "You already have it!" The active resistance Officer Poff was experiencing was from Officer Collins, not Ms.

██████ Officer Poff then told the officers to take her to the ground. Officer Collins managed to pull away from Officer Poff, then Officer Poff and Officer Straman took ██████ to the ground. Officer Straman placed his knee and the weight of his body on ██████ head and neck. She screamed out in pain asking him to get off her head and continued pleading with the officers to get off her head and neck. She also asked why the officer was kicking her. Officer Poff handcuffed her, then fully searched her as she lay on the ground.

As the search continued ██████ body appeared to go limp. She told the officers her head was hurting then she appeared to lose consciousness. Officer Straman asked her if she wanted an ambulance then requested Emergency Medical Service (EMS) code-1, because he “didn’t believe she was unconscious. I thought she was just laying there unresponsive. I wasn’t sure.”

(Straman 728-729) Officer Straman eventually upgraded the request to a code- 3 response. Officer Poff rolled her to her side and began sternum rubbing her as she appeared to gasp for air. Acting Sergeant Esther Ragan arrived on scene as this was occurring and began inquiring if she had possible taken drugs. Officer Ragan stayed with ██████ who lay on the ground and Officer Poff then transitioned to interview ██████ Officer Straman and Officer Poff asked ██████ for his name. He refused to give it to them and would only continue expressing his distain for the treatment of his sister. Officer Straman told ██████ he had to identify himself and if he did not, he would have no problems taking him in as a “John Doe”. This can be viewed at the 8:55 mark of Officer Poff’s WVS. Both officers continued pressing him for his name and he refused. He then asked the officers why he was handcuffed and Officer Poff told him he was breaking the law by blocking the roadway. Officer Poff then told him if he went to jail as a John Doe it would be a 10-day hold. ██████ said, “Whatever.”, and Officer Straman then walked him to Officer Poff’s car, performed another full-body search, to include removing his shoes, then placed him in the police vehicle shoeless. Officer Straman then asked him one last time for his ID, then told him, “If you want to go to jail as John Doe, then you’ll go to jail as John Doe.”

Metro EMS arrived to treat ██████ She was transported to University Hospital and Officer Straman accompanied EMS and escorted her. Up to this point ██████ appeared unclear of her status. “Yeah, they needed to know if I was getting’ arrested or not. Then they said that, um, if I’m getting’ arrested then the police officer will ride with us. So, I asked – oh, and they told me I had to wait on the police officer. So, he got in the car, so I said – I asked him, “What am I getting’ arrested for?”, he said he don’t know.” (██████ 1255-1259) ██████ testified Officer Straman was discourteous towards her regarding remarks he made to one of the EMS Technicians. “And then they started talkin’, and then he was, like, he came up with some code for an arrest, he was like, “Well, at least I got one arrest tonight.”, and they started giggling like it was funny, like I wasn’t there.” (██████ 1303-1305) ██████ daughter, ██████ was given to her grandmother, ██████ who arrived on scene after ██████ and ██████ were already in custody. ██████ asked for ██████ diaper bag, shoes and pants, which were all sitting on the front seat of the Impala, but Officer Poff denied her request, as he said the car was

part of an ongoing investigation. He then towed the vehicle to the impound lot under the code, “992” for arrest. [REDACTED] gave officers her son’s positive identifiers and Officer Poff checked him for warrant which yielded negative results. He was eventually released and told he was free to go. When officers asked [REDACTED] about [REDACTED] medical history she told them she has no physical issues aside from a recent [REDACTED] five weeks prior from giving child birth. She also told officer [REDACTED] suffered from [REDACTED] and [REDACTED]

[REDACTED] testified she was unclear if she was under arrest and also unclear of her charges even after spending several hours at the hospital. “Even when we got out the ambulance and they stretchered me into the, um, to the ER part, uh - what else, like - when - when I got right there he put the handcuff onto the stretcher thing and I was like, “Why am I still in handcuffs?”, like, “What’s goin’ on?” He said he don’t know, like, is all I kept gettin’ is, “I don’t know yet.”, or “I don’t know.” ([REDACTED] 1335-1339) After she was treated for her injuries to include cuts to side of her face, head and neck pain, and abdominal pain she was cited for Resisting Arrest, Obstructing Governmental Operations, and Obstructing a Highway (Citation DC 89851). Although Acting Sergeant Esther Ragan documented the entire incident, Sergeant Donald Hillerich completed a Blue Team of the incident. She was also cited for Involuntary Hospitalization (Citation DD 30224). After being evaluated by University Hospital she was released. The following day she recovered the Chevy Impala from the Tow Lot. On March 5, 2019, [REDACTED] came to the Professional Standards Unit Office and swore out a complaint affidavit against the involved officers.

Investigator’s Note: On March 8, 2019, I visited [REDACTED] at his residence, located at [REDACTED] the site of the incident. He declined to be interviewed. He expressed his disdain for the officers and police in general and politely told me to watch the body camera footage and it would tell me all I needed to know. I gave him my contact information and requested he contact me if he changed his mind about giving a statement. I spoke with Ms. [REDACTED] who also resides there and was a witness to the incident, but she also declined to be interviewed. On April 10, 2019, [REDACTED] stopped by the PSU Office to claim her ID. She was accompanied by her mother, Ms. [REDACTED] who was a witness to the incident. [REDACTED] declined to be interviewed.

FACTS OF THE CASE:

- The incident occurred in the rear of the residence of [REDACTED] grandmother, Barbara Speaks, who lives at [REDACTED]
- [REDACTED] described her injuries as “chest pain, abdominal pain, and a head injury.” ([REDACTED] 1459, 1463-1464). She had visible cuts and scrapes to her face on the day of her interview. She would not, however, sign the Authorization For Release of Medical Records form.

- Officer Straman kept his knee on [REDACTED] head/neck for 30 seconds, using the full weight of his body.
- [REDACTED] was kept in Officer Poff's marked police vehicle, handcuffed and shoeless, vehicle for 33 minutes
- [REDACTED] was confirmed clear of outstanding warrants and protection orders 6 ½ minutes after being placed in the police vehicle yet held an additional 26 ½ minutes.
- [REDACTED] was held in the police vehicle an additional 17 minutes after Officer Straman requested K-9.

CONCLUSIONS

In [REDACTED] interview she listed nine specific complaints concerning the listed officers.

1. She was pulled from her vehicle for no reason.
2. Excessive force was used against her, to include Officer Straman pulling her hair, and she was unnecessarily taken to the ground.
3. Her cell phone screen was damaged during the struggle with officers.
4. Once on the ground an unknown officer stomped her in the head four times causing her to lose consciousness.
5. Officers would not allow her naked child to be clothed while being out in the cold.
6. Officer Straman made the discourteous comment, "Yahoo! At least I got one arrest tonight!" to an EMS worker.
7. Her ID was taken and never given back.
8. Her vehicle was impounded although she was never arrested.
9. She was unlawfully searched by officers at the scene and once again at the hospital.

Officer Clayton Poff

Neither Officer Poff nor Officer Straman had probable cause to arrest [REDACTED] although they both used the threat of arrest to obtain [REDACTED] information by telling him they would "John Doe" him. Officer Straman described "John Doe" as, "It means to take him to the book with charges, um, without a name associated with him." (Straman 974-975) When [REDACTED] refused to give officers his information, already handcuffed, Officer Straman searched him again, to include the removal of his shoes, indicating a search incident to arrest. He was then placed in the rear of Officer Poff's police vehicle for 33 minutes. Nearly 6 1/2 minutes into [REDACTED] being in the police vehicle Officer Poff determined [REDACTED] identity, and confirmed he had no outstanding warrants or protection orders. After this determination [REDACTED] was still kept in the police vehicle for another 26 1/2 minutes. Officer Poff had the following explanation: "Yeah, uh, I know Officer Straman was gonna to possibly call for K-9 to see if they're possibly close that could have came and walked the dog around the car and see if it hit on anything." (1286-1288) After reviewing Officer Poff's WVS it was determined [REDACTED] was held an additional 17 minutes after Officer Straman requested K97, Officer John Keeling, Jr. by radio

and by telephoning him directly. No officer from the Canine Unit ever responded to the scene. This prolonged delay is in direct violation of [REDACTED] 4th Amendment rights as stated in *Rodriguez v. United States* 135 S.Ct. 1609 (2015). [REDACTED] was essentially “un-arrested” and told he was free to go. Officer Poff and Straman both testified they had probable cause to arrest [REDACTED] for not wearing a seatbelt. KRS 189.125 (6) states, “A person shall not operate a motor vehicle manufactured after 1981 on the public roadways of this state unless the driver and all passengers are wearing a properly adjusted and fastened seat belt.” Neither officer ever witnessed the vehicle in operation. Both officers placed [REDACTED] under arrest without a warrant or probable cause to do so.

I recommend allegations of a violation of LMPD SOP 5.1.2 Obedience to Rules and Regulations regarding Officer Clayton Poff be **SUSTAINED**.

[REDACTED] phone was damaged prior to any police contact. [REDACTED] was speaking on her phone when Officer Poff made his approach. She had the phone in her hand and the screen of the phone was shattered across the face. [REDACTED] was using the phone as a speaker phone at the time. The damaged was captured by Officer Poff’s WVS (see Figure 6). Her allegations of the officers causing the damage were false.

I recommend that allegations of a violation of LMPD SOP 5.1.3 Conduct Unbecoming regarding Officer Clayton Poff be **UNFOUNDED**.

Officer Poff would not allow [REDACTED] to have her granddaughter’s diaper bag out of the car prior to towing it, nor would he allow her to have the baby’s pants or shoes leaving the baby only clothed in a diaper. The temperature on March 1 was a high of 39 degrees Fahrenheit and a low of 34 degrees Fahrenheit. (<https://www.accuweather.com/en/us/louisville-ky/40202/march-weather/348428>) Even given all these factors Officer Poff felt his decision was reasonable and had no negative or adverse effect in the public’s respect or confidence in him. Officer Poff’s conduct adversely affected and lowered the public’s respect and confidence in the department and him as a member. I recommend allegations of a violation of LMPD SOP 5.1.3 Conduct Unbecoming be **SUSTAINED**.

The entire premise of Officer Poff’s Resisting Arrest charge was based on him charging [REDACTED] with Obstructing Governmental Operations.

Investigator: Um, she was charged with Resisting Arrest. So, at – at what point was she placed under arrest or was she notified that she was gonna be under arrest?

Officer Poff: Um, to me, whenever I went – went ahead and was getting her out of the vehicle when she was not complying with me, uh, I felt like she was obstructing. Um, and I, um, at that point, she began resisting us. Um, and that’s were the resisting charge came in. (Poff 560-568)

Officer Poff: Uh, her not – not complying and not allowing us to – she’s not stepping out of the vehicle and us havin’ to physically make her get out of the vehicle. Uh, to me, is obstructing. Along with, um, just the way she – she was acting in general. Uh, refusin’ to give her information at first. Um, it – it just didn’t seem like she was bein’ compliant at all throughout the entire stop. (Poff 578-585)

██████ never used violence, threatened to use violence, force or physical interference in Officer Poff’s governmental operations. Officer Poff stated he believed ██████ was under emotional distress, and this was the reason behind the involuntary hospitalization. When asked during his interview if he felt this entire ordeal, to include the takedown and knee to the face, could cause emotional distress even to a person who is mentally healthy, he replied, “Yes, I do.” (Poff 647). Officer Poff was unable to articulate how ██████ was ever a danger to herself or others other than the fact she was non-compliant, which coincidentally was the same reason he stated for charging Obstructing Governmental Operations. KRS 519.020 (1) Obstructing Governmental Operations states, *“A person is guilty of obstructing governmental operations when he intentionally obstructs, impairs or hinders the performance of a governmental function by using or threatening to use violence, force or physical interference.”* ██████ never used violence. She never threatened to use violence, force or physical interference. I recommend allegations of a violation of LMPD SOP 5.1.32 Appropriate Action be **SUSTAINED**.

Regarding the vehicle Officer Poff towed, there was never any indication of probable cause the vehicle constituted an instrument or fruit of a crime, contained evidence of a crime, or was subject to seizure or forfeiture. Officer Poff towed the vehicle under the “992” code for arrest, and told ██████ the vehicle was part of an ongoing investigation, yet he did not place a hold on the vehicle. Officer Poff never articulated an ongoing investigation in his interview. He stated he only told the family there was an ongoing investigation to keep them calm. “Uh, when I was telling them that, I was just – it’s me tryin’ to calm the situation.” (Poff 814-815) This is counterintuitive since towing a person’s vehicle would seem to only incite them, particularly when the situation allowed for officer discretion. Officer Poff never determined any probable cause the vehicle was used in a criminal act, yet he towed it on this false premise. Officer Poff further explained his main objective was clearing the roadway since the car was blocking the alley, however he did not employ the most expedient means of removing the vehicle which would have been allowing the family to pull the car back into the driveway. I recommend allegations of a violation of LMPD SOP 7.9.10 Vehicles Used in Criminal Acts be **SUSTAINED**.

When ██████ was taken to the ground Officer Poff handcuffed her. “Uh, at – in my eyes, I was placin’ her under arrest. Um, and I wanted to make sure she didn’t have any weapons on her.” (Poff 551-552) He then searched her pockets while she on the ground. She was never informed she was under arrest. Officer Poff never articulated the necessary probable cause to

place [REDACTED] under arrest. I recommend allegations of a violation of LMPD SOP 8.24.3 Warrantless Searches (Search Incident to Arrest) be **SUSTAINED**.

Once [REDACTED] was pulled out of the vehicle by Officer Poff and was assisted by Officer Collins. Officer Poff failed to continue using advisements, warnings, and verbal persuasion, but instead elected to take [REDACTED] to the ground. [REDACTED] was clearly upset from the onset of the incident and took exception to being stopped. Officer Straman initially claimed he was there to assist her, assuming she was having car trouble. When she declined the help Officer Straman and Officer Poff were both passive in expressing their intentions in continuing the investigation. [REDACTED] continued tending to her daughter under the assumption the officers' suspicions had been relieved. If Officer Poff, the contact officer, had been more intentional with employing more de-escalation, and had better articulated he was conducting an investigation the scenario may have not ended with [REDACTED] sustaining injuries or being hospitalized. I recommend allegations of a violation of LMPD SOP 9.1.3 De-Escalation be **SUSTAINED**.

The use of physical force in this case was not necessary, and the amount of force used was not reasonable. [REDACTED] displayed a level of active resistance, but there was never active aggression towards the officers. Officer Poff orchestrated the takedown which led to a myriad of other issues to include [REDACTED] temporarily going unconscious. I recommend allegations of a violation of LMPD SOP 9.1.5 Use of Physical Force be **SUSTAINED**.

I recommend allegations of a violation of LMPD SOP 10.1.4 Arrests Without a Warrant regarding Officer Clayton Poff be **SUSTAINED**.

[REDACTED] said Officer Poff never returned her identification. Officer Poff took her identification at the time of the investigation. This was captured at the 3:40 mark of Officer Poff's WVS. On the same date of receiving his 48-hour notice Officer Poff telephoned me to let me know he had her identification. I picked it up from the 2nd Division and returned the identification to [REDACTED]. When Officer Poff was asked about the reason why he did not return it he stated, "Um, after receiving the notice, I doublechecked in my car to see if I still had the ID by chance. Uh, after searchin' my car I could not find it, uh, so I spoke with Officer Ragan and asked her if she could possible check her car, see if she had it. And she found it in her car. Uh, at that point I contacted you, and was able to turn it over to you to get back to her." Officer Poff did not return the ID to her, nor was it deposited into the EPU. I recommend allegations of a violation of LMPD SOP 11.2.8 Safeguarding of Evidence and Property be **SUSTAINED**.

Officer Noah Straman

I recommend allegations of a violation of LMPD SOP 5.1.2 Obedience to Rules and Regulations regarding Officer Noah Straman be **SUSTAINED**. *(see the conclusion regarding the same allegation under the heading, "Officer Clayton Poff")*

[REDACTED] phone was damaged prior to any police contact. [REDACTED] was speaking on her phone when Officer Poff made his approach. She had the phone in her hand and the screen of the phone was shattered across the face. [REDACTED] was using the phone as a speaker phone at

the time. The damaged was captured by Officer Poff's WVS (see Figure 6). Her allegations of the officers causing the damage were false.

I recommend that allegations of a violation of LMPD SOP 5.1.3 Conduct Unbecoming regarding Officer Noah Straman be **UNFOUNDED**.

After review of Officer Straman's WVS I could not find where the officer made the alleged discourteous comment, "Yahoo! At least I got one arrest tonight!" Officer Straman claimed he did not make the statement. He discontinued recording on his WVS once he arrived on scene at University Hospital so there was no other way to verify the statement, being no other involved person could verify or refute the statement. I recommend allegations of a violation of LMPD SOP 5.1.11 Courtesy be **NOT SUSTAINED**.

██████████ traffic stop was unconventional in she was not pulled over after being mobile, but it was a traffic stop, nonetheless. "We just saw that all the lights were out and it was blockin' the roadway." (Straman 136-137) Officer Straman failed to employ the outlined strategies of LMPD SOP 7.12.7 Strategies & Tactics of Patrol Stops (S.T.O.P.S.) which are required whenever possible when conducting traffic stops. Officer Straman testified there was never an opportunity for introductions and an explanation for the stop. There was ample opportunity, he just chose to use the time on the guise of being there to render aid. He greeted ██████████ but did not identify himself by name. He did not explain the reason for stopping her, consequently he gave the impression he was there to render aid to her vehicle. He did not ask her if there was a legitimate reason for parking the car in the alley. She told him several times she was trying to change her daughter's diaper, but he seemed impervious to this information. ██████████ got back in her vehicle under the assumption her decline for the officer's help had sufficed. When Officer Poff entered the scene as a back up officer he operated from an investigative perspective with no groundwork having been laid prior to his arrival. Had the S.T.O.P.S. policy been adhered, this scenario had the potential for a better outcome. I recommend allegations of LMPD SOP 7.12.7 Strategies & Tactics of Patrol Stops be **SUSTAINED**.

Officer Straman's focus was on ██████████. It would not have been logical or tactically sound to redirect his attention to ██████████ and leave ██████████ unattended. When Officer Poff decided to remove ██████████ from her vehicle, he made this decision using his own discretion. Officer Poff had the sole responsibility of deescalating the situation with ██████████. I recommend allegations of a violation of LMPD SOP 9.1.3 De-Escalation be **EXONERATED**.

The use of physical force in this case was not necessary, and the amount of force used was not reasonable. ██████████ displayed a level of active resistance, but there was never active aggression towards the officers. ██████████ complained Officer Straman pulled her hair. This was confirmed while reviewing Officer Poff's WVS (see Figure 4 and Figure 5) and Officer Straman's WVS at the 5:00 mark. Officer Straman applied his knee to ██████████ head (see Figure 1, Figure 2, and Figure 3). He explained the main objective was to gain control of Ms.

■■■■■ arms and place her in handcuffs, yet he made no efforts to gain control of her hands or arms because he did not want Officer Poff “to think me trying to move her hands was her tryin’ to resist.” (Straman 909-910) He then compounded things by keeping his knee on ■■■■■ head/face and suspending his body there for 30 seconds. A more efficient means would have been for both officers to focus on the hands and arms, especially since she never showed active aggression towards the officers. I recommend allegations of a violation of LMPD SOP 9.1.5 Use of Physical Force be **SUSTAINED**.

I recommend allegations of a violation of LMPD SOP 10.1.4 Arrests Without a Warrant regarding Officer Noah Straman be **SUSTAINED**. *(see the conclusion regarding the same allegation under the heading, “Officer Clayton Poff”)*

Officer Jasmine Collins

■■■■■ phone was damaged prior to any police contact. ■■■■■ was speaking on her phone when Officer Poff made his approach. She had the phone in her hand and the screen of the phone was shattered across the face. ■■■■■ was using the phone as a speaker phone at the time. The damaged was captured by Officer Poff’s WVS (see Figure 6). Her allegations of the officers causing the damage were false.

I recommend that allegations of a violation of LMPD SOP 5.1.3 Conduct Unbecoming regarding Officer Jasmine Collins be **UNFOUNDED**.

Officer Collins’ main function was a cover officer since Officer Poff was the one in direct contact with ■■■■■. When Officer Poff decided to remove ■■■■■ from her vehicle, he made this decision using his own discretion and Officer Collins was not given the opportunity to de-escalate matters with ■■■■■ with only seconds to react and assist Officer Poff’s directive to get ■■■■■ out of the vehicle. Officer Poff had the sole responsibility of deescalating the situation with ■■■■■. I recommend allegations of a violation of LMPD SOP 9.1.3 De-Escalation be **EXONERATED**.

■■■■■ displayed a level of active resistance, but there was never active aggression towards the officers, and the only true resistance Officer Poff received was from Officer Collins. ■■■■■ can be heard several times during this sequence yelling she was not resisting. Officer Collins’ main concern once ■■■■■ was out of the vehicle was freeing her own wrist from Officer Poff’s grasp and preventing any injury to herself. Officer Collins broke away from the melee once she freed her own wrist and did not take part in the takedown or any other action once ■■■■■ was on the ground.

Officer Collins: Um, and at that point, uh, we got her out of the car. Um, Poff took her up against the car and was trying to put her arms behind her back. He was grabbing my arm. And after that, I was – I said I was done. Um, I walked to the back of the car where the male was.

Investigator: I am more curious to know like when you said you were done, what, uh, can you elaborate on that part of it?

Officer Collins: So that was specifically because, um, when Poff was trying to get control of both her arms, like I had, uh, her left arm. An he grabbed my – my left arm and was pulling our arms together – me and the – the female. So at that point, like he litera – twist – twist my arm. Um, and I was trying to pull away from him. So I guess he thought it was her resisting. Um, and yeah, I said I was done after that ‘cause he twisted – twisted my arm back. (Collins 143-159) Officer Collins only assisted in getting [REDACTED] out of her vehicle, using only open-hand control to do so. Officer Collins played no part in the takedown or the struggle once [REDACTED] was on the ground. I recommend allegations of a violation of LMPD SOP 9.1.5 Use of Physical Force be **EXONERATED**.

PREVIOUS DISCIPLINE TO BE CONSIDERED:

Officer Jasmine Collins:

18-043 Chargeable Accident Mandatory Diver’s Training & Written Reprimand

Officer Clayton Poff:

NHBPSU19-050 Chargeable Accident Mandatory Diver’s Training & Written Reprimand

Officer Noah Straman:

NHBPSU19-024 Court Attendance Written Reprimand

NHBPSU19-053 Chargeable Accident Mandatory Diver’s Training & Written Reprimand

NHBPSU19-059 Chargeable Accident Mandatory Diver’s Training & Written Reprimand

Figure 1



Figure 2



Figure 3



Figure 4



Figure 5



Figure 6

