

REVIEWED

2-8-05 LT. D. STEWENS 9160

ILK

WALK-IN

INITIAL INQUIRY REPORT

Date Received: 02/04/05	Time: 1520	Complaint:	Station Informal: <input type="checkbox"/>	Station Formal: <input type="checkbox"/>	IAB Formal: <input type="checkbox"/>
Incident Date: 02/04/05	Time: 1355	Complaint Nature: Discourtesy			
Incident Location: 600 block E. Colfax Ave.		Internal Affairs Number:	Initial Inquiry Number: 1317		
Complainant #1:	Home Address:	[REDACTED]		Home Phone: [REDACTED]	
	City, State, Zip:	Aurora, CO 80013			
Complainant #2:	Work Address:			Work Phone:	
	Home Address:			Home Phone:	
Witness #1:	City, State, Zip:				
	Work Address:			Work Phone:	
Witness #2:	Home Address:			Home Phone:	
	Work Address:			Work Phone:	
Officer #1: Kachina McAlexander	Badge: 99076	Assignment: District 6			
Officer #2:	Badge:	Assignment:			
Officer #3:	Badge:	Assignment:			
Officer #4:	Badge:	Assignment:			

Complaint Narrative

The complainant came to the Internal Affairs Bureau to make a complaint of Discourtesy. He and his brother ran across the street and were contacted by officers for Prohibited Crossing. The complainant protested the contact to the officers as harassment.

He alleges that the female officer pulled a lighted cigar out of the complainant's hand and the hot ashes fell onto the palm of his hand. He explained that was slightly burnt but there are no marks because he reacted too fast and brushed the ashes away.

He alleges that the female officer told him he was being cited for Prohibited Crossing just because he thought he was being harassed and because his brother was also cited for Prohibited Crossing.

Police Commander's Name & Phone # given to Complainant as a Contact: Commander Dilly at (303) 839-2100

Action Taken

Sergeant Wilson completed the IIR for Discourtesy and advised the complainant that no complaint will be taken in the Internal Affairs Bureau for the citation B-037727. He was advised that he must handle that in court if he wants to protest the citation.

D/C Recommendation: Unfounded Exonerated Not-Sustained Sustained

Report Completed by: Sergeant Steve Wilson, 73034

Reviewed By: District/Unit Lieutenant: [REDACTED] District/Unit Commander: Lt. Daws 83001

Copy forwarded to IAB on 2/8/05 by [Signature] 4-405

Copy Received by PSU on: 2005 APR -6 AM 8:08

Instructions: A copy of this completed form, Citizen Letter from Commander, statements, along with a copy of any SSR entry made, must be forwarded to the Internal Affairs Bureau. Lieutenant, Captain/Commander, and Division Chief must review report for completeness and concurrence.

**DENVER POLICE DEPARTMENT
INTER-DEPARTMENT
CORRESPONDENCE**

TO: Cathy Davis, Lieutenant District Six
FROM: Sergeant Anthony Foster 86035
DATE: 03-29-05
SUBJECT: IIR complaint follow-up, case #1317

On the date of 03-08-05 the r/o received an IIR complaint regarding Ofc. K. McAlexander 99076 that had been received into the office of Internal Affairs on 02-04-05.

The complainant [REDACTED] [REDACTED] [REDACTED] alleged that he was harassed by Ofc. McAlexander on 02/04/05 while in the company of his brother as they were running across the roadway in the 600 Blk of E Colfax Ave. The complainant also stated that Ofc. McAlexander removed a lighted cigar from his hand causing the ash to fall from the cigar and burn the palm of his hand.

The r/p was photographed by internal affairs investigators and no marks were observed on the r/p's hand.

The r/o was made aware of a possible complaint by Officers McAlexander and Culverhouse 00005 who were working together at the time of the contact on 02/04/05. The r/o obtained statements from both officers regarding the contact of the [REDACTED] party and the facts of the contact.

Both officers conducted a legal stop of the r/p and his brother who were illegally crossing the roadway of the 600 Blk of E Colfax Ave, during the contact of the r/p he was in possession of a lighted cigar which Ofc. McAlexander advised him to give to her. During the exchange of the cigar, Ofc. McAlexander did not burn the party or make any actions that would lead to the subject being burned. The officer did advise the r/p as to an under aged party in possession of a tobacco product, yet she did not charge him with the violation.

Ofc. McAlexander also cleared the brother of the r/p a [REDACTED] [REDACTED] [REDACTED] who was found to be code five for probation violation. The r/p was then cited for Pedestrian in the Roadway on Citation number B-037727.

The r/o upon receiving the complaint from Internal Affairs made two phone calls on 03/08/05 to the r/p's home number which he provided to Internal Affairs. The r/o made contact both times with a female party that stated I had the correct phone number yet she had never heard of a [REDACTED] [REDACTED]

The r/o on 03/11/05 attempted to locate the address of the Davis party that he provided both to internal affairs and on the citation that he was issued by Ofc. McAlexander and the address did not exist. The r/o also attempted a check on NCIC for the complainants address yet no information could be found on the r/p.

The r/o after reviewing the officer's statements and the photos of the r/p which clearly does not display any injuries. The r/o concurs with the actions of Ofc. McAlexander and feels that she followed the procedures set fourth by the Denver Police Department.

Sgt. A. Foster 86035



CITY AND COUNTY OF DENVER

DEPARTMENT OF SAFETY

DENVER POLICE DEPARTMENT
ADMINISTRATION BUILDING
1331 CHEROKEE STREET
DENVER, COLORADO 80204-2787
PHONE: (720) 913-2000

JOHN W. HICKENLOOPER
Mayor

March 22, 2005

[Redacted]
Aurora, CO 80013

Non-existent address

Dear Mr. [Redacted]

The complaint you initiated on February 4, 2005, against Officer McAlexander, 99076, was investigated by the involved officer's commanders.

Included in the case were documentation and statements from all parties involved. Taking into consideration the totality of the circumstances, it was found that there is not sufficient evidence to support your allegations that Officer McAlexander was discourteous to you during her contact with you.

Thank you for bringing your concerns regarding this matter to our attention. It is through input from citizens such as yourself that we are better able to identify training and disciplinary needs of the department. It is hoped that any future contacts with members of the Denver Police Department are more positive in nature.

If you have any further questions regarding this matter, please feel free to contact Lieutenant Catherine L. Davis of District Six at 303-839-2100.

Sincerely,

Gerald Whitman
Chief of Police

By: *L. Davis 83001*
Deborah K. Dilley
Commander, District Six