

Status: Closed

Case No: P200802071

**Denver Police Department  
Internal Affairs Bureau  
Complaint Summary**

How Complaint Was Received: Walk In

Date Received: 02/27/2008

Requesting Station Officer: DiPaolo, John (P91012)

Date Closed: 03/06/2008

Type of Complaint: Discourtesy

RR Code: 140

OMS Code:

Taken By: Fountain, Marcus (P91036)

Officer: Nuanes, Michael (P00109) Assign: District 5

Notify Date: 02/27/2008

Case Type: Decline

Assign To:

Decline Reason: No Misconduct

Complainant	D.O.B.	Home Address	Home Phone	Notify Date
██████████	██████████	██████████ ██████████	██████████	

Complainant Officer(s)	Badge #	Assignment

Witness Officer(s)	Badge #	Assignment

Complainant	Type	Address	City	State	Phone

Place of Occurrence:	Second Street	Date	Time	District
██████████		02/12/2008	10:00	5

**Incident Summary:**

The complainant states that she responded to ██████ Middle School to get some information from the school in reference to her son being bullied or assaulted. The complainant stated that the school would not help her so she called the police. The complainant states that the subject officer responded and was ruled failed to help her.

**Internal Affairs Bureau Command Review**

Assigned By:

Case Assigned To:

Assigned On:



JOHN W. HICKENLOOPER  
Mayor

## CITY AND COUNTY OF DENVER

DEPARTMENT OF SAFETY

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

March 6, 2008

Re: Case # P200802071

Dear Ms. [REDACTED]

The purpose of this correspondence is to inform you that your complaint was investigated by Sgt. John DiPaolo of the District Five Substation. Your statement, as well as the involved officer's statement and related reports were reviewed as part of this investigation.

You stated that on February 12, 2008, you responded [REDACTED] Junior High School to obtain some information from the staff about some boys who assaulted your son. When you arrived the staff was not helpful, so you called the police and Officer Michael Nuanes responded. Upon his arrival he was not and that he was rude and disrespectful.

According to the principle, Ms. [REDACTED] when you responded to the school, you were "a very difficult parent to deal with" and you would not listen to her when she tried to explain school policy to you. She also stated that when Officer Nuanes arrived, he spoke to you in a conference room, but she was not present in the room, so she couldn't verify that any yelling took place.

A letter was also received from the Dean of Students at the school. In that letter, she stated that your son has been involved in many incidents at school that involved lying and stealing and that you don't seem to believe that your son is ever wrong. Though she may not have been present at the time of your complaint, she feels that any complaint you made against Officer Nuanes was false or made out of anger.

Additionally, Officer Nuanes stated that when he responded to speak to you, he tried to explain that the schools had policies and procedures that they had to follow and that as he tried to tell you this, you interrupted approximately six times and raised your voice. Eventually, Officer Nuanes told you that if you continued to interrupt him, he would leave the room. He stated that you continued to tell him how he and the principle needed to do their jobs and he finally decided to leave the room.

Based on the information that was received, it is our opinion that Officer Nuanes did not violate any policies or procedures during this incident and that this complaint will be declined. There will be no further action taken.

We recognize and appreciate your willingness to call the police department when you feel that there is a problem and we welcome you to call again. We hope your next experience with us is a positive one.

If you have any questions, please feel free to contact the Denver Police Department Internal Affairs Bureau at (720) 913-6019.

Sincerely,

John Lamb



Commander, Internal Affairs Bureau

## COMMENDATION/COMPLAINT INTAKE FORM

Date Received: 2/12/8	Time: 1300	Complaint Nature: Discourtesy			
Incident Date: 2/12/8	Time: 1000	Applicable OMS Code(s):			
Incident Location: [REDACTED]	Pct: 534	How Complaint Received: Walk-in	Hotline <input type="checkbox"/>	Complaint#: P200802071	
Complainant #1: (Name and DOB)	Home Address: [REDACTED]		Home Phone: [REDACTED]		
	City, State, Zip: [REDACTED]				
	Work Address:		Work Phone: ( ) -		
Complainant #2: (Name and DOB)	Name	Home Address:		Home Phone: ( ) -	
	D.O.B.	City, State, Zip:			
	Race	Work Address:		Work Phone: ( ) -	
Witness #1: (Name and DOB)	Name	Home Address:		Home Phone: ( ) -	
	D.O.B.	Work Address:		Work Phone: ( ) -	
Witness #2: (Name and DOB)	Name	Home Address:		Home Phone: ( ) -	
	D.O.B.	Work Address:		Work Phone: ( ) -	
Officer #1: Michael Nuanes	Badge: 00109	Assignment: Dist 5			
Officer #2:	Badge:	Assignment:			
Officer #3:	Badge:	Assignment:			

### Commendation/Complaint Narrative

Ms. [REDACTED] walked into the District 5 Station to file a complaint against Officer Nuanes.

She said she went to [REDACTED] High School and wanted the school to give her the names of the 2 boys who assaulted her son [REDACTED] on 02-11-08 at 1145 hours.

She said the school would not help her so she called the police.

She said Officer Nuanes responded, would not listen to her, was not helpful, and yelled at her.

### Follow-up/Investigation

Statement from [REDACTED] (Dean of Students) describing Ms. [REDACTED] and her son [REDACTED] behavior.

Statement from [REDACTED] (Principal) describing Ms. [REDACTED] and her son [REDACTED] behavior.

E-Mail from Officer Husman to Officer Nuanes regarding false statements [REDACTED] made to his mother and school officials.

Garrity/ Statement from Officer Nuanes.

- Informal Investigation (Indicate actions taken below)
- Debrief/Counseling    Policy Provided    Training Scheduled    Other No Action Recommended

Report Completed by: Sgt. Di Paolo, 91012

Reviewed By:	District/Unit Lieutenant: [Signature] 9253	Concur <input checked="" type="checkbox"/>	District/Unit Commander: [Signature] 8747	Concur <input checked="" type="checkbox"/>
		Not Concur <input type="checkbox"/>		Not Concur <input type="checkbox"/>

### IAB RECOMMENDATION

- Commendation    IAB Formal    Station Formal    Service Complaint    Mediation Requested

Complaint Narrative (Continued)

Follow-up/Investigation (Continued)

After speaking to Ms. [REDACTED] examining Principal [REDACTED], Dean of Students [REDACTED] and Officer Nuanes' statements I came to the following conclusions:

Ms. [REDACTED] has great difficulty accepting the policies and procedures of the Denver Public Schools and the Denver Police Department.

Ms. [REDACTED] shows a pattern of poor judgement concerning her son [REDACTED] behavior at school even when shown direct evidence.

In my opinion, Ms. [REDACTED] truly believed Officer Nuanes was yelling and not helping her because her goals were being blocked and she was frustrated.

I recommend no disciplinary action to be taken against Officer Nuanes.