

1512
 Lt. Calo IIR REVIEWED 12/23/2003

INITIAL INQUIRY REPORT

Date Received: 12-22-03		Time: 1745		Complaint: Station Informal: <input checked="" type="checkbox"/> Station Formal: <input type="checkbox"/> IAB Formal: <input type="checkbox"/>	
Incident Date: 12-22-03		Time: 1715		Complaint Nature: Discourtesy	
Incident Location: Tele-Com			Internal Affairs Number:		Initial Inquiry Number: 60
Complainant #1:	Ms. [REDACTED]	Home Address: [REDACTED]		Home Phone: (303) [REDACTED]	
		City, State, Zip: [REDACTED]			
		Work Address: [REDACTED]		Work Phone: (303) [REDACTED]	
Complainant #2:	N/A	Home Address: [REDACTED]		Home Phone: [REDACTED]	
		City, State, Zip: [REDACTED]			
		Work Address: [REDACTED]		Work Phone: [REDACTED]	
Witness #1:	NONE	Home Address: [REDACTED]		Home Phone: [REDACTED]	
		Work Address: [REDACTED]		Work Phone: [REDACTED]	
Witness #2:	NONE	Home Address: [REDACTED]		Home Phone: [REDACTED]	
		Work Address: [REDACTED]		Work Phone: [REDACTED]	
Officer #1:	Detective Michael Rossi	Badge:	90012	Assignment:	Auto Theft - DISTRICT 4
Officer #2:		Badge:		Assignment:	
Officer #3:		Badge:		Assignment:	
Officer #4:		Badge:		Assignment:	

Complaint Narrative

The complainant, Ms. [REDACTED] stated that Detective Rossi telephoned her on the above listed cellular telephone. The Detective attempted to advise Ms. [REDACTED] regarding unwanted contacts to an ex-boyfriend, Mr. [REDACTED]. Ms. [REDACTED] told Det. Rossi that he would have to speak with her attorney about the issue. Det. Rossi continued to talk about the domestic situation between Ms. [REDACTED] and Mr. [REDACTED]. Ms. [REDACTED] told Det. Rossi to leave his telephone number and she ([REDACTED] would contact him (Rossi) later. Det. Rossi stated, "Since you're being such a bitch just forget it". Det. Rossi ended the call. Ms. [REDACTED] complained that Det. Rossi was harassing her on behalf of her ex-boyfriend and should not be involved in the legal problems between she and Mr. [REDACTED]. Ms. [REDACTED] also complained that Detective Rossi was discourteous when he stated, "Since you're being such a bitch just forget it". The caller identification number that Ms. [REDACTED] obtained for Det. Rossi is (303) 663-5673. This is the home telephone number for Det. Rossi.

Police Commander's Name & Phone # given to Complainant as a Contact: Commander: Captain J. Kilpatrick/71021

Action Taken

See page #2

D/C Recommendation:		Unfounded <input type="checkbox"/>	Exonerated <input type="checkbox"/>	Not-Sustained <input type="checkbox"/>	Sustained <input type="checkbox"/>
Report Completed by:		Sgt. Walter Greene/91068			
Reviewed By:	District/Unit Lieutenant:	[Signature] Not Sustained 8747 01-10-04		District/Unit Commander:	[Signature] Not-Sustained
Division Chief:		[Signature]			
Copy forwarded to IAB on:		<div style="text-align: right;"> 2003 DEC 24 AM 11:04 2004 JAN 27 PM 3:42 Copy Received by PSU </div>			

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.

January 14, 2004

SUBJECT

01-02-04: I Received an IIR on Det. Mike Rossi.

01-14-04: I reviewed the IIR form and three audio tapes that were provided by Sgt. Walter Green along with the IIR. I called the complainant, Ms. [redacted] and spoke with her. I learned that she has had on going problems with an ex-boyfriend named [redacted]. In the past she has had strange calls from people representing themselves as Denver Police Officers, however she believes that they were in fact friends of Mr. [redacted] trying to harass her. When Det. Rossi called her while doing a background investigation on Mr. [redacted] she did not believe that he was a Denver Police officer. For this reason she questioned him and told him to contact her attorney, [redacted]. She then states that he told her "Since you're being such a bitch just forget it". She said that Det. Rossi then ended the call.

I then spoke to [redacted] the attorney representing Ms. [redacted] on other legal actions. She had been contacted by Sgt. Green of I.A.B. about this case. She elaborated on the situation between Ms. [redacted] and Mr. [redacted]. I explained to her that Det. Rossi was legitimate in contacting Ms. [redacted]. Further, I explained that I was investigating a discourtesy complaint made by Ms. [redacted] and did not have anything to do with any of the other incidents. Ms. [redacted] did not have any information pertinent to this IIR.

I spoke to Det. Rossi after giving him a Garrity advisement. He stated that he did call Ms. [redacted] regarding a background investigation he was completing. He states that he did not call her a bitch, nor was he rude or discourteous to her. In fact, she stated "you are an asshole" and hung up on him.

Recommendation:

I recommend that this case be carried as **Station Informal**.

I recommend that this case be carried as **Not-Sustained**. Det. Rossi and Ms. [redacted] have differing accounts of the phone call. There are no independent witnesses to prove or disprove either side.

There is no corrective action that needs to be taken with Det. Rossi as a result of this IIR.

D/C Recommendation:		Unfounded <input type="checkbox"/>	Exonerated <input type="checkbox"/>	Not-Sustained <input checked="" type="checkbox"/>	Sustained <input type="checkbox"/>
Report Completed by:		Sgt. C. Ed Hall 94014			
Reviewed By:	District/Unit Lieutenant:	[Signature] Not Sustained 8/24/04 01-15-04		District/Unit Commander:	
Division Chief:		[Signature]		1-26-04	
Copy forwarded to IAB on:		Copy Received by PSU on:			

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.

2004 JAN 27 PM 3:42
PROFESSIONAL STANDARDS UNIT



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

January 22, 2004

Ms. [REDACTED]

Dear Ms. [REDACTED]

Your complaint of January 22, 2003, has been investigated by Command Officers of District Four. The result of that investigation has been presented to me for my review and recommendation.

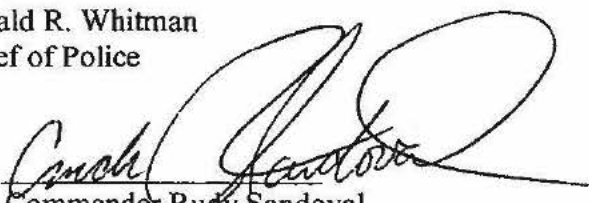
Included in this investigation are audio-taped statements from you and statements from the Detective involved in this incident. In order to sustain any disciplinary action, it is necessary to establish a preponderance of the evidence that the Detective's conduct was improper, which was not the case in this matter.

I am truly sorry that this contact with members of the Denver Police Department was not satisfactory. I hope that any future contact you may have with our officers will be a positive experience.

If you have any questions concerning this matter, you may contact Commander Rudy Sandoval at 303-937-4444.

Sincerely,

Gerald R. Whitman
Chief of Police

By: 
Commander Rudy Sandoval
District Four Police

2004 JAN 27 PM 3:42
PROFESSIONAL STANDARDS UNIT