

Case Number: 96080117

How Received: Not Specified

Date of Violation: 8/8/96

Type of Complaint: IAB

Date of Received: 8/16/96

Date Back from D/C:

Date Received by D/C: 12/18/96

Complainant(s): Mr [REDACTED] [REDACTED] DOB: [REDACTED]

	<u>BADGE</u>	<u>VIOLATION</u>	<u>RR</u>	<u>OMS</u>	<u>DISPOSITION</u>	<u>ASSIGNMENT</u>
1	95105	Improper Procedure - Other SSR Entry	805		Sustained	District 6
2	95105	Law Violation - Other	115		Not Sustained	District 6

**DENVER POLICE DEPARTMENT
INTER-OFFICE
CORRESPONDENCE**

REVIEWED BY		
	INITIAL	DATE
CAPT.	<i>[Signature]</i>	12/18/96
LT.	<i>[Signature]</i> 7579	12/18/96

TO: Captain G. Whitman, Commander District Six

FROM: Sergeant Paul A. Berdahl, Detail Four

DATE: December 9, 1996

SUBJECT: IAB Complaint #96080117, Officer Todd Rounph #95105

Complaint

The complaint alleges the other party involved threatened him with a gun. The vehicle the other party was driving lists to Officer Todd Rounph, 95105.

Investigation

This investigation was initiated when the complainant called uniform officers on the 8th of August, 1996 to report that he had been involved in a traffic dispute with the driver of a black Ford pick-up. In that dispute the complainant alleges that the driver of the pick-up told him "I'll put you down" twice and that the same party then showed a gun which he allegedly held in his left hand. This case was then turned over to the assault bureau and was investigated by Det. Rino, 74053. Through his investigation it was determined that the suspect vehicle was owned by Denver Police Officer Todd Rounph. The case was then given over to the Internal Affairs Bureau and was continued by Sergeant Ruiz.

The following is an overview of the statements obtained in this investigation:

The complainant related that he was traveling in his vehicle when the driver of a Ford pick-up pulled up to his car showed a gun and said "I'll put you down" twice. He gave a description of the alleged suspect and the vehicle which included a license plate number.

Detective Rino submitted a written statement in which he related the allegations of the complainant and added that the complainant felt that he was in fear of his life and also had his ten year old daughter in his car during the incident. He related that the complainant indicated that the alleged suspect simply held the gun up so he could see it, and that the complainant did not say the gun was pointed at him.

After numerous attempts to contact the complainant, via phone and registered mail, which were not successful, Sergeant Ruiz brought this case to the District Attorney for review. Deputy DA Balkin reviewed and refused to file this case with the notation that the complainant has not cooperated with our investigation.

Officer Rounph's IAB statement revealed that he was involved in a traffic dispute with the complainant on the alleged date, time and location. He relates that they exchanged profanities and that the complainant then started to get out of his car. To avoid a physical confrontation, Officer Rounph related that he pulled out a can of pepper mace and told the complainant to get back into his car. He states that the incident then ended with the parties going in separate directions. Rounph states that he never used the mace and that he did not show a pistol because he was not armed at this time. He related in his written statement that he did not have his pistol or badge with him as required by RR-805.

██████████ was also contacted by Sgt Ruiz reference this investigation. She is Officer Rounph's girlfriend and she does verify that Officer Rounph did not have his weapon with him on this day.

Conclusion

Because of the complainants refusal to cooperate with this investigation, he never identified Officer Rounph's vehicle or Officer Rounph as being involved in this incident. It was Officer Rounph who places himself at the scene of this incident and gives a reasonable explanation for what the complainant alleges to have seen. There are no other independent witnesses to this event on S. Colorado Blvd. Officer Rounph does admit to violating RR-805 in his statement.

Findings

My findings are as follows:

As to whether Officer Rounph violated **RR-115, Law Violations**, Officers shall obey the charter of the City and County of Denver, All City Ordinances, and all State or Federal Statutes.

I find the allegation should be carried as **Not Sustained**.

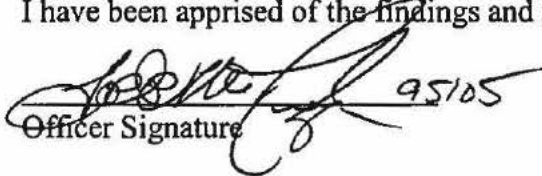
As to whether Officer Rounph violated **RR-805, Equipment Carried on Person**, Officers shall carry their badge and ID card and be armed at all times, except as provided by the Operations Manual.

I find the allegation should be carried as **Sustained**.

Respectfully Submitted,

Sergeant Paul A. Berdahl, 86059

I have been apprised of the findings and recommendations in this investigation.


Officer Signature

12/5/96
Date

Concur:


Lieutenant Cooper

12.9.96
Date

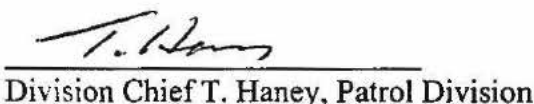
Concur:


Captain G. Whitman

12/11/96
Date

Recommended Penalty:
SSR ENTRY

Concur:


Division Chief T. Haney, Patrol Division

12/18/96
Date

