

Summary of Hardick Complaint #697

Incident Occurred on: August 6, 2021

Complaint Filed on: August 16, 2022

On August 16, 2022, the complainant emailed the East Lansing Police Department a Complaint Against Employee Form indicating that an Officer had erred in documenting his traffic crash report. In the complaint, the complainant stated that the vehicle involved in the crash was a Chevrolet, and not a Dodge, as documented, and that the Chevrolet was an older model vehicle, a 20 to 25-year-old pick-up truck that did not have a shoulder belt for the middle seat as the police report stated. The complainant stated when he checked on the subjects in the pickup truck, the center passenger did not have a lap belt on. The report also documented that one of the passengers was in a third row, and according to the complainant, there was no third row and only a front bench seat in the vehicle.

Due to the complaint having been filed a little more than one year after the incident, body worn camera footage had been destroyed. (The report indicated that "Civil Infraction & Contact videos are kept in the system for one year.") The police department's investigation did find that the vehicle was in fact a 2020 Dodge 1500. The Dodge pickup truck is a crew cab-style vehicle with two rows of seating. One passenger was in the front passenger seat, and the other was in the second row on the driver's side. Interviews found that the passengers attested to wearing seat belts. This appears to be confirmed in compelled statements from the officers but cannot be independently proven or disproven. However, the officer erred in the UD-10 State of Michigan Traffic Crash Report regarding the placement of seating and where the backseat passenger was seated.

Findings:

Officer violated the Code of Conduct 4-20 Policy and Procedure, G., Article 7- Neglect of Duty

1. The employee failed to perform their duties in a reasonable, **proper**, thorough, and efficient manner. The employee failed to take the appropriate or required action based upon Department policies and procedures, written directives, or Department training guidelines. The employee failed to complete the required or appropriate written or computerized documentation of the incident.

This is in reference to the location of the passenger in the back seat being documented in the third row when they would have been seated in the second row.

Policy Violation: Sustained

None of the provided information proves that Officer Cotton falsified the UD-10 crash report.

Not Sustained.

Summary by the ELIPOC Complaint Committee, January 6, 2023

Demographic data and history of complaints provided by ELPD

Complaint Classification: Disciplinary

Race of Complainant: White

Sex of Complainant: Male

Officer Race: White

Officer Sex: Male

Officer 5-year (2017-2022) Complaint Trend 0

Officer 5-year (2017-2022) Admi Inquiry Trend 0

Documents related to this complaint

Complaint form

[https://cityofeastlansing.civicweb.net/document/86557/Complaint%20697%20Hardick%20\(Redacted\).pdf?handle=A486D21ED417489AA9579A88D4A9066F](https://cityofeastlansing.civicweb.net/document/86557/Complaint%20697%20Hardick%20(Redacted).pdf?handle=A486D21ED417489AA9579A88D4A9066F)

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