Inquiry Report

Inquiry Number: 2020-007

Officer(s) Involved (identify if officer synopsis included):

Incident Narrative: Larry Pope filed a complaint with the Police Department. In this complaint Pope alleges on 06/22/2020 at approximately 1330 hours, he was detained by two Fargo Officers in the parking lot of 3201 20 St S. He claims he was detained and searched by two officers. He also claimed these two officers did not have any reason to detain him. Pope also stated one officer took his bag off his back while the other officer patted him down.

Pope stated he began to panic which caused his epilepsy monitor to go off. This causes Pope's voice to change. Pope stated the officers told him to stop doing that with his voice and turn the machine off.

Pope stated the officers told him they were going to take his keys. However, Pope states the officers let Pope keep the keys. Pope stated he asked the officers why they stopped him. Pope stated the officer's response was, "You looked suspicious and only thugs wear string bags."

Items included in Inquiry Folder:

- Recorded interview with Pope
- Transcribed interview
- Traffic cam footage
- Map of location
- Sgt. Nestler email and attachment
- Sgt. Nieman email
- Daily roster on 06/22
- Dispatch inquiry of address
- GPS Data
- Complaint Form
- Recorded voicemails

Interviews:

I interviewed Mr. Pope at his girlfriend's residence at 3201 20 St S # 131. This interview was recorded. A copy of the recording has been added to the inquiry file.

Mr. Pope answered the door. I explained who I was and asked if Sgt. Shaw and I could enter the apartment. Mr. Pope was hesitant initially and explained he and his girlfriend had company over the evening prior so the alcohol was not theirs as they are under the age of 21. I informed him we were not there to discuss that. Mr. Pope allowed us to enter the apartment. I told Mr. Pope I

was aware he had a medical condition so if he needed to stop or take a break or get some water to help he was certainly able to do that.

We began by discussing his girlfriend filling out the complaint for him, but using his words. Mr. Pope stated he has poor handwriting and he had made mistakes on two forms already. I asked Mr. Pope to explain to me what happened that day. Mr. Pope recalled what he had stated on the complaint form. However, he added that the officers told him to be quiet and stop asking them questions, (this was not mentioned on the complaint form).

Mr. Pope described taking a route of northwest through the grass to the parking lot. From the apartment, Mr. Pope used a vehicle as a reference point as to where the incident occurred.

Mr. Pope stated after the incident, he got a text from his girlfriend. They were discussing her day and Mr. Pope replied to her stating two Police Officers had stopped him. Mr. Pope stated his girlfriend asked if he was ok and that he should just get to work and call his mom. I asked Mr. Pope if this was while he was walking to Family Fare and he stated it was.

I asked Mr. Pope what the names are of co-workers that he spoke to that day. Mr. Pope provided names of co-workers and in what order he spoke with them. Mr. Pope stated he just tried to stay calm to avoid having an "episode" from his medical condition. I asked Mr. Pope if he told the manager what had happened. He stated he had not, but had told a co-worker "Carrie." I asked if this was the first co-worker, he told about it and he stated no it was "Becca."

Mr. Pope stated he had arrived at work early that day, so he went to speak with Becca. Mr. Pope stated this upset his friend Becca greatly and she encouraged him to file a complaint and offered help. After speaking with Becca, he goes upstairs and gets ready to work. Mr. Pope stated a manager, "Mikey", came up to him and asked him about what happened. Mr. Pope stated later that day he told the story to another manager as well. He also stated, two days later, he told another manager the story. Mr. Pope later stated someone else in produce overheard the story.

Mr. Pope recalled filling out the complaint form with the help of his girlfriend. He also stated he had his friend "Wess" look at the complaint form as well. He stated after he got it back from Wess; he notified Sgt. Nestler that the complaint form was complete. Mr. Pope stated Sgt. Nestler picked up the completed complaint form from him at Family Fare.

I clarified with Mr. Pope what day the incident occurred. There had been some discrepancies between the press conference and the complaint form. He stated it was June 22 2020.

Mr. Pope stated since the press conference, he has had people staring at him. He also stated as he was walking to work recently, a woman in a truck stopped and gave him a hug, but also stated her boyfriend stayed in the truck and yelled expletives at him. Mr. Pope also stated he has had customers call him stupid or the "N-word."

I asked Mr. Pope if anyone else was a possible witness to this incident. He stated, "Um no not at that point, I was focusing on the officers, like you know just giving them all of my attention…" he went on to discuss where he had wanted to sit during this encounter. Mr. Pope stated he did

not see anyone else during this. However, he did say he had someone message him later stating she may have seen him during this encounter. Mr. Pope still had the message on his phone and allowed me to view it. The person's name on Facebook is Ladonnaa Smith.

I asked Mr. Pope about this after reading the message. The message states, "I'm pretty sure I saw that happening, me and my roommate were driving by." I asked Mr. Pope if he remembered anyone driving by during this incident. He stated he did. He described the car as a gray SUV, unsure of the make or model. Mr. Pope stated the gray SUV came through the parking lot from west to east.

I asked Mr. Pope if he believes he could identify the officers if he saw them again and he stated he could. He stated he could pick out the officers from photographs. I asked Mr. Pope to describe the officers to me. He described one officer of average height and one officer a little taller. I asked about any facial features or tattoos. He stated he believed the shorter officer had brown hair and the taller officer had black hair.

Mr. Pope stated the officers parked their squad cars one right behind the other. He stated they were facing to the east as they too had come from west to east. He stated he first saw the squad cars when he got to the parking lot off the grass. He stated that is when they stopped and came up to him and detained him. He stated he did not see any numbers on the squad cars.

I printed up a map of the building and the parking lot. Mr. Pope agreed with me this was a map of where we are. I asked him to sketch the location of where he was, the officers and the gray SUV. Initially Mr. Pope drew it as the incident occurring south of the swimming pool. I reminded him, he had told me it occurred on the north side of the pool. He stated he had been confused and drew in on the north side.

As Mr. Pope was sketching the location of the incident, he again spoke about the incident. He stated that one of the officers opened the door and quickly walked around and said, "Hey sir." Mr. Pope stated he stopped. He stated again one officer took his bag off him and the other officer patted him down. Mr. Pope stated the contents of his bag were placed on the ground and the officers left. He stated he put the contents back in his bag and adjusted his bag on his back. By the time he had completed this, he stated the officers had already left. Mr. Pope stated both squad cars were black and white. He also stated the officers were in full uniform.

As Mr. Pope was sketching, I asked him about the gray SUV. He stated, "As this was going on they actually started looping around a little bit." He believes this because he states he saw the same SUV in the parking lot to the south of him. He stated he saw this same SUV a few more times. He stated there were two people in the car. He also stated he believes the driver was a male. He also stated the driver had "dreads." He stated, "Not saying white people can't have dreads, but I'm assuming he would have been African American." He stated he could not see the passenger. He stated the window was, "A little tinted, so it was harder for me to see and so um but like I said it looked like a male, but it could have been a female."

Mr. Pope stated he noticed the SUV when he had his hands up. He stated he was just getting ready to sit down and that is when the SUV drove by. He stated the SUV did not turn down into

the area he was in with the officers. I pointed to the area he had sketched when I asked about him noticing the driver. He stated that was where he noticed the driver. This was the same driving area from which he stated the squad cars came from as well. He also stated the driver, "looked over" as the SUV was driving. He also stated the SUV came into the parking lot fast, but slowed down. He stated the windows were tinted but "you could still somewhat see through it."

I asked Mr. Pope to walk me through the event in reverse. I informed him this makes people remember things from a different perspective, which can sometimes help them remember details they previously did not realize. I explained this to Mr. Pope and stated this exercise could "jog your memory" and I provided examples. An example I gave was, "oh ya that's right the officer had a red bracelet on, the officer had a certain ring or a unique watch or something else to kind of jog your memory to help me identify who the officers are."

Mr. Pope walked me through in reverse. He recalled the same story but then added, "One had a wedding band on." He stated he did not remember the color, and stated, "I could feel it when he was patting me down because it was obviously round so it feels weird when that happens…" Mr. Pope stated the officer that patted him down was the average height officer.

I asked Mr. Pope if the officers stopped their cars as soon as they saw him. He stated he was not sure. He stated he believes the officers were doing what he hears they do in making normal rounds in that area. He stated he was not sure if the officer stopped him "because they saw me or they stopped me because it looks like someone that they are searching for or something like that." He stated the officers would not answer any of his questions and would just tell him to "shut up."

Mr. Pope stated the squad cars parked near the out building, but pointing east to west. He stated the squad cars were out of the lane of travel. I asked if either of the officers asked him for his name or identification, and he stated they did not. He discussed the interaction between him and the officers and stated they again would not answer any questions and told him to put his hands up. As this continued he stated the officers told him, they were going to take his keys. The taller officer then stated, "You look suspicious, only thugs wear string bags."

I asked Mr. Pope if he remembered either officer being on the radio. He stated he did not think they were. He stated they were, "Just like you guys" referring to my microphone clip and Sgt Shaw having the bigger radio microphone. I asked Mr. Pope if the officers were wearing a uniform like me with the vest underneath my shirt or if they had, an external vest like Sgt Shaw was wearing. He stated both of them were wearing a uniform just like mine.

I asked Mr. Pope if he inquired about cameras on the property. He stated he walked around the property to see if he could see any and he could not see any. He stated he did not want to go up to the manager and ask about cameras since his girlfriend is on housing. He does not want her to get into trouble.

I asked Mr. Pope about his feelings after the interaction. He stated he was trying to take deep breaths, but as he got closer to work, he became more and more upset. He stated he was on his phone, only really looking up to see if he has the right of way.

I asked Mr. Pope what he thought should happen to these officers. He stated he told Sgt Nestler he just wanted an apology. However, he stated as he started to think about it, he thought maybe the officers should be suspended. He stated he did not want to take their job from them and again stated they should just be suspended. He went on to talk about Wess. Mr. Pope stated Wess told him if this is the case, they have a lawsuit and they should sue the Police Department. Mr. Pope stated, "Like it's in my hands, but it's out of my hands so I'm going with what Wess is going with and then I'm telling Wess what I want. Like I told him, you know I just want the cops suspended, that's all, that's all I want, I want them suspended for at least a week or two, you know just so they can get their mind right, see what they've done wrong and what they did wrong is not ok." He went on to say others have told him to ask the officers be fired to get the "rotten apples out" and to "get the new ones in."

Mr. Pope went on to say people have asked him if he wanted to post it. He stated at one point he was just going to say, "It was an incident, things happen, I'll get over it." He stated however, as people heard the story, they began contacting him about it. This is what prompted him to post about the incident on Facebook. He stated after he posted about it, Wess messaged him and directed him to take the post down. He stated Wess told him this because Wess was concerned the amount of attention and contacts could cause Mr. Pope to have an episode. Mr. Pope stated he agreed to this and took his post down.

Mr. Pope went on to discuss his girlfriend's car breaking down on Sunday and what occurred over the last weekend. He stated Wess had contacted him Monday night (before the press conference), and told Mr. Pope about the press conference. Mr. Pope stated he told Wess he would be there. Mr. Pope stated at about 1530 hours on Tuesday (day of the press conference), Wess messaged him and asked if he was ready. Mr. Pope stated he was getting dressed as he was talking to Wess. He went on to point out what shirt he was wearing. He then started talking about what was in the newspaper. He stated he took a 15-minute break at work and read the paper and later Wess messaged him saying the Police Officers would reach out to Wess instead of Mr. Pope regarding this situation. Mr. Pope went on to say, "And then today came, and this is where we are." I did not ask Mr. Pope any questions regarding what he wore, what happened over the weekend or his contact with Wess regarding this incident.

I asked Mr. Pope about his feelings about Wess pushing things. We discussed Wess is passionate about OneFargo. Mr. Pope stated Wess, "wants good for me." Mr. Pope stated Wess offered to help him with getting him a hotel or a place to stay in order to keep Mr. Pope safe. Mr. Pope again stated, "Like he wants, he wants me to be safe, he wants, but he's also trying to tell me what I should do because he's giving me pointers because I've never had this issue before." He stated Wess told him about what had happened to Wess previously in dealing with law enforcement. Mr. Pope stated Wess's story was when Wess was about the same age and had got home from school. Wess told Mr. Pope there were two officers in his house already and one was sitting behind a wall. Wess told Mr. Pope as soon as he went into the house; he had a gun

pointed at his head. Mr. Pope also stated Wess told him he wants the best for Mr. Pope because he could not get the best for himself.

Mr. Pope stated Wess asked him about the lawsuit. Wess asked Mr. Pope if he would be willing to do it. Mr. Pope stated he told Wess he would have to think about it. Mr. Pope stated Wess went on to explain that if they do, the officers could be done. Wess went on to say we can always get new police officers as there are people applying to be Police Officers. Mr. Pope then started talking about a friend of his that is getting ready to become a Police Officer. He discussed his friend's going to school and again stated Wess told him "they can always get new officers." He stated Wess told him to do what he needed to do and if he (Mr. Pope) felt the officers needed to be fired, they should get to it. However if he (Mr. Pope) just wants the officers suspended, they should still try to have a lawsuit. Mr. Pope stated Wess suggested this so it would be documented that if something like this happened again the officer would be fired. Mr. Pope stated Wess wants him to make his point heard.

Mr. Pope started explaining to me how Wess had been close to crying during the press conference due to Mr. Pope's age. Mr. Pope then began discussing others that attended the press conference. Mr. Pope stated the different people that came up to him after the press conference, because he did not recognize them, confused him. Mr. Pope stated he received a lot of support from these people.

I explained to Mr. Pope that I had researched the dispatch logs of the dates regarding this incident. I did this because there was some discrepancy in the date of occurrence between the complaint form and the press conference. I explained there is not a record on any of those days of Officers being at the location. Mr. Pope stated, "The Officers just came through and I was walking to work and they stopped me, um I had no idea what they were doing…" He continued to discuss how he assumed they were going through the loop (fire lane). He stated they could have just been driving through here quick and then "they saw me and thought I looked suspicious." He continued discussing what happened and then made the comment the officers looked like they were going to drive off and just have a normal day.

Mr. Pope stated, "It's just I don't know it was, it was I guess how most people put it a heat of the moment for people and like it was just, it was like, it was like, um a one, two and done." He stated, "It wasn't quick, but it wasn't slow." Mr. Pope stated he was "sitting out there 15-20 minutes." I clarified with Mr. Pope to make sure he was talking about being with the officers for that long and he stated "yes." He stated after that he got to work and "had about 20 minutes before I had to clock in." I asked him about the timeline of events that day. I also confirmed with him he believed the officers held him 15- 20 minutes and he agreed they did.

I explained to Mr. Pope that there is an issue with the timeline. He is observed on the traffic camera at 1326 hours. This camera shows the intersection of 25 St S and 32 Ave S. Therefore, even if he left early and was only detained for 15 minutes; the time does not add up with when we see him. I asked him to explain this. He stated, "Normally I leave here at 1:30, I could have left a little sooner I don't like it just like 1:30 is a set time is when I do leave."

We discussed how long it takes him to get to work and he stated that sometimes it takes him 15 minutes and sometimes eight minutes. It depends on how he is feeling. He went on to say 1:30 was his goal, but he must have left sooner than that. Then he stated, "That's even how I take my breaks, if I'm here for eight hours or if I'm at work for eight hours, I'm like ok I get two 15's and a 30." He went on to discuss taking his breaks. I did not ask him anything about his breaks or shifts.

Mr. Pope stated it was a "rough guestimate of 1:30ish because when I looked at my phone when I was walking down, it, I saw 1:30. My phone has been acting up a lot lately; it's been deleting people off of Facebook, like the time won't show sometimes, my battery will percentage will say it's at zero, but it won't die, um I have to go I'm actually before I go to work I'm going to T-Mobile about that." I asked him again if he would estimate it was around 1:30 or within five to 10 minutes on each side of 1:30. Mr. Pope agreed with that statement.

I explained to Mr. Pope that we do not have body cameras. I informed him we had squad car cameras and GPS systems within our computer operating system. I also explained the GPS system records where our officers have been with date and time. I informed Mr. Pope I checked the days of June 21, 22 and 23 from 1200-1400 hours. I told him there are not any squad cars that are in this area. I told him I estimated the closest car to be approximately 1.5 miles away. I told Mr. Pope I could not explain this so I needed help. Mr. Pope responded with, "Um like I said the officers when they stopped me, one was average height, the other was taller, taller had the brownish, blackish hair, the shorter, the average height one had brown hair, um like I said the officers they do their, I was assuming they just did their rounds um, but, ah after that like I wouldn't know how else to really explain it, because I was, that was just trying to go to work. And so it's hard for , its its hard for me to ah talk when um things like this happen cause I can't, get scared, like I'm scared just sitting here talking to you guys". He went on to say again that he assumed the officers were doing rounds and then stated he wanted an apology. He stated that is all he really wanted was an apology. He went on to say maybe they should be suspended and, "I promise you I'm not lying." Again he said, "There were two officers on the 22nd that came up to me and they asked me 'that question' and then proceeded to pat me down." He avoided answering this question.

I informed Mr. Pope that when I first heard this, I was upset that there was a possibility Fargo officers doing this, as it is ridiculous and unacceptable to say the least. I informed Mr. Pope that I could not find any evidence that this occurred. Mr. Pope stated he was talking to two other sergeants and they apologized they couldn't find anything and like his mom told him do not be surprised if they don't find anything and discussed what he wanted if we did find something. Mr. Pope stated he told him mom he wanted an apology. Mr. Pope discussed being on a two-way call with his girlfriend's mom and discussed him telling them to let the officers do their job. He also stated that during this conversation he was asked how he did not get the officers' names. He stated he was not trying to start anything and it just trying to be a normal person. He stated though everyone keeps asking him if he has heard anything, people "are coming at me", and he stated it starts to make him hide in what he calls, "my own little bubble."

Mr. Pope stated "going into his bubble" is something he has done since he was younger. He discussed doing that when he would get in trouble at school or with his dad. He also stated he

did this at the press conference as well. He stated he believes he started going into his bubble after being taken off a medication when he was younger. He stated when he goes into this bubble, "it shows a gun or it shows like an exit sign." He stated, "And I always pick the exit sign." He also stated, "But I'm assuming that gun, that gun isn't a good like thing." He stated, "It's just like an image that's in my head, and it does not go away."

We discussed his feelings of how he understands it takes time, but also that he is under a lot of pressure. I explained he has a lot of pressure with people asking him questions about the incident, the pandemic, the death of George Floyd and all the other incidents going on in the world. I explained how pressure like this could cause us, as he said, "to go into your bubble." I explained to him that I believe he is going through a lot more than we can see on the surface. I told him I am concerned about his seeing a gun and also I am concerned with all this pressure being put on him, he doesn't really know where to turn. I asked him if that is true and he nodded his head yes. I asked him, "You would agree with that?" He again nodded his head yes.

I explained that I do not know about any of the pressure Wess or anyone else from other groups are putting on him. I also told him we are all under pressure to be fathers, brothers, husbands, wives or whatever we have. I told him it is a lot to deal with and I just wanted to make sure he is not being "pressured, forced or convinced" to do something he normally would not do. He stated this is not something he would normally do. He stated, "like you know like if someone sits here and like they call me names or something or like they'll sit there, I'm so sorry (this statement was because one of his cats was shedding and the hair was floating towards me), and they like call me out or anything, like you know I'll just leave it alone, I don't, like even with this I wasn't gonna, I wasn't even gonna say anything, I wasn't gonna do anything, I was gonna leave it alone, it's an incident, it happens so what, whatever, but everyone was sitting there, they are like everything that's going on right now you really think that was an incident Larry, do you really think that was an incident and then that's when I kept, I kept starting to double guess myself and like um, um well now I don't know."

Mr. Pope went on to discuss people telling him he needed to go to the media and that he needed to go to the news and do different things. He stated, "It's like a lot to intake and it's a lot to do and I sit here and like, I can't talk to my girlfriend about like how I feel. It's just something I have not been able to do since I was a kid." He went on to discuss how he has never been able to talk about his feelings. He stated his girlfriend recommended counseling for him, but he believes this would not help him. He stated with everything that is going on he cannot seem to talk to anyone about it. He stated there is a lot going through his mind and he discussed his medical condition and medication. He then stated he used to be a "four star athlete" and talked about the sports he was in. However, he stated after high school everything went "downhill." He discussed how he became less active. He stated he started with this medical condition when he was one and a half years old. He discussed his medical history. He discussed how they are trying different medication and he has a specialist. He again stated things have been going downhill and this incident is not helping him. He again stated he was "just going to forget about it", but people keep bringing it up.

Mr. Pope stated since he was on the news, he has had co-workers ask him if he was on the news and they told him he had done a good job. He stated he read some of the comments about the

press conference. He stated some have said he should be in a "body bag" and some have said they are "watching south Fargo" and some have said they are going to "put a bullet in my head." He again stated there has been a lot going on since the incident and he does not know "how to intake it all."

We discussed if there are any side effects from his medication. He discussed some of those side effects and some different medications. He went on to discuss how he did not need to take Math in his senior year and got into a disagreement with school staff. He also discussed getting into a disagreement with a family member while he was taking one of the medications. He stated this occurred during Thanksgiving dinner. He discussed a medication again. He then stated when he graduated high school he was 164 pounds and that he is now 250 pounds. He again discussed medications and what his specialist had told him about the future.

I told Mr. Pope I felt I needed to advise him of something. I told him, "If someone files a false report, a false claim um against officers of if you file a false criminal report, or if you allege a crime happened and through investigation it's discovered that it did not, um there is potential to be charged for that." He replied, "Like I said, I was just gonna let it go but then people started telling me to do it and people were like you know they are gonna say, there's gonna be some people who say oh you didn't, that it didn't happen like you know that like I need to be charged and then that's where it started like to scare me like, oh my God like I don't wanna, I don't wanna be charged if it happened and if I'm not right. I don't want to be charged."

I asked, "How would you not be right?" Mr. Pope stated, "Well like because a lot of people tell me that, a lot of court cases they'll sometimes go with the officers or they'll go, they will go with the person, but like how I didn't mean to say like I'm not right, but just say like it didn't happen and I'm just imagining it, um that's like one of, like lately been my biggest fear, my girlfriend brought it up too." He stated his girlfriend asked if he would go to jail "if you lose?" He stated he told her he did not want to talk about it.

Mr. Pope stated the biggest thing that scares him is going to prison. He stated he is not fit for prison. I agreed that most people are not fit for prison, as it is not a good place. He stated he does not want a criminal record. He stated he has a good head on his shoulders. I told him he has goals and many things he is talking about doing.

I asked Mr. Pope "Is it possible that you did imagine it?" He stated, "Um I've, I don't think it is, um I normally don't really imagine it, imagine things like even even like when I sleep, I don't even like remember my dreams. So um it's not something that I've thought of happened in the past and it brought it now. This is something that like it just, it it came I was walking, the officers stopped me um and everything went down from there." He also stated, "So it was, it was more of um me double guessing myself on if it did portray to be that I imagined it, but I don't think it was because when I woke up the next morning, my stomach still hurt." He stated he was still thinking he could not believe that happened to him and that "it hurt so much." He stated he could not eat that day or do anything that day because it hurt so much. He stated, "It was a trauma for me."

Mr. Pope stated, "I don't think it was I don't think it was an imagination um like you know, normally my stomach doesn't hurt. I go to sleep, I wake up I'm happy and I'm like oh my God I'm hungry." He again stated his stomach hurt and it was to the point where he wanted to vomit.

Mr. Pope stated there were many other things going on as well. He stated his girlfriend's family had things going on. He again stated there are many things he is trying to deal with. He stated his girlfriend's grandfather called his girlfriend and told him to be on the lookout.

Mr. Pope stated he spoke with his parents and asked him, "Are you sure this happened?" He stated they told him because if not and it did not happen he had a possibility to go to jail. I asked him why they would ask him if it had really happened. He stated, "Because um, my parents um, my my brother has um said that he has had issues with cops and stuff like that before, but it hasn't happened or um he's like no I don't want to do anything, I just wanna like its fine." He went on to say that, his parents had a lot of trust issues with his brother, so they just want to make sure for him "that everything that I'm saying is true." He stated, "They are worried that if it's not true, that I'm gonna be like my brother." He stated he does not want to be like his brother, because he wants to be himself.

Mr. Pope went on to discuss his brother having a "whole lying issue." He discussed some of the incidents in the past about his brother. He stated his parents just want to make sure he is ok and that it did happen. He stated they told him if he wanted to let it die out, then let it die out. He stated, "that's honestly just kinda what I want is for it to die out." He stated he just wants to be able to go to work "without being stared at." He stated he does not want to be asked about being on the news or people asking him if he is ok. He stated, "But at the same time I do want justice for me, but I don't know how to take it. I don't know where to turn to next."

I told Mr. Pope I understood him wanting to be done, but I said if this happened to me I would want them held accountable. I told him, "I can't imagine what it's like to be a an African American male in today's society and I'm not going to pretend that I do." I told him he has a bunch of different things going on and I just want to be sure the complaint form he signed and the statement he gave today is the truth. He stated, "Yes."

I explained this is the last chance for him to say he imagined it or because of the pressure he is under he made a statement out of frustration to someone else that got blown out of proportion and now it's out of control where he feels like he can't turn back. He stated, "I have reached that point, like you know even like with the press conference I was like oh my God like you know like, like ah like a lot of people are like it looks like you know I rehearsed my story pretty well, but it was like all from memory." He stated the press conference was scary and he was taking deep breathes and then went on to say he just wanted an apology. He stated, "I wouldn't even care if it's not even from the same officer, I wouldn't care if it's from the Police Department like you know apologizing, I don't care, it's all I just wanted was an apology like you know, we did not mean to frighten you or the officers did not mean to frighten you in any way shape or form."

I stated, "But what they did was wrong." He stated, "Yes and they and that's when I started like you know maybe they need to be suspended so on and so forth." He stated, "And you know like everything is coming at me all in one and I've just been, it's just been like oh ya it's in my

control oh nope nope nope it's over here now, gotta go over there. So I'm just trying to stay with it and I'm, I can't stay with it if I'm trying to do this thing and that thing and this and that and this and that." He went on to talk about helping his girlfriend pay for her bills and help her get to Grand Forks.

We discussed him taking care of everyone else instead of himself. He stated that is how he grew up. We also discussed being honest and being able to look yourself in the eye. I discussed no one is perfect, but we all have to be happy with the person we see in the mirror. I asked if he feels like he is being pushed or things are spinning out of control. I told him I do not know if that is the case, because only he knows. I told him I wanted to be sure someone did not take something out of context and that he was not being pressured to do this. I asked if this was possible. He stated, "So when I was talking, even when I was talking to Becca and I was like you know I had two officers stop me, you know they looked through my bag, like you know she's like you know that's not constitutional, that's a violation of your constitutional rights, I was like you know, ya like I said I was calm when I was at work, I had, had to be calm and like a lot of people there are like you seem a lot of, you seem like really calm about this." He stated he was trying to be calm. He stated, "I want justice, but I just I don't want to like you know deal with all the negativity and everything." He also stated he does not want to deal with everyone telling him what he needs to do.

He stated it could have just been set as an "incident." He talked about maybe the officers could have been searching for someone, he fit the description, and he was just going to leave it. He stated, "As people kept pushing and pushing and pushing and pushing um they are like you need to it, you need to do it, you need to you need to you need to you need to you need to." He stated he decided to file the complaint. Again, he discussed leaving it as fitting the description, but everyone keeps telling what he needs to do. He stated he was told to post his story and after that, Wess contacted him. He stated he did not want all of this, just an apology or "I fit the description."

Mr. Pope stated, "It was my first encounter with a Police Officer, like you know anything could have happened, I could have been on the ground, I could have been in a body bag, but I'm happy I wasn't and I was just gonna say I fit a description." He stated it could have been left at that but people kept telling him that he needed to do different things and "everything just starts piling on top of me." He stated he feels like a "mule pack I'm carrying everything on my back." He discussed how it feels like he is pulling things out from the side. He again stated people were telling him he needed to do this.

Mr. Pope stated he was going to message Wess and inform him he spoke with me. He also stated he was going to tell Wess, "I fit a description and he knows I wanted it as though I fit a description, he knows that I also want justice, so he's going for more of the justice side and not saying ok you fit a description." I explained that everyone deserves justice. He agreed with me but stated at that time he did not believe that was going to happen. He stated at the time he did not think any of this whole situation would happen and he recalled what he alleges happened on June 22. He again talked about everything going on and the pandemic and having to fight to get a face shield at work. He discussed what he had to do to get a face shield at work. He then went to talking about unemployment benefits.

I discussed how he needed to be honest and how it is not fair to people when we make allegations unless we know they are true. I told him I feel he is carrying a burden and a part of this is trying to maintain this story. I explained I think he is being pushed and pressured into continuing to maintain these allegations. I told him if this truly did happen it is wrong and he should continue to push for justice. I reviewed the lack of evidence I have to support his allegation. I explained I wanted to give him a chance to tell the truth. I explained we would speak with witnesses. He stated, "When I did tell my co-worker, I wasn't like I said, I wasn't gonna even take it up to this height, you know I wasn't gonna go on the press, I wasn't gonna do any of that, like I said I was gonna leave it at that. I fit a description and that's how I was gonna leave it. And then people started pushing me, pushing me, pushing me, pushing me, pushing me, pushing me and that's when I caved."

Mr. Pope discussed being pushed by others. He also discussed being the different opinions of others and with everything else going on, "I am starting to cave." He also stated, "I'm getting ready to say I just don't want anything to do with this anymore, I just want everything to just go away, I want everything to be done, I don't want to be around it, I don't wanna be anywhere near it. Like I've just, I've just, so with so many things like with Wess messaging me like you know and all that stuff, I just it it's just like a lot of pressure because like even yesterday I had, I had a client she's like looking at me and they are like 'you're there, you're there'." He continued to discuss people that do not believe this happened. He also discussed all the negativity is starting to bring him down. He stated, "There is just too much for me to handle." He discussed his medical condition and how this is not the best for him.

I discussed sometimes telling the truth, "sucks", but it can be the beginning of feeling better. I stated I was afraid he was being pressured and that I was scared for him due to his medical condition and all the pressure being put on him. I explained how he is probably afraid now after all of this has come out and he says he imagined it or made it up. I stated he is probably going to feel embarrassed. I again re-iterated the need to be honest with himself. I told him telling the truth is going to make him feel better. He stated, "It does feel better that I even told you guys that I'm, I'm really about to cave cause I just, like I just at this point like I don't, like my girlfriend wanted to come to the press conference so bad, but I didn't want her face in it."

I explained how this is another example of Mr. Pope taking care of others instead of himself. He stated, "I'm at the point where I just want to cave, I don't wanna I don't wanna deal with any of this, I don't want like you know at this point I don't even want anything (undecipherable) everything done with. I just don't want to be around it cause the more that I'm around it, the more like the more like nervous I get, the more scared I get. The more scared that I get or the more nervous I get the more the chances of me having an episode. I don't want to have episodes anymore…"

He discussed others with the same condition not wanting to have episodes either. He stated, "It's just everything right now, it's just it's overwhelming me and like I'm like last night I cried myself to sleep because I'm just stressed." He stated he has cried himself to sleep a few times since this happened and there is so much going on he just wants it to be done. He stated his concern about people perceiving him. He stated, "Ya that person right there did this, this, this, this, this, this, this, and that, but he also did it this way, that way and it was out of control."

He again discussed how he was going to leave it as he fit a description. He stated, "Like you know things happen, like you know Officers are gonna ask people questions all the time no matter their color. Like you know, we all bleed the same. At the end of the day, we all bleed the same; we all die the same we're all in the same casket." He stated but then others say we don't bleed the same or lay in the same casket when we die. He also stated, "People make mistakes, and like you know you learn from your mistakes and so I just want to, I just, I don't want, I like I want justice but at the same time I just I don't wanna be, I just wanna be done with it."

I told Mr. Pope I understand his wanting to be done with it, but due to the seriousness of the allegation I cannot stop the investigation unless he tells me it was imagined or fabricated. I explained even if he told me he did not want to go forward with the complaint or withdraw the complaint, I cannot stop.

I explained how people have lied before. I explained how people get intimidated by being around cops and people are under pressure. I also discussed people "get spun into things" that get beyond their control before they even realize it. We discussed people being passionate and not wanting to let others down. I told him I needed him to look me in the eye and tell me he was telling the truth. He stated, "This is the truth."

I reviewed the lack of evidence to support his claim. I stated, "You are telling me this happened?" He stated, "Yes." He stated, "And even with um like, to be like how you said if I could like imagine it, um like at this point, like I've had people ask me the same question before and then that likes I said like that's where I have my self-doubt. Like what if I did imagine it? Like what if I did imagine it and it didn't happen or say I was walking to work and I stopped and it everything was just there? Like you know I think everything there like you know that's why I keep double guessing myself and like I just I don't know I I at this point I don't even know what to take at this point from it cause I've had so many people ask me that same question. And I'm just like I don't know if, I don't know if I did imagine it, but like I swear it happened to me. When I woke up that morning, my stomach was hurting."

I explained how if we imagine or hallucinate something, our brain and body still "experience" the trauma. This can cause the brain to release the adrenaline and eventually Cortisol after the adrenaline dump is over. I explained how this makes you feel "like shit." I explained some of the other side effects as well. He went on to say, "I feel it, but is it true, like did it actually happen or am I imagining it, so now I just like at this point like you know with everything that's going on, like I said my story, it's in the news, like I saw it happen, I watched it all, but now I'm sitting down and I sit here and I think like if it did happen or if it's an imagination, how am I gonna say like you know, 'Oh I Just had an imagination.'" I told him of course people are going to say, "Told you so," but they do not know him and they do not know the way he takes care of people. I told him when I spoke with him over the phone I would have never guessed he had all these things going on because on the surface things seem calm with him.

Mr. Pope stated, "And like you know and like I've actually even thought what if this is an imagination. How would I, I don't even know how like where I would like start to like even like just say like it was an imagination. I don't know would I have to like go to the news and be like…" I told him that would be up to him. He stated, "Like I just, like I said, like you know

when you brought it up you know and you like even with my brother saying that like you know this is what like, what I'm going through now could have been what he's going through when he was younger. It could just be hitting me now." He stated, "So now that I just sit here and I think about it like you know like I never had the cops stop me, I've never had any of that happen to me until like the 22nd and now I don't, I don't even like, now in my own mind I don't even know if I'm right." He went on to say, "Yes I say it happened to me, yes it's the truth, but it could have been an imagination." We discussed how his brain would believe it is the truth if he imagined it and it will be an experience.

I explained how I could show him the GPS data and the call for service data. I also told him, "I want to make sure you're going forward for the right reasons, or that it happened and it's the truth. If it's not the truth, we all make mistakes. I've made a bunch, he made one, once I think, but you know we all make mistakes, but again if you say that it happened, I have to go through with it and I'm and I will investigate it until I have turned up every single witness, every single camera footage, every single GPS, every single thing I can do because if that happened to you, it's wrong, but if it didn't happen to you it's also wrong to waste people's time, taxpayer dollars on me chasing something that right now I'm kind of, I don't know. I'm on the fence here I'm 50/50. I really am and that's just being honest with ya."

Mr. Pope stated, "And like you know it like I I did see it happen to me and so like I'm telling you everything um, my my story yes it like, like you said the story portion should stay the same going off of memory and so like my story like you know has changed a bit and so I'm going off of memory and yes it did happen to me and I am telling you guys the truth. Like yes I do, I do want justice for me, I do, I do um and I appreciate everything that you're doing I get it you're the only one who does this in the Police force, I understand and I thank you for that, um and so I just, I just want justice. This is the truth, this is what I see and I just I want justice."

I explained I would continue with the investigation. I told him if he wanted to come look at some of the information he could. I stated if he decided he was being pressured or doing something, he did not want to do, he should give me a call. I provided him with my business card. I asked if he had anything else before we walked out the door. He stated he did not and that he had to get ready for work. I apologized for him being late to work. I thanked him and he told us to have a great day. I told him I hoped he did as well and we left the apartment. This concluded the interview with Mr. Pope.

On 07/13/2020, I spoke with the four employees from Family Fare, Mr. Pope mentioned in his interview. The first employee I spoke with was Michelle. I asked if she was familiar with the situation, I am referring to and she stated she was. I asked what she recalled about hearing this story from Mr. Pope. She stated she had heard, "different stories." She recalls asking him if he got the officers' names and Mr. Pope stated he did not. She recalled asking him various questions about the incident. One question she recalled asking was if he was told he had fit the description.

I asked Michelle what her opinion was on the validity of this allegation. She stated, "I'm believing he's lying out his ass." I asked if she has had any personal experience with Mr. Pope not telling the truth, imagining or embellishing. She replied, "oh ya." She recalled the day of the

press conference Mr. Pope called in and said his car was broke down. She stated Mr. Pope was supposed to work during the time of the press conference. She stated Mr. Pope actually called in the day before the press conference and said he could not work Tuesday as the car was broke down in Grand Forks.

I asked if there were any other times she felt he might have lied or embellished; she stated they have "always had our suspicions." She recalled an instance where he called in and said his girlfriend's brother had attempted suicide so he could not work all day. She also stated, "I don't think he tells the whole truth all the time." I asked her about other employees that were working the day of June 22 and may have heard the story. She stated, "He told everybody in this store."

Michelle stated she had heard the story from four different people the next day. She stated she went up to get her lunch and saw Mr. Pope. She recalled him asking her if she had heard what happened to him. I told her Mr. Pope had made the statement about her "being a momma bear" if she had known this had happened to him. She replied, "Oh hell no." I told her this allegedly to have taken place after the press conference. She stated it did not.

I spoke with Carrie next. Carrie stated Mr. Pope told her about the incident on June 22. She stated she did not really respond after she had been told about it. I asked her if she knew about how long it would have been between her speaking with him and the incident occurring. She stated it was probably "a couple hours." I asked her what his demeanor was like at that time. She stated, "He seemed fine, I mean it was just more like matter of factly; like this is what happened." She stated, "He didn't seem upset or pissed or anything."

I asked her what her opinion was on the story. She stated, "My opinion is I take everything with a grain of salt, he tends to sometimes, I don't say lie but maybe miss-tell the truth sometimes or kinda makes things out to be worse than they are." I asked if she had a specific example of when that may have happened. She stated she did not, but also stated they have had issues with him making things worse than it is. She stated there are things he has said happened one way and they find out later they did not happen that way. She stated or it did happen but not to the extent, he said it did. I asked her what she thought his motivation might be for doing these things. She stated in some aspects it is for time off, but in other aspects, she believes it is for attention.

I asked her what her opinion was about the incident Mr. Pope posted on Facebook about that happened at the store. She stated she was working that night and again her response was basically, "Oh ok." She stated in her mind she was asking herself if it really that way.

The next person I spoke with was Mike. Mike stated he was told second hand about the allegation. I advised Mike that Mr. Pope had stated Mike approached Mr. Pope the day of the incident and asked if he was ok and if he needed to close down Caribou so Mr. Pope could go home. Mike stated, "That is false."

I asked Mike if there was any time he started the conversation with Mr. Pope about the incident. He stated, he does remember one time where Mr. Pope told him there might be a possible lawsuit about it. Mike believed this was approximately a week after the allegation.

I told Mike about a situation in which Mr. Pope claimed Mike came to the break room, put his hands on the table and asked if he was ok. Mike again said that is false. Mike stated he would not do anything like that unless Mr. Pope was having issues with his medical condition. Mike again re-iterated these conversations or instances never happened.

I asked Mike what his opinion was of the allegation. He stated, "Honestly I think it's blown out of proportion." Mike believes this is following all the things stated in the media. I asked Mike if he had any personal experience with Mr. Pope not telling the truth. He stated there were a few times it was questionable if Mr. Pope was sick.

I had Michelle give a message to Becca with my name and phone number and asked Michelle to tell Becca to call me. I have not received a call back from Becca.

CONCLUSION

Based on the allegation, I looked into the dispatch logs for this allegation. This was done to identify the officers that were involved in a call for service at that location. On the date I checked the dispatch logs, the last call for service at 3201 20 St S, occurred on 06/08/2020. No Officer was dispatched or called out at that location on 06/22/2020. All officers assigned to patrol that day are accounted for.

I retrieved the GPS data from our IS department. On 06/22/2020 between 1200-1400 hours, there is not one squad car near this area. According to the longitude and latitude of the closest squad car and the location, the squad car was .8 miles away. However, the closest squad car was driving to the jail with an arrestee. He claimed two squad cars pulled into the parking lot. There is no evidence to support this allegation.

I checked chat messages between officers on 06/22/2020 and none of them discuss anything happening at this location or any location of that nature.

I obtained and saved footage from the traffic camera located at 25 St S and 32 Ave S. In this video, Mr. Pope is seen walking north on 25 St from 32 Ave S. The time on the camera is at 1326 hours. Mr. Pope stated he remembers seeing 1330 hours on his phone as he was walking down to the parking lot or while in the parking lot. Mr. Pope also claims he was detained for what he believes to be about 15-20 minutes. He also claims it takes him anywhere from eight to 15 minutes to get to work. Even if he was in the parking lot at 1320 hours, was only detained for 15 minutes and it only took him eight minutes to get to work, that would still make the time 1343 or later. The timeline does not align.

Mr. Pope often times would not answer the question, however this in and of itself does not mean he did not tell the truth. Mr. Pope also admitted that his story has changed, however not very drastic changes except for his mentioning of the one officer having a wedding band. He only speaks about this detail one time; after being prompted that recalling it in reverse may jog his memory. He also stated he "felt" the wedding ring as he was being patted town, however he cannot describe the ring.

Mr. Pope initially stated there were not any witnesses he was knew about. However, he mentioned a Facebook friend of his told him they might have witnessed this. After speaking about that, is when he stated the gray SUV went by. When first asked about witnesses he stated all of his attention was to the officers so he did not know.

Mr. Pope discusses seeing a gray SUV go by while this was happening. Yet, he stated to me all of his attention was going towards the officers. He stated there were two occupants in the SUV. He also stated he was able to describe the driver, but not the passenger of the SUV through the tinted window. This seems unlikely as he would have almost had to "look through" the passenger and tinted window to see the driver with the "dreads." While he does state the SUV drove around again, he specifically stated he observed the driver as it passed by when dealing with the officers. The vehicle was traveling east through the parking lot putting the driver farther away from Mr. Pope's position.

This gray SUV had to travel approximately 86 feet (measured by Google Maps) to get from one out building to the next from the location Mr. Pope said it was traveling. This is the only space the SUV would have been visible to Mr. Pope from where he states he was located. However, Mr. Pope stated the squad cars parked behind each other facing the same direction, just off the lane of travel. These would have obstructed his view; therefore shortening the distance, he was able to see the SUV and the driver. This is also assuming there were not any other cars in the parking lot to obstruct his view. He also stated the SUV was driving fast and then slowed down. This is very distinct detail for focusing on the officers.

Mr. Pope states that he may have imagined this. He states this multiple times. He also states his brother had issues with honesty in the past and it could now be affecting him. Three of Mr. Pope's supervisors have concerns with his honesty based off personal experiences.

I am unable to find any evidence this incident occurred except for Mr. Pope's statement. It is not appropriate for the Police Department to discuss why this is. Unless there is any other evidence discovered or brought forward, I recommend this inquiry be closed.

CONCUR
UNFOUNDED