

**Date:** September 19, 2022

**Case:** 20232

**Investigator:** Makiedah Messam

**Complaint Received:** November 30, 2020

**Complainant:** William Doll

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**Complaint Summary:**

Date: November 23, 2020

Time: 10:49 a.m.

Location: 3015 Glenhills Way

On November 23, 2020, Mr. William Doll stated he was shopping at St. Vincent DePaul Donation Center around 10 a.m. He was looking at an item on a shelf when a group of people came behind him and pushed him aside to look at the object. A woman was among the group of persons who pushed him. He told the woman he wanted to purchase the item and she yelled at him stating he touched her. Mr. Doll further stated that when the police arrived, they confronted him and were very direct with him. Mr. Doll felt the police did not give him a chance to speak on his version of the story. Mr. Doll stated, "I feel [*sic*] unsafe, disrespected, and treated as a criminal for a situation that I did not deserve this. ...I believe that the situation was handled poorly."

**Allegations:**

Discrimination (Race)  
Discourtesy

**Persons Involved:**

Officer James Bolt, #P0127, M/B/56 (CPD, Involved)  
Officer Darwin Gulley, #P0178, M/B/59 (CPD, Involved)  
Officer Richard Minella, #P0453, M/W/55 (CPD, Witness)  
William Doll, M/W/81 (Citizen, Complainant)

**Evidence Reviewed:**

CPD Records Management System (RMS)  
CPD Internal Investigation Section (IIS) Report  
CPD Computer Aided Dispatch (CAD)  
Close Circuit Television Camera (CCTV) from St. Vincent De Paul Thrift Store (Glenhills Way)  
Body-Worn Camera (BWC) of Officers Bolt, Gulley and Minella  
Statements by officers and complainant

## Authorities:

City of Cincinnati – Code of Ordinances – Article IV – Section 4-A Duties with Respect to Racial Profiling

CPD Procedure §15.101 Bias Free Policing (New 03/07/2019)

CPD Manual of Rules and Regulations – Section One – Failure of Good Behavior

## Analysis:

### **Allegation: Discrimination (Race)**

CPD records showed that at approximately 10:49 a.m., the Emergency Control Center (ECC) received a call that a black female customer in her 20s-30s was assaulted by a white male customer in his 70s and she wanted to press charges.

Three CPD officers, (Gulley, Bolt and Minella) responded to the scene. Officers Gulley and Bolt, two black officers, were the first to arrive. Officer Minella, a white officer, arrived a short time later. BWC footage showed that when Officers Gulley and Bolt arrived, the female shopper exited the store, and spoke with Officer Gulley. A minute later, Mr. Doll, exited the store. In their interviews with CCA, Officers Gulley and Bolt commented on Mr. Doll's statements upon seeing the police. According to Officer Gulley, Mr. Doll remarked that he felt outnumbered, and this was not his America anymore. According to Officer Bolt, upon seeing the officers Mr. Doll stated, "I feel like I'm being threatened." In his CCA interview, Officer Bolt said he understood this to mean that both he and Officer Gulley were black, and the female and her two companions were black and that "we would be unfair in how we were treating him [Mr. Doll]."

Article IV Section 4 A of the City's Municipal Code defines racial profiling as "the detention, interdiction or other disparate treatment of an individual using the racial or ethnic status of such individual as a factor, other than in the case of a physical description." The Ordinance makes such actions on the part of the police subject to disciplinary action or dismissal.

CPD Procedure §15.101 Bias Free Policing, cautioned officers not to rely on factors such as race and gender in providing service or enforcement of the law. CPD Manual of Rules and Regulations (in part) Failure of Good Behavior Section 1.23C prohibits any prejudice concerning race.

Mr. Doll's comments, captured on BWC, evidenced that he was upset. In addition, to remarking that he felt threatened by the presence of Officers Bolt and Gulley, he also remarked to Officer Bolt, "are you questioning other people or are you picking on me because I'm white?" Mr. Doll continued to make comments such as "I'm not being treated like they are. They seem to be free and I ain't. This is the new America." Mr. Doll's expressions captured his belief that black officers would not treat him fairly. His attitude was evident before the officers greeted him.

A review of the officers' BWC provide no evidence that Mr. Doll was the subject of unequal treatment based on his race. Further, CCA has reviewed contact cards for Officers Gulley and Bolt and found no disparate treatment of individuals based on race.

CCA finds that neither Officers Gully, Bolt nor Minella operated outside of CPD's policy, procedure, and training in providing service to Mr. Doll nor treated him differently because of his race.

## **Allegation: Discourtesy**

After Mr. Doll expressed his frustration at the presence of black officers, Officer Bolt greeted him and commanded him to place his mask over his mouth, to furnish his id and to place his hands in front. The BWC footage showed Mr. Doll seemed confused and agitated by Officer Bolt's requests. Mr. Doll stood and kept moving his hand behind his back which elicited more strident commands from Officer Bolt. After a period of standing in the entry way of the store, awaiting the conclusion of the ongoing investigation, Mr. Doll asked if he could sit. Mr. Doll also expressed concerns about his dog, which was locked in a nearby vehicle. Officer Bolt told Mr. Doll to have a seat outside on a bench. It should be noted that the temperature on that date was a low of 32° F. When Mr. Doll complained of the cold, Officer Bolt's comments showed no consideration for Mr. Doll's age or that he was not wearing any gloves. Officer Bolt told Mr. Doll, "Feel free to sit on them [hands] if that will help them keep warmer."

In his interview with CCA, Officer Bolt was asked about his interaction with Mr. Doll and the reason Mr. Doll was not allowed to get out of the cold and sit in his vehicle. Officer Bolt responded that Mr. Doll was the suspect, and "I was not going to let him go to his vehicle to possibly get a weapon." If Mr. Doll was indeed a suspect and being detained for investigative purposes, he could have been placed in the marked cruiser and therefore allowed to keep warm. Officer Bolt was asked why sitting in the cruiser was not an option. He replied that his cruiser was too far away. The footage from his BWC contradicted this. The bench to which he directed Mr. Doll appeared to be only a few feet from the cruiser.

CPD Manual of Rules and Regulations §1.06A states, "Members of the Department shall always be civil, orderly, and courteous in dealing with the public... (B) Members of the Department shall avoid the use of coarse, violent or profane language."

At no time during their interaction, did Officer Bolt use profanity in dealing with Mr. Doll. However, throughout his interaction with Mr. Doll, Officer Bolt was argumentative, and his tone was terse, lacking in courtesy, empathy and the requisite customer service skills when dealing with a member of the public. Therefore, CCA finds that Officer Bolt was discourteous, and his behavior was not within CPD's policy, procedure, and training.

### **Note:**

The incident involving Mr. Doll was reviewed by CPD's command staff and Sustained Mr. Doll's Discourtesy allegation against Officer Bolt. The CPD review found that Officer Bolt's actions failed to meet Department standards and training. A recommendation was made for a written reprimand of the officer due to this incident being his third violation of Rule 1.06 (A) with the past thirty -six months. The reprimand was given.

### **Findings:**

Officer Darwin Gulley  
Officer James Bolt

**Discrimination** – The evidence shows that the alleged conduct did occur but did not violate CPD policies, procedures, or training. **EXONERATED**

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Officer James Bolt

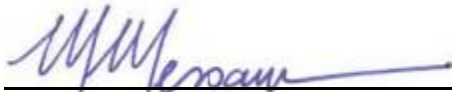
**Discourtesy** – The allegation is supported by sufficient evidence to determine that the incident occurred and the actions of the officer were improper. **SUSTAINED**

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Officer Darwin Gulley  
Officer Richard Minella

**Discourtesy** – There are no facts to support the incident complained of actually occurred.  
**UNFOUNDED**

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**Makiedah Messam, Investigator**



**Gabriel Davis, Director**

**Previous Contacts and Commendations:**

**James Bolt**

**Previous Contacts with CCA**

Officer Bolt had one previous contact with CCA in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>Finding</b>
17230	Discourtesy (Profanity)	Sustained
17230	Procedure (BWC- Failure to Activate)	Sustained
17230	Use of Force (Physical)	Not Sustained

**Previous Contacts with IIS**

Officer Bolt had two previous contacts with IIS in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>Finding</b>
ESL 2019-249117	Discourtesy	Sustained
ESL 2017-231314	Discourtesy	Sustained

**Commendations**

Officer Bolt received one commendation in the past three years.

<b>Date</b>	<b>Source of Commendation Received</b>
03/09/2018	COM-Civilian

**Darwin Gulley**

**Previous Contacts with CCA**

Officer Gulley had two previous contacts with CCA in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>Finding</b>
18118	Discourtesy	Referred
19111	Lack of Service	Referred

**Previous Contacts with IIS**

CCA is unaware of any additional previous contact by Officer Gulley with IIS.

**Commendations**

Officer Gulley received no commendation/s in the past three years.

<b>Date</b>	<b>Source of Commendation Received</b>
01/14/2020	SDA-CPD Award for Safe Driving

**Richard Minella**

**Previous Contacts with CCA**

Officer Minella had thirteen previous contacts with CCA in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>Finding</b>
19054	Lack of Service	Referred
19063	Harassment	Referred
19063	Lack of Service	Referred
19067	Harassment	Referred
19069	Lack of Service	Referred
19080	Discourtesy	Referred
19080	Lack of Service	Referred
19172	Lack of Service	Referred
20038	Improper Seizure	Exonerated
20038	Improper Procedure	Sustained
20125	Lack of Service	Referred
20171	Discourtesy	Referred
20181	Harassment	Referred
20194	Harassment	Referred
20198	Lack of Service	Referred
20210	Harassment	Referred

**Previous Contact/s with IIS**

CCA is unaware of any additional previous contact by Officer Minella with IIS.

**Commendations**

Officer Minella received 5 commendations in the past three years.

<b>Date</b>	<b>Source of Commendation Received</b>
12/26/2018	COM-CPD
03/01/2019	ESA- CPD Award for Exemplary Conduct
11/14/2020	SDA-CPD Award for Safe Driving
05/05/2021	COM-CPD
11/14/2021	ESA- CPD Award for Exemplary Conduct