

**CCA Case No. 19148 – Demetrius Holder
Investigation Report and Finding**



**Jessalyn Goodman
Investigator**

**Gabriel Davis
Director**

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COMPLAINT SUMMARY

On July 2, 2019, Mr. Demetrius Holder called 911 to have an unwanted guest, Witness A, removed from his residence. Officers Courtney Compton and Mark Anton responded to the scene and detained Mr. Holder without explanation. Mr. Holder alleged Officer Anton forced him into handcuffs and restricted his movement. Mr. Holder believed it was unnecessary and improper since he requested their assistance.

While Mr. Holder was detained, Officer Compton escorted Witness A inside Mr. Holder's residence. Mr. Holder alleged Officer Compton allowed Witness A to take items belonging to him, including \$300 from a wallet contained within a red-and-black backpack.

Mr. Holder also alleged the officers did not demonstrate "courtesy nor respect," and claimed Officer Anton refused to identify himself when asked for his name and badge number.

INVOLVED SUBJECT STATEMENTS

Demetrius Holder

CCA interviewed Mr. Holder by telephone. He provided the following information:

Mr. Holder, M/B/Unknown, called the Emergency Communication Center (ECC) to have an unwanted guest, Witness A, removed from his residence. Officers Compton and Anton arrived at approximately midnight. Officer Anton detained Mr. Holder; Mr. Holder stated that he was forced into handcuffs which restricted his movement and the use of force during the handcuffing was unnecessary. He asserted that the officers would not tell him why he was being detained and had no probable cause to detain him as he was the one who initiated the 911 call.

During Mr. Holder's detainment, Officer Compton escorted Witness A back into Mr. Holder's residence. Mr. Holder alleged Officer Compton allowed Witness A to take items belonging to him, including \$300 from a wallet contained in a backpack. Mr. Holder said that Officer Compton watched Witness A empty the backpack of his other belongings and aided her in the theft.

Mr. Holder claimed the officers did not demonstrate courtesy nor respect. He reported Officer Anton refused to identify himself when Mr. Holder asked for his name and badge number.

INVOLVED OFFICER STATEMENTS

Mark Anton

Officer Mark Anton, #P0242, M/W/38, is currently assigned to District 4, and he has been a CPD member since 2016. Officer Anton was on routine patrol, in uniform, and operated a marked cruiser with Officer Compton; his BWC was activated. CCA interviewed Officer Anton on September 6, 2019 at 6:29am at the CCA office. He provided the following information:

On July 2, 2019, Officers Anton and Compton responded to a dispatched run involving concerns of an assault in progress. Upon arrival, they observed Mr. Holder on the front porch, "yelling and

screaming at somebody inside the house." Mr. Holder matched the description of the suspect. Officer Compton told Mr. Holder repeatedly not to go into the residence, but he would not listen. Officer Anton described Mr. Holder as "hostile" and claimed that when they approached, "He got real close to [Officer Compton], like inches away from her." At that point, Officer Anton detained Mr. Holder on the front porch while Officer Compton went inside to talk to the possible victim. Mr. Holder complied with the handcuffing process, and no force was used.

Officer Anton described Mr. Holder as "saying some really MHRT (Mental Health Response Team) things; it was almost like a delusion of grandeur." He tried to explain to Mr. Holder why he was there and why he was being detained but Mr. Holder "wanted to override [his] voice." Officer Anton could not remember the particulars of what Mr. Holder said, but claimed it was "along the lines of 'I'm gonna put warrants out for you, this is your bond, I'm the judge.'" Officer Anton asked Mr. Holder if he had used anything, believing that he could possibly be on drugs due to his behavior and profuse sweating, which Mr. Holder denied. Officer Anton thought his behavior could be attributed to drugs, mental health concerns, or a combination of both.

Officer Anton tried to listen to Mr. Holder and peer down the hallway to see what was going on at the same time. His main concern was watching Officer Compton and he was just "buying time." Officer Anton did not engage Mr. Holder but allowed him to talk, as he believed Mr. Holder was delusional. Officer Anton did not recall any discourteous comments or use of profanity and claimed he did not really talk to Mr. Holder because "he kept trying to override my voice and everything else."

Officer Compton found Witness A and her child locked on a balcony. Officer Compton unlocked the door and Witness A told them that she just wanted to leave. It was determined through their investigation that Mr. Holder had agreed to let them stay at his house and she had not been there for long. However, Mr. Holder would not let her leave. Officer Anton described Mr. Holder's actions as "unlawful restraint." Officer Anton said, "She was freaked out. Who wouldn't be in that situation?" Officers Compton and Anton escorted Witness A off the property.

Mr. Holder was not charged with any crime, as the victim did not want to pursue charges.

Courtney E. Compton

Officer Courtney E. Compton, #P0308, F/B/32, is currently assigned to District 4, and she has been a CPD member since 2016. Officer Compton was on routine patrol, in uniform, and operated a marked cruiser with Officer Anton; her BWC was activated. CCA interviewed Officer Compton on August 20, 2019 at 6:20am at the CCA office. She provided the following information:

Officer Compton's comments corroborated Officer Anton's statement. Officer Compton added that Mr. Holder stated he had called in, but initially, they only had the female's part of the call.

After Officer Compton unlocked the balcony, she brought Witness A and her minor daughter downstairs so the officers could keep an eye on each other. Witness A stated that she was not assaulted, and the altercation was verbal. She said she wanted to leave but had some items inside that Mr. Holder had already packed in a box and a hamper. Officer Compton escorted her upstairs to retrieve those items, including a backpack that Witness A emptied. She did not see a wallet, or any money come out of the backpack. Officer Compton stated, "I watched her empty all the papers that belonged to him onto a mattress. We came back downstairs. He had seen everything that she had." The officers transported Witness A to her aunt's house.

When asked if profanity was used towards Mr. Holder, Officer Compton replied, "Maybe. I honestly don't recall what was said." She stated her supervisor told her she could be heard on

the body camera footage using profanity. Officer Compton could not recall what it was in reference to or why she used profanity.

OFFICER
WITNESS
STATEMENTS

There were none.

WITNESS
STATEMENTS

Witness A

CCA attempted to reach Witness A at the provided phone number; however, the number was no longer in service. CCA attempted to reach Witness A at other listed phone numbers, by mail, and by e-mail, but was unsuccessful. To date, Witness A has not contacted CCA.

Witness B

CCA attempted to reach Witness B (M/B) by mail to his listed address but was unsuccessful. To date, Witness B has not contacted CCA.

SIGNIFICANT
DISCREPANCIES
AND CLARIFICATIONS

There were none.

EVIDENCE

Police Forms

CCA reviewed all relevant CPD-related forms and recordings, including the CAD Report and BWC footage.

Computer Aided Dispatch (CAD)

Date	Time	Call Notes
07/01/2019	22:45:56	Complainant's female friend refuses to leave
	23:00:41	Subsequent call from 8 y/o child, stated known male on site assaulted her mother
	23:02:25	A male is heard yelling in the background
	23:02:31	The child's mother is heard in the background saying she was assaulted
	23:03:07	Child caller no longer responding
	23:06:01	Child back online, mother online, suspect – Demetrius Holder, M/B/50s, bald, no shirt, black/white pants
	23:06:49	Caller is locked out on the balcony
	23:08:17	Caller is with police officer

Body Worn Camera (BWC)

Officer Anton

The events recorded by Officer Anton's BWC occurred starting at 11:06pm on July 2, 2019, according to the BWC's timestamp. A review of that recording reveals the following:

Officer Anton exited the cruiser and immediately advised Mr. Holder, "Step out, now!" He approached the residence and observed Officer Compton and Mr. Holder on the porch; Mr. Holder stood in the doorway and was dressed in black and white pants and did not wear a shirt. Officer Compton repeatedly told Mr. Holder to step out of the residence, but Mr. Holder did not comply. When Officer Compton stated she would take him to jail, Mr. Holder stepped outside and asked Officer Compton, "For what?" As the heightened conversation continued, Officer Anton directed Mr. Holder twice to put his hands behind his back. Mr. Holder asked, "For what reason?" Officer Anton moved Mr. Holder's hands behind his back and replied, "Because you are a 10 out of 10 on your aggression right now... 'til we can decipher what's going on."

Officer Anton asked Officer Compton if she wanted to speak with Witness A. Mr. Holder stated Witness A was upstairs and told Officer Compton, "Go ahead." Officer Anton and Mr. Holder remained on the porch as Officer Compton went upstairs. They discussed the situation at length. When Mr. Holder again asked Officer Anton why he was handcuffed, Officer Anton attempted to explain. Mr. Holder asked Officer Anton to remove the handcuffs and mentioned they were too tight. Officer Anton told him to take a seat and Mr. Holder complied. They continued the conversation as Witness A and her daughter descended the staircase with Officer Compton.

Officer Anton and Mr. Holder remained on the porch as Officer Compton spoke with Witness A and her daughter inside. Mr. Holder made several comments about them and spoke over Officer Anton. Officer Anton asked Mr. Holder if he had been drinking, to which he denied. After Officer Anton asked for Mr. Holder's first name, Mr. Holder narrated the events and asked Officer Anton for his name and badge number. Officer Anton declined to reply and eventually told Mr. Holder to read it. Mr. Holder narrated events to his recording, including he locked Witness A and her child on the balcony.

When Officer Compton returned to the porch, Mr. Holder made several statements and refuted that Witness A had ownership of a bookbag. Officer Compton advised they were looking for alternative places for Witness A and her daughter to go. Mr. Holder and Witness A argued until Officer Anton intervened. Officer Compton walked away with Witness A and the child. Officer Anton offered to explain the information the officers received prior to their arrival, but Mr. Holder declined. As their conversation continued, Officer Anton noted Mr. Holder was sweating "profusely" and asked Mr. Holder if he had psychological issues, been drinking, or had taken any substances; Mr. Holder denied all. Mr. Holder and Officer Anton continued to talk. When Mr. Holder's neighbor appeared, Mr. Holder explained the situation again. Officer Anton explained that they received information Mr. Holder had assaulted Witness A and her child, which is what they were investigating.

Mr. Holder indicated Witness A's possessions were located in a laundry hamper on the porch. Officer Anton advised Officer Compton; Witness A replied that she had more items upstairs. Mr. Holder requested Officer Compton go upstairs with Witness A but added only he knew what belonged to him and asked the officers why they were letting Witness A take his stuff. When Officer Compton, Witness A and her daughter returned with a couple bags, Mr. Holder asked Officer Anton to have her open the bags to ensure she did not take his belongings. Officer Anton looked through the bag briefly and stated there was nothing but "female stuff" inside; he showed

it to Mr. Holder. Officer Compton showed Mr. Holder the other bag, which was empty. Mr. Holder maintained the bag was his; Officer Compton told him to file a civil suit.

Officers Anton and Compton and Witness A worked out the logistics of transporting Witness A, her daughter, and their belongings. Officer Anton directed Mr. Holder to stand up and removed the handcuffs. As the officers walked away, Mr. Holder asked for their names and badge numbers. Officer Anton provided his name and badge number as he walked to the cruiser before he deactivated his BWC.

Officer Compton

The events recorded by Officer Compton's BWC occurred starting at 11:06pm on July 4, 2020, according to the BWC's timestamp. A review of that recording reveals the following:

Officer Compton exited the cruiser and immediately directed Mr. Holder to not enter the residence multiple times. Mr. Holder responded that it was his house, remained in the doorway, and communicated with someone inside. Officer Compton told Mr. Holder three times to step outside. When Mr. Holder argued, Officer Compton stated, "No, I'm telling you to step out. I don't give a [expletive] who house it is. Step out or we gonna take your [expletive] to jail. Step out." Mr. Holder left the doorway and walked onto the porch. Mr. Holder responded that he had called CPD and they were on his porch. Officer Anton directed Mr. Holder to put his hands behind his back. Mr. Holder complied but questioned Officer Anton's actions (as detailed above).

Officer Compton entered the residence and moved upstairs as she called out to Witness A. The lights were off, so she used her flashlight as she moved through the rooms. A child's voice and knocking sound could be heard; Officer Compton located Witness A and her child, who were locked out on the balcony. They returned to the base of the stairs and Witness A explained her version of events to Officer Compton; she denied she needed any medical assistance. Witness A described Mr. Holder's threatening behavior but clarified that Mr. Holder did not physically assault her or her child. Officer Compton and Witness A determined they would contact Witness A's mother as a possible refuge.

When Officer Compton opened the door to the porch, Witness A asked, "Can I get my stuff?" Mr. Holder, who was detained on the porch with Officer Anton, repeatedly stated no and he did not want Witness A upstairs but added Officer Compton could escort Witness A upstairs. Witness A listed her belongings, including a bookbag. Mr. Holder stated, "Everything in that bookbag belongs to me." Officer Compton, Witness A, and Witness A's child went outside; Officer Compton updated Officer Anton about the plan of action. Mr. Holder and Witness A discussed the night's events.

Officer Compton, Witness A, and Witness A's child walked to the cruiser where they attempted to contact Witness A's relatives. Eventually, Witness A's aunt agreed for Witness A to stay at her residence. Officer Compton agreed to transport Witness A and her child, but she noted there was not much room in the cruiser for Witness A's belongings; she recommended Witness A to only take essentials and return at a calmer time. Officer Compton added, "If he's still acting like an [expletive], call us and we will do a property retrieval with the police."

Witness A returned inside to obtain her belongings. Her daughter described the bookbag and explained the items inside were Mr. Holder's, but the bag itself was theirs. Officer Compton told Witness A to bring her items downstairs so Mr. Holder could verify Witness A did not take any of his belongings. Officer Compton followed and watched as Witness A and her child collected their things. She told Witness A to empty the contents of her bookbag (containing Mr. Holder's belongings) onto his bed. Neither Officer Compton nor Witness A picked up or attempted to remove any of those items. They returned to the porch where Mr. Holder reviewed the items in

the bookbag. When he claimed the bookbag was his, Officer Compton advised him to file a civil suit if there was an issue. Officer Anton removed Mr. Holder's handcuffs.

As they walked away, Mr. Holder stated he needed their names and badge numbers. Officer Compton called out her name, badge number, and district to Mr. Holder. Mr. Holder claimed he did not hear and referenced a business card. Officer Compton stated, "Boy, you don't even have a business card. Get in the house, [expletive] loser." Officer Compton deactivated her BWC.

AUTHORITIES

I. CPD Procedure Manual (in part)

§ 12.554 Investigatory Stops (Revised: 01/19/2017)

Information:

There are three levels of police/citizen contact.

The first level is a consensual encounter. A police officer may approach any person in a public place and request to talk to him. So long as the person is free to leave whenever he wants, no Fourth Amendment seizure has occurred and no reasonable suspicion or probable cause is required.

The next level is the "Terry" type encounter. Here the officer has reasonable suspicion to believe the citizen is committing or has committed a crime. Based on this reasonable suspicion, the officer may forcibly stop and detain the citizen for a brief investigatory period. Failure to answer the questions asked by the officer or to properly identify oneself cannot provide the justification for detaining a person past the period necessary to complete the brief "Terry" type investigation. Once the reasonable suspicion is determined to be unfounded, the citizen must be released.

The third level of police/citizen contact is the arrest. The arrest occurs when the citizen is no longer free to leave and the officer has the intent to arrest. The arrest must be supported by probable cause to believe the citizen is committing or has committed a criminal offense.

Information or descriptions resulting from anonymous tips is not sufficient probable cause to stop and search individuals. Officers must carefully develop reasonable suspicion in cases involving anonymous tips. Officer's observations while on the scene, securing more complete information from the anonymous caller and other circumstances which would tend to support the information received are all ways that officers can use to articulate reasonable suspicion allowing a "Terry" stop.

Every "Terry" type stop does not automatically authorize a frisk. If a frisk is conducted, the officer must be able to articulate specific facts which led them to believe the individual could be armed and dangerous.

Policy:

No law enforcement agency should condone or promote the use of any illegal profiling system in its enforcement program. Criminal elements exist in every segment of our society. An officer whose enforcement stops are based on race or ethnicity is engaged in a practice which

undermines legitimate law enforcement and may face claims in Federal courts of civil rights violations. To focus on a single segment of society is to limit enforcement efforts.

Awareness is the key to success in criminal interdiction. Observations must be evaluated in the aggregate - not isolation. An officer must use all senses while avoiding the development of tunnel vision. An important factor to remember when conducting an enforcement stop is to take the time to do it right. Do not rush through the stop or an important indicator of illegal activity may be missed.

Awareness is the key to success in criminal interdiction. Observations must be evaluated in the aggregate – not isolation. An officer must use all senses while avoiding the development of tunnel vision. An important factor to remember when conducting an enforcement stop is to take the time to do it right. Do not rush through the stop or an important indicator of illegal activity may be missed.

Except in exigent circumstances, when a citizen is stopped or detained and then released as part of an investigation, the officer will explain to the citizen in a professional, courteous manner why he or she was stopped or detained.

For purpose of the above sentence, the term “exigent circumstances” refers only to those conditions occurring after the stop had been made which, for safety reasons, would make it unreasonable for the officer to remain at the scene of the stop to explain the basis for the stop.

§ 12.600 Prisoners: Securing, Handling, and Transporting (Revised: 05/30/2019)

Procedure:

A. Handcuffing

6. For officer safety, it may be necessary to temporarily handcuff citable persons or persons under investigation.

II. CPD Rules and Regulations (in part)

Section One – Failure of Good Behavior

1.06

- A. Members of the Department shall always be civil, orderly, and courteous in dealing with the public, subordinates, superiors, and associates.
- B. Members of the Department shall avoid the use of coarse, violent, or profane language.
- C. Members of the Department shall not express any prejudice concerning race, sex, religion, national origin, lifestyle, or similar personal characteristics.

ANALYSIS

Allegation: Improper Stop

On July 2, 2019, Officers Anton and Compton were dispatched to a radio run regarding a possible assault. Mr. Holder alleged that after he requested assistance removing Witness A from his

residence, Officer Anton improperly detained and handcuffed him. The CAD report confirmed there were multiple calls to ECC by different callers, including Mr. Holder, Witness A, and Witness A's minor child; the subsequent callers described Mr. Holder as assaulting Witness A. BWC footage showed that when the officers arrived on scene, they immediately advised Mr. Holder to remain outside. In his statement, Officer Anton stated Mr. Holder fit the suspect's description provided in the second 911 call. BWC footage confirmed Mr. Holder's description matched that which was provided in the ECC calls. Pursuant to CPD Procedure § 12.554, Investigatory Stops, this information provided the officers' reasonable suspicion that someone was committing a crime, and based on this reasonable suspicion, the officer may forcibly stop and detain the citizen for a brief investigatory period; BWC footage showed the encounter lasted less than 18 minutes.

In his statement, Officer Anton further explained that he handcuffed Mr. Holder because his demeanor was "hostile" while he stood physically near Officer Compton. BWC footage showed Mr. Holder near Officer Compton prior to the handcuffing; it additionally showed Officer Anton explain to Mr. Holder he was detained due to his aggression and "until [they] can decipher what is going on." CPD Procedure §12.600, Prisoners: Securing, Handling, and Transporting, states it may be necessary to temporarily handcuff citable persons or persons under investigation for officer safety. Therefore, CCA concluded Officer Anton was within CPD policy, procedure, and training when he detained and handcuffed Mr. Holder.

Allegation: Courtesy

Mr. Holder alleged that the officers did not demonstrate "courtesy nor respect." CPD's Manual of Rules and Regulations requires officers to be civil, orderly, and courteous in dealing with the public and avoid the use of coarse, violent, or profane language. A review of the BWC footage showed Officer Anton was not discourteous towards Mr. Holder. However, the BWC footage revealed Officer Compton used profanity several times, including, "Get in the house, you [expletive] loser." Officer Compton could not provide an explanation for her use of profanity. CCA concluded that Officer Compton's behavior did not follow CPD's policy, procedures, and training.

Notes:

1. Mr. Holder alleged Officer Compton was complicit in the alleged theft of \$300 by Witness A. This aspect of Mr. Holder's complaint is criminal in nature and, therefore, outside of CCA's purview to investigate.
2. CPD documentation showed Officer Compton received a negative Evaluation Supplement Log (ESL) entry into her personnel file for her discourteous comments to Mr. Holder and was counseled.

FINDINGS

Officer Mark Anton

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

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

Officer Courtney Compton

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


Jessalyn Goodman, Investigator

January 28, 2022

Date


Gabriel Davis, Director

January 28, 2022

Date

PREVIOUS
CONTACTS AND
COMMENDATIONS

Officer Courtney E. Compton

Previous Contacts with CCA

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

Case Number	Allegation	Finding
17138	Use of Force (Handcuffing)	Exonerated
17138	Excessive Force (Physical)	Sustained
17138	Improper Procedure (BWC – Failure to Activate)	Sustained

Previous Contacts with IIS

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

Commendations

Officer Compton received two commendations in the past three years.

Date	Source of Commendation Received
11/07/2016	Civilian
11/30/2016	CPD

Mark Anton

Previous Contacts with CCA

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

Case Number	Allegation	Finding
17218	Entry (Residence)	Exonerated
17218	Discourtesy	Unfounded
18213	Stop (Person)	Not Sustained
18213	Procedure (Foot Pursuit)	Not Sustained

Previous Contacts with IIS

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

Commendations

Officer Anton received three commendations in the past three years.

Date	Source of Commendation Received
11/30/2016	CPD
01/21/2018	CPD
06/28/2018	Civilian