

**Date:** February 29, 2024  
**To:** Dena Brown, Interim Director  
**From:** Joseph Vesper, CCA Investigator  
**Subject:** **CCA Case No. 23255 - Review of Discrimination by Mr. Vaughn Lee**

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CCA completed an investigation of CCA Complaint No. 23255 by Vaughn Lee, M/B/33, alleging Discrimination based on Race against Officers Sean Henderson #P0224, M/W/24, and Matthew Shideler P0430, M/W/30. This memorandum is intended to convey the conclusions resulting from that investigation and the basis for those conclusions. This memorandum does not purport to summarize all evidence uncovered during the course of the investigation, nor is it intended to summarize the entirety of CCA's file on this matter.

Mr. Lee alleged that Monday, November 27, 2023 at 5:00 PM, he went to District 3 to report his stolen vehicle. Before he was handed the paperwork an unknown officer, later determined to be Officer Henderson, asked for proof that the vehicle had been stolen and did not believe him. The case was then filed and given to Officer Shideler. Later, on November 28, 2023, at 7:05 AM, Mr. Lee received a follow-up phone call from Officer Shideler, District 3, stating that there wasn't anything to investigate. Mr. Lee believes he was treated differently based on his race.

CCA interviewed Mr. Lee, and Officers Henderson, and Shideler, with information about the incident. CCA also reviewed Closed Circuit Television (CCTV) from District 3 police station. This proved that Mr. Lee visited District 3 and filed paperwork with Officer Henderson. Officer Henderson explained to CCA Investigators that the case was subsequently referred to Officer Shideler who then examined the vehicle, dusted the vehicle for fingerprints, and interviewed neighbors. Officer Shideler stated that he also asked Mr. Lee to send him video from his doorbell camera, but as of 1/12/2024 had not received the footage. CCA questioned Mr. Lee as to why he believed Officer Henderson's actions were based on racial animus/ bias, Mr. Lee stated that it was the feeling he got in the manner the officer was questioning him, as if in disbelief about the report.

Despite the facts uncovered during the course of this investigation, CCTV and interviews did not provide enough credible evidence to clarify material facts necessary to prove or disprove Mr. Lee allegation of Discrimination claim against Officer Henderson by a preponderance of the evidence. Specifically, notwithstanding our efforts to obtain such evidence, the absence of audio recordings from the encounter poses a significant limitation to our evidentiary scope.

In evaluating Mr. Lee's assertion of disparate treatment based on race during Officer Shideler's investigation, a review of Contact Cards yielded no proof of a discernible pattern of differential treatment. In addition, Officer Shideler's thorough handling of the reported stolen vehicle revealed no findings supportive of Mr. Lee's allegations, reinforcing the lack of evidentiary basis for impugning Officer Shideler's actions.

**Findings:**

Based on my investigation and review of the evidence uncovered, I recommend the following findings for your endorsement (findings are defined in the attachment to this memorandum):

**Original Allegations**

| No. | Allegation     | Subject Officer  | Involved Citizen | Finding       |
|-----|----------------|------------------|------------------|---------------|
| 1   | Discrimination | Sean Henderson   | Vaughn Lee       | Not Sustained |
| 2   | Discrimination | Matthew Shideler | Vaughn Lee       | Unfounded     |

**Observation:**

Desk officers should always have their body-worn cameras (BWC) activated when encountering individuals at the police district and when initiating contact via phone call with individuals to ensure transparency, accountability, and the preservation of accurate records during interactions. This practice promotes trust within the community and serves as a valuable resource for reviewing and resolving any potential disputes or incidents.

BWC footage and phone recordings also provide an invaluable resource for enhanced documentation of the details and can be used in investigations and court proceedings to resolve any complaints or disputes that may arise later. It ensures that both officers and individuals visiting the police district are protected by an objective account of events.

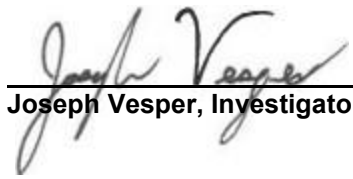
The information obtained from BWC and audio phone recordings can also help with training and evaluation within the police department to better serve the community. Supervisors can review interactions to identify areas for improvement, provide feedback to desk officers, and identify learning opportunities to enhance conversation skills.

Having desk officers use BWCs during interactions with individuals who come to the police district office and officers who initiate contact with the public via phone calls is essential for maintaining transparency and accountability and for both CPD and CCA investigations. Previous recommendations by CCA (see R2311 and R2321) and case #23190 Hankins have provided evidence to support this need.

**Recommendation:**

**#R2404 Body Worn Camera Policy & Procedure (Original Recommendation #R2311)**

CCA recommends that CPD include in Procedure § 12.540, Body Worn Camera System, a provision requiring officers who are assigned to work the front desk of police districts to activate their BWC's, or another comparable video and audio recording device, for contact with citizens, regardless of whether the officer is engaged in "self-initiated activity." Over the years, CCA has received numerous complaints regarding contact that citizens have had at the front desk of police districts, and recording these encounters via BWC is likely to either confirm or refute such complaints.

  
Joseph Vesper, Investigator

  
Dena Brown, Interim Director