



OMBUDSMAN'S REPORT
Complaint Investigation & Findings

OMB03/0150 - December 17, 2003

THE SITUATION

The Complainant arrived at the Boise Airport on July 30, 2003, to pick up his wife. The Complainant said that his two sons, ages five and ten, were with him. He said that his ten year old son suffers from cerebral palsy and uses a wheelchair. The Complainant said that he could not locate handicapped parking and that after driving the airport loop road three times, he asked a police officer where he could park. The Complainant said that the police officer told him to continue driving loop and that there was not any handicapped parking. The Complainant said that the police officer also told him that if he didn't keep his vehicle moving he (police officer) would write him a \$25.00 ticket. The Complainant said that he asked the police officer for his name and the officer refused to provide it.

THE COMPLAINT

Performance of Duty - The Complainant alleges that the Officer failed to direct him to a handicapped parking area.

Responsibility for Identification - The Complainant alleges that the Officer failed to provide his name.

THE COMPLAINT INVESTIGATION

The assistant ombudsman interviewed both the Complainant and the Officer. Other than the Complainant's children, who were not interviewed, no other witnesses were known.

The Complainant was certain that he asked the Officer where the handicapped parking for the airport was located. He said that he would have been happy to pull his vehicle into the paid parking area right away if the Officer had simply told him that there was free handicapped parking available in the paid area. The Complainant alleged that the Officer told him that there was no handicapped parking available.

The Complainant also claimed that he asked the Officer for his name and that the officer refused to give it to him.

Based on the Complainant's description of the Officer and the Airport Police duty roster, the identity of the Officer was confirmed.

The assistant ombudsman interviewed the Officer. The Officer recalled the encounter specifically. The Officer clearly recalled that the Complainant never asked him where there was handicapped parking available. The Officer also stated that the Complainant never asked him for his name. The Officer said that he had to tell the Complainant to move his vehicle from the no stopping area on three separate occasions that day. The Officer stated that he had no audio recording of his contact with the Complainant.

WHAT THE COMPLAINT INVESTIGATION FOUND

Based on the preponderance of the evidence, the following facts are known:

1. The Complainant and the Officer had at least two discussions about parking at the airport.
2. The Officer told the Complainant that he would receive a \$25.00 ticket if he did not keep his vehicle moving.

OMBUDSMAN'S ANALYSIS AND FINDINGS

It is clear that the Complainant and the Officer had discussions about parking on July 30, 2003. The Complainant and the Officer, however, disagree about what was said. The Complainant admitted that, at least one time, he was parked in front of the arrival/baggage area of the airport, talking to another motorist also parked in that location, and waiting for his wife. The Complainant was approached by the Officer and told that he could not park in that location.

According to the Complainant, the Officer failed to direct him to an area where handicapped parking was located. According to the Officer, the Complainant never asked where handicapped parking was located, but he (the Officer) explained to the Complainant where the parking garage and hourly parking areas were located. It is not possible to determine if one version is more accurate than the other. It is also not possible to determine if the Officer refused to give his name.

Therefore, the following policy findings were issued:

1. PM 21.0102 - Performance of Duty **Not Sustained**

2. PM 21.0123 - Responsibility for Identification **Not Sustained**

A handwritten signature in black ink, appearing to read "Pierce Murphy". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Pierce Murphy
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