



ICMS #: 2020-0266

May 18, 2020

Complaint: Mr. [REDACTED], complainant, submitted an online complaint to the Office of Police Oversight alleging the following:

“At 1155 pm I called 911 because of a disturbance occurring on the street lasting more than 15 minutes, because the noise was entering my apartment [REDACTED] which resides next to the [REDACTED]. I was instructed by the 911 operator to report what was occurring so I stepped out into the walkway between the complex Property to get a look at what was occurring. As soon as I did, four people are running down the sidewalk in my direction, and notice me on the phone, start Accusing me if I’m calling 911. One of them jumped on me, calling me a [REDACTED]. While another tried doing the same but I managed to push them away. I didn’t even know what to do but try to see where they were going to give the police an idea in which direction they were heading. This all occurring while I still had the operator on the phone,.. an officer finally approached me, starts accusing me of being involved in the the whole mess, while I’m trying to tell him I had 911 Operator on the phone, because he assumed I was part of the whole mess on the street. He seem to be in investigative mode as soon as he approached me, I dont know if he saw me being attacked by two of those four people from that crowd. But it seemed like he did, but instead went into investigative mode instead of displaying some humanity. It’s not until a few minutes later when two other officers arrived that he started asking if I needed medical care? I didn’t get the officers name, but he did take mine on his mini note pad. Is this proper protocol? He didn’t give me any of his information. He didn’t display any empathy, sympathy or understanding. I called 911 to have the police investigate the noise and arguing that was entering my unit, I get asked to provide information by the operator and get attacked, accused, and felt made unimportant by trying to do the right thing. Please address with your officer that not everyone on the street is a punk, and I nor anyone else should be made to feel inferior to their authority, he is to supposed to serve and protect, not witness and report while a crime is in progress. That’s a security officers job. If he saw me being pushed around or attacked he should have ran up to the assailants, and tried to get them off of me, and instead he assumed I was part of the mess on the street and reported that he had “one of the individuals” not sure of the exact wording he used, but he did communicate on his talkie to the operator or other officers.. he didn’t act or react or display the role of a public servant. I have a feeling the officer saw me being pushed to the ground, one of those four had their hands on me, and the officer did nothing. a sorry, or a thank you would have sufficed. Please if he had a video camera please review it and see what he saw and what point he decided to and how to react. Thank you for anyone who reads and looks into this. Ive provided a video of a recording of the noise coming into my unit before I called 911.”



This notice of formal complaint is a request for Internal Affairs to initiate an investigation in order to determine if the employee conduct is within compliance of APD policy, Civil Service Rules, and Municipal Civil Service Rules.

Recommended Administrative Policies to Review (to include but not limited to):

301.1 PURPOSE AND SCOPE – RESPONSIBILITY TO THE COMMUNITY

All persons deserve protection by fair and impartial law enforcement and should be able to expect similar police response to their behavior wherever it occurs. Employees will serve the public through direction, counseling, assistance, and protection of life and property. Employees will be held accountable for the manner in which they exercise the authority of their office or position. Employees will respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment.

301.2 IMPARTIAL ATTITUDE

Employees are expected to act professionally, treat all persons fairly and equally, and perform all duties impartially, objectively, and equitably without regard to personal feelings, animosities, friendships, financial status, sex, creed, color, race, religion, age, political beliefs, sexual orientation, gender identity or gender expression or social or ethnic background.

303.3 DEPARTMENT ISSUED BODY WORN CAMERA

BWC equipment is to be used primarily by uniformed personnel as authorized per assignment by the Department and must be used unless otherwise authorized by a Commander or above.

303.3.1 WHEN DEPARTMENT ISSUED BWC SYSTEM USE IS REQUIRED

This section is not intended to describe every possible situation where the system may be used. In some circumstances it may not be possible to capture images of an incident due to conditions or location of the camera, however the audio portion can be valuable evidence and is subject to the same activation requirements. The BWC should only be activated for law enforcement purposes.

304.3.2 WHEN DMAV USE IS REQUIRED

This order is not intended to describe every possible situation where the system may be used. In some circumstances it is not possible to capture images of the incident due to conditions or location of the camera however the audio portion can be valuable evidence and is subject to the same activation requirements.

900.4.1 DISCRETION AND REQUIREMENT TO TAKE ACTION

Sworn employees are charged with the responsibility to enforce the law, preserve the peace, and to protect lives and property.



900.1.1 RESPONSIBILITY TO KNOW AND COMPLY

The rules of conduct set forth in this order do not serve as an all-inclusive list of requirements, limitations, or prohibitions on employee conduct and activities; employees are required to know and comply with all Department policies, procedures, and written directives.

Recommended Classification: *The OPO is permitted to make a preliminary recommendation on the classification of administrative cases.*

The OPO recommends an A classification.

