



OFFICE OF POLICE OVERSIGHT

NOTICE OF COMPLAINT

December 2, 2022

ICMS #: 2022-1098

On December 2, 2022, the OPO received an email complaint.

The complainant alleges: I am writing [REDACTED] to express my sincere concern with the body/security camera footage released [REDACTED] in relation to the officer involved shooting of [REDACTED]

Firstly, I would like to make it clear that I am not a person who has any general disdain for police officers or police departments. Police officers serve important roles in society and are a necessary part of our justice system. I recognize that the shifting attitudes of the American public towards the police has led to cratering morale and difficulties with staffing in police forces across this country. I would argue that the citizens, in general, are worse off for it, despite the loud opinions of a few to the contrary. I always make it a point to watch footage that APD releases in regards to officer-involved shootings, as I want to form an unbiased opinion of how my local police department is choosing to use deadly force in our city. I had never come across a single video released by APD in which I felt deadly force was used unnecessarily...until [REDACTED]

The video released by APD [REDACTED] clearly shows that the officer who shot [REDACTED] [REDACTED] was negligent and not justified in firing his rifle multiple times, which ultimately led to the death of [REDACTED]. I've listed out bullet points below detailing the issues in regards to this specific shooting.

- The officer never verbally identifies himself as law enforcement. The police vehicles that arrive do not have lights or sirens activated.



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- It does not appear that the rifle [REDACTED] was holding was ever pointed, even remotely, in the direction of any law enforcement officer on scene. It also did not appear that [REDACTED] ever made an attempt to take cover or flee back into the residence.
- The officer fires his weapon prior to even finishing the command he was issuing to [REDACTED] to drop his weapon. It also appears [REDACTED] drops the weapon after the initial bullet strikes him - despite this, the officer continues to fire several additional rounds.

Given the above issues, I am not sure how APD could possibly argue this to be a justified and necessary use of deadly force. Ultimately, there was no clear and present danger to any officer or other civilians prior to the officer choosing to discharge his weapon at the subject. Furthermore, the officer made no attempt to identify himself as a law enforcement officer and gave the subject no chance for compliance before firing his rifle.

Maybe somewhat counterintuitively, I believe this case offers APD a huge opportunity to gain back some of the public's trust in them. Most of the public does not want a defunded police force, less officers on patrol, or canceled/paused cadet classes. What most of the public wants is for the police force to hold officers accountable when they deploy unnecessary and unjustified deadly force. The public has grown tiresome and suspicious because police forces, including APD, back the officers in 100% of cases, even when the officer was clearly in the wrong.

I don't doubt that the officer who shot and killed [REDACTED] is a good person and a good officer. I don't believe that he shot [REDACTED] with malice or with ill will. Being in his situation must be stressful and important decisions have to be made quickly. However, the decision he made in this instance was a poor one and he must be held accountable for that decision. I sincerely hope that APD chooses to participate in this accountability - it would go a very long way in regaining the public's respect.



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If you wish to discuss my concerns further, please feel free to reply to this email or you can also contact me at [REDACTED].

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