



ICMS: 2018-1216

Date of Complaint: 12/21/2018

Complaint: OPO received a complaint by phone against Officer [Redacted] and Officer [Redacted]. The complainant has alleged that Officers responded to an incident involving family violence where they failed to arrest the alleged offender for interfering with the emergency call and did not provide the Victim Assistance Information pamphlet.

Administrative Policy to Review:

418.2.1 Arrest Requirement for Assaultive Offenses

(b) If both parties have been assaulted, officers shall make reasonable efforts to identify the primary aggressor. Arrests of both parties should be avoided unless warranted.

(1) If officers at the scene cannot determine the primary aggressor, an on duty supervisor shall be contacted to make the determination.

418.2.8 Interference with Emergency Telephone Call

Interference with emergency telephone call has its own arrest authority (Tex. Code of Crim. Pro. art. 14.03(a) (5)) that is separate from the arrest authority for family violence.

418.3 Additional Investigative Guidelines

418.3.2 Victim information

(a) Officers shall provide each adult present with a copy of the information pamphlet entitled Victim Assistance Information that includes the Notice to Adult Victims of Family Violence and write the incident number on the front page.

The OPO is permitted to make a preliminary recommendation on the classification of administrative cases. The OPO recommends that this allegation receive a B classification.