



ICMS #: 2020-0683

August 4, 2020

Complaint: The Office of Police Oversight received a complaint from [REDACTED] stating as follows:

“A [REDACTED] employee wrongly called 911 on me because, for some reason, they thought I had shoplifted. The cop who stopped me didn’t let me go until the employee came around and said everything was fine. The contents of my backpack, my driver’s license, and the receipt I was carrying should have been more than enough evidence that I had not committed a crime, but the cop still wasted my time. That, and they asked several unnecessary and frankly disrespectful questions of me, such as: asking my friend if they had a weapon, asking if I go by my middle name, asking another cop who showed up if they knew me, asking where I live, and asking if my residence is a short-term or long-term rental.”

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):

301.2 IMPARTIAL ATTITUDE AND COURTESY

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.

303.3.1 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.

402.3 FIELD OBSERVATION CARDS AND ELECTRONIC STREET CHECKS

(a) An FO card or electronic street check is required when an officer detains an individual for more than simple, preliminary questioning to find out their level of involvement in a particular incident and no other record of the contact (other than CAD) is produced.

Examples of this include, but are not limited to:

1. Detaining a suspicious person and no report is written; or
2. Initiating a traffic stop when no field release citation or warning is issued; or



3. Conducting a subject stop and the officer initiates a police action (e.g., detaining, frisking, or searching).

900.3.4 PERSONAL CONDUCT

(c) While on-duty or on the premises of City facilities, employees will not:

1. Use loud, indecent, profane, harsh, derogatory language, or use belittling term in any communications.
2. Ridicule, mock, taunt, embarrass, humiliate, or shame any person, nor do anything that might incite that person to violence.

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 that this allegation receive a B classification.