



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-0871

September 1, 2021

Complaint: Complainant alleges: she was driving and she saw two police cars on the corner of [REDACTED] and [REDACTED], and two other police cars pulled up. Complainant alleges there was a girl in about her late twenties with pink hair, who did not look like she was carrying any weapons and did not look threatening at all, who was grabbed by the arm really hard by one of the police officers. Complainant alleges it was very concerning. Complainant alleges it was completely unacceptable for a police officer to come up to somebody who was not posing any threat and do that and if the girl needed a witness she would be happy to be a witness for her.

This notice of formal 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.

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

202.1.4 DISPLAY OF FIREARMS

Firearms may be readied for use in situations where it is anticipated they may be required. Firearms shall not be displayed or pointed in a threatening or intimidating fashion unless it is objectively reasonable to believe there is a substantial risk that the situation may escalate to the point where deadly force would be permitted. Firearms shall be secured or re-holstered as soon as reasonably practicable when it is determined that deadly force is no longer necessary.

318.3.1 HANDCUFFING DETAINEES

(e) If not documented in a report, officers will document their justification for handcuffing a detainee for a limited investigation, with a Street Check/Field Interview report.

1. Officers will check “detained” in the Reason field dropdown list.
2. Officers will justify handcuffing the detainee in the Remarks field.

328.3.2 REQUIRED DOCUMENTATION

Every member of the Department is required to document and report to the Department any detention, frisk, search, nonconsensual stop and/or arrest of a person. Officers shall document the



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following information in the appropriate fields of an incident report, field release citation, warning, field observation card or electronic street check.

402.1.1 GENERAL GUIDELINES

Officers will not write an offense report when they are the victim of a crime. The victim officer will write a supplement. The offense report will be written by an officer who is not a victim.

An incident number will be assigned and all required fields completed during documentation anytime an employee observes or receives any information concerning the following, but not limited to:

- (a) Criminal or suspected criminal offenses, regardless of the victim's level of cooperation.

437.3.1 CRIMINAL TRESPASS NOTICE

When an officer witnesses a subject being given a trespass notice by an owner/agent, the officer shall document the incident by either writing a "Criminal Trespass Notice" incident report (title code 2730) or complete a Criminal Trespass Notice Incident Form (PD0040 or PD0040E). A subject does not need to be on the property at the time the notice is given in order for the notice to be valid.

If the notice is to be temporary and the suspect leaves when told to do so by the owner/agent, the officer will title the report "Assist Complainant" and document that the notice was temporary and should not be considered a permanent (e.g., up to one year) notice.

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

The OPO recommends this complaint receive a B classification.