



ICMS #: 2020-1215

November 3, 2020

Complaint: [REDACTED] submitted a phone complaint to the Office of Police Oversight alleging that she had damaged property (broken CDs and eyeglasses) and missing property (money, cigarettes, and a food stamp card).

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.

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. By itself, the mere fact a minor violation of the law has occurred may not be sufficient reason to justify arrest. Laws generally serve as the tools officers use to protect residents' rights and to maintain peace in the community.

328.3.1 REASON FOR DETENTION

Officers detaining a person shall be prepared to articulate sufficient reason for a lawful detention, independent of the individual's membership in a protected class. To the extent that written documentation would otherwise be completed (e.g., arrest report, field observation (FO card), the involved officer should include those facts giving rise to the authority for the detention, as applicable.

350.4 VEHICLE INVENTORY

In all incidents where a vehicle is impounded or moved, officers will make an inventory of the vehicle for damage and any items of personal property. Such an inventory is a care taking function intended to protect (1) the owner's property while it remains in police custody; (2) the police against claims or disputes over lost or stolen property.

110.4.4 INSUBORDINATION

Employees will not be insubordinate. The willful disobedience of, or deliberate refusal to obey any lawful order of a supervisor is insubordination. Defying the authority of any supervisor by obvious disrespect, arrogant or disrespectful conduct, ridicule, or challenge to orders issued is considered insubordination whether done in or out of the supervisor's presence.



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.

