



ICMS #: 2021-0080

February 12, 2021

**Complaint:** Complainant alleges he came out of his apartment because there was an argument outside. Complainant alleges that one officer who arrived at the scene pointed his gun at the complainant. Complainant alleges he was compliant with APD and feared for his life when the weapon was aimed at him.

*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):**

**304.3.2 WHEN DMAV USE IS REQUIRED**

This order is not intended to describe every possible situation where the system may be used. In some circumstances it is not possible to capture images of the 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.

- (a) All units responding to a scene shall activate their DMAV equipment when they:
1. Arrive on-scene to any call for service; or
  2. Are attempting to detain or arrest a person; or
  3. Have detained or arrested a person; or
  4. By nature of the incident, are likely to detain or arrest a person.

**402.5 REPORTING THE ACTIVE TARGETING OF A FIREARM AT A PERSON**

By the nature of their duties, officers may be required by general orders and training to point their firearm, including impact munitions, and actively target at a person. This section does not create an additional requirement for officers to initiate an incident report; however, officers that actively target their firearm at a person shall properly document the incident as outlined below.

**402.5.1 OFFICER RESPONSIBILITIES**

- (a) Employees shall immediately notify and brief their supervisor. If their supervisor is unavailable, another field supervisor shall be notified
1. When employees the rank of sergeant or above are involved in the incident, another supervisor the rank of the involved employee or higher will be notified.
  2. If the incident involves multiple employees with different supervisors, the lieutenant of the area where the incident occurred, or the Watch Lieutenant, will be notified and assign one supervisor to conduct the review.
- (b) Employees shall adhere to the following documentation guidelines:
1. FO Card or Electronic Street Check
    - (a) When a report is not otherwise required for the incident, complete an FO card or electronic street check to document that a firearm was actively targeted at a person and the details of the incident.
  2. Reports and Supplements
    - (a) Add a study notation to the report to document that a firearm was actively targeted at a person or notify their supervisor the notation needs to be added.
    - (b) Document the details of the incident in the narrative of an incident report or supplement.



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

***The OPO recommends that this allegation receive an A classification.***

