



ICMS #: 2020-1188

October 20, 2020

Complaint: The Office of Police Oversight received a phone complaint from [REDACTED] stating that she believes an officer determined that her friend is Black based on his voice and, because of that determination, when her friend's motorcycle was stolen and he was filing the report, the officer asked a question of him that she believes specifically was asked because the officer believed he was talking to a Black man. [REDACTED] alleges that the officer asked two times, "Was this a crack rental?" and her friend asked for clarification because he had never heard of that before. The officer then allegedly said that this is when a person lends their vehicle in order to do a drug run or sell drugs or to a drug-addicted person. [REDACTED] asserts that this implies that her friend has some association with drugs and was somehow personally at fault for his motorcycle being stolen. [REDACTED] also alleges that the officer then said that her friend must sign a waiver saying that he did not allow his motorcycle to be used as a crack rental. [REDACTED] says that the officer came to his home the following day and had him sign the waiver and did not provide a copy to him. [REDACTED] alleges that the officer only left a business card and the number on the card goes to 311. [REDACTED] states that the officer involved was Officer [REDACTED], and that he is a senior police officer. [REDACTED] states that her friend would like a copy of what he signed, but has been unable to obtain one because of the phone number. [REDACTED] also states that the officer called her friend on the phone at 1 o'clock and then came to the house at 5 o'clock the same day. She recalls that her friend was upset that the officer "wasn't really trying to research anything about the bike, it was more tailored toward the way that he lives his life and who he is," and the officer suspected him of doing this himself or having something to do with it.

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.

- (a) All units responding to a scene shall activate their department issued BWC equipment when they:
1. Arrive on-scene to any call for service;



435.3.1 STOLEN VEHICLE REPORT

(b) Stolen Vehicles

(4) Officers shall provide the complainant/victim with the incident number and the phone number to the Auto Theft Interdiction Unit

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.

