



ICMS #: 2020-0651

August 17, 2020

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

“An incident happened between my roommate and I [REDACTED]. Case 20-[REDACTED]. We had a heated argument and his response was to get less than an inch from me and loom over me and get in my face. I tried to get around him and he would just move in front of me, egging me on to be physically violent. I told him to move multiple times but he wouldn't and I had to push past him (he probably told cops i shoved him, which is ridiculous).

As I tried to move around him and put his dirty dishes in his room (we have had MULTIPLE discussions about his lack of cleanliness as this is a lease violation and causes roaches to infest the apartment -we have had both roaches and fleas infest our apartment because of his unclean behavior) He retaliated by raising a huge, heavy, thick glass pyrex Salad bowl over his head and slamming it down on the floor. The impact caused the quarter inch thick glass to shatter into small pieces. If this wasn't a violent act, this sturdy bowl should have broken into 2 or 3 pieces. Not a single piece was larger than my thumb and there were hundreds of pieces everywhere. It caused damage to the flooring and I'm still finding pieces of it all over the apartment. I have pictures and evidence to this affect.

Once the police got here, he told them a sob story about ONE time, last December when some friends of mine did cocaine. I did not. They did. We have since talked about it and he expressed that he wasn't comfortable with it and I told him I appreciated him telling me and we haven't had an issue since.

Every time we have an argument he brings this up and the officers who were here, heard that story and immediately jumped on his side in his defense and treated me like I was an unstable drug addict -since obviously I was upset that he tried to intimidate me.

Once they left he laughed at me and I remained silent and in my room.

I took a nap and woke up to him accusing me of turning off the power which he then called the police for.

When they came back they threatened me with jail time for violence. Me. He's the one damaging some pretty hefty property and leaving damage to the apartment. And calling the cops because the power went out and blaming it on me.

This guy is unstable. He has an addiction to gaming and some serious pent up rage issues when anything threatens his addiction.



When he gets upset, he blows up at me and emotionally abuses me with things he's been keeping from me (he kept mentioning he has issues with me however I am unaware of these because he never has any conversations with anyone.) Or he uses arguments that have been resolved over and over when to my knowledge, it has been resolved. The most communication we have is me reminding him to clean up after himself in the common areas -this is not my job and being in quarantine with him for months has been a constant issue of me reminding him to clean up after himself.

The officers never once told him (in my presence) that his violent behavior was not ok. This did not make me feel safe. I have no idea if they inspected the trash can to see how thick and tiny the glass shards are but I sure as hell took pictures of that.

When the officers arrived a second time, they accused me of many things and did not let me speak up to defend myself. You should be able to see this on their body cameras. Because I was so shocked by their obviously biased opinions, and the way they spoke over me and didn't let me speak, I wasn't able to set the record straight AND my roommate now feels like his violent behavior is vindicated. I have text messages from my roommate that prove this.

The male officer accused me of trying to make my roommate be extroverted -which is absolutely untrue and I tried to defend myself against this but he talked over me.

They accused me of being the violent one and threatened me with jail time. All 4 cops in the apartment were staring at me when this was said. It was ABSOLUTELY unfair and made me feel extremely unsafe and not likely to ever call APD again.

The officers kept saying over and over that we are adults and we should be able to talk about things and I responded by agreeing because I am an adult and can have reasonable conversations. He is the one in arguments, instead of owning up to his bad behavior, he tries to grab at any other topic and bury me with issues that have nothing to do with the disagreement. This escalates an argument. There is no way to reason with someone who uses this tactic of argument. He tries to compare items like couches to the dog feces I came home to all over the apartment. You will see this in the officer's body cam footage. Just because I have more stuff than him, does not mean I am the one causing a roach and flea problem!

Of course he is calm and collected like a serial killer in front of the cops. When they left he laughed loudly and viciously to his online friends and made fun of me. In the 911 call he attacked me verbally and called me stupid and laughed at me for saying his name wrong.



He's not just introverted as the cops defended him to be, he is unstable and socially inept. He needs help.”

*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):**

**110.4.3 OBEDIENCE TO ORDERS**

The Department is an organization with a clearly defined hierarchy of authority. This is necessary because obedience of a superior's lawful command is essential for the safe and prompt performance of law enforcement operations. This section also applies to orders received by an employee in the field training program from a Field Training Officer (FTO).

**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.

**301.1 PURPOSE AND SCOPE**

All persons deserve protection by fair and impartial law enforcement and should be able to expect similar police response to their behavior wherever it occurs. Employees will serve the public through direction, counseling, assistance, and protection of life and property. Employees will be held accountable for the manner in which they exercise the authority of their office or position. Employees will respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment.

**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.

**402.2 INCIDENT REPORTING**

A well-written report can help make a case just as easily as a poorly written report can ruin a case. Employees have the responsibility to write clear, factual, and complete reports.

**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.



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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.***

