



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-1096

November 29, 2021

Complaint: Complainant alleges he and a friend were helping a disabled homeless lady set up her tent in the downtown area. Complainant alleges as he was leaving, Officer [REDACTED] drove up in a marked SUV and took the tent down, promised the disabled lady he would set it up across the street and told her she needed to be out of sight out of mind. Complainant alleges Officer [REDACTED] told her he was going to move her under the [REDACTED]. Complainant alleges the officer harassed her for 30-45 minutes. Complaint alleges Officer [REDACTED] harassed her so much that she did not want him to set it up and finally they both gave up and he just left the tent on the ground. Complainant alleges the disabled lady would not let him set it up because he intimidated her with his authority. Complaint alleges she is protected by the American Disability Act, and you can't take people's houses without providing them housing. Complainant alleges the lady ended up using her tent as a sleeping bag on the ground. Complainant alleges the officer touched the disabled lady twice and she told him not to touch her anymore. Complainant alleges Officer [REDACTED] kept cruising by to see if the tent was set up so he could take it down again.

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):

301.2 IMPARTIAL ATTITUDE AND COURTESY

Employees shall provide equal and fair protection of all rights under local, state, and federal law for all members of the community. Law enforcement will be conducted in an impartial and equitable manner.

In an effort to create an organizational culture that is inclusive and nondiscriminatory, employees shall act professionally, treat all persons fairly and equally, and strive to interact with the community in a positive manner. Employees will perform all duties objectively and without regard to personal feelings, animosities, friendships, financial status, occupation or employment status, sex, disability status, housing status, mental health or ability, citizenship, language, national origin, creed, color, race, religion, age, political beliefs, sexual orientation, gender identity, gender expression, ethnicity, or social or ethnic background. Employees will endeavor

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to understand and respect cultural, national, racial, religious, physical, mental, and other differences.

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.