



## NOTICE OF FORMAL COMPLAINT

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ICMS #: 2021-0983

October 4, 2021

**Complaint:** The complainant alleges:

“My name is [REDACTED]. On [REDACTED] morning around [REDACTED] my sister, [REDACTED], was in a car accident. I was not involved, but she called me and I drove to her (& the other party's) aid. Thankfully nobody was physically injured nor required medical assistance. However, the officer that showed up first (I think the last name was [REDACTED] is why I am making this complaint (and I left a voicemail with the APD complaint office today [REDACTED]). First, upon arriving, I felt like officer [REDACTED] was lecturing her (my sister) regarding the accident when he should be doing his job - lecturing an adult (she is not a minor), is not part of his job description. He did not need to make sarcastic remarks, "what were you doing that you didn't see the stop sign?" Making her feel guilty and pressuring her into this type of conversation does not feel correct as she was just in an accident and shaken up. Secondly, the other party involved in the accident looked hungover and nobody was concerned with that, but were concerned with my sister (ie the lecturing). The lady (the other party) insisted on driving her car home even when it was obvious the car could not be driven home and she was not wearing shoes while driving nor when the officers arrived. Additionally, the stop sign where the accident occurred is obstructed and not highly visible, but the officer did not seem to care one bit for that, which goes against "to serve and to protect." What is APD/CoA going/able to do to ensure this does not happen again at this intersection? Third, we were extremely pressured by the officer to utilize y'all's towing vendors that charged us \$245.00. We have auto insurance and we were trying to make the most logical decision (of where to have our vehicle towed). The officer and the tow guy (y'all's vendor) pressured us in making a quick/swift decision to just use them. This was and is unacceptable. Our towing will only refund up to a certain amount. It is not our duty (CoA residents) to make up for any lost funding by over paying on towing services. Fourth, the officer's tone and delivery of APD protocol was rude and full of entitlement; we did not feel emotionally or mentally supported during this incident. Lastly, the officers (there were a total of 2 at the accident scene) were not wearing any type of COVID protection masks and were not practicing safe social-distancing.”



## OFFICE OF POLICE OVERSIGHT

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*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):**

**301.1 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 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 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.***