



ICMS #: 2020-1824

January 8, 2021

**Complaint:** Complainant, [REDACTED], filed a complaint alleging: I was pulled over by Officer [REDACTED] on [REDACTED]. During the interaction Officer [REDACTED] approached me speaking English, but I felt more comfortable speaking in Spanish. When I replied in Spanish the officer also responded in Spanish. Officer [REDACTED] proceeded to ask questions about car insurance, and a form of ID. When Officer [REDACTED] asked who the car belonged to I shifted to English and said "my car." After this, the officer's entire demeanor changed. It was clear that he was entirely bothered that I chose to speak in Spanish first when according to the officer my English "seemed to be good enough." From there, tension could be felt by Officer [REDACTED] during the remainder of the interaction. Officer [REDACTED] let his personal emotions get in the way of being an unbiased peace officer. Officer could have shown more professionalism had he not made that remark that made it seem like speaking Spanish was unlawful. In addition, upon looking over my ticket, I noticed Officer [REDACTED] put my gender as M where my passport clearly states F. The officer's reaction was inadequate being that he clearly understands and speaks Spanish himself.

*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):**

**301.1 RESPONSIBILITY TO THE COMMUNITY 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.

**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 B classification.***