



ICMS #: 2021-0097

February 12, 2021

**Complaint:** The Office of Police Oversight received an online anonymous complaint alleging the following:

“Officer [REDACTED] used indecent, harsh, and belittling language towards me from the second he arrived on the scene of a crash I was involved in. After looking further into this, I discovered this is in direct violation of APD Personal Conduct General Order 900.3.4. I do not do drugs, yet officer [REDACTED] continuously tried to tell me that I was on drugs at the time, and said that my responses are what "someone on drugs would say". I do not remember the name of the other officer who appeared on scene later, but he was very professional and very helpful at the time. Officer [REDACTED] also used behavior to intentionally intimidate me as well as the other officer, who seemed newer. When asked why I was shaking, I told officer [REDACTED] that I suffer from anxiety attacks, which he laughed about, and ask why I have anxiety. I also now have to pay for a ticket for "improper right turn approach" and it seems that officer [REDACTED] was set on finding any reason to give me a citation.”

*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.

(b) Employees will be tactful in the performance of their duties, control their tempers, exercise patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation.

(c) Employees will make every effort to be courteous and respectful toward all persons.

**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.

**350.4 VEHICLE INVENTORY**

(a) In all incidents where a vehicle is impounded or moved, officers will make an inventory of the vehicle for damage and any items of personal property. Such an inventory is a care taking function intended to protect:

1. The owner's property while it remains in police custody.
2. The police against claims or disputes over lost or stolen property.

(b) The scope of the inventory will include:



1. The exterior for body damage.
  2. Those places in a vehicle where a person ordinarily would store or leave items of personal property. Those areas can be but are not limited to:
    - (a) Passenger compartment.
    - (b) Trunk, console, glove box, and attached locked containers (e.g., toolbox) if the key is readily available.
    - (c) Open and closed containers.
  3. The inventory will include contents of locked containers (e.g., briefcase, footlockers) if the key or combination is readily available. If the key is unavailable, containers/compartments may be opened with supervisor's approval.
- (c) All vehicle damage and personal property located during an inventory of a vehicle will be listed on the APD Wrecker/Impound Report, including its description and location. [REDACTED]

Recommended Classification: *The OPO is permitted to make a preliminary recommendation on the classification of administrative cases.* [REDACTED]

***The OPO recommends that this allegation receive a B classification.***

