



## OFFICE OF POLICE OVERSIGHT

### NOTICE OF COMPLAINT

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April 22, 2022

ICMS #: 2022-0308

On April 21, 2022, the OPO received a phone complaint.

**The complainant alleges:** The complainant was in the parking lot of the [REDACTED] in his work van. He had just finished making calls to customers for about 15 minutes. As he backed out of the parking spot, APD turned their lights on. He pulled back into the parking spot and as soon as he put the car in park, there were cops outside of his vehicle with guns drawn saying they would kill him, asking to see his hands. He was compliant. They had him back up with hands up between the van and a police car. He laid on the ground with cuffs as they snatched his wallet and keys. Police threw him in the back of the car without any questions. He didn't know what was going on. Police didn't ask if they could search his vehicle and couldn't have had a warrant because the warrant isn't dated until the next morning. Police found a lawfully owned holstered pistol in his vehicle. They charged him with disorderly conduct and brandishing a weapon even though the report states that the pistol was found secured and holstered in the complainant's van, and the complainant had simply been making calls in his van after going to the [REDACTED].

An officer who self-identified as "Officer [REDACTED]" told the complainant, "I never thought you were a threat." This officer had pulled his pistol on the complainant, scaring him and everyone in the parking lot. It was humiliating because the complainant was in his marked work van. He is sure he would be dead if he hadn't followed their directions to a T. Officer [REDACTED] tried to humiliate him the entire time, telling him to hold his arms higher and telling him to spread his legs wider when he was on the ground and kicking the complainant's legs. The complainant wears a prosthesis.

Officer [REDACTED] [REDACTED] falsified the affidavit for arrest and detention thereby committing perjury. He may not have known that he was doing so, as Officer [REDACTED] did the questioning. The complainant states [REDACTED] knew there was no crime. [REDACTED] wasn't present when the complainant was detained. The complainant is sure there weren't incident reports for officers pulling guns on him with live ammunition. He was framed, it was a fishing expedition, with a coerced confession. The way [REDACTED] details the arrest, he came up and asked a bunch of questions and then arrested him.

The complainant's 4th and 5th Amendment rights were violated. They just made something up in order to arrest him.



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***This notice of 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.***