



ICMS: 2019-1359

January 8, 2020

Complaint: Ms. [REDACTED], complainant alleges APD officers may have violated policy and stated that she would like her complaint to be formally investigated:

"I feel wronged by the officers that came to help me. I called 911 to help me after I was assaulted by a man that locked himself in my apartment. The police told me to leave and stay somewhere else and I had to drive 40 miles out of my way to the nearest person I know. This man is not on my lease and doesn't live at my residence. I take blame for allowing him to be around me but I shouldn't have had to leave my home."

This notice of formal complaint is a request for Internal Affairs to conduct 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):

418.2.1 ARREST REQUIREMENT FOR ASSAULTIVE OFFENSES

(a) Officers are required to make an arrest for incidents involving family violence when:

1. An assault has occurred that resulted in a minimum of bodily injury or complaint of pain; or when an officer can articulate facts from which a reasonable person could infer that the victim would have felt pain due to:
 - (a) the manner in which the suspect made contact with the victim, or
 - (b) the nature of observable physical marks on the suspect's body allegedly caused by the suspect's contact with the victim, and
2. The suspect is still on-scene; and
3. The assault meets the definition of "family violence: or "dating violence."

900.1.1 RESPONSIBILITY TO KNOW AND COMPLY

The rules of conduct set forth in this order do not serve as an all-inclusive list of requirements, limitations, or prohibitions on employee conduct and activities; employees are required to know and comply with all Department policies, procedures, and written directives.

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

The OPO declines to make a recommendation.