



ICMS #: 2020-1009

September 18, 2020

Complaint: Ms. [REDACTED] submitted a complaint online to the Office of Police Oversight stating the following:

“I would like to file a complaint regarding two officers that came into my home without permission and one of the officers used extensive force to get in my house which was on called for. Moreover, the way they knocked on my door and caused such a disturbance at my home was unnecessary. I had received a call that my grandfather was pretty much dying and I needed to come home. So naturally, I started crying as I was in complete shock to what I had just been confronted with. Apparently, someone called about a disturbance. Yes, the disturbance was I was literally having a breakdown BECAUSE I’m thousands of miles away from my father who I may not get to see before his ending time. My boyfriend was there support me and all of a sudden I heard someone literally trying to beat down my door down. We were scared, I didn’t know what was happening. When I opened the door, officer [REDACTED] who was the hostile And nasty one was talking to me as if I was the criminal. I asked how could I help him and he stated his reason for coming to my home due to a disturbance. I explained that I received information about my dying father and I was pretty my having a breakdown while trying to figure out how I was going to get home. My boyfriend was on the couch witnessing [REDACTED] said I need to come in your home. I said no you do not I Already told you what the issue was and I did not give him permission. He started to shout and then with strong force pushed my door in and pushed me into the wall entering my home without permission! The door ran over my toe. [REDACTED] standing behind him was the one who acted with character and was kind and pretty much was looking in shock at how [REDACTED] entered my home and pushed my door in. I don’t appreciate [REDACTED] coming into my home, pushing my door in, running over my toe and me into the wall. I will be escalating this matter. As a citizen, I have a right to say do not come in my home. The disturbance could of been anything?! But when I opened my door. I had no bruises, there was nothing abnormal, and we actually talked at the door for a good 2-3 min in which, I specifically told him why I was crying etc. at that point he should have left my home rather using his police power to his advantage. I can be reached at [REDACTED]. I believe one of the badge numbers is [REDACTED], but last names are for sure: [REDACTED] and [REDACTED]

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.

306.4 EXIGENT CIRCUMSTANCES

Exigent circumstances permitting entry into a premises without a warrant or valid consent generally include any of the following: (a) the reasonable belief that a person within is in need of immediate aid; (b) the need to protect or preserve life or avoid injury; (c) imminent escape of a suspect; (d) the reasonable belief that contraband is about to be removed or destroyed; (e) public safety.

200.2 DE-ESCALATION OF POTENTIAL FORCE ENCOUNTERS

When safe and reasonable under the totality of the circumstances, officers shall use de-escalation techniques to reduce the likelihood for force and increase the likelihood of voluntary compliance.

200.2.1 ASSESSMENT AND DE-ESCALATION

As officers arrive on the scene, observe conditions, and interact with the persons there, they should continue to gather additional relevant information and facts. These assessments, along with reasonable inferences help to develop an understanding of the totality of the circumstances of the incident.

402.1.1 GENERAL GUIDELINES

Officers will not write an offense report when they are the victim of a crime. The victim officer will write a supplement. The offense report will be written by an officer who is not a victim.

110.4.4 INSUBORDINATION

Employees will not be insubordinate. The willful disobedience of, or deliberate refusal to obey any lawful order of a supervisor is insubordination. Defying the authority of any supervisor by obvious disrespect, arrogant or disrespectful conduct, ridicule, or challenge to orders issued is considered insubordination whether done in or out of the supervisor's presence.

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 recommends that this allegation receive a B classification.