



ICMS #: 2020-1376

November 3, 2020

Complaint: Complainant, [REDACTED], filed an online complaint with the Office of Police Oversight stating the following:

“On [REDACTED] night on the way home from work, I turned on a wrong street due to the construction downtown. As I was trying to move out of the way to safely u-turn I was rammed in the side bumper, which caused me to spin 180 degrees. When the officers arrived to the scene they checked on the other party first and took a while before coming to check on me. The first officer that interacted with me quickly asked if I needed to be checked out then went away. No officer asked me for my statement on what happened the entire time we were there, as I was one of the parties involved in the accident. I did not hear anything from the cops until he came to tell me to get my things from the car and issue me a ticket. Which he explained in detail twice to me, once by myself and another time in front of my mother. When my mom came to the scene they were dismissive of her and her questions. Meanwhile the officers laughed and joked with the other party involved in the accident. They let the tow truck go with my moms car on it before the driver was given the address on where to tow it to. They excused this mistake by stating he was busy filling out the police report, which wasn't completed for at least an hour after tow truck took the car away. When we were trying to locate the truck to give the driver the correct information the officers involved were hesitant to help. I felt they acted very unprofessional and treated me with less respect than they had given the other party involved. I was confused as to why their demeanor changed when they talked to the other party as opposed to mine. It upset me that my feelings and perspective were not taken into consideration at all. [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.

304.3.2 WHEN DMAV USE IS REQUIRED

This order is not intended to describe every possible situation where the system may be used. In some circumstances it is not possible to capture images of the incident due to conditions or



location of the camera however the audio portion can be valuable evidence and is subject to the same activation requirements.

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.

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.