



NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-0546

June 4, 2021

Complaint: The Office of Police Oversight received two complaints from two different complainants regarding this same incident. The complaint alleges Officer [REDACTED] punched her 15-year old son's face so hard he almost knocked his eye out. This occurred at the [REDACTED] [REDACTED] between [REDACTED] on [REDACTED]. The complaint further alleges Officer [REDACTED] punched him after he had been charged with assault. The complaint references APD report [REDACTED]-[REDACTED]

This notice of formal 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.

Recommended Administrative Policies to Review (to include but not limited to):

200.2 DE-ESCALATION OF POTENTIAL FORCE ENCOUNTERS

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

200.3.1 DETERMINING THE OBJECTIVE REASONABLENESS OF FORCE

Any interpretation of objective reasonableness about the amount of force that reasonably appears to be necessary in a particular situation must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving, and the amount of time available to evaluate and respond to changing circumstances may influence their decisions. The question is whether the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting him.

317.1 HANDLING JUVENILES - PURPOSE AND SCOPE

The purpose of this order is to provide guidance and direction for processing and handling juvenile offenders within APD's jurisdiction. Juveniles are afforded equal protection under the law; however, there are differences in the manner in which juveniles are handled under Texas law. Employees are responsible for participating with and supporting the ideals set forth in Title 3 of the Texas Family Code. These provisions are:

- (c) To provide for the care, the protection, and the wholesome moral, mental, and physical development of children coming within its provisions.



OFFICE OF POLICE OVERSIGHT

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

The OPO recommends this complaint receive an A classification.