



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-0723

July 20, 2021

Complaint: The complainant alleges: Narcs, not in a black and white car but a dark car, who called themselves the Jump Out Boys stopped her daughters, 17 and 22 years old as they were coming back from the swimming pool and asked the 17-year-old if she knew why they were stopping them. Complainant alleges the 17-year-old responded, yes, because I do not have license plates and they have been reported stolen. Complainant alleges her daughter told the officers there were there were minors/juveniles in the back and the other officers came out with their hands on their guns and told them to put their hands up. Complainant alleges the 22-year-old was talking to her on her phone and one of the Jump Out Boys/officers told her to hang up her phone, when she didn't, he took the phone out of her hand and hung it up. Complainant alleges they took the 2 oldest boys and put them in hand cuffs then took the 2 youngest ones out of the vehicle. Complainant alleges the little ones were upset and the 11-year-old was crying and when the daughter tried to calm the younger ones down, the officer told her to shut her mouth and that he was tired of hearing her mouth.

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):

301.2 IMPARTIAL ATTITUDE AND COURTESY

Employees shall provide equal and fair protection of all rights under local, state, and federal law for all members of the community. Law enforcement will be conducted in an impartial and equitable manner.

In an effort to create an organizational culture that is inclusive and nondiscriminatory, employees shall act professionally, treat all persons fairly and equally, and strive to interact with the community in a positive manner. Employees will perform all duties objectively and without regard to personal feelings, animosities, friendships, financial status, occupation or employment status, sex, disability status, housing status, mental health or ability, citizenship, language, national origin, creed, color, race, religion, age, political beliefs, sexual orientation, gender identity, gender expression, ethnicity, or social or ethnic background. Employees will endeavor to understand and respect cultural, national, racial, religious, physical, mental, and other differences.



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

303.3.1 WHEN DEPARTMENT ISSUED BWC SYSTEM USE IS REQUIRED

This section is not intended to describe every possible situation where the system may be used. In some circumstances it may not be possible to capture images of an 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. The BWC should only be activated for law enforcement purposes.

318.3.1 HANDCUFFING DETAINEES

- (a) As a practice, officers should not handcuff lawfully detained individuals. However, situations may arise where it may be reasonable to handcuff a lawfully detained individual.

318.5.1 MIRANDA WARNING

- (a) Officers will administer the Miranda Warning to a subject during a custodial interview/interrogation when questioning begins to focus on the person stopped, becoming accusatory regarding a specific offense.

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

The OPO recommends this complaint receive a B classification.