



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-0628

July 14, 2021

Complaint: Complainant alleges:

"Case Number [REDACTED] Detective [REDACTED] is the lead detective on this case. I feel the officer in charge of my case did not properly investigate for the following reasons: the offender was locally accessible for multiple days after the fact and was neither questioned or contacted; I was repeatedly asked who to contact to find the offender, having to do the investigating for her; During the interview I had with Detective [REDACTED] at the [REDACTED], she stated that, "Some people are into those things" when I explained the details of what happened to me; She conducted an over the phone interview with the perpetrator in order to get his official statement. While I was expected to be in [REDACTED] to do mine in a room with cameras and audio recording; Towards the end of her investigation, of which she told me would take a year or two to complete and only took a few months, she stated that nothing conclusive was found to prove that it was a rape and that at this point it is a he-said-she-said situation because there was no witness to say otherwise; she stated that there is nothing else they can do; Persons that I interacted with immediately after the fact were never interviewed, Persons that were in rooms adjacent to mine were never interviewed; Persons he interacted with that day were never interviewed; I feel that she did the bare minimum in conducting this investigation."

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):

403.2 FOLLOW-UP INVESTIGATIONS

Follow-up investigations may include, but are not limited to:

- (c) Seeking additional information from complainants, witnesses, neighbors, informants, officers and Department employees.
- (d) The incident may require contact with the victim(s) and witness(es) by the assigned personnel to obtain information not uncovered during the preliminary investigation.
- (f) Conducting interviews and interrogations. Arranging for the dissemination of information, as appropriate.
- (i) Collecting physical evidence.
- (n) Reviewing the results of laboratory examinations.



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403.3(c) CASE ASSIGNMENT AND RESPONSIBILITY

When assigned to a case for follow-up investigation, investigators shall proceed with due diligence in evaluating and preparing the case for appropriate clearance or presentation to court personnel for the filing of criminal charges.

403.4 STATEMENTS AND CONFESSIONS

The purpose or objective of a statement or confession is to take lawful and accurate statements that corroborate the elements and details of an incident. In doing so, investigators and supervisors will be cognizant of such factors as the mental and intellectual abilities of the subject being interviewed and the duration of the interview itself. Written and oral statements or confessions should not be utilized as the sole basis for the filing of charges; any statement or confession should be corroborated by other legally obtained evidence or verified in an appropriate manner.

900.4.3 NEGLECT OF DUTY

Employees will satisfactorily perform their duties.

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.