

**COMPLAINT FORM**

<b>Date Complaint Received</b>	02/24/2017	<b>Time</b>	01:05	<b>Hours</b>
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<b>Complaint Received</b>	TELEPHONE	<b>Type of Complaint</b>	EXTERNAL	<b>Nature of Complaint (check one)</b>	COURTESY
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**Complainant**

<b>Name &amp; Personal Data</b>	<b>Name</b>	<b>Race</b>	<b>Sex</b>	<b>Date of Birth</b>
	██████████ RANEISHA ██████████	B	F	All Conf. Info
<b>Home Address</b>	<b>Street, City, State, Zip</b>			<b>Home Phone</b>
	██			- -
<b>Work Address</b>	<b>Employer, Street, City, State, Zip</b>			<b>Work Phone</b>
	METRO AMBULANCE,			- -

**Incident**

<b>Date Incident Occurred</b>	02/10/2017	<b>Time Incident Occurred</b>	00:29	<b>Location Incident Occurred</b>	1933 POWDER SPRINGS RD/MILFORD MARIETTA, GA30008
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**Narrative of the Circumstances Surrounding the Complaint**

On 02-24-17 Ms. Toombs Stroman left a message stating Officer Alcaraz conducted a traffic stop on her vehicle on 02/10/2017 and she stated he was unprofessional and that he was being untruthful about the traffic offense that he stopped her for.

Officer Alcaraz is accused of violating Code of Conduct Policy 1.25 Courtesy

Code	Officer Name	Code #	Assignment	Date Empl.	Race	Sex
AC	ALCARAZ, ANDRES	2569	CCPD, PCT5, 2100, MORN	08/31/2015	W	M

All Conf. Info

## Supervisor

### Supervisor's Action Towards Resolution of the Complaint

On February 24, 2017 I received a message to call Reneisha [REDACTED] regarding a complaint against an officer. I called Ms. [REDACTED] and she explained Officer Alcaraz pulled her over on Powder Springs Road on February 10, 2017 around 0030 hours. Ms. [REDACTED] said Officer Alcaraz was very unprofessional and although he issued her a citation for Failure to Maintain Lane, she did not believe he was being truthful about the offense. Ms. [REDACTED] said when Officer Alcaraz activated his blue lights she turned on her hazard flashers and did not stop immediately because the area was very dark and she wanted to stop where she felt more comfortable, so she continued to the parking lot of the Regions Bank which is located at the intersection of Powder Springs Road and Macland Crossing Circle. She said when Officer Alcaraz approached her vehicle he did not introduce himself, ask for her driver's license, or explain the reason for the stop. She said his first question was, "Is that your father?" referring to the male sitting in the front passenger's seat. Ms. [REDACTED] told me the male was actually her date. She said Officer Alcaraz asked her how old she was because he was trying to determine if she was under age. She also said Officer Alcaraz repeatedly asked her why she did not stop immediately and he told her, "When I cut my blue lights on, you stop." She said he made her feel wrong for driving to a lit location where she felt more comfortable. She also said Officer Alcaraz asked who the owner of the vehicle was, and she told him it was her vehicle. However, Officer Alcaraz told her several times her name was not on the registration, but her name is listed on the registration as a secondary owner. She said she found his line of questioning regarding her passenger and her age unprofessional, and she also believed it was unprofessional that he did not ask for her driver's license and explain the reason for the stop. Ms. Toombs said she gave Officer Alcaraz her driver's license and registration on her own and she had to ask him why he stopped her. When he explained he was looking for DUI's, yet verbally acknowledged she had not been drinking, she thought it was unprofessional that he did nothing to ask her questions concerning drinking and driving. She also complained that after he issued her the citation, Officer Alcaraz completed the stop by turning around and walking away without saying anything to her.

I reviewed Officer Alcaraz's video from his patrol car. The 1 minute pre record captures Ms. [REDACTED] vehicle weave within its lane and it appears to touch the line several times. Officer Alcaraz was calm and polite throughout the incident, and he was not discourteous. He did ask if her passenger was her father, and he did ask her how old she was. He also said he was trying to determine if she was underage. He did ask for her drivers license within 22 seconds of meeting with the driver. He initially got focused on the fact she did not immediately stop and he questioned her numerous times about this. He also told her that she needed to stop immediately when he turned on his blue lights despite the fact she explained she did not want to stop in an unlit area where she did not feel comfortable. Officer Alcaraz also made issue about ownership of the vehicle when in fact, he did overlook Ms. [REDACTED] name was listed on the registration. He did not explain the reason for the stop until Ms. [REDACTED] asked him about this approximately eight (8) minutes after the stop.

I then met with Officer Alcaraz on February 24, 2017 and discussed Ms. [REDACTED] concerns. He explained he was not trying to be offensive with any of his comments or questions. Officer Alcaraz said he asked about the passenger and asked about her age because she looked young and he believed the reason she may not have stopped immediately was because she was an inexperienced driver and possibly did not know what to do. He also said he questioned her repeatedly about not stopping because he thought it was suspicious and believed there was a possibility the driver was thinking about eluding or the occupants were possibly using the time to conceal drugs or other contraband. I explained to Officer Alcaraz that he should not ignore behaviors he deems suspicious, and I advised him that drivers have the right to proceed to a location they believe is safe to stop, particularly when they have activated their emergency flashers or turn signal to indicate an intent to stop. To further expand his understanding of this issue, I used an example of suspects who have impersonated police officers with blue lights on their vehicles to perform traffic stops on females at night. Officer Alcaraz also said he questioned her about ownership of the vehicle and he admitted he did not see her name listed as the secondary owner on the registration until she pointed it out to him. I asked him why ownership of the vehicle was important in this case, and he said he believed she was being dishonest and he was suspicious of criminal activity. I asked Officer Alcaraz why he did not explain the reason for the stop upon his initial approach. He admitted he was so focused on his belief that her failure to stop immediately distracted him from his normal routine on traffic stops. He acknowledged he was trained to explain the reason for the traffic stop upon initially meeting with the driver on a traffic stop. I explained to him that he conducted the traffic stop based upon the suspicion that the driver may have been impaired because she failed

to maintain her lane, but he never asked her if she had been drinking. He acknowledged that he did not handle the incident in the manner he typically does for drivers suspected of DUI. Officer Alcaraz also said he completed the traffic stop and walked back to his patrol car without saying anything to Ms. Toombs because she had been argumentative and had an "attitude". He explained he did not want to tell her to "have a good night", which is customary for him, and he did not know what else to say. I advised him that an appropriate statement of conclusion is, "Be careful" or "Be safe". Finally, I replayed the events of this traffic stop in detail with Officer Alcaraz and I explained an alternative sequence of events and alternative verbiage that would have been more appropriate and consistent with his training and within the procedures of the Cobb County Police Department.

## **SUPERVISOR'S RECOMMENDATION**

Cobb County Code of Conduct Policy 1.25 Courtesy states:

Personnel shall at all times be courteous and respectful to the public and to one another. Personnel shall be tactful in the performance of their duties, shall control their tempers, and exercise patience and discretion. In the performance of their duties, personnel shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice concerning sex, gender, race, ethnic background, religion, age, politics, national origin, lifestyle, or similar personal characteristics.

Although Ms. [REDACTED] perceived Officer Alcaraz as unprofessional, none of Officer Alcaraz's actions constitute a lack of courtesy or unprofessionalism. They were, however, unconventional and are a result of his inexperience. Officer Alcaraz completed Phase II of his training approximately eight (8) months ago and he is still learning. I have reviewed numerous video recordings of traffic stops Officer Alcaraz has made and he has always been polite, professional, and acted within the guidelines of policies of this department. I counseled Officer Alcaraz on the issues derived from this complaint and he was receptive. I recommend the status of this complaint to be Exonerated.

[03/07/2017 02:49, TRULOB, 1655, DPS]

Employee's Signature: Andros Alcaraz Date: 3-16-17  
 Employee's Name: Andros Alcaraz Badge #: 2569  
 Supervisor's Signature: RECKSHER Date: 03/03/2017  
 Supervisor's Name: HECKSHER, R E JR Badge #: 0444  
 Lieutenant's Signature: LT. B.T. TOMIOWE Date: 3-15-17  
 Lieutenant's Printed Name: LT. B.T. TOMIOWE  
 Captain's Signature: R.C. FISHER Date: 03/15/17  
 Captain's Printed Name: R.C. FISHER  
 Major's Signature: BS BATTEN Date: 03/15/17  
 Major's Printed Name: BS BATTEN  
 Deputy Chief's Signature: C. Coy Date: 03/17  
 Deputy Chief's Printed Name: C. Coy  
 Chief's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Chief's Printed Name: \_\_\_\_\_

(25)

**FOR USE BY INTERNAL AFFAIRS UNIT ONLY**

Date PD-82 Received in Internal Affairs Unit: \_\_\_\_\_

**Informal Complaint**  
 Date Place in Preliminary File: \_\_\_\_\_ File Name: \_\_\_\_\_  
 Approved By: \_\_\_\_\_

**Formal Complaint**  
 Control Number Assigned: \_\_\_\_\_ Date Assigned: \_\_\_\_\_  
 Type of Complaint: \_\_\_\_\_  
 Investigated By: \_\_\_\_\_ Services  Internal Affairs Unit

# Redaction Log

Total Number of Redactions in Document: 2

## Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	All Conf. Info	<p>O.C.G.A. § 50-18-72(a)(20) - Records that reveal an individual's social security number, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information, insurance or medical information in all records, unlisted telephone number if so designated in a public record, personal e-mail address or cellular telephone number, day and month of birth, and information regarding public utility, television, Internet, or telephone accounts held by private customers, provided that onitemized bills showing amounts owed and amounts paid shall be available. Items exempted by this subparagraph shall be redacted prior to disclosure of any record requested pursuant to this article; provided, however, that such information shall not be redacted from such records if the person or entity requesting such records requests such information in a writing signed under oath by such person or a person legally authorized to represent such entity</p> <p>which states that such person or entity is gathering information as a representative of a news media organization for use in connection with news gathering and reporting; and provided, further, that such access shall be limited to social security numbers and day and month of birth; and provided, further, that the news media organization exception in this subparagraph shall not apply to paragraph (21) of this subsection.</p>	1

## Redaction Log

Page	Reason	Description	Occurrences
2	All Conf. Info	<p>O.C.G.A. § 50-18-72(a)(20) - Records that reveal an individual's social security number, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information, insurance or medical information in all records, unlisted telephone number if so designated in a public record, personal e-mail address or cellular telephone number, day and month of birth, and information regarding public utility, television, Internet, or telephone accounts held by private customers, provided that onitemized bills showing amounts owed and amounts paid shall be available. Items exempted by this subparagraph shall be redacted prior to disclosure of any record requested pursuant to this article; provided, however, that such information shall not be redacted from such records if the person or entity requesting such records requests such information in a writing signed under oath by such person or a person legally authorized to represent such entity</p> <p>which states that such person or entity is gathering information as a representative of a news media organization for use in connection with news gathering and reporting; and provided, further, that such access shall be limited to social security numbers and day and month of birth; and provided, further, that the news media organization exception in this subparagraph shall not apply to paragraph (21) of this subsection.</p>	1

# Redaction Log

## Redaction Reasons by Exemption

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