



ICMS #: 2019-0740

**Complaint:** [REDACTED], complainant, was the driver of a vehicle stopped by Austin Police Department Officer [REDACTED] on [REDACTED], 2019. During the contact with Officer [REDACTED], it was determined that Mr. [REDACTED] was not the person with an outstanding warrant after being handcuffed and detained by Officer [REDACTED]. Mr. [REDACTED] stated the officer knew he was not [REDACTED] and called his son by the name [REDACTED] because, according to Mr. [REDACTED], Officer [REDACTED] has had contact with "[REDACTED]" in the past. Mr. [REDACTED] stated he does not look like [REDACTED], who is bald; he has dreadlocks. Mr. [REDACTED] alleges Officer [REDACTED] harassed him, was rude, and is too aggressive.

**Additional information:**

This case actively being investigated under ICMS #2019-0747. Any findings from that investigation will be relayed to the complainant via a close-out meeting should the complainant so choose.

**Administrative Policies to Review:**

**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.

(a) Employees will not express or otherwise manifest any prejudice concerning race, religion, national origin, age, political affiliation, sex, or other personal characteristics in the performance of their duties.

1. Employees will respect the rights of individuals and will not engage in discrimination, oppression, or favoritism whether by language, act, or omission.

2. The use of racial or ethnic remarks, slurs, epithets, words or gestures, which are derogatory or inflammatory in nature to or about any person or group of persons is strictly prohibited.

(b) Employees will be tactful in the performance of their duties, control their tempers, exercise patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation.



(a) Employees will make every effort to be courteous and respectful toward all persons.

**900.3.2 ACTS BRINGING DISCREDIT UPON THE DEPARTMENT**

Since the conduct of personnel both on-duty or off-duty may reflect directly upon the Department, employees must conduct themselves at all times in a manner which does not bring reproach, discredit, or embarrassment to the Department or to the City.

(a) Employees will not commit any act which tends to destroy public confidence in, and respect for, the Department or which is prejudicial to the good order, efficiency, or discipline of the Department. [REDACTED]

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

***The OPO recommends that this allegation receive an A classification.***

