



ICMS: 2019-0856

November 4, 2019

**Date of Complaint:** 08/20/2019

**Complaint:** Officer [REDACTED] may have violated Austin Police Department (APD) policy during an interaction with [REDACTED] while she was detained. The Office of Police Oversight (OPO) is the complainant.

**Additional Information:** This complaint originated from an Internal Affairs Complainant Contact Form regarding another individual, [REDACTED]. The OPO conducted a preliminary review of the available information. The OPO has determined that Officer [REDACTED] may have violated APD policy when he made a comment appearing to express skepticism about Ms. [REDACTED] going to visit her children. Additionally, when Ms. [REDACTED] stated that she found the comment rude, Officer [REDACTED] appeared to engage in an argumentative discussion which may also be a policy violation.

**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 equitable 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.

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

**900.1.1 Responsibility to Know and Comply**

The rules of conduct set forth in this order do not serve as an all-inclusive list of requirements, limitations, or prohibitions on employee conduct and activities; employees are required to know and comply with all Department policies, procedures, and written directives.

- (a) Employees will maintain a working knowledge and comply with the laws, ordinances, statutes, regulations, and APD directives which pertain to their assigned duties.
- (b) Employees who do not understand their assigned duties or responsibilities will read the relevant directives and guidelines, and will consult their immediate supervisor for clarification and explanation.
- (c) A lack of knowledge of an APD written directive is not a defense to disciplinary action.

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



*The OPO recommends that this allegation receive a B classification.*