



ICMS #: 2020-0131

February 26, 2020

Complaint: The Office of Police Oversight (OPO) is the complainant. The Office of Police Oversight received an online complaint alleging that Austin Police Department (APD) officers may have violated APD policy when they responded to [REDACTED] home for a call for service regarding a road rage incident in which she was involved. The complaint states, in part, as follows:

“...when these two officers arrived at my home instead of taking my report they insulted me repeatedly. My entire exchange with the officers were them talking down to me, making snarky comments about how I should have reported what happened sooner and dismissed the fact that I had evidence without taking the time to acknowledge it or even look at it...As soon as I left, I immediately said out loud this is EXACTLY why people hate the police. These officers were sent to my home to record evidence and take a police report from me. Instead they refused to take the report based on their own racism. They wrote me off as a black woman being hysterical and just wrong as if my attorney's legal counsel and the judge who ruled in my case were wrong or as if he knew better than they did.”

This notice of formal complaint is a request for Internal Affairs to initiate an investigation in order 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 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.

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.

900.3.4 PERSONAL CONDUCT

(c) While on-duty or on the premises of City facilities, employees will not:

1. Use loud, indecent, profane, harsh, derogatory language, or use belittling terms in any communications.
2. Ridicule, mock, taunt, embarrass, humiliate, or shame any person, nor do anything that might incite that person to violence.



900.4.3 NEGLECT OF DUTY

Employees will satisfactorily perform their duties. Examples of unsatisfactory performance include, but are not limited to:

- (c) Failure to take appropriate action on the occasion of a crime, disorder, investigation or other condition deserving police attention.

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.

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.

