



ICMS #: 2020-1026

August 26, 2020

Complaint: Mr. [REDACTED] submitted a complaint online to the Office of Police Oversight stating the following:

“Repeatedly followed in town and harassed by ‘AP [REDACTED] - [REDACTED]’ Without warrant. Then was never informed by ‘AP [REDACTED] - [REDACTED]’, I was documented with a GENERAL OFFENSE HARDCOPY for SUSPICIOUS PERSON. Then the report was ‘forwarded to the Austin Regional Intelligence Center to determine if there is a criminal and/or terrorism nexus’ without warrant.”

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):

303.3.1 WHEN DEPARTMENT ISSUED BWC SYSTEM USE IS REQUIRED

This section is not intended to describe every possible situation where the system may be used. In some circumstances it may not be possible to capture images of an incident due to conditions or location of the camera, however the audio portion can be valuable evidence and is subject to the same activation requirements. The BWC should only be activated for law enforcement purposes.

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 a B classification.