



ICMS #: 2020-1611

November 9, 2020

**Complaint:** I want to report a very disturbing incident which took place at the [REDACTED] on [REDACTED] at [REDACTED]. This is separate from the disruption of the march by Proud Boys, assorted other white supremacists, and Trump supporters, and from APD's inaction in the face of sexual and physical assaults by those white supremacists. The incident happened after almost everybody has disbanded. I was leaving the march. I left the East park at the East steps leading up to the street. I passed an officer sitting in his patrol car, an SUV black-and-white. The vehicle was [REDACTED], about 150 feet [REDACTED]. I looked at him and gave him a thumbs-up, thinking I'll thank him for being there. He flashed me the "OK" sign. I didn't think anything of it until later when I was looking at some pics of the march and saw that sign flashed by the white supremacists. At that point, I realized that the officer was not signaling "OK", but "White Power!" I did not have the presence of mind to recognize the sign for what it was and to challenge it immediately. I wish I noted his patrol car's identifier. I am almost certain that there was only one squad car at the scene at that time. If APD squad cars have GPS tracking of its location, that will put the vehicle and the officer driving it at that point, at the scene. My Google Timeline record puts me at the scene as well. So it will come down to whether or not the officer made the "W.P." white supremacist sign or not. I know that it will be my word only as to what happened, but I know what I saw. As an Austinite, it is my duty to call it out. What is more dangerous than a militarized police department is a militarized police department that harbors brazen white supremacist officers. Austin deserves far better. It is unacceptable that APD includes white supremacists in its ranks. It is doubly unacceptable that APD includes white supremacists brazen enough to flash a "White Power!" sign to a woman who was obviously a [REDACTED] participant, carrying a bullhorn and wearing a dress in transgender pride colors. I am reporting it here, and informing three Austin City Councilpersons, multiple news outlets, and several civil rights organizations. I request that this incident be investigated.

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):**

**105.1 PURPOSE AND SCOPE – COMMUNITY POLICING**

The purpose of this general order is to identify the tenets of Community Policing, which serves as the basis for this Department's mission and guiding principles. Community Policing is beyond a philosophy, it is a practice. The Austin Police Department is committed to Community Policing which strives to build mutual respect, collaborative partnerships, fair and impartial policing, and procedurally just behavior with the community that we serve. The Department's goal is to have an understanding of the traditions, culture, and history of the neighborhoods in which they serve in order to develop proactive solutions to problems and increase overall trust in policing.



### 300.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

### 301.1 PURPOSE AND SCOPE – RESPONSIBILITY TO THE COMMUNITY

All persons deserve protection by fair and impartial law enforcement and should be able to expect similar police response to their behavior wherever it occurs. Employees will serve the public through direction, counseling, assistance, and protection of life and property. Employees will be held accountable for the manner in which they exercise the authority of their office or position. Employees will respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment.

### 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.

[Redacted]

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

***The OPO declines to make a classification recommendation.***