



ICMS #: 2021-0065

February 12, 2021

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

“ [REDACTED] On or about [REDACTED], APD officer [REDACTED], [REDACTED], interrupted, startled, and blocked my jogging activities to tell me that Balcones Park is closed. He also asked me if something was wrong with me. I told the officer that I had jogged the same route for over 300 straight days, and I was trying to run my five miles in the rain and get back home safely. I was wearing jogging clothes and a reflective vest. I had a flashlight in one hand and a bottle of water in the other hand. I don't understand how something could have been wrong with me after he startled, disrespected, and blocked me from running or jogging out of the parking lot with his vehicle. I also told him that I am a board member of the Millwood neighborhood Association. I am a Black male that has lived in the same neighborhood for over 31 years, and a few police seem to cause problems where there are no problems. When I do have a problem and call the police, they write a report and say they are inundated with other activities to solve a problem. It is a frustrating situation. I am too old to be dealing with police officers that are not helpful and friendly. It seems now that a Black man cannot jog in my neighborhood without the police blocking me with their vehicle to ask me if anything is wrong with me and say the park is closed and being disrespectful. If [REDACTED] [REDACTED] wants to stop me, at least he can be friendly and kind about it. I did not appreciate his rude behavior. All I was trying to do is jog my nightly five miles and get back home safely without going to jail. I hope only a few police officers are like [REDACTED]. When someone is rude and disrespectful, like [REDACTED], someone needs to be aware of his behavior. I completed my five-mile jog on [REDACTED], without incident. Thank God.”

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.

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,



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

friendships, financial status, sex, creed, color, race, religion, age, political beliefs, sexual orientation, gender identity or gender expression or social or ethnic background.

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.

