



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-0925

September 7, 2021

Complaint: Complainant alleges he was in the 144-cadet class, and he has been discriminated against for comments/opinions while participating in various scenarios in class. Complainant alleges during his introduction in class he shared information about constant harassment and encounters by the [REDACTED] Police Department. Complainant alleges he believes he was treated differently because his last name is [REDACTED] and his family has had run ins with the police, but it has nothing to do with him because he has never been in trouble with the police. Complainant alleges after his options/feedback in class he was told by one of his mentors that a cadet had given a hate speech and they did not want that cadet in the police department. Complainant alleges after those other cadets seemed upset with him and they treated him differently. Complainant alleges once after he gave his option about other scenarios in class he was taken out of the classroom and Corporal [REDACTED] gave him other scenarios outside of class and asked him questions that he had not been trained in. Complainant alleges once a Guest speaker attended their class and ask for the cadets to share their stories. Complainant alleges the other cadet wanted him to tell his story about [REDACTED] again, so he told the same story as before. Complainant alleges afterwards Corporal [REDACTED] said he never put those encounters on his background check and asked him to write it up. Complainant alleges afterwards he got called out of class one day and was told they were investigating his statement and [REDACTED] PD had been contacted and they sent them his statement and any help he needed APD was there to help. Complainant alleges he never talked to them about it again. Complainant alleges that [REDACTED] morning after he took his test he was called out of class and told he was being terminated for willingly admitting the information in his statement. Complainant alleges he told them he never knew there was a space on his application for him to put that information about the encounters with [REDACTED] and he did not willingly intend to deceive anybody and the information in the statement was offered the first day of class and it was not a problem then. Complainant alleges he thinks it was retaliation for his comments/opinions during cadet interactions in class. Complainant alleges he spoke to other officers who told him they thought they only had to write if they had been arrested not if there had been encounters with the police.

This notice of formal complaint is a request for Internal Affairs to initiate an investigation to determine if the employee conduct is within compliance of APD policy, Civil Service Rules, and Municipal Civil Service Rules.



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Recommended Administrative Policies to Review *(to include but not limited to):*

914.2 POLICY

The Austin Police Department is committed to providing a work environment that is free of discrimination, harassment, sexual harassment, and retaliation and that ensures equal employment opportunities for all employees. Discrimination, harassment, sexual harassment, and retaliation based on a protected class, in any form, as defined in federal, state, or local law, will not be tolerated. Protected classes include race, color, religion, creed, sex, gender, pregnancy status, genetic information, sexual orientation, gender identity, national origin, ethnicity, age, disability, and veteran status or other legally protected class.

Every employee is responsible for maintaining a professional environment free of discrimination, harassment, sexual harassment, and retaliation, and for bringing to the City's attention conduct that interferes with providing a work environment free of discrimination, harassment, sexual harassment, and retaliation.

Findings of discrimination, harassment, sexual harassment, or retaliation against an employee may result in discipline up to and including discharge or indefinite suspension.

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

The OPO declines to make a recommendation.