



ICMS #: 2020-0204

March 16, 2020

Complaint: Ms. [REDACTED], complainant, alleges that Austin Police Department (APD) officers may have violated APD policy during an incident in which she called for a mental health officer and no mental health officer or EMS was sent. She alleges that the four responding officers “got on the intercom,” the whole neighborhood came out and “laughed at us,” the “officers had shotguns in their hand,” and that they were “terrified.” [REDACTED] states that they needed help and “APD failed to help.”

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):

301.1 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.

445.2 INCIDENTS REQUIRING A CIT OFFICER

- (a) If the incident is an emergency involving a person in mental health crisis, a CIT officer will be dispatched as the primary responding officer. If a CIT officer is not available, any patrol officer will be dispatched immediately and a CIT officer will respond as soon as possible.
- (b) If the incident is non-emergency in nature, a CIT officer shall respond as the primary officer, with the exception of an emergency room transport of a POED to a psychiatric hospital (secondary transport)..
- (c) The following incidents also require the response of a CIT officer:
 1. Any situation where the responding officer believes that a person's mental health is adversely affecting the persons behavior (e.g., attempted suicide, suicidal subject, Peace Officer Emergency Detention (POED) evaluation).
 2. Any request from a member of the community for a CIT officer.



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.

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 term in any communications.
2. Ridicule, mock, taunt, embarrass, humiliate, or shame any person, nor do anything that might incite that person to violence.

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.