



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-0963

October 4, 2021

Complaint: Complainant alleges Sgt [REDACTED] ask her to leave the premises and she left and went to a friend's house. Complaint alleges Officers picked her up from her friend's and brought her back to the scene of the incident to just stand and watch her fiancé being arrested. Complainant alleges her fiancé was calling her name and she tried to run after him, and an officer restrained her. Complainant alleges she has injuries on her body from the officer restraining her. Complainant alleges she does not agree with SWAT being called because her finance was not doing anything. Complainant alleges her fiancé was told to come out and he did. Complainant alleges she was told it was a standoff and she thinks it is because they own two guns and it not illegal to own guns that are registered, and her fiancé was not pointing them or using them or threatening anyone. Complainant alleges her fiancé is incarcerated and he is not getting the meds he needs.

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.

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

301.2 IMPARTIAL ATTITUDE AND COURTESY

Employees shall provide equal and fair protection of all rights under local, state, and federal law for all members of the community. Law enforcement will be conducted in an impartial and equitable manner.

In an effort to create an organizational culture that is inclusive and nondiscriminatory, employees shall act professionally, treat all persons fairly and equally, and strive to interact with the community in a positive manner. Employees will perform all duties objectively and without regard to personal feelings, animosities, friendships, financial status, occupation or employment status, sex, disability status, housing status, mental health or ability, citizenship, language, national origin, creed, color, race, religion, age, political beliefs, sexual orientation, gender identity, gender expression, ethnicity, or social or ethnic background. Employees will endeavor to understand and respect cultural, national, racial, religious, physical, mental, and other differences.

The City of Austin is committed to compliance with the American Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.



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303.3.3 WHEN DEPARTMENT ISSUED BWC SYSTEM DEACTIVATION IS AUTHORIZED

Once the BWC system is activated it shall remain on until the incident has concluded or until deactivation is permissible in accordance with this order.

402.2 INCIDENT REPORTING

A well-written report can help make a case just as easily as a poorly written report can ruin a case. Employees have the responsibility to write clear, factual, and complete reports.

402.5 REPORTING THE ACTIVE TARGETING OF A FIREARM AT A PERSON

By the nature of their duties, officers may be required by general orders and training to point their firearm, including impact munitions, and actively target at a person. This section does not create an additional requirement for officers to initiate an incident report; however, officers that actively target their firearm at a person shall properly document the incident as outlined below.

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

The OPO recommends this complaint receive a B classification.