



ICMS #: 2020-1373

August 26, 2020

**Complaint:** Ms. [REDACTED], complainant, submitted a complaint online to the Office of Police Oversight stating the following:

“An Austin police officer going by the tag [REDACTED] on the social media app TikTok calling BLM, and BLM supporters domestic terrorists and monkeys. this racism isn't ok and if needed I will take this to the media with her blatant racism and the allowance of her abusing her social media platform to be hateful towards others by calling them racial slurs and on forth If a police officer like her is going to be working for the Austin police department something needs to be done about her racism and hatefulness towards POC and others. Cause it puts others at risk, and I am afraid if something isn't done about this someone might be hurt by her acts and beliefs.

[https://\[REDACTED\]](https://[REDACTED])

*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):**

**301.2 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.

**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.

**972.2 POLICY**

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the orders and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Austin Police Department will carefully balance the individual employee's rights against the Department's needs and interest



when exercising a reasonable degree of control over its employees' speech and expression. This policy is not intended to restrict employee speech that is protected by the First Amendment.

#### 972.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Austin Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Austin Police Department or its employees.

#### 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.

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

***The OPO recommends that this allegation receive an A classification.***