



## OFFICE OF POLICE OVERSIGHT

### NOTICE OF COMPLAINT

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March 3, 2023

ICMS #: 2023-0183

On March 2, 2023, the OPO received a phone complaint.

**The complainant alleges:** He was in Austin on business. It took about 3 or 4 hours to rent a car from [REDACTED] at the [REDACTED]. He drove the vehicle to the hotel. He checked into his hotel. The next day after returning from work he noticed the hotel was poorly ventilated which was due to previous flooding at the hotel. The complainant left that hotel the next day and check into another hotel. When the complainant left the hotel to go to the store, he noticed the smell of marijuana. He continued to check the vehicle and discovered marijuana residue. He found a considerable amount of marijuana in the vehicle. He was concerned and did not want to have any type of safety issues, so he took pictures and contacted his company's HR department who informed him to contact the rental car company. The complainant did inform [REDACTED] and they reimbursed his company for the rental. He called 911 to report the marijuana incident and to get a police report issued. During first contact with 911 he informed them he would be at the hotel and requested an officer. 911 requested his room number. The complainant did not feel comfortable providing his room number so stated he would meet the officers in the lobby of the hotel. Sgt. [REDACTED] contacted him, and he informed him of the incident. The complainant told the officer he did not feel comfortable disposing the marijuana and requested an officer to come out, dispose the marijuana and make a formal police report. The officer continued to question the complainant about the quantity of marijuana. The complainant told the officer he was knowledgeable in that area. The officer told him that his situation was not a priority and that there were more violent crimes to tend to but if it was a reasonable amount of marijuana, they would send someone out. The complainant informed the officer that it was a reasonable amount, and an officer should come out. From [REDACTED] to about [REDACTED] no officer responded. Another officer finally contacted the complainant, and he told him the same thing he told the previous officer and again requested an officer to come out. The complainant has video of the interaction with APD. Around [REDACTED] another officer called him asking him the same questions as asked before. Basically, the officer told him he needed to dispose of the marijuana himself because he should have done an inspection of the vehicle before it was rented. Officers did arrive on the scene, but they never got out of their



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vehicle to examine the rental car or dispose of the marijuana. The complainant felt criminalized and highly uncomfortable with the experience that he had with APD.

*This notice of 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.*