



ICMS #: 2020-0283

April 6, 2020

Complaint: Mr. [REDACTED], complainant, alleges that Austin Police Department (APD) officers may have violated APD policy during an interaction with him. Mr. [REDACTED] alleges that the following occurred:

“I was at the [REDACTED] requesting to speak to a supervisor or get contact information for one. The lady at the front desk told me that one wasn't in and that she was going to call the cops on me if I didn't leave. I told her to go ahead so I could explain that y'all charged me for a room that I wasn't allowed to stay in. Officer [REDACTED] and Officer [REDACTED] arrived and asked/ told me to get out of the lobby. Officer [REDACTED] put his hand on me without notice and frisked me. I asked him what he was doing? His reply, I'm checking you for weapons. Officer [REDACTED] seemed very agitated with me and he seemed not to be able to speak with me. I asked Officer [REDACTED] if we could talk and I could explain what had taken place before they arrived. We talked and then Officer [REDACTED] told me he would get me a supervisor's contact info and came out with a paper that had a .com address. I was then told to leave the property or I would be arrested for a criminal trespass. I don't know why it took two officers to come.”

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

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.



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.

