



OFFICE OF POLICE OVERSIGHT

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Office of Police Oversight Formal Complaints: June 1 to June 10, 2020

Between May 29th, 2020 and June 10, 2020, The Office of Police Oversight was contacted 895 times regarding complaints against the Austin Police Department.

- 107 by online form
- 387 by phone
- 401 by email

Of these, the Office of Police Oversight is recommending 227 complaints for formal investigation by the Internal Affairs division of the Austin Police Department. The 227 formal complaints are representative of 606 individuals who contacted the Office of Police Oversight to file a complaint.

Due to the sheer volume of these complaints, the Office of Police Oversight has compiled complaints by date.

- June 1, 2020: 35
- June 2, 2020: 45
- June 3, 2020: 44
- June 4, 2020: 33
- June 5, 2020: 26
- June 8, 2020: 13
- June 9, 2020: 21
- June 10, 2020: 10

Complaints are redacted to remove personal or identifying information. If you have any questions, please email policeoversight@austintexas.gov.



ICMS #: 2020-0868

June 5, 2020

Complaint: The Office of Police Oversight received a complaint from [REDACTED], complainant, stating as follows:

“Hello,

My name is [REDACTED]. I am emailing in regard to the tactics that were used on peaceful protesters in Austin Texas the weekend of [REDACTED]. I was one of the thousands that went out that weekend and what I witnessed cannot be undone and especially not ignored. Officers used rubber bullets, tear gas, bean bag rounds, batons and pepper spray. I saw a pregnant woman be shot in the abdomen with a rubber bullet and collapse and be carried by multiple people to safety. As they were carrying this woman they continued to shoot at the people carrying her to safety rather than protecting their citizens as they undoubtedly should. Officers were standing on the [REDACTED] shooting protesters below them. People were shot at random, most with their hands up fleeing the scene. Protesters were being sprayed in the eyes point blank simply for standing in front of the officers outside of APD. Two men (men of color) are now in the ICU because they were shot with rubber bullets and bean bags point blank in the head not to mention all the other protesters who were injured as well.

On [REDACTED], the officers deployed tear gas from the top of [REDACTED] that then rolled down the hill to burn protesters on the ground. It was an extremely painful experience and horrendous sight. They continued to shoot throughout the day and later into the night. Many of these officers covered up their badge numbers and had their body cameras turned off.

This is not okay. We fund police officers to protect us and to serve us. Not only did APD completely ignore us and refuse to show any solidarity with its citizens but they abused us and in turn abused the badge. We demand change. Not only should the officers be held accountable for the tactics they used but the medical bills that the victims now have to pay because of this. Please bring justice to the city and its people who suffered from these heinous acts.

Sincerely,

[REDACTED]



ICMS #: 2020-0866

June 5, 2020

Complaint: The Office of Police Oversight received a complaint from [REDACTED], complainant, stating as follows:

“I am incredibly disappointed in the city of Austin’s response to the protests. It is hard to keep up with the growing number of police brutality atrocities being committed over the last several days around the country. But it hits especially hard when it’s a city you hold in esteem. The life of a man ([REDACTED]) may be irreparably damaged because of your carelessness, a man who was fighting against a system that had likely repressed his parents, his parents parents, and so on. I hope that everyone in your department prays for [REDACTED] [REDACTED] recovery and for the futures of young men like him, and for God’s forgiveness. Look inward, be the change.”



ICMS #: 2020-0865

June 5, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“Required information

What happened: [REDACTED] could not control his team

[REDACTED]
[REDACTED]

Optional information

Officer(s) involved: All

Witness(es): Half of Austin

Your contact information for us to follow up with you [REDACTED] [REDACTED]

[REDACTED]



OFFICE OF
POLICE OVERSIGHT

NOTICE OF FORMAL
COMPLAINT

ICMS #: 2020-0864

June 5, 2020

Complaint: The Office of Police Oversight received an online complaint from [REDACTED], complainant, stating as follows:

[REDACTED]



ICMS #: 2020-0862

June 5, 2020

Complaint: The Office of Police Oversight received an online complaint from [REDACTED], stating as follows:

“To Whom It May Concern, My name is [REDACTED], I am a resident of [REDACTED]. I wanted to reach out regarding the disgusting behavior of police officers who are engaged in being on the front lines during protests. Several cops, all of which were on the sides of the defense line, or hiding behind their comrades, were blatantly laughing in the face of people who are asking for justice. As a community, when we bring up people who have been murdered by APD, and in return they are seen laughing at us this only furthers the divide and incites anger. WHETHER THEY BELIEVE IN THE MOVEMENT OR NOT, AS A SYMBOL OF THE PEOPLE WHO ARE SWORN TO PROTECT AND SERVE IT IS UNACCEPTABLE TO DISPLAY THAT BEHAVIOR AT SUCH AN EVENT. In the future I will bring a better camera to try and capture these officers’ badges. If they cannot uphold empathy for this very serious situation, they have no place being in the front lines or a part of the force. These officers are a complete burden to your force and their behaviors will only further soil your name as an organization and anything good you may stand for. One officer in particular who was seen at the front lines showing face was [REDACTED], who is also the [REDACTED]. He was smiling cowardly for over 30 minutes into the crowd of desperate protestors looking for unity. As the [REDACTED], he also is an advocate for officers who should have lost their badge and privilege to serve, this is not going unnoticed by the community. He is encouraging people to be violent through his small actions of smiling into the protestors eyes. Many have pictures of him and are completely disgusted. He not only is an officer, but the [REDACTED] which has large PAC funds and ties with other sectors of the city and his behavior is DISGUSTING.”



ICMS #: 2020-0860

June 5, 2020

Complaint: The Office of Police Oversight received a complaint from [REDACTED], complainant, stating as follows:

“I saw video of [REDACTED]. The incident was really inappropriate and the officers in the video need to be ID’d and disciplined and I think that [REDACTED] and [REDACTED] both need to issue statements about how this is going to be different in the future and how they are going to direct funds away from the police department, away from the weaponization/militarization of the police department and toward other resources for the community--community organizations or other government initiatives that protect and support the community.

The officers should be ID’d and disciplined and should lose their jobs.”



ICMS #: 2020-0859

June 5, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

"I would like to file a complaint of APD on behalf of all the peaceful protestors who had hopes to remain peaceful throughout the weekend. The police moved on peaceful citizens and damaged the protestors, harming many young people, some of whom will have lifelong, irreversible physical, emotion, and mental damage. How dare APD hurt peaceful citizens. There is no way to turn down these complains, as the videos show APD acting aggressively. The videos show an evil, militarized police force who hates the people of Austin. How disgusting. [REDACTED] must immediately step down. Fire the officers that killed [REDACTED]. [REDACTED] must immediately step down. APD must be defunded. Invest all APD funds in public health, housing, and direct pandemic assistance. The following programs must immediately be cut: -funding for new officers and the new cadet class -weapons used against protestors -the Fusion Center -surveillance -Driver License readers -the AISD police force We demand immediate, major, and progressive action. We are done being hurt, killed, and unheard by people who are meant to protect us. No protection has been seen. Take immediate action, or citizens will have to continue to take action ourselves."



ICMS #: 2020-0858

June 5, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“I was peacefully protesting the death of [REDACTED]. I had my camera in hand, taking photos of the crowd. In my mind, if I was closer to the police officers, then I was safer. I was wrong. The police jumped down from [REDACTED] and went to arrest multiple people in the middle, and [REDACTED]. I went to take a photo and was pepper sprayed all along my face and right side of my body. Myself nor anyone around me was doing anything to deserve pepper spray. The action was not on our side, the use of pepper spray was just in case someone acted crazy and I truly don't think anyone was about to act crazy on our side. There was no need for excessive force or the use of pepper spray. In my photo, the drops around the image is pepper spray.”



ICMS #: 2020-0890

June 5, 2020

Complaint: The Office of Police Oversight received an online anonymous complaint alleging the following:

“I was shot excessively by bean bag rounds (more than half a dozen times) by APD officers at the [REDACTED] resulting in near paralysis of my entire left arm”



ICMS #: 2020-0889

June 5, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

"I spent much of Thursday afternoon and evening watching the city council emergency meeting and the appalling testimonials from the residents of our city who were brutally attacked by Austin Police Department officers during [REDACTED] peaceful protests. In particular, the horrifying and gut-wrenching testimony of [REDACTED] [REDACTED], who APD shot in the head with bean bag rounds as he was standing peacefully to one side of the protests) simply shook me to my core. The agony that [REDACTED] [REDACTED] and his family are experiencing thanks to the brutality of the APD is beyond words. I could see that those in city leadership were also beyond shocked and horrified.

I know that you love this city as much as I do. I know that you are just as horrified as I am at the brutal use of force by the APD during this weekend's peaceful protests. **Please help me understand why [REDACTED] is still [REDACTED] of the APD.** Why was he attending the city council meeting today, wearing the uniform of the APD? Why does [REDACTED] still have a badge? We must hold [REDACTED] accountable for his brutal and ruthless actions, along with every single one of his officers who used brutal force in the form of tear gas, bean bag rounds, and rubber bullets on our peaceful, unarmed Austin residents. We cannot afford to allow this bully and those who support him within the APD to terrorize our beloved city. It's time to clean house at the Austin Police Department.

I don't need to reiterate all the damage [REDACTED] and his officers inflicted upon the peaceful protestors of our beloved city this weekend. For all of us who watched today's emergency council meeting, we just spent hour upon tragic, horrifying hour listening to the heartbreaking testimony of those who were traumatized by APD officers.

What I ask is this: please fire [REDACTED]. Please fire [REDACTED]. Please fire any and all other officers of the APD who are found to have used brutal force against our peaceful protesters this weekend."



ICMS #: 2020-0888

June 5, 2020

Complaint: Mr. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“The bad apples just outed themselves en-mass and as soon as footage can be correlated to actual names they need to be on a list for termination and prosecution.

Incrementalism and policy change will not do. No amount of policy change or oversight is going to make the officers who fired point blank at medics on the ground tending wounded in any way safe to carry a badge or a gun.

I hope you are provided with the resources and cooperation necessary to identify and remove the criminals in blue and the only viable substitute for what looks like a long list of officers and their supervisors to be fired would be to disband the APD as a whole and start from scratch. Their union and the city as a whole should that on the table to know the stakes if the individual and well aimed removal of those who showed themselves on camera unfit to be police officers this weekend is not swift and thorough.

Sincerely... Someone who'd rather remain inactive in local politics but will be pissed off, donating and organizing if this turns into more platitudes committees and policy changes without individual and full accountability of clearly and publicly identifiable bad actors in blue.”



ICMS #: 2020-0887

June 5, 2020

Complaint: Mr. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“Thank you for removing bean bag rounds from service against protestors. What other actions do you plan to take to ensure APD is prepared for future protest situations, to avoid brutality like that against [REDACTED]?”

What are the training procedures for protest zones, and how often are officers given shoot/don't shoot training? Also, what training is given for "less lethal" ammunition, since officers are generally not obeying the instructions to shoot rubber bullets at the ground (where they ricochet into targets with less energy) and are instead firing directly at protestors' chests and skulls?

The community of Austin deserves to have independent regulation for all firearm discharges, and have officers subject to strict accountability both for bullets and "less lethal" ammunition. Unfortunately, the police department can clearly not be counted on to keep all citizens safe, especially people of color. A safer police department is a more accountable police department, and independent regulation will begin that process.

Thank you for your time, and please consider these proposals to ensure the safety of all citizens, especially those exercising their first amendment rights to peaceful protest.”



ICMS #: 2020-0886

June 5, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

"I'm writing as a citizen of [REDACTED] in [REDACTED] to demand that [REDACTED] be charged with second degree murder for the killing of [REDACTED].

I demand the immediate resignation of [REDACTED] for the failure of leadership and the failure to take actions that would insure Austins Police Department would no longer harm BI-POC citizens, or their communities. In addition, his department has harmed peaceful protestors and needs to be held accountable for his officers actions.

I demand that APD and Austin Police Association train their police officers in deescalation tactics, that they no longer carry lethal weapons, and that they undergo regular mental health evaluations to ensure that no officers with violent tendencies are in the force. I demand that APD and APA properly punish and persecute within their own ranks to destroy the violent and racist system that is in place. I demand that APD uses its excessive funding not for weapons of violence, but to give back to the communities they have hurt so deeply.

In addition I demand that any officers involved in brutal violence against protestors on [REDACTED] and [REDACTED] to be prosecuted and held accountable for their actions.

Don't forget that each and every one of you pledged to serve the community.

Black Lives Matter"



ICMS #: 2020-0885

June 5, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating the following:

“A piece of human [REDACTED], that somehow you refer to as a police officer, shot an unarmed man in the head with a rubber bullet. His offence was standing still in a protest. Your Dept. has since claimed it was a necessary action and I hope you try to find a way to sleep at night being apart of this incompetent, murderous organization.”



ICMS #: 2020-0884

June 5, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“I’m writing to express my deep concerns about APD’s treatment of peaceful protestors. I have seen APD use excessive force and violence against peaceful protestors, such as tear gas and rubber bullets, causing serious bodily harm. A pregnant woman was shot with a non lethal round and miscarried, a young 16 year old boy was also shot with a non lethal round and is still in the hospital suffering unknown brain injury.

It is completely unjust, corrupt, and unacceptable for police to be prioritizing public property and steady traffic flow over human lives. I demand that the APD stop using rubber bullets, tear gas, or wooden/plastic batons against citizens. There is no need for violence during these peaceful protests, and the funds used to support the APD’s overt and aggressive response should be relocated. It is time to change our city. We have the right to protest. I love this city, but the actions and aggression shown by the government and APD make me outraged. We can be more. We must rise up together for change.

In addition, I demand that we start providing more support towards community efforts and organizations outside of the police forces in order to prevent police brutality and violence in the future.

Here are 8 policies that are shown to decrease police violence by 72%.

1. Ban chokeholds and strangleholds
2. Require de-escalation
3. Require warning before shooting
4. Require the exhaust of all alternatives before shooting
5. Require the duty to intervene
6. Ban shooting at moving vehicles
7. Requires the use of the force continuum
8. Require comprehensive reporting”



ICMS #: 2020-0883

June 5, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“My name is [REDACTED] and I am a 23-year-old black woman from [REDACTED]. I am outraged and furious about the egregious acts of police brutality perpetrated by APD, particularly the excessive use of force that damaged the brain of 20-year-old college student [REDACTED].

[REDACTED] was (and still is) a young black man full of promise. Not only was he pursuing higher education; he was also exercising his constitutional right to assemble in an effort to make this country a fairer, more equitable place. It has been reported that [REDACTED] mental faculties are likely to suffer permanent damage as the result of APD’s violent actions, thus robbing us all of his potential discoveries and innovations.

I demand a full, thorough, independent investigation of the incident; I demand that all officers involved be suspended, without pay, immediately; I demand that the Austin Police Department, City Council, and Mayor’s Office issue a formal apology to [REDACTED] and his family.

Nothing less will do.”



ICMS #: 2020-0882

June 5, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint with the following link:

[REDACTED]



ICMS #: 2020-0881

June 5, 2020

Complaint: [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“At least 2 young men ([REDACTED] and [REDACTED]) were shot in the head during peaceful protests in Austin, within the past few days.

Austin (and the world) is watching. No excuses and no backtracking. Shooting at citizens will NOT be excused. Using deadly force will NOT be excused. Shooting at medics will NOT be excused. Using tear gas will NOT be excused.

You MUST bring justice for these men, and for our community.

For us all to move forward, you MUST do this ASAP.”



ICMS #: 2020-0880

June 5, 2020

Complaint: Austin 3-1-1 forwarded the following complaint from Ms. [REDACTED], complainant, to the Office of Police Oversight:

“The caller is upset and wants the officers who fired rounds at the protests this past weekend. The caller thinks the officers need to be removed from service, placed on desk duty. There are 3 people in hospital and these officers are still out. The caller does not understand why 3 people are in the hospital one with a brain injury and the cops are still active. The caller dose not understand how the pregnant lady got shot in the abdomen when the police were told she was pregnant and they shot her again. The caller feels the police are not listening and are missing the message. The caller does not know how the police do not know who shot these people, but they need to be held accountable. The caller knows someone who was trying to help someone who got shot they ended up being shot.”



ICMS #: 2020-0879

June 5, 2020

Complaint: [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

"I'm writing in disgust at the disproportionate officer response to demonstrations in front of the APD station on [REDACTED].

As the video shows, officers were behind a barricade, not in danger when they opened seemingly indiscriminate, close-range fire with shotgun less-lethal rounds. These are NOT non-lethal weapons, and when used incorrectly, can, and have resulted in permanent injury and death. In this particular incident, officers gravely injured yet another young black unarmed man, [REDACTED], currently in critical condition with serious brain trauma after being shot in the head. [REDACTED]

[REDACTED] At this close a range, it was almost certainly intentional, or else these officers better go back to basic firearm training.

[REDACTED]
I'm sure this is not the only example, but it is receiving the most coverage.

Additionally, APD must be held accountable for the case of [REDACTED], an unarmed black man who was shot to death by APD in late April [REDACTED]

[REDACTED] The case has been put before a Travis County grand Jury, which is a step in the right direction.

However, too many cases that reach litigation/trial result in officers being let off with a slap on the wrist, only to be 'put on leave' and eventually shuffle them to another department, where many go on to continue abusing the power entrusted to them by citizens.

The mission of your office is to "provide impartial oversight of the Austin Police Department's conduct, practices, and policies to enhance accountability, inform the public to increase transparency, and create sustainable partnerships throughout the community." I'd be interested in knowing how 'impartial' the department is, how many of its members are former LEOs or linked in some way that precludes true impartiality? I will admit this office seems to be a better model to enforce accountability than comparable 'Office of Internal Affairs' departments in other cities I've looked in to, and this process easier to navigate. In many cases, the first stage of any investigation is the officer's supervisor - a scenario rife with conflict of interest.

As a new resident of Austin, I moved here thinking it was a relatively forward-thinking and well-managed city, and still do. However, recent events have cast doubt on these opinions, especially in regard to law enforcement. However, I have faith that enough people here and elsewhere will demand change, and with elections on the horizon, be able



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to affect some change through the political process and constitutionally protected, ideally non-destructive demonstration.”



ICMS #: 2020-0878

June 5, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint alleging the following:

“I was protesting on [REDACTED] as part of the initial protest that was at [REDACTED] on the [REDACTED] where it was peaceful protests. I went back to the gas station up the [REDACTED] road, and came back to the protest being much larger as a second group showed up. I stayed around for a few minutes, and saw the escalation as the new group tossed water bottles and stones. It's not what I came for, and so I left, crossing [REDACTED] to head home. While leaving, I was shot in the back with a beanbag. I wasn't threatening police, I don't think [REDACTED], and I had left with a genuine respect for the cops who stood at [REDACTED] who remained unflinching despite being screamed at and having plastic water bottles tossed at them. I don't know whv I was shot.”



ICMS #: 2020-0877

June 5, 2020

Complaint: Ms. [REDACTED], complainant, submitted an online complaint to the Office of Police Oversight alleging the following:

“During the protest myself and two of my friends were standing on the sidewalk near the intersection of the [REDACTED] and [REDACTED], recovering from the effects of chemical irritants that were sprayed to disperse the crowd. We heard shots fired into the crowd about a block away in front of the [REDACTED]. As we stood trying to discern why officers at the [REDACTED] were firing on the crowd, an officer on the [REDACTED] fired a less lethal round directly onto my right foot. I was taken totally by surprise, as there was absolutely no warning before I was fired upon, and there was no apparent reason for an officer to fire at bystanders so far from the disturbance at the station. It's [REDACTED] now, and I still cannot bear weight on my foot. I am happy to send photos of my injury to verify the severity.”



ICMS #: 2020-0874

June 5, 2020

Complaint: Mr. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

"My name is [REDACTED], I am a resident of [REDACTED] and am horrified by the use of excessive force by police officers in Austin, TX.

I demand Police [REDACTED] and his officers be held accountable for recent acts of excessive force against protesters the weekend of [REDACTED]. I also demand all future use of lethal and less lethal weapons by Austin officers be an action of last resort through 1) requirement of de-escalation, 2) exhausting all other means before shooting and 3) other similar policies to create accountability through severely condemning and punishing officers for excessive use.

Over the recent weekend of [REDACTED], Austin police used less lethal rounds in at least 3 horrific incidents 1) a pregnant woman shot in the stomach, 2) a 16 year old minor shot in the head with a rubber bullet and 3) a 20 year old man shot in the head with a less lethal round, sending him to the hospital after an officer missed his original target who threw a backpack.

[REDACTED] stated publicly on [REDACTED] that "law enforcement professionals, we must do better in service to our communities!". Hours later his officers were firing their weapons at a pregnant woman, minor and more while thousands in Austin protested the use of excessive force by police.

I demand swift public response from Austin officials condemning & punishing these actions as well as clear polices to prevent them in the future."



ICMS #: 2020-0872

June 5, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“Hello, My name is [REDACTED]. I am a resident of [REDACTED] and I am emailing today to demand accountability for the inexcusable injuries upon [REDACTED] [REDACTED], and many more. The officers who ordered these actions should be charged and prosecuted to the fullest extent of the law for injuring these people. APD is here to protect and defend, and they caused bodily harm by shooting these protestors with bean-bags or rubber bullets. These protestors were all unarmed and peacefully protesting, some were throwing water bottles at the police, but does that mean that these protestors deserved an almost fatal consequence? I demand that [REDACTED] must be prosecuted for the injuries of these protestors and APD pay for the hospital expenses that came along with them. These people deserve justice and deserve to have the protection they need to protest peacefully. These injuries must never happen again; [REDACTED] needs to be fired and convicted of these lives that have been endangered because of his facility. There needs to be better training to handle these situations. These protestors are now suffering from extreme brain trauma and memory loss.”



ICMS #: 2020-0871

June 5, 2020

Complaint: Ms. [REDACTED], complainant, emailed the following:

“Hello, My name is [REDACTED]. I am a resident of Hutto, Texas and I am emailing today to demand accountability for the inexcusable injuries upon [REDACTED] [REDACTED], and many more. The officers who ordered these actions should be charged and prosecuted to the fullest extent of the law for injuring these people. APD is here to protect and defend, and they caused bodily harm by shooting these protestors with bean-bags or rubber bullets. These protestors were all unarmed and peacefully protesting, some were throwing water bottles at the police, but does that mean that these protestors deserved an almost fatal consequence? I demand that [REDACTED] must be prosecuted for the injuries of these protestors and APD pay for the hospital expenses that came along with them. These people deserve justice and deserve to have the protection they need to protest peacefully. These injuries must never happen again; [REDACTED] needs to be fired and convicted of these lives that have been endangered because of his facility. There needs to be better training to handle these situations. These protestors are now suffering from extreme brain trauma and memory loss.”



ICMS #: 2020-0870

June 5, 2020

Complaint: Mr. [REDACTED], complainant, submitted an online complaint to the Office of Police Oversight alleging the following:

"I attended the peaceful protest [REDACTED], following it from [REDACTED] [REDACTED], I stood shoulder to shoulder with fellow protesters, with a line of APD officers directly across from us. Then, apparently accidentally, [REDACTED] [REDACTED] discharged his shotgun directly into the ground a few feet away from me, sending ricochet pellets into the feet and legs of protesters. I have photos of me holding a still-warm bean bag at [REDACTED]."



Complaint: *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):

105 PURPOSE AND SCOPE – COMMUNITY POLICING

The purpose of this general order is to identify the tenets of Community Policing, which serves as the basis for this Department's mission and guiding principles. Community Policing is beyond a philosophy, it is a practice. The Austin Police Department is committed to Community Policing which strives to build mutual respect, collaborative partnerships, fair and impartial policing, and procedurally just behavior with the community that we serve. The Department's goal is to have an understanding of the traditions, culture, and history of the neighborhoods in which they serve in order to develop proactive solutions to problems and increase overall trust in policing. Likewise, the Department is required to provide information and training to the community so community members gain an understanding of police practices and procedures, as well as an understanding of the traditions and culture of law enforcement.

200.2 DE-ESCALATION OF POTENTIAL FORCE ENCOUNTERS

When safe and reasonable under the totality of circumstances, officers shall use de-escalation techniques to reduce the likelihood for force and increase the likelihood of voluntary compliance. Nothing in this de-escalation policy requires an officer to place themselves in harm's way to attempt to de-escalate a situation. Recognizing that circumstances may rapidly change, officers may need to abandon de-escalation efforts after they have commenced. Understanding that no policy can realistically predict every situation an officer might encounter, the Department recognizes that each officer must be entrusted with well-reasoned discretion in determining the reasonable de-escalation techniques to use in a situation. This de-escalation policy is intended to complement, not replace or supersede, other portions of the APD Policy Manual or specific officer training that addresses de-escalation.

200.2.1 ASSESMENT AND DE-ESCALATION

As officers arrive on the scene, observe conditions, and interact with the persons there, they should continue to gather additional relevant information and facts. These assessments, along with reasonable inferences help to develop an understanding of the totality of the circumstances of the incident.

200.3 RESPONSE TO RESISTANCE

While the type and extent of force may vary, it is the policy of this department that officers use only that amount of objectively reasonable force which appears necessary under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this order.

200.3.1 DETERMINING THE OBJECTIVE REASONABLENESS OF FORCE



Any interpretation of objective reasonableness about the amount of force that reasonably appears to be necessary in a particular situation must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving, and the amount of time available to evaluate and respond to changing circumstances may influence their decisions. The question is whether the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting him.

206.4 CHEMICAL AGENT GUIDELINES

Chemical agents are devices used to minimize the potential for injury to employees, offenders, or other subjects. They should be used only in situations where such force reasonably appears necessary.

206.4.3 TREATMENT FOR CHEMICAL AGENT EXPOSURE

Subjects who have been affected by the use of chemical agents should be afforded means of cleansing the affected areas as soon as practicable. Those subjects who complain of further severe effects shall be afforded a medical examination by competent medical personnel.

206.5.5 SHOT PLACEMENT AND DEPLOYMENT DISTANCES

Officers should generally follow their training instructions regarding minimum deployment distances and target areas. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death.

The head and neck should not be intentionally targeted, however any target area or distance may be considered when it reasonably appears necessary to accomplish immediate incapacitation in order to prevent serious injury or death to officers or others.

300.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, such as Tex. Penal Code § 42.03 (Obstructing Highway or Other Passageway), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.



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.

301.3 CUSTOMER SERVICE AND COMMUNITY RELATIONS

APD constantly works to establish direct contacts with the community we serve. Without grassroots community support, successful enforcement of many laws may be difficult, if not impossible. Community involvement can be an effective means of eliciting public support, can serve to identify problems in the making, and may foster cooperative efforts in resolving community issues. Input from the community can also help ensure that agency general orders accurately reflect the needs of the community.

302.1 PURPOSE AND SCOPE – PUBLIC RECORDING OF OFFICIAL ACTS

The Austin Police Department recognizes that members of the general public have a First Amendment right to video record, photograph, and/or audio record APD officers while they are conducting official business or while acting in an official capacity in any public space, unless such recordings interfere with police activity.

326.1 PURPOSE AND SCOPE – NEWS AND MEDIA RELATIONS

The purpose of this order is to seek a balance between permitting the free flow of information to the public and the media while protecting both the prosecution's case and the rights of the accused from possible prejudicial publicity. Public information and positive media relations are an integral part of the operation of any public service agency and APD is no exception. Most citizens have little contact with law enforcement and their opinions of the police are often formed by our Department's portrayal in the media. The release of public information and maintenance of good media relations is a crucial element of APD's mission. Employees must maintain a good rapport with the public and the media and deal with them in a courteous manner. The media has a legitimate function in our society and the public trust of the police can be enhanced through media relations.

APD is committed to informing the community and members of the news media of events that are handled by, or involve, the Department. Employees will cooperate fully in meeting the relevant information needs of the public and the news media. Every reasonable effort should be



made to obtain requested information, so long as the release of that information conforms to federal and state laws, and follows established Department guidelines.

328.1 PURPOSE AND SCOPE – RACIAL OR BIAS-BASED PROFILING

This order provides guidance to department members and establishes appropriate controls to ensure that members of the Austin Police Department do not engage in racial or bias-based profiling or violate any related laws while serving the community.

328.2 POLICY – RACIAL OR BIAS-BASED PROFILING

The Department strives to provide law enforcement services to our diverse community while respecting the racial, cultural, or other differences of those we serve. It is the policy and practice of the Department to provide law enforcement services and to enforce the law equally, fairly, and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability, or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

While the practice of racial or bias-based profiling is strictly prohibited, it is recognized that race or cultural differences may be legitimately considered by an officer in combination with other legitimate factors; to establish reasonable suspicion or probable cause (e.g., subject description is limited to a specific race or group), to establish relevant elements of a crime (e.g. exploitation of an elderly or disabled individual), or to gather evidence relevant to enhanced punishment due to offenses committed because of bias or prejudice.

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.

900.3.2 ACTS BRINGING DISCREDIT UPON THE DEPARTMENT

Since the conduct of personnel both on-duty or off-duty may reflect directly upon the Department, employees must conduct themselves at all times in a manner which does not bring reproach, discredit, or embarrassment to the Department or to the City.

900.3.4 PERSONAL CONDUCT

- (c) While on-duty or on the premises of City facilities, employees will not:
 - 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 an A classification.