



ICMS #: 2019-1078

Complaint: ██████████ contacted the OPO via email alleging her granddaughter was molested by an Austin Police Officer's son in ██████████ and his mother, who is an Austin Police Officer did not report it. ██████████ alleges that "the parents of the boy convinced my daughter, ██████████, the mother, to handle the situation together" one of the parents allegedly being Austin Police Officer ██████████.

Administrative Policy to Review:

900.3.2 ACTS BRINGING DISCREDIT UPON THE DEPARTMENT

Since the conduct of personnel both on-duty and 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.

(a) Employees will not commit any act which tends to destroy public confidence in, and respect for, the Department or which is prejudicial to the good order, efficiency, or discipline of the Department.

(b) Employees will refrain from being a party to any malicious gossip, rumor, report or activity, whether written or oral, that would tend to bring discredit to the Department or any member thereof.

1. "Malicious gossip, rumor, report or activity" includes statements made with knowledge of their falsity or made without regard to whether the statements are true or false.

900.4.5 NEGOTIATIONS ON BEHALF OF SUSPECT

Prohibitions in this section do not relieve supervisors from their obligations to review enforcement contacts of subordinates and take appropriate action, if necessary, to prevent the filing or adjudication of improper charges.

(a) Employees will not participate in any arrangement between a suspect and victim that would result in the suspect escaping the penalty of the law nor will any employee seek the continuance or dismissal of any case on behalf of the suspect in court for any reason.

(b) Employees will not promise informants any immunity from or leniency in any criminal prosecution without approval of the prosecuting attorney.



(c) Employees will not obstruct an investigation or legal process by interfering or attempting to interfere with any legal process.

(d) Employees will consult with the investigator assigned to a suspect's original charge(s) before attempting to negotiate with that suspect to secure a more serious charge against another suspect.

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.

