



## **MEMORANDUM**

### **Austin Police Department Highway Enforcement Command**

**TO:** Nathan Flippin, Officer  
**FROM:** Eric Miesse, Commander  
**DATE:** November 26, 2019  
**SUBJECT:** Written Reprimand IA Case # 2019-0583

This memorandum is in reference to an incident which occurred on June 4, 2019 and your conduct at that time. Specifically I am referring to your involvement

*(Your actions while conducting safety inspections at approximately 12:44 PM and actions having an interaction with a driver were comments were made possible inappropriate. Along as your BWC was not on and activated.)*

Your actions violated APD Policy 301.2-IMPARTIAL ATTITUDE AND COURTESY which states:

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.

(b) Employees will be tactful in the performance of their duties, control their tempers, exercise patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation.

(c) Employees will make every effort to be courteous and respectful toward all persons

**APD Policy 303.3-DEPARTMENT ISSUED BODY WORN CAMERA which states:**

**(C) (1) Sworn personnel assigned to the units below are required to power on the device at the beginning of their tour of duty and not power the device off until the end of that tour of duty.**

**(h) Commercial Vehicles,**

**(d) Employees shall test the BWC equipment at the commencement of their tour of duty and shall classify the video as '10-41'.**

**APD Policy 303.3.1- WHEN DEPARTMENT ISSUED BWC SYSTEM IS REQUIRED which states:**

**(a) All units responding to a scene shall activate their department issued BWC equipment when they:**

- 1. Arrive on-scene to any call for service;**
- 2. Have detained or arrested a person;**
- 3. Are attempting to detain or arrest a person;**
- 4. By the nature of the call for service, are likely to detain or arrest a person; or**
- 5. Any consensual contact in which the officer or a citizen believes activation of the BWC would be in the best interest of the community.**

**(b) Examples of when the department issued BWC system must be activated include, but are not limited to:**

- 1. Traffic stops;**
- 2. Foot pursuits, until completion of enforcement action;**
- 3. DWI investigations including field sobriety tests;**
- 4. Warrant service;**
- 5. Investigatory stops; or**
- 6. Any contact that becomes adversarial in an incident that would not otherwise require recording.**
- 7. While interviewing an employee during a Response to Resistance review.**

APD Policy 304.3.1-REQUIRED DMAV TESTING which states:

Employees driving DMAV equipped vehicles during field duty assignments where the required use of the DMAV is likely (e.g., patrol, metro-tactical shifts, traffic enforcement) must be trained in the operation of the equipment prior to its use.

- (a) Employees will test the vehicles DMAV equipment:  
1. At the commencement of their tour of duty.

You are hereby reminded that compliance with the Department's rules and regulations are a condition of your continued employment as a police officer. Failure to comply with this policy in the future may result in more severe disciplinary action against you, up to, and including an indefinite suspension.

I hereby acknowledge receipt of the foregoing Written Reprimand:

N. H. 4534  
Signature of Officer Receiving Reprimand

11/26/19 9:10AM  
Date / Time

D. Mull 2434  
Signature of COC Sergeant

11/26/19 9:10am  
Date / Time

[Signature] 2448  
Signature of COC Lieutenant

11/26/19 9:10 a.m  
Date / Time

[Signature] 2433  
Signature of COC Commander

11/26/19 9:10AM  
Date / Time

cc: Employee  
Employee's Supervisor  
Internal Affairs  
APD Human Resources