



ICMS #: 2019-1262

January 8, 2020

Complaint: The Office of Police Oversight (OPO) received an anonymous complaint naming the following officers: [REDACTED]. The complainant stated the following:

“Officer [REDACTED] of the gang unit. Conducted surveillance of [REDACTED] followed a known drug dealer and gang member to north Austin and were eventually shot at. They were not on duty and their supervisor didn’t know they were at work. They had minimal to no equipment like vests handcuffs body cameras or car cameras. They were not in uniform and did not have uniforms available. They had nothing to identify themselves as police. They claim the person who shot at them was driving recklessly and they continued to follow in a non police [sic] vehicle presumably breaking traffic laws as he did. At least 8 different units and patrol shifts came to help with over 50 officers involved. There was no investigation into their actions even though multiple policy violations, and possible laws were broken. Everyone up to the chief in their chain of command is aware and no investigation. [REDACTED] is married to [REDACTED] that worked for several years with the executive staff of the department and could be why no investigation was done. Multiple discrepancies from statements on scene, to investigators, to people in the organized crime division. [REDACTED] have had safety concerns brought against them and investigated for policy violations before but never disciplined.”

This notice of formal complaint is a request for Internal Affairs to conduct 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):

303.3 DEPARTMENT ISSUED BODY WORN CAMERA

BWC equipment is to be used primarily by uniformed personnel as authorized per assignment by the Department and must be used unless otherwise authorized by the rank of Commander or above.

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.