



MEMORANDUM
Austin Police Department
Downtown Area Command

TO: William McRae, Officer
FROM: Joseph Chacon, Assistant Chief
DATE: November 11, 2020
SUBJECT: Notice of Sustained Allegations – IAD Case # 20-0802

Your Chain of Command has conducted an investigation into the allegation(s) of misconduct that were made against you. Having concluded the investigation, your Chain of Command has made the following recommendations:

	Applicable APD Policy	Specific Allegation	Recommendation
#1	APD Policy 303 Body Worn Camera	Ofc. McRae did not activate his BWC during an r2r, where policy requires it.	Sustained
#2			
#3			
#4			

A Choose and item has been scheduled for Enter Date at Enter Time Choose in the Location.

Be advised that the **disciplinary recommendation** from your chain of command is a/an:

- Oral Reprimand Written Reprimand Demotion
 Up to or including a/an 8 Day Suspension
 Up to or including Indefinite Suspension

In addition to the above,

Education Based Discipline may be considered: YES NO

If you are scheduled for a Discipline Meeting, you have the right to provide a **written response** in the form of a Departmental memorandum to the Commander in Charge of this investigation no more than **five business days** after receiving this notice, which may contain facts or evidence you deem pertinent to the investigation and discipline process.

Additionally, you have the right to request an **Independent Review** of the proposed disciplinary action after being notified by the Commander in Charge of the Discipline Meeting.

As per the Meet and Confer agreement between the City of Austin and the Austin Police Association, you are further informed of your right to:

Not less than forty eight (48) hours before a DRH (or any other administrative hearing conducted for the purpose of determining whether the Department shall take disciplinary action against an officer for alleged misconduct), the officer and his representative shall be allowed to review for eight (8) hours all evidence gathered or obtained during the investigation, and not previously reviewed by the officer pursuant to this Section.

The scheduling of such a review must be arranged through the Internal Affairs Division 512-974-8501.

At the Choose an item, you have the right to be represented by:

- An attorney of your choosing pursuant to the Meet and Confer Agreement, or
- An APA representative of your choosing provided that the representative was not in your chain of command at the time of the incident, and is not in your chain of command at the time of the Choose an item, and has no personal involvement in the investigation as a complainant or witness, or
- An attorney and an APA representative, in which case the APA representative is present in an observer capacity only.

I hereby acknowledge receipt of this memorandum:		Emp #	Date	Time
Officer Signature:		7780	11/13/20	7:07am
Administered By:		4983	11/13/20	7:07am



MEMORANDUM

Austin Police Department *Downtown Area Command*

TO: William McRae, Officer
FROM: Ryan Adam, Commander
DATE: November 11, 2020
SUBJECT: Oral Reprimand IA Case 2020-0802

This memorandum is in reference to an incident which occurred on May 30, 2020 and your conduct at that time. Specifically I am referring to your involvement in the protests on 5/30/20, where you were positioned outside the Main at the bottom of the stairs. An incident occurred where a protestor was pepper sprayed by you, but it was not captured on your Body Worn Camera (BWC). You had your BWC turned on, but it was not activated to capture the incident, nor did you activate your BWC to capture the remainder of the incident.

Your actions violated APD Policy 303.3.1 (e) Body Worn Camera Systems which states: There may be instances in which an employee is required to take immediate action in response to an event which may not allow time to activate their BWC. In those situations, it may be impractical or unreasonable for employees to activate their BWC system before taking police action. It is expected that once the immediacy of the situation is over, employees will activate their BWC system to record the remainder of the incident. Employees shall articulate the reasoning for the delayed activation of their BWC in an offense report, supplement, or other form of Department approved documentation.

The purpose of this memorandum is to document this oral reprimand. 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 Oral Reprimand:

#1780

Signature of Officer Receiving Reprimand

11/13/20 7:07 a.m.

Date / Time

Blumenthal 4983
Signature of COC Sergeant

11/13/20
Date / Time

John Hill #3092
Signature of COC Lieutenant

11/11/20
Date / Time

Ryan O'Lawlor
Signature of COC Commander

11/11/20
Date / Time

cc: Employee
Employee's Supervisor
Internal Affairs

