



## OFFICE OF POLICE OVERSIGHT

### NOTICE OF COMPLAINT

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May 20, 2022

ICMS #: 2022-0403

On May 20, 2022, the OPO received an online complaint.

**The complainant alleges:** I was taking photographs while topless near [REDACTED], in protest of a (private, non-APD) security officer that repeatedly insinuated I was a man. I am in fact a transgender woman, and I enjoy exercising my right to be shirtless, as all Texans regardless of legal or perceived gender can do. This form of protest is particularly important to me as it forces people that would otherwise perceive me as a man to re-evaluate their perception. Two officers I previously had an interaction with pulled up, and one of the officers repeatedly commanded me to put my shirt on, despite me reminding them that I'm under no legal obligation to do so. The other attempted to find a legal basis for criminalizing my breasts, alleging something along the lines of "it is illegal to attempt to arouse others in public" (this is paraphrased, but he specifically used the phrase "arousal" in regards to my body.) This insinuation of arousal felt incredibly disrespectful and creepy. I do not judge others for their sexual preferences or fetishes, but an officer should not be admitting to strangers that their body arouses them, especially if that stranger is caught in the power mismatch of being detained by the one admitting their desires. There is no reasonable way to interpret this officer's words other than that he thought I may arouse him, and as a survivor of past sexual violence this came dangerously close to crossing my boundaries. Aside from the potential abuse of power, I see shirtless males frequently throughout the city, and have never seen one be harassed for the act of being shirtless. Commanding a female to cover her chest when a male in the same situation presumably would not have been told to do so is sex discrimination, especially when the law itself does not distinguish between what defines male or female indecency. The incident ended with me receiving a ticket for allegedly parking too close to a stop sign. I am not admitting to or denying this infraction within this complaint.

*This notice of complaint is a request for Internal Affairs to initiate an investigation to determine if the employee conduct is within compliance of APD policy, Civil Service Rules, and Municipal Civil Service Rules.*



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