



ICMS #: 2020-1518

September 26, 2020

Complaint: An anonymous complainant contacted the OPO and alleged the following:

I wish to anonymously report a clear violation of Austin Police Departments policies by Commander [REDACTED]. Commander [REDACTED] violated the departments Equal Employment Opportunity and Anti-Discrimination policies by creating a toxic and hostile work environment for two employees who work in her command, Sergeant [REDACTED] and Sergeant [REDACTED]. Sergeant [REDACTED] and Sergeant [REDACTED] are both members of a protected class of employees as defined by departmental policy, City of Austin policy, state and federal law. However, they have been singled out and treated differently than other members in her command and the department based in part on their protected class. Commander [REDACTED] has routinely targeted these two employees for harassment and discrimination by her conduct and actions. This is evident in her many micro aggressions toward these two individuals vs. other supervisors in her command. She has treated them differently based upon their sexual orientation, how they express their sexuality and gender identity, as well as their race. She continues to manifest her discrimination of these two employees by her continued harassment of their job performance, denial of employment opportunities, and failure to recognize their professional expertise. She has denied them the same opportunities and selections in assignments as other members of the department. Commander [REDACTED] actions towards these two employees have created a hostile work environment where both employees are under undue stress and anxiety and live in fear of retaliation by her and her command. I believe Commander [REDACTED] has violated several sections of the above departmental policy and has participated in the prohibited conduct of discrimination, harassment and retaliation towards these two supervisors. Witnesses that can provide further details of the events and Commander [REDACTED] prohibited conduct are Chief Brian Manley, Chief of Staff Troy Gay, Assistant Police Chief Jennifer Stephenson, [REDACTED], Detective [REDACTED], [REDACTED], and potentially many other members of the department. Listed above are clear violations of the department and City of Austin's Equal Employment Opportunity and Anti/Non-Discrimination policy. I request a full, compete and unbiased investigation be conducted of Commander [REDACTED] and her actions towards these employees. I do not wish to be contacted or involved any further in this investigation.

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

301.2 IMPARTIAL ATTITUDE AND COURTESY

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.

914.3.1 DISCRIMINATION

Discrimination is the unequal or different treatment of an individual in any employment and/or personnel action based on a protected class, as per section 914.2. The Department will recruit, hire, train, compensate, discipline, provide benefits, and promote without regard to a protected class. The Department will employ positive business and personnel practices designed to ensure equal employment opportunity

914.3.2 HARASSMENT

(b) Employees shall not engage in conduct which could reasonably create a hostile work environment at any time while on duty or on City premises, or even if not on duty, but participating in any work-related setting outside the workplace, such as traveling on City business or attending professional conferences.

900.5 RESPONSIBILITY TO COWORKERS Cooperation among employees of the Department is essential to effective law enforcement. (a) Employees are expected to treat each other with respect.

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.