



OFFICE OF POLICE OVERSIGHT

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Office of Police Oversight Formal Complaints: June 1 to June 10, 2020

Between May 29th, 2020 and June 10, 2020, The Office of Police Oversight was contacted 895 times regarding complaints against the Austin Police Department.

- 107 by online form
- 387 by phone
- 401 by email

Of these, the Office of Police Oversight is recommending 227 complaints for formal investigation by the Internal Affairs division of the Austin Police Department. The 227 formal complaints are representative of 606 individuals who contacted the Office of Police Oversight to file a complaint.

Due to the sheer volume of these complaints, the Office of Police Oversight has compiled complaints by date.

- June 1, 2020: 35
- June 2, 2020: 45
- June 3, 2020: 44
- June 4, 2020: 33
- June 5, 2020: 26
- June 8, 2020: 13
- June 9, 2020: 21
- June 10, 2020: 10

Complaints are redacted to remove personal or identifying information. If you have any questions, please email policeoversight@austintexas.gov.



ICMS #: 2020-0766

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating the following:

“Assault and battery on peaceful protesters”



ICMS #: 2020-0767

June 3, 2020

Complaint: Mr. [REDACTED], complainant, submitted an online to the Office of Police Oversight stating the following:

“Austin Police Department fired rubber bullets straight into a crowd not at the ground to detour protesters. One man is in critical condition due to their lawless actions. There is plenty of video evidence showing that the officer [REDACTED] did not warn or ask protesters to remove themselves from the bridge prior to firing straight into a crowd of people and using tear gas. My family has to run to escape being hit in the head as the bullets were aimed at bodies!”



ICMS #: 2020-0768

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating the following:

“I want to make sure this is investigated and charges are brought against the officer who took aim at this kid and shot him in the head with a less than lethal round. This is obviously intentional as seen in the video. He should have his badge stripped immediately and arrested. His purposeful and deliberate aim says it all. The kid is standing still at least 20 meters away. There is no one else around the victim, so it definitely was not an accident. The shooter should also be charged with inciting violence since it occurred during this tense times in our city.

[https://\[REDACTED\]](https://[REDACTED])”



ICMS #: 2020-0769

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating the following:

“Badge █████ pointed his gun at a person taking pictures.”



ICMS #: 2020-0770

June 3, 2020

Complaint: Ms. [REDACTED] complainant, submitted an online to the Office of Police Oversight stating the following:

“Disgusted and repulsed by the actions of the Austin police department. It is completely inappropriate and inhumane to shoot at PEACEFUL protesters.”



ICMS #: 2020-0771

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“During multiple days of peaceful protesting APD used excessive force and military tactics on civilians. I watched children being tear gassed, people of color being shot with rubber bullets all for simply standing and speaking. Some not even part of the protest, people who were near. We must end police brutality and it starts with Austin. Be the leader in the movement. Take this opportunity to make the country proud. Clean house and remove cops with aggressive and racist pasts and charges, such as [REDACTED]”



ICMS #: 2020-0772

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous complaint alleging that at the Austin protest for George Floyd a police officer shot a pregnant black woman, causing her to miscarry. The complainant further states that they and others think the officer should be charged with manslaughter for killing an innocent baby. In addition, the complainant would like officers to be told to be nice and nonviolent to protesters.



ICMS #: 2020-0773

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“The APD instigated terror and shot at innocent people during the people protest held on [REDACTED] in downtown Austin. While many walked peacefully and chanted, police officers decided to throw tear gas, an act of terror on innocent people that was completely unnecessary.”



ICMS #: 2020-0774

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating the following:

“As a resident of Austin, Texas we assume that the police are here to protect us. What we saw and felt yesterday by our "protectors" was completely disgusting and inhumane. We are doing everything we can to protest peacefully, for all to hear our voices concerning the black community. BLACK LIVES MATTER! We will not stop until there is justice, police should PROTECT us, not hurt us! Police have already hurt many of us, rubber bullets to the head and face, mace people without a weapon! Having our hands up and what we get in return is laughs, mockery and hurt is ABSOLUTELY DESPICABLE! WE WANT A CHANGE! PROTECT YOUR PEOPLE! To the Austin PD, we are completely saddened on how you treat your people.”



ICMS #: 2020-0775

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“i went to the protest [REDACTED] & some of the things i witnessed were disgusting. i saw officers laughing & shooting at people who had both hands up & were not on [REDACTED]. while standing under the bridge pepper spray rained down on me & many others, we were not in the way of traffic, we were not violent, we were not aggressive. the worst thing i saw was officers shoot a non lethal round at a young girl, & when a group of people gathered around her to help her they pepper sprayed the group of people doing nothing except helping a young girl they had hurt. i understand having officers there incase things become violent, but the officers standing by [REDACTED] were instigating the violence.”



ICMS #: 2020-0776

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“APD Officers fired ‘less lethal’ rounds into a crowd of peaceful protestors hitting an innocent black man in the back of his skull. This was unwarranted, excessive force. This man is now in critical condition and could die. Along with the 16 old boy who was shot point blank in the head and is also in critical condition. Along with the black woman who miscarried her child by being shot in her abdomen. APD needs to overhaul their policies when dealing with protestors and black people a like. I’m calling for the officers to be found and penalized.”



ICMS #: 2020-0777

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating the following:

“Absolutely violent and disgusting.”



ICMS #: 2020-0778

June 3, 2020

Complaint: The Office of Police Oversight received a complaint from Ms. [REDACTED], complainant, stating as follows:

“I was walking on the street in front of [REDACTED] during the protests on [REDACTED] around [REDACTED]. Someone had just been hit in the head with a rubber bullet or other projectile fired by police and I was headed in the direction toward the people helping him. Unprompted, another hail of rubber bullets rang out. I began running to get away and was hit on the left side under my arm by a police officer who had shot from above on [REDACTED], which is a sentence I never thought I’d write in my life. I have a massive bruise on my left side right under the arm. I can barely sleep because it’s difficult to find a sleeping position that doesn’t cause discomfort to the area. The police shot without provocation or warning and did so while there was a man already down, unconscious, and possibly dying in the same area.



ICMS #: 2020-0779

June 3, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“I am writing to express my deep upset over the shooting of Mr. [REDACTED] while he was peacefully protesting in your city. This 16 year old boy was assaulted and hospitalized when he was shot with a rubber bullet. I expect that the identity of the shooter will be made known and that he/she is fired from the police department.

As police officers you have a duty to protect people, not only in their daily lives but also when they exercise their 1st amendment right to speech, expression, and peacefully assemble. You must hold this officer accountable for his/her actions!”



ICMS #: 2020-0780

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complainant, stating as follows:

“I witnessed a police officer fire indiscriminately into a crowd of protesters multiple times wounding multiple people *exclusively* peacefully protesting. Multiple people were injured and the police would not allow medical assistance to take place.”



ICMS #: 2020-0781

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complainant, stating as follows:

“I witness dozens of Austin police officers fire shotguns and throw tear gas canisters at peaceful protestors. This was one of the most shameful moments I’ve had as a lifelong citizen of Austin.”



ICMS #: 2020-0783

June 3, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“As a mother, you not only have the right, but an obligation to try and create a better, safer world for your child to grow up in. One of the reasons [REDACTED] and many other mothers attended the Austin protests was to instigate change so that their child would never have to fear meeting the same fate as George Floyd.

As I’m sure you know, [REDACTED] was shot with rubber bullets while pregnant at the protest. This type of behavior is abhorrent. Americans have the right to protest and exercise their first amendment rights. A woman and the life of her unborn child should never be threatened by the officers of the law designated to protect them. The use of rubber bullets should end. Police departments across the country need to improve how they train their officers to deal with large crowds and should be better trained at how to de-escalate situations.”



ICMS #: 2020-0784

June 3, 2020

Complaint: The Office of Police Oversight received a complaint from [REDACTED], complainant, stating as follows:

“Officer [REDACTED] # [REDACTED], or possibly # [REDACTED] wearing a body cam, holding ‘less than lethal’ gun [REDACTED], while standing on [REDACTED] bridge, walked 20 feet away from his fellow officers, and the crowd of protesters, to shoot DOWN, into the crowd at the foot of the bridge. He fired approx. 3 shots every 5 minutes over the course of almost 2 hours indiscriminately into the crowd below him. His body cam should show absolutely no protesters within 50 feet of him. He never spoke to the crowd. Around [REDACTED], he shot at the pedestrian median to a group of 10 people, most of whom were sitting. 1 person was in a wheelchair 1 appeared to be a child. He shot at least 4 shots at them”



ICMS #: 2020-0785

June 3, 2020

Complaint: [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“I am a current student at the University of Texas at Austin and I am writing to express my horror and outrage at the shooting of [REDACTED]. On [REDACTED] 2020, he was standing (unarmed) on the top of a hill during the protests and was shot with a bean bag round by an APD sniper. A medic came to his aid and she was shot as well. [REDACTED] received emergency brain surgery, and he is recovering, but it should never have happened in the first place. [REDACTED], and other peaceful protesters, have a 1st Amendment right to assembly. The fact that an APD officer thought it appropriate to shoot him (and the unnamed medic) demonstrates that you do not care about the safety of your citizens. Despite it being a “non lethal” round, [REDACTED] went through immense pain and suffering for no reason. I condemn this action as a cruel, unnecessary act of violence. The APD should take thorough and swift action to enhance its training exercises and refrain from using violence of any sort against unarmed demonstrators. Additionally, should they be identified, the APD officer should be fired immediately for this heinous act.”



ICMS #: 2020-0786

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complainant, stating as follows:

“Police brutality. Directly shooting rubber bullets into protesters. After researching, it is clear the bullets are supposed to be shot at a distance and at the ground(allowing the bullets to bounce off). WHY were they shot at standing protesters without warning”



ICMS #: 2020-0787

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“Eyewitnesses identified Officer [REDACTED] (Badge [REDACTED]) using excessive force by firing his weapon at a peaceful protester in a wheelchair from the [REDACTED]. The protester was defenceless and unable to take cover. This use of excessive force is criminal and this officer should be removed from duty. Eyewitnesses captured the incident on camera.”



ICMS #: 2020-0789

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complainant, stating as follows:

“Austin Police: [REDACTED], [REDACTED]. Location [REDACTED]. Eyewitnesses identified Officer [REDACTED] (Badge # [REDACTED]) using excessive force by firing his weapon at a peaceful protester in a wheelchair from the [REDACTED]. The protester was defenceless and unable to take cover. This use of excessive force is criminal and this officer should be removed from duty. Eyewitnesses captured the incident on camera.”



ICMS #: 2020-0788

June 3, 2020

Complaint: Mr. [REDACTED], complainant, alleges that there was a peaceful protest on the hill and there was a young man 20 yards away, not doing anything. Mr. [REDACTED] further alleges that the police officer shot him with rubber bullets in the head and that the young man will probably lose eyesight.



ICMS #: 2020-0790

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“I’m disgusted and filing a complaint in regards to they protests on [REDACTED] were handled. Shooting directly at people peacefully protesting is abhorrent, regardless of the type of bullet being used. It is unacceptable to attempt to silence peaceful protesters for your convenience. Now someone is critically iniured. Hold APD accountable!!!!”



ICMS #: 2020-0791

June 3, 2020

Complaint: The Office of Police Oversight received a complaint from Mr. [REDACTED], complainant, stating as follows:

“On [REDACTED] while helping the crowd as as volunteer with street medics Austin sometime between [REDACTED] I was at the following location after having heard for a medic and climbing to the top of the hill with my back to the police officers that were staged standing on [REDACTED] I was struck by a less lethal round on my wrist while assisting a female who had been struck and was laying on her back. The location I was in required officers to fire over the heads of hundreds of people at the time. The entire day in fact the entire weekend I did not partake in any type of protesting I was only there to act as a volunteer street medic. I stayed on the back lines with the exception of a few times a medic was called for toward the front.
[https://\[REDACTED\]](https://[REDACTED])”



ICMS #: 2020-0792

June 3, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“I am emailing to demand that the officers involved in the shootings of 2 unarmed, peaceful citizens [REDACTED] during the protests be fired, at the absolute very least. Preferably, they are charged for the assaults they committed against the citizens they are supposed to serve and protect. The actions of these officers are absolutely inexcusable and the department has a duty to not put more citizens at risk by continuing to allow these officers access to and power over them.”



ICMS #: 2020-0793

June 3, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“I am gravely disheartened by the APD's response to the protests [REDACTED]. I would think that a protest against police brutality would have been treated with extra care to prove otherwise. Instead, we have two in critical condition, a pregnant woman incredibly bruised by the ADP using excessive force and dozens of others carry wounds as well. APD should have been out there to listen, to find ways to encourage peace and unity--to de-escalate. APD leadership should have been there to do the same. I am disgusted by the lack of care and progress APD has displayed.

I urge you to hold Brian Manley accountable for the failure to keep Austin safe this weekend. I urge you to hold him and the officer responsible for killing Mike Ramos accountable to the fullest extent of the law.

These protests should have been heard, and obviously were not. What will you do to ensure APD has sufficient policies and proper training in non-lethal weapons such as bean-bag rounds? How will you hold them accountable for using tear gas during a pandemic where the virus attacks the lungs? What will you do to make sure APD is part of the solution?”



ICMS #: 2020-0794

June 3, 2020

Complaint: The Office of Police Oversight received a complaint from Ms. [REDACTED], complainant, stating as follows:

“To the Austin Police Department,

As a mother, you not only have the right, but an obligation to try and create a better, safer world for your child to grow up in. I’m sure one of the reasons [REDACTED] and many other mothers attended the Austin protests was to instigate change so that their child would never have to fear meeting the same fate as George Floyd.

As I’m sure you know, [REDACTED] was shot with rubber bullets while pregnant at the protest. This type of behavior is abhorrent. Americans have the right to protest and exercise their first amendment rights. A woman and the life of her unborn child should never be threatened by the officers of the law designated to protect them. The use of rubber bullets should end. Police departments across the country need to improve how they train their officers to deal with large crowds and should be better trained at how to de-escalate situations.

Thank you for reading,

[REDACTED]

[REDACTED]”



ICMS #: 2020-0795

June 3, 2020

Complaint: The Office of Police Oversight received a complaint from Mr. [REDACTED] complainant, stating as follows:

“Austin Police Department,

As a teenager, you have the opportunity to shape the world you want to live in. On [REDACTED] [REDACTED] chose to fight for a safer, more equal future by protesting against police brutality. Standing unarmed and nonviolently on a hill, he was shot in the head with a less than lethal round. As of today he is recovering from surgery and a skin graft which left a permanent facial scar. As a teenager part of a youth led organization, this is not the future that I want to grow up in.

The use of less than lethal rounds by police needs to stop.

The use of “nonlethal” ammunition such as rubber bullets and bean bag rounds against peaceful protestors is brutal and unnecessary. Instead, APD should focus on de-escalation and crowd control tactics for protest scenarios. Officers should be held accountable for weapon discharges at nonviolent or low risk protests. It is a basic human right to stand up for your beliefs and not be attacked in response. You have the power to shape our future. Please change this.

[REDACTED]

[REDACTED]”



ICMS #: 2020-0796

June 3, 2020

Complaint: The Office of Police Oversight received a complaint from Mr. [REDACTED], complainant, stating as follows:

“Austin PD,

There has to be another way than shooting at us. Listen to the community leaders, question your policies, and please be open to change.



ICMS #: 2020-0797

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous online complaint stating as follows:

“A young woman was shot in the face with a projectile, and it embedded in her cheek. There was a line of police officers on the shoulder of [REDACTED] blocking cars from entering the ramp, and protesters were on the highway already. This incident happened within minutes of when the tear gas canisters were being thrown by APD onto the deck of [REDACTED] and the less-lethal bullets were fired. The bullets were shot at the people on the hill-people immediately scattered, and some were being treated by medics. Right at the corner of [REDACTED] on the North East corner, there was a young woman who was wearing medic gear being treated by other medics. She had a gaping hole in her cheek with some kind of white projectile imbedded in her face. I am unsure of what happened next. This was not acceptable. I have photos which I am sending to your email.



ICMS #: 2020-0800

June 3, 2020

Complaint: Mr. [REDACTED], complainant, alleges that a young girl was shot in the head with less lethal while she was riding a bike in a parking lot across from [REDACTED] during the protest on [REDACTED].



ICMS #: 2020-0802

June 3, 2020

Complaint: Ms. [REDACTED], complainant, alleges that she was with 3 of her friends protesting peacefully. She asked the officer if they started firing rubber bullets, can she squat down and be safe. She further alleges that the officer said she could but when the rubber bullets began firing, an officer in the third row hit [REDACTED] in the eye.



ICMS #: 2020-0803

June 3, 2020

Complaint: The Office of Police Oversight received an anonymous complaint alleging that police are shooting children in the head with rubber bullets and that they have seen video after video of [REDACTED] being shot by officers. Complainant further alleges that a Black man was shot and is in critical condition. Complainant shared that rubber bullets are intended to be shot at the ground, not at anyone's body and what they are doing is not right. They are radicalizing people and if they don't want riots they should admit that they are wrong. The complainant further shared that they are thoroughly disgusted and they really want police to stop shooting at people. The complainant believes that the investigations should not be handled by APD, they should be handled by an outside investigator and that APD does not have the ability to investigate themselves.



ICMS #: 2020-0804

June 3, 2020

Complaint: Ms. [REDACTED], complainant, submitted an online complaint to the Office of Police Oversight stating the following:

“At the protest [REDACTED] myself, my husband, and 5 of our friends were standing on the front lines at [REDACTED]. Things became aggressive with the crowds so we moved away from [REDACTED] and stood on the grass hill in front of [REDACTED]. After sitting there peacefully for 20 minutes, I see an officer standing on [REDACTED], point to me and my group. He says something to his neighbor officer, who then raises his rifle and AIMS DIRECTLY AT US FIRING MULTIPLE SHOTS. This is NOT OK! We were peacefully protesting! If my husband hadn't dragged me out of the way, if my friend hadn't stood in front of me, I would've been hit and injured. This is UNACCEPTABLE”



ICMS #: 2020-0806

June 3, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“As a teenager, you have the opportunity to shape the world you want to live in. On [REDACTED] [REDACTED] chose to fight for a safer, more equal future by protesting against police brutality. Standing unarmed and nonviolently on a hill, he was shot in the head with a less than lethal round. He had to go to the hospital and receive emergency surgery. As of today he is recovering from surgery and a skin graft which left a permanent facial scar. As a teenager part of a youth led organization, this is not the future that I want to grow up in.

The use of less than lethal rounds by police needs to stop.

The use of “nonlethal” ammunition such as rubber bullets and bean bag rounds against peaceful protestors is brutal and unnecessary. Instead, APD should focus on de-escalation and crowd control tactics for protest scenarios. Officers should be held accountable for weapon discharges at nonviolent or low risk protests. It is a basic human right to stand up for your beliefs and not be attacked in response. You have the power to shape our future. Please change this.”



ICMS #: 2020-0807

June 3, 2020

Complaint: Ms. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“As a mother, you not only have the right, but an obligation to try and create a better, safer world for your child to grow up in. One of the reasons [REDACTED] and many other mothers attended the Austin protests was to instigate change so that their child would never have to fear meeting the same fate as George Floyd.

As I’m sure you know, [REDACTED] was shot with rubber bullets while pregnant at the protest. This type of behavior is abhorrent. Americans have the right to protest and exercise their first amendment rights. A woman and the life of her unborn child should never be threatened by the officers of the law designated to protect them. The use of rubber bullets should end. Police departments across the country need to improve how they train their officers to deal with large crowds and should be better trained at how to de-escalate situations.”



ICMS #: 2020-0808

June 3, 2020

Complaint: Ms. [REDACTED], complainant, alleges that at the protest on [REDACTED], there was no provocation by protesters at APD and APD was shooting rubber bullets at people for no reason. There were times when the police were the only people on [REDACTED]. They were using the height advantage to fire down at protesters. Ms [REDACTED] spoke with some officers and was unable to get information about why they used those rubber bullets and tear gas. She further alleges that her friends were injured and shot and she thinks it was really unreasonable. [REDACTED] was completely closed off at the time and officers were still firing down. She additionally shared that it was disturbing to see officers' laughter and callousness and she believes they should have to see what injuries they gave people. There were so many people there who won't get to complain. She also stated that it seemed like white people who were injured were shot in legs, while people of color who were injured seem to have been shot in the head and stomachs.

[REDACTED] also submitted complaints about the following instances: The 20 year old Black man who was shot [REDACTED]. She states that the most disturbing part is that he wasn't instigating anything, and footage shows medics bringing him towards APD and them (the medics) being shot repeatedly. [REDACTED] believes that's evil and the officers badge numbers should be released. Officers need to be held accountable. [REDACTED] was shot in the head while standing on the grass. That is not justifiable. The use of rubber bullets and beanbag are really dangerous. Lastly [REDACTED] was shot in the stomach and potentially miscarried.



ICMS #: 2020-0810

June 3, 2020

Complaint: Complainant alleges: [REDACTED] made a highly insensitive and unprofessional post on Facebook in regards to the protests for George Floyd's death on [REDACTED]. As a police officer, I find it highly inappropriate for a police officer to make hateful posts towards people exercising their 1st Amendment right.



ICMS #: 2020-0811

June 3, 2020

Complaint: Complainant alleges: Officer [REDACTED] made multiple unprofessional comments on her personal Facebook page. Officer [REDACTED] violated department policy by being impartial to her political agenda. Officer [REDACTED] on a regular basis is associated with groups that are to condone violence and prejudice against other social groups. [REDACTED] also defied the LT's order to remove the post and added his email to a subsequent post encouraging others to harass him. [REDACTED] also posted a photo of herself in uniform which is a policy violation regardless of blurring out the badge.



OFFICE OF
POLICE OVERSIGHT

NOTICE OF FORMAL
COMPLAINT

ICMS #: 2020-0812

June 3, 2020

Complaint: Complainant alleges: Young boy around 15 or 16 standing peacefully protesting and was shot in head.



ICMS #: 2020-0813

June 3, 2020

Complaint: Complainant alleges: I want to express my concern over the misuse of nonlethal weapons by police against nonviolent protestors. A reminder that the role of the police is not to suppress all citizens assembling for a cause. The role of the police is to uphold the law, and the law is on the side of citizens expressing their rights to free speech and peaceful assembly. Apart from the general attitude of the police, I am also concerned that it seems "nonlethal" weapons are only nonlethal when used correctly. Quotes from the APD seem to suggest weapons were misused because of inadequate training. This is not an excuse. Don't give people weapons they are not trained to use. That is basic common sense. This is a very tense time. We cannot afford to make silly mistakes. Please, APD, exercise greater restraint as a whole. It would behoove us all.



ICMS #: 2020-0814

June 3, 2020

Complaint: Complainant alleges: There were peaceful protesters and APD officers shot rubber bullets to disperse the crowd. The crowd was not making any antagonizing moves towards the officers.



Complaint: *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):

105 PURPOSE AND SCOPE – COMMUNITY POLICING

The purpose of this general order is to identify the tenets of Community Policing, which serves as the basis for this Department's mission and guiding principles. Community Policing is beyond a philosophy, it is a practice. The Austin Police Department is committed to Community Policing which strives to build mutual respect, collaborative partnerships, fair and impartial policing, and procedurally just behavior with the community that we serve. The Department's goal is to have an understanding of the traditions, culture, and history of the neighborhoods in which they serve in order to develop proactive solutions to problems and increase overall trust in policing. Likewise, the Department is required to provide information and training to the community so community members gain an understanding of police practices and procedures, as well as an understanding of the traditions and culture of law enforcement.

200.2 DE-ESCALATION OF POTENTIAL FORCE ENCOUNTERS

When safe and reasonable under the totality of circumstances, officers shall use de-escalation techniques to reduce the likelihood for force and increase the likelihood of voluntary compliance. Nothing in this de-escalation policy requires an officer to place themselves in harm's way to attempt to de-escalate a situation. Recognizing that circumstances may rapidly change, officers may need to abandon de-escalation efforts after they have commenced. Understanding that no policy can realistically predict every situation an officer might encounter, the Department recognizes that each officer must be entrusted with well-reasoned discretion in determining the reasonable de-escalation techniques to use in a situation. This de-escalation policy is intended to complement, not replace or supersede, other portions of the APD Policy Manual or specific officer training that addresses de-escalation.

200.2.1 ASSESMENT AND DE-ESCALATION

As officers arrive on the scene, observe conditions, and interact with the persons there, they should continue to gather additional relevant information and facts. These assessments, along with reasonable inferences help to develop an understanding of the totality of the circumstances of the incident.

200.3 RESPONSE TO RESISTANCE

While the type and extent of force may vary, it is the policy of this department that officers use only that amount of objectively reasonable force which appears necessary under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this order.

200.3.1 DETERMINING THE OBJECTIVE REASONABLENESS OF FORCE



Any interpretation of objective reasonableness about the amount of force that reasonably appears to be necessary in a particular situation must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving, and the amount of time available to evaluate and respond to changing circumstances may influence their decisions. The question is whether the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting him.

206.4 CHEMICAL AGENT GUIDELINES

Chemical agents are devices used to minimize the potential for injury to employees, offenders, or other subjects. They should be used only in situations where such force reasonably appears necessary.

206.4.3 TREATMENT FOR CHEMICAL AGENT EXPOSURE

Subjects who have been affected by the use of chemical agents should be afforded means of cleansing the affected areas as soon as practicable. Those subjects who complain of further severe effects shall be afforded a medical examination by competent medical personnel.

206.5.5 SHOT PLACEMENT AND DEPLOYMENT DISTANCES

Officers should generally follow their training instructions regarding minimum deployment distances and target areas. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death.

The head and neck should not be intentionally targeted, however any target area or distance may be considered when it reasonably appears necessary to accomplish immediate incapacitation in order to prevent serious injury or death to officers or others.

300.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, such as Tex. Penal Code § 42.03 (Obstructing Highway or Other Passageway), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.



301.1 PURPOSE AND SCOPE – RESPONSIBILITY TO THE COMMUNITY

All persons deserve protection by fair and impartial law enforcement and should be able to expect similar police response to their behavior wherever it occurs. Employees will serve the public through direction, counseling, assistance, and protection of life and property. Employees will be held accountable for the manner in which they exercise the authority of their office or position. Employees will respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment.

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.

301.3 CUSTOMER SERVICE AND COMMUNITY RELATIONS

APD constantly works to establish direct contacts with the community we serve. Without grassroots community support, successful enforcement of many laws may be difficult, if not impossible. Community involvement can be an effective means of eliciting public support, can serve to identify problems in the making, and may foster cooperative efforts in resolving community issues. Input from the community can also help ensure that agency general orders accurately reflect the needs of the community.

302.1 PURPOSE AND SCOPE – PUBLIC RECORDING OF OFFICIAL ACTS

The Austin Police Department recognizes that members of the general public have a First Amendment right to video record, photograph, and/or audio record APD officers while they are conducting official business or while acting in an official capacity in any public space, unless such recordings interfere with police activity.

326.1 PURPOSE AND SCOPE – NEWS AND MEDIA RELATIONS

The purpose of this order is to seek a balance between permitting the free flow of information to the public and the media while protecting both the prosecution's case and the rights of the accused from possible prejudicial publicity. Public information and positive media relations are an integral part of the operation of any public service agency and APD is no exception. Most citizens have little contact with law enforcement and their opinions of the police are often formed by our Department's portrayal in the media. The release of public information and maintenance of good media relations is a crucial element of APD's mission. Employees must maintain a good rapport with the public and the media and deal with them in a courteous manner. The media has a legitimate function in our society and the public trust of the police can be enhanced through media relations.

APD is committed to informing the community and members of the news media of events that are handled by, or involve, the Department. Employees will cooperate fully in meeting the relevant information needs of the public and the news media. Every reasonable effort should be



made to obtain requested information, so long as the release of that information conforms to federal and state laws, and follows established Department guidelines.

328.1 PURPOSE AND SCOPE – RACIAL OR BIAS-BASED PROFILING

This order provides guidance to department members and establishes appropriate controls to ensure that members of the Austin Police Department do not engage in racial or bias-based profiling or violate any related laws while serving the community.

328.2 POLICY – RACIAL OR BIAS-BASED PROFILING

The Department strives to provide law enforcement services to our diverse community while respecting the racial, cultural, or other differences of those we serve. It is the policy and practice of the Department to provide law enforcement services and to enforce the law equally, fairly, and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability, or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

While the practice of racial or bias-based profiling is strictly prohibited, it is recognized that race or cultural differences may be legitimately considered by an officer in combination with other legitimate factors; to establish reasonable suspicion or probable cause (e.g., subject description is limited to a specific race or group), to establish relevant elements of a crime (e.g. exploitation of an elderly or disabled individual), or to gather evidence relevant to enhanced punishment due to offenses committed because of bias or prejudice.

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.

900.3.2 ACTS BRINGING DISCREDIT UPON THE DEPARTMENT

Since the conduct of personnel both on-duty or off-duty may reflect directly upon the Department, employees must conduct themselves at all times in a manner which does not bring reproach, discredit, or embarrassment to the Department or to the City.

900.3.4 PERSONAL CONDUCT

- (c) While on-duty or on the premises of City facilities, employees will not:
 2. Ridicule, mock, taunt, embarrass, humiliate, or shame any person, nor do anything that might incite that person to violence.

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.