



NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-1072

November 29, 2021

Complaint: The complainant alleges: My complaint is from multiple days including but not limited to yesterday [REDACTED] and the day before on [REDACTED]. Officers involved are [REDACTED], District Rep of APD and his partners in crime. They are on record harassing unhoused neighbors that are in a wheelchair, blind, disabled and a black blind man against the law. I have filed a report with Cpl [REDACTED] and then again yesterday with another cpl [REDACTED]. These officers are not only threatening to arrest people for being too poor to have a house in Austin, they are also involved in theft of peoples' tents and property, ids, medication, dog food, and they even arrested a blind black man in order to steal all his property yesterday. The State and Federal laws are clear. Housing is the only solution, not criminalization, abuse, harassment and threats. The American Disabilities Act protects these individuals from these theft and threats operations. Regardless of the directives and City's wishes to the contrary.

[REDACTED] has threatened to attack me with his hand shaking on his gun at least twice now. I called those in. Check the dates on my phone calls. Both times for advocating for housing and the law to be upheld by him. Both times [REDACTED] had to physically restrain [REDACTED] for attacking me. To prevent [REDACTED] from taking police abuse to a new level. This officer is a danger to himself and others and needs to be immediately fired and disarmed before he kills someone like [REDACTED] [REDACTED] did, one month after I filed a police complaint of abuse, threats and harassment of unhoused people.

The supervisor yesterday I spoke to did not give me an incident number.

Officer [REDACTED] yesterday refused to identify his name and badge number and laughed at me several times unprofessionally. None of the officers involved with me yesterday upheld the law. In fact [REDACTED] pulled his taser on me for advocating for them to leave the disabled unhoused people alone. Free Speech is not a crime, neither is filming or being free press. Get your training updated and get these bad cops off the streets as they are hurting people that are unhoused and will eventually get the City sued.

Please look at what APD and the City Council are doing by creating sociopaths that target the poor. This is the case study: The Stanford Prison Experiment.



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This notice of formal 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.

Recommended Administrative Policies to Review (to include but not limited to):

301.1 PURPOSE AND SCOPE

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 shall provide equal and fair protection of all rights under local, state, and federal law for all members of the community. Law enforcement will be conducted in an impartial and equitable manner.

In an effort to create an organizational culture that is inclusive and nondiscriminatory, employees shall act professionally, treat all persons fairly and equally, and strive to interact with the community in a positive manner. Employees will perform all duties objectively and without regard to personal feelings, animosities, friendships, financial status, occupation or employment status, sex, disability status, housing status, mental health or ability, citizenship, language, national origin, creed, color, race, religion, age, political beliefs, sexual orientation, gender identity, gender expression, ethnicity, or social or ethnic background. Employees will endeavor to understand and respect cultural, national, racial, religious, physical, mental, and other differences.

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.

The City of Austin is committed to compliance with the American Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.



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303.3.1 WHEN DEPARTMENT ISSUED BWC SYSTEM USE IS REQUIRED

This section is not intended to describe every possible situation where the system may be used. In some circumstances it may not be possible to capture images of an incident due to conditions or location of the camera, however the audio portion can be valuable evidence and is subject to the same activation requirements. The BWC should only be activated for law enforcement purposes.

(b) Examples of when the department issued BWC system must be activated include, but are not limited to:

6. Any contact that becomes adversarial in an incident that would not otherwise require recording.

328.2 POLICY

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.

328.3 MEMBER RESPONSIBILITIES

Every member of this Department shall perform their duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial or bias-based profiling to a supervisor.

Recommended Classification: *The OPO is permitted to make a preliminary recommendation on the classification of administrative cases.*

The OPO recommends this complaint receive a B classification.