



## OFFICE OF POLICE OVERSIGHT

# NOTICE OF FORMAL COMPLAINT

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ICMS #: 2021-0971

October 4, 2021

**Complaint:** Complainant alleges two units arrived to the building to the right of building 5. Two male officers came from car [REDACTED] one had a beard, no mask, and a crew cut; the other wore a mask, gloves, and baseball cap. The complainant allegedly heard hollering and saw a woman come downstairs then allegedly saw the officers punching the woman in the face a couple of times and then hit her in her body. They allegedly tackled the woman to the floor. The female officer on scene allegedly didn't turn on her camera until the woman was on the ground. The woman was Black, the police officers white. The woman was screaming for her medicine, they allegedly did not get her medicine. They had to call an ambulance and allegedly the woman left in an ambulance with bruises. The complainant alleges the woman was not aggressive when she came down the stairs. The complainant thinks the woman was "MHMR" and needed an "MHMR" officer. Complainant would like to be a witness for the woman.

*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):**

#### 200.2.1 ASSESSMENT 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.

#### 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.

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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### 402.1.1 GENERAL GUIDELINES

Officers will not write an offense report when they are the victim of a crime. The victim officer will write a supplement. The offense report will be written by an officer who is not a victim.

### 418.3.1 ASSAULT VICTIM STATEMENT

(c) Victims of family violence are to be given the opportunity to complete the AVS and sign it.

1. Victims should be advised that the AVS may be used to file charges.
2. In the event the victim refuses to complete and sign the AVS, the reporting officer shall complete the form and sign it under the signature refused section with a witness to the refusal, if possible.
3. The AVS form must be reviewed for completeness by the officer prior to leaving the scene

### 900.2 REQUIRED REPORTING OF VIOLATIONS

Employees have an obligation and responsibility to report all facts or credible information they know regarding any criminal activity by other employees or any breach of APD written directives.

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.***