



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-0608

June 22, 2021

Complaint: The complainant alleges: Detective █████ closed the investigation where the complainant was a victim of an assault. The detective failed to reach out to him prior to closing the case. After the fact, the complainant spoke with Detective █████ to follow up on his investigation and wanted a reason why he was never contacted to gather further details. He was not allowed to make another report, the Detective spent 48 minutes on the phone trying to dissuade him. He was told to ignore the suspect, there is no point in doing it, and to get on with his life. Detective █████ also told him that they wouldn't be able to get a conviction and he was told he needed witnesses. The complainant brought forth names of witnesses and was told it was hearsay. The complainant provided video footage and was told that it didn't count as assault and the footage can't be more than 1 year old. He was also told by the Detective that they don't want to waste resources on him. Lastly, he spoke with Lt. █████ to bring up all the things that were done incorrectly on his case. Lt. █████ became aggressive with the complainant, she stated she stands by her guys and told him it was sufficient for the Detective to have spoken to him.

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):

301.2 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.

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.

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.