



ICMS #: 2020-1650

November 13, 2020

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

“I am an APD Evidence Specialist & afraid of retaliation from my unit and therefore am sending this complaint directly to you. I must preface my complaint from today with the backstory & conditions of my work environment.

I have been uncomfortable for several months in my office because some of my coworkers have far right beliefs and leanings. One of those people is my direct supervisor, [REDACTED]. He believes COVID-19 is a hoax perpetrated by Democrats and has taken the barest minimum of precautions in the office. He’s forced to wear a mask, but he has a single layer knit mask and wears it under his nose. He’s made fun of me for my morning decontamination routine and I’ve frequently had to tell him to stay six feet away from me. His behavior and comments have emboldened two of my coworkers to loudly vocalize their far right wing beliefs. One of those people is [REDACTED]. He has been on light duty following surgery and has been sitting at the front window helping the public and other visitors. He constantly streams Fox News on the window computer and reads aloud conspiracy stories from the internet. When I would occasionally help a person at the window, I would be forced to turn off the computer speakers so I didn’t have to hear it. [REDACTED] failed out of the last police cadet class and maintains close relationships with officers. That leads me to today’s interaction.

I returned from my lunch break at 1pm and [REDACTED] was in the office with Police Officer [REDACTED]. I was unable to directly confirm his identity because his back was to me, but I researched the case number on the incorrectly packaged evidence that he was fixing with [REDACTED]. (There is video surveillance in this office and my manager could pull up the entire interaction & verify it was [REDACTED].) The pair of them were engaged in far right rhetoric, which I tried my best to ignore. They were discussing the uncertainty of APD Funding and how the Forensics Department might be separated. However, [REDACTED] began to tell [REDACTED] that there was a secret corruption investigation going on that proves City Councilmen Jimmy Flannigan and Greg Casar were receiving illicit payments of money from George Soros. And that this investigation was about to be made public. [REDACTED] replied that he heard the new presumptive District Attorney was completely funded by George Soros. Together they discuss how District Attorneys across the nation have been bought and paid for by George Soros.

This discussion angered me to my core. I will not tolerate anti-semitism and I will not let these men speak that way publicly without impunity. The easy way [REDACTED] spoke gave me the impression that this was a common type of conversation that he has with coworkers. [REDACTED] finished the conversation by saying he and others are waiting until



the election and for Governor Abbott's action in January to decide if they will continue to be Austin police officers.

I don't want to walk in and hear another conversation like this again. I don't want to hear Rush Limbaugh's voice streaming out of a computer that can be heard by members of the public. I want my manager to do something about this, but I feel he won't because he most likely feels the exact same way.

Thanks for listening to me. I am shaking with anger that there are APD cops freely discussing anti-semitic conspiracy theories and I don't know what to do about it. I hope you can help."

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):

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.

972.2 POLICY – EMPLOYEE SPEECH, EXPRESSION, and SOCIAL NETWORKING

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contrain the orders and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Austin Police Department will carefully balance the individual employee's rights against the Department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression. This policy is not intended to restrict employee speech that is protected by the First Amendment.

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.