



ICMS #: 2020-0154

April 27, 2020

**Complaint:** Complainant, Mr. [REDACTED], filed an online complaint alleging the following:

“I was falsely arrested and told by cpl [REDACTED] that I was being arrested for my "political veivs and beleifs" Class C Misdemeanor, camping. Then it was dismissed by [REDACTED], City lawyer. This is an illegal arrest. The operation was guided by the FrontSteps director and a sgt [REDACTED]? Anyhow they should be charged and fired. We don't allow political prisoners in Austin. And there are no discretionary class c arrests and no camping arrests per City Councils' directives to the police department. I expect strong remedies and action. This is not over just because the case was dismissed. I was still harmed and stolen from and displaced from a public space for filming and camping. period. I requested HALO and other video preserved. I expect all this evidence will be held by the City. Consider this my spoliation letter.”

*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):**

**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.

**303.3 DEPARTMENT ISSUED BODY WORN CAMERA**

BWC equipment is to be used primarily by uniformed personnel as authorized per assignment by the Department and must be used unless otherwise authorized by a Commander or above.

**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.

#### 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.

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.***

