



ICMS #: 2019-1345

March 16, 2020

**Complaint:** Ms. [REDACTED], complainant, alleges that Austin Police Department (APD) officers may have violated APD policy during a call for service regarding the theft of her vehicle. She states in her complaint that “no one showed up” for hours when she called to request service, and she alleges that when officers did show up, they insinuated that she had loaned her car out or knew who stole it. [REDACTED] states that when she presented officers with a credit card she had found in her front seat, they told her to ask her friend who the card belonged to. She further alleges that officers never asked for her driver’s license to verify that she was the owner, and states that when she asked officers to fingerprint the door of her vehicle, they said “that’s all fiction, we can’t do that.” [REDACTED] believes that the treatment she received from officers was bias-based.

*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):**

**301.2 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.

**303.3.1 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.

**304.3.2 WHEN DMAV USE IS REQUIRED**

This order is not intended to describe every possible situation where the system may be used. In some circumstances it is not possible to capture images of the 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.

**435.3.2 RECOVERING STOLEN VEHICLES**

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

***The OPO recommends that this allegation receive a B classification.***