



ICMS #: 2020-0015

February 26, 2020

Complaint: [REDACTED], complainant, alleges that Austin Police Department (APD) officers may have violated APD policy during a call, stating as follows:

“I was on 6th street at Thitsty's bar. My sister and mother purchased drinks at the bar. The drinks were not what i requested as it was full of water. Upon kindly inquiring with the waitress, i was told to "[REDACTED] off and leave the bar" by her then the apparent manager. 2 police officers were then called when I refused due to the theft of my money. [REDACTED] [REDACTED] refused to identify themselves even though i gave them all the information they asked of me and manhandled me, pushing me, hitting me to throw me out of the bar even though i was complying with all their request. [REDACTED] then accused me of threatening his partner after I complained about their behavior because my rights were being impeded and told them I will follow up in the court of law. They told me i was just a "n [REDACTED] by myself" not realising that my sister and mother had briefly gone to the bathroom. If it wasnt for the intervention of my sister and mother I would have been seriously harmed and injured. It is not right that a tax paying citizen does not have the opportunity to tell his/hers side of the story and is treated like acriminal and animal who is guilty before proven innocent due to my ethnicity.”

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 RESPONSIBILITY TO THE COMMUNITY—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.

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.



401.2 INITIAL RESPONSE AND INVESTIGATION

(c) The primary officer shall make a preliminary determination if a crime has been committed.

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.

