



## **MEMORANDUM**

### **Austin Police Department *Region V Patrol***

**TO:** Min Chung, Officer  
**FROM:** Michael Eveleth, Commander  
**DATE:** August 12, 2020  
**SUBJECT:** Written Reprimand IA Case 2020-0018

This memorandum is in reference to an incident which occurred on January 1, 2020 and your conduct at that time. Specifically I am referring to your involvement (*failure to make an arrest for an assaultive family violence offense under case number 20-0020939*)

Your actions violated APD Policy (900.4.3 Neglect of Duty and 401.2(d) Failure to Properly Investigate) which state:

#### **900.4.3 NEGLECT OF DUTY**

Employees will satisfactorily perform their duties. Examples of unsatisfactory performance include, but are not limited to:

(c) Failure to take appropriate action on the occasion of a crime, disorder, investigation or other condition deserving police attention.

#### **401.2 FAIL TO PROPERLY INVESTIGATE**

(d) Generally, officers assigned to calls or discovering incidents requiring a report shall be responsible for the preliminary investigation and required paperwork.

1. Certain incidents (e.g., family violence, sexual assault) require a specific response and investigation as outlined in its respective General Order, Standard Operating Procedure (SOP) or Operations (Ops) Manual.

In lieu of imposing a three day suspension Officer Chung agrees to Education Based Discipline (EBD) with the understanding that if he fails to comply with the terms of the EBD, the three day suspension will be imposed. Successful completion of the terms of the EBD will result in a final disposition of a written reprimand. Additionally, Officer Chung understands the terms of EBD must be completed by June 4, 2020.

By signing this agreed EBD Officer Chung understands and agrees that should he fail to comply with the terms of the EBD, a three day suspension will be imposed by the Chief of Police and Officer Chung waives all rights to appeal this three day suspension to the Civil Service

Commission, an Independent Third Party Hearing Examiner, and the District Court. Furthermore, Officer Chung may not file a grievance under Article 20 of the Meet and Confer Agreement and agrees and understands that should a three day suspension be imposed, Officer Chung waives any claim that the suspension was not imposed within the 180 day time limit to impose discipline pursuant to Local Government Code 143.052(h).

Failure to comply with the above stipulations may result in more severe disciplinary action against you, up to, and including an indefinite suspension.

I hereby acknowledge receipt of the foregoing Reprimand:

Min K Chung #5895  
Signature of Officer Receiving Reprimand

08-12-00 / 2009 HRS.  
Date / Time

Det Barke #4533  
Signature of COC Sergeant

8/2/2020/2010  
Date / Time

[Signature] 2194  
Signature of COC Lieutenant

08/24/2020 19:22  
Date / Time

[Signature] 2566  
Signature of COC Commander

8/14/20 12:00 PM  
Date / Time

cc: Employee  
Employee's Supervisor  
Internal Affairs  
APD Human Resources