



ICMS #: 2020-0539

August 17, 2020

Complaint: The Office of Police Oversight received a complaint from [REDACTED] alleging as follows:

“Hi. My name is [REDACTED] and I would like to say that recently, I have been re-victimized by local law enforcement, a Victim Services Counselor, and a Supervisor in Protective Orders. I am suffering greatly from an abusive ex-boyfriend. After I ended that relationship, he stalked & terrorized me. He showed at my school campus intoxicated, waiting outside my classroom. Terrified but not wanting the other students to be a part of this drama, I informed my abuser I was going to the ladies’ room before walking to my car (it was dark already). I then text my son to notify campus police. They finally found us and issued him a CTW. He is currently out on bond for DWI & unlawfully Carrying a Weapon. I had already reported the abuse to my counselor up until this day he appeared at the school. Title IV does not encourage/discourage a victim in reporting to local law enforcement. I was already terrified of my abuser, as he became fascinated with guns in [REDACTED]. [REDACTED], he began a seven-day mission to come to my residence and terrorize me. It was [REDACTED]; I had no other choice but to call Austin Police Dept. My abuser left unwanted notes on my car and door. Called repeatedly, emailed, and one of those days, banged on my door & bedroom window screaming he knew I was in there & I better let him in or he was going to kick the window in. I could barely breath, he has access to other firearms aside from the one confiscated at his arrest. Again, I text my son who was at work to call 911. I was shaking so badly, I had to whisper for Siri to text for me. I crawled in my closet, so he would not hear me. When the police arrived, they were insensitive and rude. Questioning why I have my son call and laughing as they handed me another note he left on my door. I explained what had been happening and they insinuated I really had not ended it and maybe I needed to text him again to let him know. I informed the police, he knows, I verbally told him and via email. As they were leaving, I said “He is out there”. They rolled their eyes and said they would look. My mother is retired from TDCJ and she has told me that when you’re at target and people like this that and you know them before, that the context of their language or the language that you speak with them this something you only understand. Meaning his notes, they’re always saying he loves me and then he misses me? He’s never talks to me nice like that ever. I see those threats. I told the police that and they laughed at me. There’s one email he sends me with one of the very last ones, and he says I’m treating him like A criminal and want to take his rights away because I’m mad. That is a threat, he’s mad at me for calling the police and I’m not doing anything he’s doing this to himself. And I don’t even think I’m mad at him I just think I’m in shock right now I don’t even want to see him I’m more afraid of him than anything. The officer said he told them he was there for face to face closure. I believe, he began doing all this to make me feel threatened of that he did before i broke up. When he came to my school [REDACTED] 2020, all he kept saying was it was not true what happened [REDACTED]. Fifteen minutes later, one of the officers returned. They found him hiding in his car, parked in my apartment



parking lot. He was intoxicated and had a flashlight in his passenger seat. Knowing, I was visibly upset, scared, and my abuser was out on bond with pending criminal charges, the officer allowed him to catch a cab home! He wanted to let me know in case I see his car. He also wanted to tell me how he told him he was a good-looking guy and can find someone else. While the officer was telling me this, my abuser drove off in his car. They did not include this in the police report. Victim Services Counselor suggested I imagined this and why is it important? I said, "Because it shows his character and lack of regard for law enforcement!" I wanted to crawl up in a ball and scream when they left. The officer's name I had most communication with that day is Officer [REDACTED]. Enter Victim Services Counselor. Right away, she was not supportive or helpful. She emailed, and her response to everything was "There is not enough information they cannot file stalking charges." Repeatedly, she tells me this. I have all her emails. I ask her for the Detective handling this stalking report. She gives me vague answers and informs me I can let her know, and she will convey all my concerns and messages. I inform her I believe he has been stalking my window. In fact, the reason I knew he had a flashlight was because I was telling the officer I believe he flashes his cell ph. or something, he interrupted me to tell me about the flashlight. I ask her about the Victim Compensation Fund. Because I would like to start receiving counseling. This has impeded on my studies. My doctor had to write me a letter for school, so I could ask for special accommodations. She states I am ineligible, my abuser in not being charged with anything so I can't qualify for it. In sheer frustration and disbelief, I ask her to please have Protective Orders call me, as I had not heard back since I called them. The week this Coronavirus shut the world down. She ignored, but later told me to call again. I gave her a lot of information. I have over one hundred pictures of phone calls, emails, notes, texts, I gave her to as well as three other Detectives. I informed her I discovered this person had been stalking me while we were dating. Isolating me in my home, coercive control, intermittent reinforcement. I found a message where he tells me not to tell anyone he is going to get a license to carry, because it's no one business. He did not let me have any friends. The ones I had, stopped talking to me when I started dating him. Then we have the confusion and gaslighting by Austin Police Department, Det. [REDACTED]. I could never understand why 311 would always give her name as the Detective handling the report numbers, I have except for [REDACTED] that was handled by Detective [REDACTED]. He has emailed me that he is going to issue a warrant for harassment when we are off quarantine. I just do not have any faith in what people of authority say anymore. I have attached the conversation with Det. [REDACTED]. From [REDACTED] I was calling 311 & 911 to report all the activity my abuser was doing. I had so many report numbers, they are included in this complaint. Never did I get a straight answer about if there were two harassment reports being investigated or a stalking and exactly who I needed to speak with until after a couple of weeks when I reached out to Det. [REDACTED]. As I stated, I received a copy of the report. Det. [REDACTED] writes two days after I reported all this, she shuts it down. She also writes she spoke with the victim services lady, I guess after I told the counselor she should write what she says in the report to the detective as well. They got hip to the fact that I read how much she was not advocating for me. Not one time



did Det. [REDACTED] ask me about what happened nor did [REDACTED]. I am very upset that as a victim I deserved to know the truth about how they were going to handle things. This way I could try to start healing and MoveOn, and not be stressed out about how I was going to prove what I was saying was true. The fact that they passed me to the protective order people when it was shut down the case our report was not even investigated what was going to happen there? Was I going to get disappointed some more and re-victimized more because that's what I feel like. I am disabled. I fall under the people with a disability who do not appear to have one. I feel the police and victim services counselor are bias and have stigmatized me because I have a criminal record. That is not fair as I have told each one of these people, I've had to communicate with not everyone who has a criminal record wants to Continue to stay in that lifestyle. I am 4 years sober, and I am going to school studying to be a licensed chemical dependency counselor. I don't feel sorry for myself. I feel sadness for my only child. My now adult son who does not have a criminal background and is a very fine young man. I raised him alone and that is probably the best thing I ever did. But you don't know this person that is abusive towards me like I do and I never knew that he could be so cruel, but I know he can be and he's mean and what sad is that my son sits here and he watches how no one helps his mother and she's done everything I was supposed to . Think about how he will feel if something does happen to me because I feel like this guy will come back after me one more time and he will kill me and himself he's a coward. My son has to live with the fact that everyone really killed me thought I was a liar he didn't take me seriously he's witnessed some of the stuff himself he wrote an affidavit. That man's actions his abusive behavior affected our home it was my son 's birthday on [REDACTED] and we didn't even have a good time celebrating it because we were so scared to leave the house. And now while they close everything down in time is going on and I'm just wondering what To do because it doesn't seem like anyone is going to do anything which they're not when I read that report I couldn't read all of it at first, because I was upset but then I needed answers so I went back and read the whole thing it's so shortly written. The police left out the most important parts and they can service lady is bad mouthing me in a passive aggressive way to the detective like" this girl is mad she just wants him arrested" yes I do I feel like he needs help and I never have badmouth him or anything I just feel like he's a sick person and he needs help. I'm studying about personality disorders. I have known him since fifth grade I didn't see him for a long time but I'm still in shock that anybody I would know that Long as a child, we both kids together would do something like this to me I don't get to talk about that with anybody because I'm too busy advocating and defending myself when people get paid to do this so I can start to heal and see this person accountable. IT IS NOT OKAY what any of these people did to me. So I feel discriminated against I could say that my ADA rights were violated because I'm on disability and they're being biased for the fact that I have a criminal record and haven't been staying out of trouble for so long and only get in trouble when I'm in my addiction which I'm not I'm not going back to that place and I don't need to explain all that when something happens to me and My boundaries are violated and I am sexually assaulted. what am I supposed to do I do not know? there is no instructions on when this happens to



a person. I reported to my school my grades have been suffering I cannot make this up all of this stuff. I am starting to get physically sick the trauma is wearing on me because I walk around trying to act like nothing is wrong because everybody else is telling me that and I have all these aches and pains everywhere. It's really sad and I'm devastated and I hope that when you read this or whoever it is they understand and feel my pain that this is not fair at all and this guy is doing what I think he's doing I don't make this up. When I last emailed the victim services counselor, suddenly a [REDACTED] called. She informed me that the victim services lady acted like that because that was part of the screening process. We have an appointment to talk on the phone since everything is done on the phone right now. And she is late calling me, I ask her in an email was I supposed to call you or are you supposed to call me? I believe at included that email in this complaint. She says she is running behind, and she'll call me back 45 minutes pass. I get an email that I have on my tutoring I'm behind in my classes I don't want to fail and I'm teetering on the edge here with that but my professors know what's going on and I have explained it to them but gosh, they can only do so much I can't pass me by not doing well. And that worries me because that is the only thing, I have going for me that's positive right now. So I tell her I have to get on the tutoring and she says oh well your documentation is excellent I think I could fill out everything I'll just need you to fill out submit some blanks if I have to. I was on a Friday before Easter. Monday goes by I do not hear from her. Tuesday afternoon I email her and ask her what is going on? She says that the attorneys would like me to do a timeline the way they do things which is very dry listing a whole bunch of times He did things that shamed and embarrassed me. So I had to take my affidavit and write down from nine months to the end all the things he did and in looking into that I found out there is a pattern and he's been doing this since the very beginning I just never saw it. It is very compelling. It's just hard to put down on paper because it's like I'm reliving it and also, I don't want to think about it anymore. Had the officer from Austin Police Department taking me serious when he came out to my apartment that day and found my exit abuser in the parking lot drunk they may be the victim service lady wood it taking me serious and then maybe I would have my protective order right now. I have never seen so many judge mental in competent professional law enforcement type people. Let their opinions or core believes that are negative stand in the way one person that is 5'3 and weighs 130 pounds of getting protection for herself and her son and her dogs which he threatened before to cut my dogs paws off. I cry almost every day because I'm just I don't I can't it's indescribable. And this is my last hope to reach out for someone to hear me and look at this stuff even if they don't put criminal charges on him I want somebody to see what they did to me how it was unfair that they didn't even look at any of the stuff that I have because I'm right and I have had attorney friends look at this and they said you have a stalking case. And you know it really upsets me? Is that I told the victim service lady that I know for a fact that these Hollywood ghetto women who use protective orders like landlords to the big boyfriends I don't like, go in there a month later reporting abuse with no documentation granted it's physical abuse. My sister is one of those women. Psychological, coercive abuse that escalates into what mine has... it is pretty mortifying as well. I have lost 60 pounds since last July dealing with



this. It's still gone to school and try to concentrate and still maintain my composure despite the fact that I've been treated like trash. I even called his attorney because he is a friend of mine were not talking right now though because he's representing him, He's got to stop he's making it worse for himself. And you know what he said? He said he's told him twice to leave me alone so if I haven't talk to his attorney since the day he came over and sexually assaulted me and I asked him for help and I put those tags attached to here to where I'm saying he's his attorney please get him an interlock. Then he knows what is going on and everybody does to you do not want to do anything for me. And I do not have the money to get an attorney I already had one attorney try to rip me off \$500 to get a civil protective order. Which never happened and as time goes by this becomes forgotten and lost but not to me. I just want to thank you for your time and if you have any questions please call me. I called his attorney because he stalked me on social media this past week. Thank you for your time. I hope this does not get done to other people in a more fragile state of mind."

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

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.

303.3.1 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 a B classification.

