



ICMS #: 2020-1258

July 29, 2020

**Complaint:** The Office of Police Oversight received an anonymous email alleging that multiple Austin Police Department sworn employees of various ranks participated in a cover up of an incident of “excessive police force.” The email states as follows:

“Video of excessive police force covered up by Austin Police [REDACTED],  
Evidence Locations or in open records request for all R2R forms, reports,  
[REDACTED] Arbitration documents.

1. Date: [REDACTED]
1. Police Case #: [REDACTED]
1. Almost 100% of officers report, including entire probable cause is lies. (See report)
1. On one of three in-car videos shows officer telling his responding supervisor when asked, that he only “punched” the black female 3 to 5 times.
1. Officer to cover his tracks he “Falsely filed Felony Assault on Police Officer”..
1. Officers Violated Taser Policy, also identified by his coc (chain of command)... against Black Female exhibiting “ONLY” passive resistance.
1. Officer told female early in stop she could use phone.
1. Female only Provided “Passively Resistance” ...
1. One officer between her legs pinning her on her back while second officer pummeled her face with punches .. point blank like UFC style etc... officers reported 3 to 5 punches, where not less than 20 thrown, including while both officers were pinning her hands down. In this position, their commands to her where... hands behind your back... she’s pinned on her back getting beat.
1. Second taser deployment failed to fully connect, but can be seen causing her slightly to move... while he against policy shot her in the back.
1. In first 11 seconds after first punch, nine (9) punches were landed. All before anyone said, “put your hands behind your back.



1. At no time did anyone tell her she was under arrest or had a warrant.
1. Incident Review reads that both officers each were holding different wrist and [REDACTED] punched her another 3-5 times.
1. Near end of [REDACTED] DMAV he's having side bar conversation with another officer... telling other officer that during this fight, he kept trying to get on the radio to call for help, but couldn't get out...coveted. He never reached for or touched his radio.

**Use of Force Review:**

There's an extensive use of force mandatory review process. The following words define Perfect by Policy Use of Force: "Justifiably Reasonable".

After an R2R (Response to Resistance) review:

Sgt. Reported - "Justifiably Reasonable".

Lieutenant - documented in "Use of Force Review FORM"... near exact number of punches, and other violations like taser use on passive resistance, yet still concluded it: "Justifiably Reasonable".

Commander [REDACTED]: was Sector Commander. His review stated he was going to staff it with ASsistant Chief [REDACTED].

After helping [REDACTED] cover this up, [REDACTED] promoted [REDACTED] to Assistant Chief!?!?

"Justifiably Reasonable".

[REDACTED] approved the force!! \*\* AND \*\*did not allow full case (video of excessive force was never reviewed by the additional transparency catch, Force Review Board...and videos to be presented to the Force Review Board after level 2 R2R (response to resistance)... sane as (Use of Force) States: "Justifiably Reasonable".

**Important:** The assistant [REDACTED] covered it up... prevented Force Review Board from seeing it... for [REDACTED] ... ([REDACTED])

[REDACTED] wanted job bad and covered up several major violations he felt would embarrass him and prevent him from getting full time [REDACTED] job.



After this corruption, then [REDACTED] picked up his \$180,000 bonus retirement check and left to now be chief of another city.....at least until this goes out....

**Key Elements and Important Notes:**

1. Reporting & Arresting Officers Police Report is full of lies. 100% falsified Probable Cause for initial traffic stop, and never told black female why she was under arrest. All lies made crystal clear when watching entirety of officers video.

**Commander** [REDACTED] [REDACTED] was responsible for completing the Secondary Commander Review... last check & balance. He was found by [REDACTED] (his boss) and Manley to have NOT done his job.. zero reviews of use of force for two (2) years he was behind?!? Another link of corruption and failure to review a use of force. He's also a trusted member of the most important step skipped in this case, Force Review Board. They were only slowed to review the reports, never to see watch this horrible excessive force video.

Additional Corruption related to Police Use of Force:

Assistant Chief... then Commander over Downtown Area command 6th street officers and thousands of officers use of force completely neglected...same period within last two years... use of force case review two year neglect, yet still promoted to assistant chief?!?

**Assistant Chief** [REDACTED] was a Commander prior to assistant Chief selection, caught giving her top secret digital passwords to lower level subordinate, telling him (in email provable) Lt. [REDACTED] to sign all use of force case transparency reviews for properness etc.. HER job as a commander to ensure lower UOF reviews were properly implemented and "justified". Thousands of officer force videos she never reviewed... her subordinate signed all as approved force approved by her!!

**Note:** She WAS caught but Corrupt Chief Manley still promoted her to Assistant Chief after he covered up her major violation and Never Started an IA investigation!!

True Reform.. Only chance Austin has:

1. Terminate Manley
2. Remove/demote his hand picked assistant chiefs.



3. Remove secret power Chief has to promote officers up from Lieutenant or commander, make same as lower ranks so Minorities can't continue to be skipped, never having a chance to study and make it off merits.
4. NEVER allow future CM to hire the big Austin Chief "from within"... instantly allowed for corruption via his assistant chiefs selections.

The Austin Police Department has some of the best trained officers in America, but this is negated by corrupt chiefs.

**Recommended Administrative Policies to Review (to include but not limited to):**

**200.1 PURPOSE AND SCOPE**

This order recognizes that the use of force in response to resistance by law enforcement requires constant evaluation and that response to resistance is a serious responsibility. The purpose of this order is to provide officers with guidelines on objectively reasonable response to resistance. While there is no way to specify the exact amount or type of objectively reasonable force to be applied in any situation, each officer is expected to use these guidelines to make such decisions in a professional, impartial, and objectively reasonable manner.

This order is written in terms to apply to sworn officers. In incidents where civilian employees are authorized to use force, they are subject to the same policies and procedures as officers but the test of objective reasonableness is judged from the perspective of an objectively reasonable civilian employee.

Additionally, this order will provide directives and guidelines on the following:

- (a) De-escalation principles
- (b) Parameters relating to the use of objectively reasonable force.
- (c) Reporting requirements.
- (d) Providing medical assistance to injured subjects.

**208.4 USE OF THE TASER DEVICE**

As with any law enforcement equipment, the TASER Device has limitations and restrictions requiring consideration before its use. The TASER Device should only be used when its operator can safely approach the subject within the operational range of the TASER Device. Although the TASER Device is generally effective in controlling most individuals, officers should be alert to the potential for failure and be prepared with other options.

**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.



900.3.1 HONESTY

Honesty is of the utmost importance on the police profession. Employees are expected to be truthful at all times in the performance of their duties.

900.3.2 ACTS BRINGING DISCREDIT UPON THE DEPARTMENT

Since the conduct of personnel both on-duty or off-duty may reflect upon the Department, employees must conduct themselves at all times in a manner which does not bring reproach, discredit, or embarrassment to the Department or to the City.

900.4.3 NEGLIGENCE OF DUTY

Employees will satisfactorily perform their duties.

900.5.1 SUPPORTING FELLOW EMPLOYEES

- (a) Employees will not knowingly aid, abet, or assist another Department member in violating any Department directive of order.

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

***The OPO recommends an A classification for any sworn employee involved in this incident with the rank of Commander or lower.***

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]