



# OFFICE OF POLICE OVERSIGHT

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## Office of Police Oversight Formal Complaints: June 1 to June 10, 2020

Between May 29<sup>th</sup>, 2020 and June 10, 2020, The Office of Police Oversight was contacted 895 times regarding complaints against the Austin Police Department.

- 107 by online form
- 387 by phone
- 401 by email

Of these, the Office of Police Oversight is recommending 227 complaints for formal investigation by the Internal Affairs division of the Austin Police Department. The 227 formal complaints are representative of 606 individuals who contacted the Office of Police Oversight to file a complaint.

Due to the sheer volume of these complaints, the Office of Police Oversight has compiled complaints by date.

- June 1, 2020: 35
- June 2, 2020: 45
- June 3, 2020: 44
- June 4, 2020: 33
- June 5, 2020: 26
- June 8, 2020: 13
- June 9, 2020: 21
- June 10, 2020: 10

Complaints are redacted to remove personal or identifying information. If you have any questions, please email [policeoversight@austintexas.gov](mailto:policeoversight@austintexas.gov).



ICMS #: 2020-0713

June 2, 2020

**Complaint:** The Office of Police Oversight received the following anonymous online complaint:

“Officer [REDACTED] pointing weapon at press is absolutely disgusting

[REDACTED]

[REDACTED].jpg

[REDACTED].jpg”



ICMS #: 2020-0714

June 2, 2020

**Complaint:** The Office of Police Oversight received the following anonymous online complaint:

“An officer pointed a shotgun at a member of the press during a protest. There is photographic evidence for this:





ICMS #: 2020-0715

June 2, 2020

**Complaint:** Mr. [REDACTED], complainant, submitted an online complaint to the Office of Police Oversight alleging the following:

“I was having a conversation with Officer [REDACTED] about the necessity of having rifles on the front line, and he mentioned looting that happened down town. He mentioned one specific case, and twice specified that all the perpetrators were minorities. His belief that the races of those involved was somehow relevant to our conflict is the kind of racial prejudice that brought me out here. Additionally, when I described the incident of the girl who was arrested for waving a sign in front of officers, he answered that it was justified because he "felt like a human punching bag". I specifically asked if that made it OK to arrest someone who was standing back, and he said it was. That video is specifically why I came out.”



ICMS #: 2020-0716

June 2, 2020

**Complaint:** Ms. [REDACTED], complainant, submitted an online complaint to the Office of Police Oversight alleging the following:

“I am standing and holding a sign near the bottom of the [REDACTED] next to [REDACTED] in protest of the police brutality and murder across the nation. A swarm of cops on bicycles rush towards the exit to move onto [REDACTED]. Officer [REDACTED] targets me at full speed with his bike, jumps off of it, and shoves me onto the ground. I then jut my foot against him to get him off of me. He then aggressively flips me onto my chest to handcuff me (marks visible on both wrists) while another cop clutches my shoulder (marks are visible on both sides). I am told I'm under arrest and gripped tightly on the right side by [REDACTED] (mark is visible on bicep) and on the left by another cop (did not get his name). Several cops walk side by side as they move me forcefully into the parking garage. A protester steps near them and pleads for them to let me go. A cop to my left extends their arm and sprays tear gas directly into the protester's bare-opened eyes, only a couple of inches away from the protesters face. The two officers continue to tightly grip both of my arms in the parking garage for at least 15 minutes. [REDACTED] then searches my purse, throws away my bag of pecans and walnuts and tosses my purse onto a small mound of dirt in the parking garage. He resumes gripping my arm for another 10 minutes. Then a officer takes over gripping my arm as [REDACTED] searches for my records on a device. After another 15 minutes, they are discussing whether to let me go or wait for the van to take me to jail. I am put into a cop SUV for less than 5 minutes when I am then approached by two officers and told if I give them my address they will let me go. After a few minutes, I decide to give them my address. I am walked outside of the parking garage and the handcuffs are released from me.”

*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.*



ICMS #: 2020-0718

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint alleging the following:

“Pointing a shotgun at press.”

*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.*



ICMS #: 2020-0719

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint alleging the following:

“cop shoved me down and called me a nigger”

*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.*



ICMS #: 2020-0720

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint alleging the following:

“Friend was aggressively pushed by officer at [REDACTED] was moving self and bicycle out of the way. While back turned to officer, was pushed on his back and he fell over his bike. Officer who pushed and all officers present did not stop to check that he was okay and ignored what happened. Video was recorded.”



ICMS #: 2020-0722

June 2, 2020

**Complaint:** Mr. [REDACTED], complainant, submitted an online complaint to the Office of Police Oversight alleging the following:

“At about [REDACTED], to outside [REDACTED] to support the protesters. This man was peacefully protesting and being pepper sprayed in the face by the cops consistently: [https://\[REDACTED\]](https://[REDACTED]) After several minutes of this, the cops maced the crowd around the single protestor, while cops from the [REDACTED] overpass rained bullets down. I was struck by a rubber bullet in the chest, despite being about 90 feet from [REDACTED], and by myself — there was enough space to diligently social distance at that point, so no one was in 6 feet of me. Here's where I was when I got shot: [REDACTED]



ICMS #: 2020-0723

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint alleging the following:

“A peaceful protestor standing and not threatening in any way was sprayed in the face several times by 2 officers. Excessive force was used on a citizen when that citizen was not threatening any lives.”



ICMS #: 2020-0724

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint alleging the following:

“Excessive use of force in the form of targeted tear gas release and shooting rubber bullets at defenseless protesters”



ICMS #: 2020-0726

June 2, 2020

**Complaint:** The Office of Police Oversight received an email from Ms. [REDACTED], complainant, stating the following:

“As I’m sure you have already received countless complaints about, the police could have behaved a bit better during the protests on [REDACTED]. The State Police and National Guard were peaceful, in my experience. It was APD that I have trouble understanding. Why was I tear gassed, from the middle of the crowd, outside [REDACTED]? Please refrain from telling me it was “smoke”, unless you can also tell me what chemicals were in that smoke. My eyes burned and watered, as I coughed uncontrollably, like many of those around me - including elderly and children. While I do not approve of nor wish any harm to officers, ever, certainly y’all have been trained to behave better than this when there is confrontation. I tried with all my heart to remind myself that these officers were following orders, but someone gave those orders. I am not a rioter, I never will be. Please don’t treat me like one.

I do want to take a moment to thank the officers that were there to protect us. That being said, change needs to happen within APD.”



ICMS #: 2020-0727

June 2, 2020

**Complaint:** Mr. [REDACTED], complainant, alleges that APD demonstrated aggressive tactics towards peaceful protesters. Mr. [REDACTED] alleges they were violently shooting in the crowds, at people with kids. Mr. [REDACTED] further states, "I was hurt by being in the crossfire, my hand is hurt, it's fractured, I went to the hospital. My phone was damaged as well."



ICMS #: 2020-0729

June 2, 2020

**Complaint:** Complainant alleges: Complaint about the use of non-lethal force, people are being blinded and shot in the head by Austin Police Officers.



OFFICE OF  
POLICE OVERSIGHT

NOTICE OF FORMAL  
COMPLAINT

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ICMS #: 2020-0730

June 2, 2020

**Complaint:** Complainant alleges: [REDACTED] was shot in the head w a rubber bullet, what will be done since he was peacefully protesting?



# OFFICE OF POLICE OVERSIGHT

# NOTICE OF FORMAL COMPLAINT

ICMS #: 2020-0731

June 2, 2020

**Complaint:** Complainant alleges: Complaining from Boston about a video of a 16 year old, [REDACTED] who was shot in the head. DO something.



OFFICE OF  
POLICE OVERSIGHT

NOTICE OF FORMAL  
COMPLAINT

ICMS #: 2020-0732

June 2, 2020

**Complaint:** Complainant alleges: Someone in your force just shot a 16 year old in the head while he just was standing alone in a peaceful protest, arrest and jail this cop NOW.



ICMS #: 2020-0733

June 2, 2020

**Complaint:** Complainant alleges: I'm complaining about the video of the 16 year old man who was shot while he was protesting.



OFFICE OF  
POLICE OVERSIGHT

NOTICE OF FORMAL  
COMPLAINT

ICMS #: 2020-0734

June 2, 2020

**Complaint:** Complainant alleges: Would like to file a formal complaint about boy who was shot by your officers who now has a traumatic brain injury.



OFFICE OF  
POLICE OVERSIGHT

NOTICE OF FORMAL  
COMPLAINT

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ICMS #: 2020-0735

June 2, 2020

**Complaint:** Complainant alleges: Would like to file a formal complaint about boy who was shot in the face while peaceful protesting.



# OFFICE OF POLICE OVERSIGHT

# NOTICE OF FORMAL COMPLAINT

ICMS #: 2020-0736

June 2, 2020

**Complaint:** Complainant alleges: Complaining about the police brutality in your city, specifically the officer who shot that kid in the head.



ICMS #: 2020-0737

June 2, 2020

**Complaint:** Complainant alleges: Complaining about the video that shows a cop shooting a 16 year old boy shot in the head, demanding that officer involved be fired.



ICMS #: 2020-0738

June 2, 2020

**Complaint:** Complainant alleges: I'm complaining because I was at protest w my kids and I just saw the video of [REDACTED] and he was sniper shot in his head, what is Austin doing about this? I am mortified.



ICMS #: 2020-0739

June 2, 2020

**Complaint:** Complainant alleges: I just saw the video of a 16 year old get shot in the head. Who is this officer? We don't feel safe now.



ICMS #: 2020-0742

June 2, 2020

**Complaint:** Complainant alleges: I just saw the video of a 16 year old get shot in the head. Who is this officer? I am livid - investigate NOW!



ICMS #: 2020-0740

June 2, 2020

**Complaint:** Complainant alleges: I live in Austin and I am demanding that police look into the murder of the 16 year old shot in the head and change policy to make sure this never happens again.



OFFICE OF  
POLICE OVERSIGHT

NOTICE OF FORMAL  
COMPLAINT

ICMS #: 2020-0743

June 2, 2020

**Complaint:** Complainant alleges: I live in Austin and I am demanding that the use of force on protesters be investigated and APD look into changing policy.



# OFFICE OF POLICE OVERSIGHT

# NOTICE OF FORMAL COMPLAINT

ICMS #: 2020-0745

June 2, 2020

**Complaint:** Complainant alleges: I am complaining about police brutality, why is a 16 year old in critical condition.



ICMS #: 2020-0746

June 2, 2020

**Complaint:** Complainant alleges: I'm trying to figure out why police think they need to shoot 16 year old.



ICMS #: 2020-0747

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint alleging the following:

“During the protests in downtown Austin on [REDACTED], Austin police officers fired beanbag rounds repeatedly into the crowd, hitting a pregnant black woman. After hitting her once in the stomach and seeing her go to the ground, they fired on her multiple additional times. The rounds struck her back as she curled into a ball to try and protect herself. There is absolutely no reason to continue firing on an unarmed pregnant woman who poses no threat whatsoever to fully armed police. This is not "doing their job," this is needless brutality”



OFFICE OF  
POLICE OVERSIGHT

NOTICE OF FORMAL  
COMPLAINT

ICMS #: 2020-0748

June 2, 2020

**Complaint:** Complainant alleges: I am a citizen here I saw the shooting of [REDACTED] I'm very concerned, the cop who shot him should be fired and charged.



# OFFICE OF POLICE OVERSIGHT

# NOTICE OF FORMAL COMPLAINT

ICMS #: 2020-0749

June 2, 2020

**Complaint:** Complainant alleges: I live in Austin and I am demanding that the use of force be investigated and officers be fired for the shooting of both [REDACTED] and [REDACTED].



ICMS #: 2020-0750

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint alleging the following:

“██████████, a non-violent, unarmed, peacefully protesting, teenage boy was shot in the head with a rubber bullet by your police force. This child needs justice and I strongly urge for the Chief of Police to stand by his slogan of being a hate crime free city and standing with the citizens at this time. No human, especially an innocent child, should ever fear police brutality.”



ICMS #: 2020-0751

June 2, 2020

**Complaint:** Ms. [REDACTED] complainant, emailed the Office of Police Oversight stating the following:

“I don’t think it’s ever acceptable to be using “non-lethal” rubber bullets against pregnant women. [REDACTED] was shot in the back yesterday when she was protesting [REDACTED] the Austin Police Department, pregnant and vulnerable to injury not only to herself but to her baby as well. I don’t understand why it’s become such commonplace for police officers to use violence, especially against black citizens, even if it is non-lethal, against peaceful protestors. This has got to change immediately. It’s terrifying to constantly be hearing about the this constant turmoil and injustice every day in the media. We need to get it together ”



ICMS #: 2020-0752

June 2, 2020

**Complaint:** Mr. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“My name is [REDACTED], I am a 22 year old, living in southeast asia.

I do not want to complain or protest but to beg. Beg that you instruct police officers to have rifle discipline, be it live rounds or non lethal rounds please do not shoot at children no matter what they do. I understand that your officers are to protect themselves but I was taught during my time in the military that the use of firearms is only allowed if someone's life is in danger.

They may throw bottles or similar object at them but that should not warrant retaliation by means of shooting them. It breaks my heart and many of my fellow soldiers and people to hear of children being shot and wounded especially when unarmed.

As someone who vowed to our flag to protect the future, the children of my nation, I can no longer remain silent as I watch in horror the number of children in your nation and state included get wounded and either die or be in a critical condition.

My message to the police officers on the ground: your children and grandchildren will look back on this event, they either hear you were a good man and helped make positive change for a better world or were one of the people who destroyed it.”



ICMS #: 2020-0753

June 2, 2020

**Complaint:** Mr. [REDACTED] complainant, submitted an online complaint to the Office of Police Oversight stating the following:

“Why am I watching our police department completely annihilate peaceful protesters? Why am I seeing Hong Kong violence here in AUSTIN TEXAS. WHY? WHY ARE THESE OFFICERS ALLOWED TO ASSAULT PEOPLE WITH ABSOLUTELY NO REPERCUSSIONS? WHO IS GIVING THIS DIRECTIVE TO FIRE ON PROTESTERS, MEDICS, PRESS, AND ANYONE PASSING BY? WHY ARE THEY ARMED TO THE TEETH AND WHY DO THEY FEEL THAT IT IS OKAY TO BLAST PEOPLE FOR VOICING THEIR CONCERNS? THIS BEHAVIOR IS SIMILAR TO A CHILD'S AND THESE ARE PROFESSIONALS. THEY ARE ACTING LIKE THEY ARE ABOVE THE LAW. THEY ARE NOT HERE TO BULLY AND PUNISH PEOPLE HAPHAZARDLY. THE MALFEASANCE IS INTOLERABLE. THIS MUST STOP NOW!!! YOU ARE ONLY MAKING THINGS WORSE. STOP SHOOTING PEOPLE. STOP THIS COMMIE BS.”



ICMS #: 2020-0754

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous complaint forwarded from Austin 3-1-1 stating the following:

“The caller is wanting to leave a comment for the police department regarding the comment APD Chief Manley made about the force used when the minor was shot in the head while on peaceful protest with a rubber bullet is insane and not what law enforcement stands for. The caller states she was former military and even they learned to protect and serve everybody. The caller hopes her comments helps with police accountability.”



OFFICE OF  
POLICE OVERSIGHT

NOTICE OF FORMAL  
COMPLAINT

ICMS #: 2020-0755

June 2, 2020

**Complaint:** Ms. [REDACTED], complainant, emailed the following link to the Office of Police Oversight: [https://\[REDACTED\]](https://[REDACTED])



ICMS #: 2020-0756

June 2, 2020

**Complaint:** Mr. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“I am writing to express my deep upset over the shooting of [REDACTED] yesterday while he was peacefully participating in a protest. This 16 year old boy was assaulted and hospitalized when he was shot with a rubber bullet. I expect that the identify of the shooter is made known, and that he/she is fired from the department.”



ICMS #: 2020-0757

June 2, 2020

**Complaint:** Mr. [REDACTED], complainant, emailed the Office of Police Oversight stating the following:

“I am writing to express my deep upset over the shooting of [REDACTED] yesterday while he was peacefully participating in a protest. This 16 year old boy was assaulted and hospitalized when he was shot with a rubber bullet. I expect that the identity of the shooter is made known, and that he/she is fired from the department.”



ICMS #: 2020-0758

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous complaint forwarded from Austin 3-1-1 stating the following:

“The caller is upset APD for shooting non violent protesters. The caller also had some choice words to say to the police department and wants them to turn in their badges.”



ICMS #: 2020-0759

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint alleging the following:

“Officer [REDACTED] pointed a loaded gun at a member of the press. There is a photograph of it.”



ICMS #: 2020-0761

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous online complaint stating the following:

“The Austin Police Department used unnecessary force on peaceful protestors. Spraying rubber bullets into a crowd that is non-violent, pepper spraying visibly unarmed peaceful protestors, and similar actions are unnecessary levels of force.”



ICMS #: 2020-0762

June 2, 2020

**Complaint:** The Office of Police Oversight received an anonymous complaint forwarded from Austin 3-1-1 stating the following:

“The caller wants justice for [REDACTED] the teen that was shot in the head by an APD officer. The callers feels this is something that should be looked into and the officer who shot him should be held accountable.”



# OFFICE OF POLICE OVERSIGHT

# NOTICE OF FORMAL COMPLAINT

ICMS #: 2020-0763

June 2, 2020

**Complaint:** Complainant alleges: excessive police violence during protests on [REDACTED], and another male, and the pregnant woman who were all shot by APD.



OFFICE OF  
POLICE OVERSIGHT

NOTICE OF FORMAL  
COMPLAINT

ICMS #: 2020-0764

June 2, 2020

**Complaint:** Anonymous complaint: I want to file a complaint about what happened to [REDACTED]

[REDACTED].



**Complaint:** *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):**

**105 PURPOSE AND SCOPE – COMMUNITY POLICING**

The purpose of this general order is to identify the tenets of Community Policing, which serves as the basis for this Department's mission and guiding principles. Community Policing is beyond a philosophy, it is a practice. The Austin Police Department is committed to Community Policing which strives to build mutual respect, collaborative partnerships, fair and impartial policing, and procedurally just behavior with the community that we serve. The Department's goal is to have an understanding of the traditions, culture, and history of the neighborhoods in which they serve in order to develop proactive solutions to problems and increase overall trust in policing. Likewise, the Department is required to provide information and training to the community so community members gain an understanding of police practices and procedures, as well as an understanding of the traditions and culture of law enforcement.

**200.2 DE-ESCALATION OF POTENTIAL FORCE ENCOUNTERS**

When safe and reasonable under the totality of circumstances, officers shall use de-escalation techniques to reduce the likelihood for force and increase the likelihood of voluntary compliance. Nothing in this de-escalation policy requires an officer to place themselves in harm's way to attempt to de-escalate a situation. Recognizing that circumstances may rapidly change, officers may need to abandon de-escalation efforts after they have commenced. Understanding that no policy can realistically predict every situation an officer might encounter, the Department recognizes that each officer must be entrusted with well-reasoned discretion in determining the reasonable de-escalation techniques to use in a situation. This de-escalation policy is intended to complement, not replace or supersede, other portions of the APD Policy Manual or specific officer training that addresses de-escalation.

**200.2.1 ASSESMENT AND DE-ESCALATION**

As officers arrive on the scene, observe conditions, and interact with the persons there, they should continue to gather additional relevant information and facts. These assessments, along with reasonable inferences help to develop an understanding of the totality of the circumstances of the incident.

**200.3 RESPONSE TO RESISTANCE**

While the type and extent of force may vary, it is the policy of this department that officers use only that amount of objectively reasonable force which appears necessary under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this order.

**200.3.1 DETERMINING THE OBJECTIVE REASONABLENESS OF FORCE**



Any interpretation of objective reasonableness about the amount of force that reasonably appears to be necessary in a particular situation must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving, and the amount of time available to evaluate and respond to changing circumstances may influence their decisions. The question is whether the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting him.

#### 206.4 CHEMICAL AGENT GUIDELINES

Chemical agents are devices used to minimize the potential for injury to employees, offenders, or other subjects. They should be used only in situations where such force reasonably appears necessary.

##### 206.4.3 TREATMENT FOR CHEMICAL AGENT EXPOSURE

Subjects who have been affected by the use of chemical agents should be afforded means of cleansing the affected areas as soon as practicable. Those subjects who complain of further severe effects shall be afforded a medical examination by competent medical personnel.

##### 206.5.5 SHOT PLACEMENT AND DEPLOYMENT DISTANCES

Officers should generally follow their training instructions regarding minimum deployment distances and target areas. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death.

The head and neck should not be intentionally targeted, however any target area or distance may be considered when it reasonably appears necessary to accomplish immediate incapacitation in order to prevent serious injury or death to officers or others.

#### 300.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, such as Tex. Penal Code § 42.03 (Obstructing Highway or Other Passageway), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.



### 301.1 PURPOSE AND SCOPE – RESPONSIBILITY TO THE COMMUNITY

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.

### 301.3 CUSTOMER SERVICE AND COMMUNITY RELATIONS

APD constantly works to establish direct contacts with the community we serve. Without grassroots community support, successful enforcement of many laws may be difficult, if not impossible. Community involvement can be an effective means of eliciting public support, can serve to identify problems in the making, and may foster cooperative efforts in resolving community issues. Input from the community can also help ensure that agency general orders accurately reflect the needs of the community.

### 302.1 PURPOSE AND SCOPE – PUBLIC RECORDING OF OFFICIAL ACTS

The Austin Police Department recognizes that members of the general public have a First Amendment right to video record, photograph, and/or audio record APD officers while they are conducting official business or while acting in an official capacity in any public space, unless such recordings interfere with police activity.

### 326.1 PURPOSE AND SCOPE – NEWS AND MEDIA RELATIONS

The purpose of this order is to seek a balance between permitting the free flow of information to the public and the media while protecting both the prosecution's case and the rights of the accused from possible prejudicial publicity. Public information and positive media relations are an integral part of the operation of any public service agency and APD is no exception. Most citizens have little contact with law enforcement and their opinions of the police are often formed by our Department's portrayal in the media. The release of public information and maintenance of good media relations is a crucial element of APD's mission. Employees must maintain a good rapport with the public and the media and deal with them in a courteous manner. The media has a legitimate function in our society and the public trust of the police can be enhanced through media relations.

APD is committed to informing the community and members of the news media of events that are handled by, or involve, the Department. Employees will cooperate fully in meeting the relevant information needs of the public and the news media. Every reasonable effort should be



made to obtain requested information, so long as the release of that information conforms to federal and state laws, and follows established Department guidelines.

### 328.1 PURPOSE AND SCOPE – RACIAL OR BIAS-BASED PROFILING

This order provides guidance to department members and establishes appropriate controls to ensure that members of the Austin Police Department do not engage in racial or bias-based profiling or violate any related laws while serving the community.

### 328.2 POLICY – RACIAL OR BIAS-BASED PROFILING

The Department strives to provide law enforcement services to our diverse community while respecting the racial, cultural, or other differences of those we serve. It is the policy and practice of the Department to provide law enforcement services and to enforce the law equally, fairly, and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability, or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

While the practice of racial or bias-based profiling is strictly prohibited, it is recognized that race or cultural differences may be legitimately considered by an officer in combination with other legitimate factors; to establish reasonable suspicion or probable cause (e.g., subject description is limited to a specific race or group), to establish relevant elements of a crime (e.g. exploitation of an elderly or disabled individual), or to gather evidence relevant to enhanced punishment due to offenses committed because of bias or prejudice.

### 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.

### 900.3.2 ACTS BRINGING DISCREDIT UPON THE DEPARTMENT

Since the conduct of personnel both on-duty or off-duty may reflect directly 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.

### 900.3.4 PERSONAL CONDUCT

- (c) While on-duty or on the premises of City facilities, employees will not:
  2. Ridicule, mock, taunt, embarrass, humiliate, or shame any person, nor do anything that might incite that person to violence.

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.***