



# 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 #: 2020-0668

June 1, 2020

**Complaint:** The OPO received an anonymous online complaint alleging the following:

“Officer [REDACTED] badge number [REDACTED] is recorded on social media shoving a peaceful protestor on [REDACTED]. This behavior in this situation is unacceptable and the people of Austin call for his removal from APD.”

*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 #: 2020-0669

June 1, 2020

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

“While peacefully protesting an APD officer (I believe his badge number was [REDACTED] and his name started with an [REDACTED], middle age [REDACTED] about [REDACTED] on a bike) lunged at a young women who was standing about a foot away with her hands up. He then proceeded to take her possessions out of her hands and use them to push her back along with his bicycle. He then made threatening remarks about using force and weapons against her. Moments later she was shot with a rubber bullet. This cop was unnecessarily aggressive.”



ICMS #: 2020-0671

June 1, 2020

**Complaint:** The OPO received an anonymous online complaint alleging the following:

“Officer [REDACTED] (badge # [REDACTED]) shoved a peaceful protester over his bicycle and onto the ground while the protester was attempting to move out of his way. Protester is prone to seizures, and did nothing to provoke the officer”



ICMS #: 2020-0674

June 1, 2020

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

“I am reaching out to express my deep concern about the treatment of protestors on [REDACTED] along the [REDACTED] corridor and outside the [REDACTED]. I understand that it is the responsibility of the police to maintain public safety, keep roads clear, and prevent violent escalations. However, it is especially important in a time of widespread police violence against people of color that the APD does not use unnecessary force. I ask that you review the actions of the many officers involved in this protest, and pay close attention to the reports of others as they arrive in the coming days. We need to do everything we can to ensure that APD is working to confront the overt and covert racist biases that led to the deaths of David Joseph and Michael Ramos, now more than ever.”



ICMS #: 2020-0675

June 1, 2020

**Complaint:** The OPO received an anonymous online complaint including the following link:

[REDACTED]

*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 #: 2020-0680

June 1, 2020

**Complaint:** The OPO received an online anonymous complaint alleging the following:

“My friend, participating peacefully [REDACTED] in the protests against police injustice, received excessive force from officer [REDACTED], badge # [REDACTED]. While attempting to comply with officer's commands, my friend's bike was tossed to the ground and he was struck in the neck and back while walking away. I would imagine it is against your policy to strike a member of your community while they are actively doing what they've been instructed to do. Woman dropped to the ground rollerskating, bean bags fired indiscriminately into crowds, pepper spray into the eyes of crying faces, etc.”



ICMS #: 2020-0690

June 1, 2020

**Complaint:** The OPO received an online anonymous complaint alleging the following:

“An innocent bicyclist was trying to help keep protesters out of the way and was UNPROVOKED AND SHOVED by OFFICER [REDACTED] # [REDACTED] off his bike and into the sidewalk.”



ICMS #: 2020-0691

June 1, 2020

**Complaint:** Mr. [REDACTED], complainant, alleges the following:

[REDACTED] - I witnessed 2 officers who continued to laugh when people were discussing George Floyd's death. I witnessed this and I have video of it. This is disturbing, it is an extreme lack of empathy. Clearly these two don't care what happened. In front of [REDACTED]. I have clear video footage of this. We can't identify these cops with their gear on covering their names/badges.

[REDACTED] - The individual who was shot in the face footage online, this needs to be investigated.



ICMS #: 2020-0694

June 1, 2020

**Complaint:** An anonymous complainant alleges that they were body checked by Officer [REDACTED] while standing peacefully. The complainant further alleges that another officer attempted to separate them from their group, stating that he would provide both his and Officer [REDACTED] badge numbers. The complainant states that no badge numbers were provided.



ICMS #: 2020-0695

June 1, 2020

**Complaint:** Mr. [REDACTED], complainant, alleges that Austin Police Department (APD) officers may have violated APD policy during an incident involving his cousin and her girlfriend. Mr. [REDACTED] alleges as follows:

“We were participating in the peaceful protest before an officer decided to pepper spray the back of person’s head whose hands were up. As soon as that happened, there was tension amongst the crowd, and then all of a sudden you hear gunshots coming up [REDACTED]. Probably around [REDACTED]. What had happened from there is I had been shot with a rubber bullet and had to be taken back by medics. We had to move to another location because police were advancing against the protesters. My foot was treated and wrapped. My cousin told me she was going to call me a Lyft back to my apartment, which I went ahead and did. I had come back and she said she was going to continue staying out there. I had told her to please be careful and stay safe, and then I walked to the Lyft in front of a line of police officers who saw my Lyft. I noticed there wasn’t a single cop who helped me across the street to make sure that I didn’t get hit by a car with this limp. When I got back to my apartment, I waited about 15 minutes to tell them that I made it back. I made it back around [REDACTED] and texted them around [REDACTED]. I texted them that I was here and I texted them my address. I have text conversations that show they saw the first text and did not see the second text, which was sent within the same minute. From her words, she was in a neighborhood; she was actually not even participating in a riot. She was in a neighborhood and she moved a street sign that was in the middle of a street and then put it to the side to move it out of the way. She was actually cleaning up and staying safe. There were other people that were with her that police started to arrest. She confronted police to ask why they were being arrested. She and her girlfriend were then arrested and she asked to be read her rights. The cop who made the arrest, which was Austin Police Department, laughed at her, mocked her, and said something along the lines of, ‘You have the right to remain silent, however it doesn’t seem like you’re capable of doing that.’ I went to school for Political Science, I know my Miranda rights, I know her Miranda rights. I am complaining because bond has not be posted yet, however I am demanding that the bond be zero dollars due to the fact that she was illegally arrested, as well as everybody else that was in that holding. I asked her if she talked to the other people in the holding and she said, ‘Yes, I have, and none of them have been read their rights.’ She said there were eight men and eight women in the room. I appreciate APD and Travis County for continuing to, quote unquote, “protect and serve” their community. We really feel protected and served out here. Thank y’all very much.”

*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 #: 2020-0697

June 1, 2020

**Complaint:** Complainant reports overall peaceful protesters. Complainant also alleges that officers from atop [REDACTED] were shooting down on protesters and officers from in front of [REDACTED] were also shooting at the crowd. Officers hit a young boy and medics moved him under cover of the bridge, as they did, APD kept shooting and hit one of the medics, an off duty firefighter, in the hand, allegedly breaking it.



ICMS #: 2020-0698

June 1, 2020

**Complaint:** Mr. [REDACTED] complainant, emailed a complaint to the OPO stating the following:

“Militarizing the police response to the current protest movement is counter-productive and oppressive in any case, but headshots with rubber bullets are always the result of malice or unacceptable negligence. There is no room for another outcome.

If maiming the protesting public continues, I would not be surprised if protesters or their guardians start shooting back. Y'all should know better, and act better.



ICMS #: 2020-0700

June 1, 2020

**Complaint:** Mr. [REDACTED], complainant, alleges that APD officers Maced him multiple times and pushed him off the hill he was standing on. Mr. [REDACTED] further alleges that officers continued to Mace him and other members of the public who went to help him. Mr. [REDACTED] states that he attempted to file a complaint at the place and time of the incident but that the APD supervisor refused to take his complaint.



ICMS #: 2020-0701

June 1, 2020

**Complaint:** Austin Police Department (APD) officers may have violated policy in the following video: [REDACTED]

The OPO is the complainant.

*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 #: 2020-0702

June 1, 2020

**Complaint:** Austin Police Department (APD) officers may have violated policy in the following video:



The OPO is the complainant.

*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 #: 2020-0703

June 1, 2020

**Complaint:** Mr. [REDACTED], complainant, submitted an online complaint to the OPO alleging the following:

“An innocent and silent black man was pepper sprayed as white officers looked on at him, not spraying any other members of the mostly white protestors who were standing in front of [REDACTED]



ICMS #: 2020-0673

June 1, 2020

**Complaint:** [REDACTED], complainant, alleges that an Austin Police Department (APD) officer may have violated APD policy. The complainant alleges that “Officer [REDACTED], Badge # [REDACTED] using weapon [REDACTED] was firing beanbag rounds at a helpless protester in wheelchair from the bridge above. Nearly missing children in the crowd.”

*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 #: 2020-0676

June 1, 2020

**Complaint:** The Office of Police Oversight received an anonymous complaint alleging that an Austin Police Department (APD) officer may have violated APD policy. The complaint alleged as follows:

“On [REDACTED], Officer [REDACTED], Badge # [REDACTED], was seen firing beanbag rounds on groups of peaceful protestors who were not attacking officers, rioting, causing damage or a disturbance. The officer involved and other officers were not being attacked, but were simply using Austin citizens as target practice from the [REDACTED] overpass in front of the [REDACTED]. Is this how you view your own citizens? As an Austin resident, I find it impossible now to trust the officers who were sworn to protect and serve our community and keep us safe. How can I be safe when our own officers are firing upon us exercising our constitutional rights peacefully?”

*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 #: 2020-0678

June 1, 2020

**Complaint:** The Office of Police Oversight received an anonymous complaint alleging that an Austin Police Department (APD) officer may have violated APD policy. The complaint alleged as follows:

“I saw footage of someone shoved by the officer while he was trying to get out of the way of the officers.”



ICMS #: 2020-0679

June 1, 2020

**Complaint:** Ms. [REDACTED] complainant, alleges that an Austin Police Department (APD) officer may have violated APD policy. Ms. [REDACTED] alleges as follows:

“While attending the protest, I witnessed an officer randomly mace a bystander on the other side the guardrail of [REDACTED]. The bystander was holding a phone camera and told the officers "you deserve this" about the protest and the officer maced the man from the inside of his car. The officer was not in danger and the bystander was not blocking the highway but was on the other side of the guardrail.”



ICMS #: 2020-0682

June 1, 2020

**Complaint:** The Office of Police Oversight received an anonymous complaint alleging that an Austin Police Department (APD) officer may have violated APD policy. The complaint alleges as follows:

“I was not physically present, but there are reports that Officer [REDACTED], badge # [REDACTED], fired beanbag rounds at a protester in a wheelchair. If true, this is absolutely disgusting behavior and the officer should be terminated immediately. Austin Police Department needs to address this.”



ICMS #: 2020-0685

June 1, 2020

**Complaint:** Complainant alleges: I was driving through downtown during the protests on [REDACTED] between [REDACTED]. A motorcyclist was in front of me at a red light at [REDACTED] street and [REDACTED]. A police officer was turning left off [REDACTED] on to [REDACTED]. The motorcyclist expressed his opinions to the turning police officer with a middle finger (which was ruled legal and not punishable by the Sixth Court of Appeals). The turning police officer then pulled up within a couple of feet to the motorcyclist, quickly rolls down his window and pepper sprays the rider. The motorcyclist was operating a motor vehicle and was just pepper sprayed by an officer. This put the lives of other motorists in danger. After the cop sprays him, he quickly drives off. After looking at google maps the next day, there are cameras at that intersection that should easily show the violence towards an unarmed and peaceful protestor.



ICMS #: 2020-0687

June 1, 2020

**Complaint:** Complainant reports how disgusted she is with the police violence and believes it is unacceptable. The caller states a pregnant woman was hit with rubber bullets this weekend in her abdomen. The caller states this should not be happening, she believes they should be able to protest peacefully.



ICMS #: 2020-0688

June 1, 2020

**Complaint:** Complainant alleges: the police have been using force that escalates rather than deescalates violence. Rubber bullets, tear gas, and showing up in militarized gear. The Austin Police Department is showing a defense of injustice. Please have them stand down and join peaceful protesters. Be an example to the country and world of police officers who want to serve and protect. Be the change stop senselessly hurting and scaring people.



ICMS #: 2020-0689

June 1, 2020

**Complaint:** The Office of Police Oversight received an anonymous complaint alleging that an Austin Police Department (APD) officer may have violated APD policy. The complaint alleges as follows:

“Officer [REDACTED] Badge# [REDACTED] using weapon# [REDACTED] was seen firing his less than lethal weapon indiscriminately into crowds of peaceful protesters from atop the overpass of [REDACTED] and [REDACTED]. He was running up and down the bridge acting like he was playing call of duty trying to get as many shots off as possible. He almost hit me, my girlfriend, a man in a wheelchair and a child by only a few feet. We all were across the street sitting on the grass taking a break. This man is the reason people are angry at the police force, he does not deserve to wear a badge, he is the problem, please root it out.”



ICMS #: 2020-0693

June 1, 2020

**Complaint:** Ms. [REDACTED], complainant, alleges that Austin Police Department (APD) officers may have violated APD policy during a protest on [REDACTED]. She alleges that she was present for the protests and was positioned in front of the [REDACTED]. She states, in part, as follows:

“I was standing in the crowd toward the back and there were several times that I saw officers spraying, and I don’t know what they were spraying—if it was pepper spray or tear gas—but they were spraying without cause.

[REDACTED] alleges that there were between two and four officers involved, and that it was primarily the officers [REDACTED] [REDACTED] that were toward the center toward the right hand side in the front lines that she saw doing the spraying. She alleges that the spraying was unprompted, and that she was downwind of that spraying when it happened, so she inhaled some. [REDACTED] further alleges that she witnessed the spraying on the highway as well, which she heard was to keep the crowd back from the highway.

[REDACTED] also alleges that she heard rubber bullets or beanbag bullets fired, stating, “I heard the shot fired and people ran back to tell me that someone had been shot in the head and a pregnant woman was shot.” She further states that at one point, someone nearby her held up a beanbag bullet that had been shot into the crowd near her. She states that she was not in the area where things were fired, but that she still saw the results of people being injured.



ICMS #: 2020-0696

June 1, 2020

**Complaint:** Complainant alleges that he parked his vehicle near [REDACTED] St to go to work, went back to car after work and APD tear gassed a group of peaceful protesters and the spray carried over and got into his car and caused his eyes to water while he was driving home. The complainant wants to make clear he was not involved in the protests, he went to work and this happened because APD illegally used excessive force on the protesters.



ICMS #: 2020-0704

June 1, 2020

**Complaint:** Complainant alleges: witnessed a lot of acts of violence at the hands of APD during the protests. One individual was in such bad shape we flagged an ambulance to take him to ER. Another woman was possibly tear gassed, she appeared in shock and incoherent. We saw so many people who were bloodied - we just watched APD fire into the crowd. APD instigated and escalated the situation more, we just saw folks shot at and getting gassed. I'm ashamed of living here and ashamed that is how APD acts.



ICMS #: 2020-0705

June 1, 2020

**Complaint:** Anonymous Complainant alleges: All of your officers deployed [REDACTED] violated the Geneva Convention. There are hundreds of witnesses to this, as well as ample video footage of your officers misusing non-lethal weaponry in ways that escalated their lethality. Point blank, into the faces of minors that were simply screaming at you to not shoot, with their hands up. Every officer of APD is responsible for this, because part of your training is keeping your fellow officer's in check during times of stress, and this simply didn't happen. There is footage of your officers instigating fights and vandalizing private property.



ICMS #: 2020-0707

June 1, 2020

**Complaint:** Complainant alleges: Officer shoved peaceful protester away to stumble over their bike.

*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 #: 2020-0708

June 1, 2020

**Complaint:** Complainant alleges: Officer repeatedly fired rubber shots towards people that were not causing threat to the officers. I counted he had shot 6 shots within a few 3 minute period. I witnessed the same officer rush towards a woman and physically assault her while she was only holding a sign and not doing any type of threatening behavior.



ICMS #: 2020-0709

June 1, 2020

**Complaint:** Complainant alleges: [REDACTED] during the [REDACTED] protest I observed an officer grab a woman by her hair in order to pull her over his bicycle. As he pulled her over the bicycle and to the ground, he punched her in the head. She was then pinned to the ground and handcuffed. The officer was not provoked. He approached her and grabbed her simply because she was within his reach. Another officer then began shooting mace randomly at protesters when they verbally voiced their concern for the woman. I have video of the officers pinning the woman to the ground and one incident of an officer shooting mace at someone. I also have video of him shoving people and generally trying to incite confrontation. I do not have these two particular officers' names and badge numbers, but I have photographs of the officer who was macing people. Officer [REDACTED] did not participate in this inappropriate behavior but he was providing crowd control and observed what happened and should be able to name the other officers. All of the officers involved in these altercations were bicycle police. It initially appeared that they were setting up a barrier to protect protesters. They did not give any warning as they began advancing on the rather sparse crowd. They did not communicate what they wanted from the crowd.



ICMS #: 2020-0710

June 1, 2020

**Complaint:** Complainant alleges: armored police murdered a peaceful protestor by shooting him in the head with a rubber bullet.

*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 #: 2020-0711

June 1, 2020

**Complaint:** Complainant alleges: Austin police were firing bullets into a crowd of peaceful protesters and severely injured a young man by shooting him in the head. When protesters appealed to the police for help they were shot. All officers involved in this incident should be investigated and in my opinion terminated.

*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 #: 2020-0712

June 1, 2020

**Complaint:** Complainant alleges: APD is using excessive force with peaceful protesters. Officer pushed protester in the back over his bicycle.

*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.*



**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.***