



NOTICE OF FORMAL COMPLAINT

ICMS #: 2021-1019

October 27, 2021

Complaint: The complainant alleges:

“At [REDACTED] on [REDACTED], I made an outgoing call to 911 which lasted 8 minutes and 29 seconds. I requested a "lift assist" from AFD as the individual had fallen out of a wheelchair. While on phone with 911 dispatch, APD Officer, [REDACTED], arrived on site. I ask him who he is here for, and he gives an apartment number. At this time, I'm unsure of the contact made to APD. I explain I am on phone with AFD regarding same apartment number asking for a lift assist. Officer [REDACTED] questions me about why I "just left her on the floor". I state I am not permitted to assist someone off the floor or pick them up. A few minutes later, a 2nd APD arrives (did not get any information regarding this officer). I escort this officer to the apartment number where the lift assist is needed and Officer [REDACTED] is already inside the apartment. I notice right away, Officer [REDACTED] is attempting to lift the individual needing assistance into an electric wheelchair. Officer [REDACTED] is unable to lift the individual's "dead weight", (the individual is disabled), and almost drops the individual. The 2nd Officer proceeds to assist Officer [REDACTED] in getting individual into wheelchair. As I am exiting the apartment, I hear Officer [REDACTED] say, "I'm not sure why they left you here so long, it makes no sense." I immediately turn around and say, "I already told you, I am not permitted to assist/lift anyone off the floor". I am filing this complaint as I felt Officer [REDACTED] was very unprofessional in his demeanor and actions taken. He was extremely rude to my staff and should not have taken it upon himself to assist her solely.”

This notice of formal complaint is a request for Internal Affairs to initiate an investigation 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):

301.2 IMPARTIAL ATTITUDE AND COURTESY

Employees shall provide equal and fair protection of all rights under local, state, and federal law for all members of the community. Law enforcement will be conducted in an impartial and equitable manner.

The City of Austin is committed to compliance with the American Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.



OFFICE OF POLICE OVERSIGHT

NOTICE OF FORMAL COMPLAINT

In an effort to create an organizational culture that is inclusive and nondiscriminatory, employees shall act professionally, treat all persons fairly and equally, and strive to interact with the community in a positive manner. Employees will perform all duties objectively and without regard to personal feelings, animosities, friendships, financial status, occupation or employment status, sex, disability status, housing status, mental health or ability, citizenship, language, national origin, creed, color, race, religion, age, political beliefs, sexual orientation, gender identity, gender expression, ethnicity, or social or ethnic background. Employees will endeavor to understand and respect cultural, national, racial, religious, physical, mental, and other differences.

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

The OPO recommends this complaint receive a B classification.