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## MEMORANDUM

### **Austin Police Department** *Office of the Chief of Police*

**TO:** Mark Washington, Director of Civil Service

**FROM:** Art Acevedo, Chief of Police

**DATE:** August 26, 2013

**SUBJECT:** Agreed Temporary Suspension of Police Officer William Henrichs #6659  
Internal Affairs Control Numbers 2013-0226; 2013-0392

Pursuant to the provisions of Chapter 143 of the Texas Local Government Code, Section 143.052, and Rule 10, Rules of Procedure for the Firefighter's and Police Officers' Civil Service Commission, I have agreed to temporarily suspend Police Officer William Henrichs #6659 from duty as a police officer of the City of Austin, Texas, for a period of six (6) days. The agreed temporary suspension is effective beginning on August 30, 2013, and continuing through September 4, 2013.

I took this action because Officer Henrichs violated Civil Service Commission Rule 10.03, which sets forth the grounds for disciplinary suspensions of employees in the classified service, and states:

No employee of the classified service of the City of Austin shall engage in, or be involved in, any of the following acts or conduct, and the same shall constitute cause for suspension of an employee from the classified service of the City:

- L. Violation of any of the rules and regulations of the Fire Department or Police Department or of special orders, as applicable.

The following are the specific acts committed by Officer Henrichs in violation of Rule 10:

On January 29, 2013, Officer Henrichs was on-duty and assigned to Checkpoint #2 at Austin Bergstrom International Airport when he was alerted by TSA personnel to a suspicious person. Officer Henrichs assisted TSA in the interview of the suspicious person who became evasive and refused to continue the interview. Officer Henrichs identified the suspicious person and ran his name for warrants. Officer Henrichs then cleared the call. The suspicious person was allowed through the checkpoint but was denied boarding by Delta Airlines. Officer Henrichs sent an email detailing his contact to the TSA security supervisor but did not write an APD offense report or a Field Observation card.

On February 12, 2013, Officer Henrichs was assigned to Checkpoint #2 at Austin Bergstrom International Airport, a checkpoint that is mandated to have an officer present when the checkpoint is open. After observing that Officer Henrichs was not at his duty post at Checkpoint #2, his sergeant located Officer Henrichs inside the airport gift shop on an unauthorized break.

By these actions, Officer Henrichs violated Rule 10.03(L) of the Civil Service Rules by violating the following rules and regulations of the Austin Police Department:

➤ **Austin Police Department Policy 900.4: General Conduct and Responsibility: Requirements of Duty**

**900.4 Requirements of Duty**

Employee conduct will always be consistent with the Department's values, vision, mission, and any supervisor's instructions.

- (e) Employees will remain at their assignment and on-duty until properly relieved by another employee or until dismissed by proper authority.
- (f) Employees are considered on-duty while on authorized breaks.
- (g) Employees will remain alert and observant while on-duty and devote their time and attention to the business of the Department. Any exceptions require supervisor approval.

➤ **Austin Police Department Policy 900.4.3: General Conduct and Responsibility: Neglect of Duty**

**900.4.3 Neglect of Duty**

Employees will satisfactorily perform their duties. Examples of unsatisfactory performance include, but are not limited to:

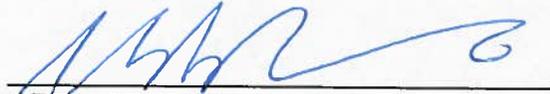
- (a) Lack of knowledge of the application of laws required to be enforced.
- (b) Unwillingness or inability to perform assigned tasks.
- (c) Failure to take appropriate action on the occasion of a crime, disorder, investigation or other condition deserving police attention.
- (d) Failure to respond to any call or to perform any police duties assigned to them by appropriate authorities.
- (e) Absence without approved leave.
- (f) Repeated poor evaluations.
- (g) Written record of repeated infractions of rules, regulations, directives or orders of the Department.
- (h) Failure to follow department standardized training and tactics when it was objectively reasonable to do so.

In addition to this agreed temporary suspension, Officer Henrichs agrees to the following terms and conditions:

1. Officer Henrichs is required to be evaluated by a qualified professional designated by the Chief of Police. Should this professional recommend a program of counseling, Officer Henrichs must successfully complete that program of counseling, as determined by the professional administering the program.
2. Officer Henrichs had the opportunity to discuss this agreed suspension and the additional terms and conditions set forth herein with an attorney of his choice prior to signing his acceptance where indicated below.

By signing this agreed temporary suspension, Officer Henrichs understands and agrees that he waives all right to appeal this disciplinary action, including the additional terms

and conditions cited herein, to the Civil Service Commission, to an Independent Third Party Hearing Examiner, or to District Court.



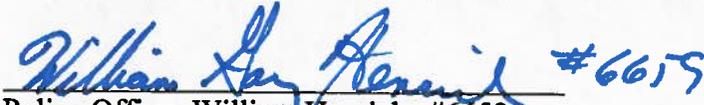
ART ACEVEDO, Chief of Police

8/26/2013

Date

TO WHOM IT MAY CONCERN:

I acknowledge receipt of the above and foregoing memorandum of agreed temporary suspension and I understand that I have no right to appeal this disciplinary action or the additional terms and conditions cited herein, to the Civil Service Commission, to the District Court, or to an Independent Third Party Hearing Examiner.



Police Officer William Henrichs #6659

08/26/13

Date