



ICMS 2018-1158

Date of Complaint: 12/5/2018

Complaint:

Complainant came to OPO stating her husband who is an Austin police officer has come home early, he will take his gear off, take shower, and sometimes fall asleep and then he'll go 42 when it gets 4 pm. This has happened on numerous occasions, usually an hour or 1.5 before his 42 time. Complainant stated he is a motor officer and he takes the toll road home so she is sure this can be seen on camera.

Officer: [Redacted]

Based on the allegation(s), the following APD policies may have been violated:

900 General Conduct and Responsibilities

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.
- (i) Employees are expected to be truthful at all times in the performance of their duties. However, there may be instances where, initially, the employee has not been truthful; but, before the investigation is complete, the employee provides an accurate and detailed accounting of their true culpability in a situation, and accepts full responsibility for their actions. In those cases, the Chief may consider each case on a fact-specific basis.

955 Attendance and Leave

955.2 GENERAL ATTENDANCE GUIDELINES

(a) Employees will not be absent from work without prior approval from an immediate Supervisor.

1. Unless a different notification is required by a Unit SOP, employees have the responsibility of notifying an immediate supervisor at least one (1) hour prior to the scheduled work start time if they are going to be absent.



2. Employees who fail to report to work at the assigned place and time, or who leave work or an assignment without proper authorization will be subject to disciplinary action.

3. Employees may not work in excess of 76 hours of any combination of regular duty, department overtime or LERE assignments within a work week without the approval of a Lieutenant or above.

4. Employees may not work any more than 16 hours of any combination of regular duty, department overtime, or LERE assignments within a consecutive 24 hour period without approval of a Lieutenant or above.

5. Employees will advise their immediate supervisor when they will exceed or have reason to believe they will exceed 16 hours in a workday no later than 2 hours prior to reaching the end of the 16th hour.

