



MEMORANDUM

Austin Police Department *Office of the Chief of Police*

Received
City of Austin
2015 JUN -5 PM 2:55
Human Resources Dept

TO: Mark Washington, Director of Civil Service

FROM: Art Acevedo, Chief of Police

DATE: June 5, 2015

SUBJECT: Agreed Temporary Suspension of Police Officer Ryan Hancock # 7301

Pursuant to the provisions of Article 18, Section 3, of the Agreement between the City of Austin and the Austin Police Department effective October 1, 2013, and pursuant to Chapter 143 of the Texas Local Government Code, and the Rules of Procedure of the Firefighter's, Police Officers' and Emergency Medical Services Personnel's Civil Service Commission, I have agreed to temporarily suspend Police Officer Ryan Hancock # 7301 from duty as a police officer of the City of Austin, Texas for a period of ninety (90) days. The agreed temporary suspension is effective beginning on June 6, 2015, and continuing through September 4, 2015.

I took this action because Officer Hancock 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 Hancock in violation of Rule 10:

On December 9, 2014, Officer Hancock was on-duty driving a marked police car. While responding Code 3 (lights and siren) to a motor vehicle crash on Mopac, he was involved in a minor crash with another vehicle in the 1100 block of W. 15th Street. Due to tunnel vision associated with the Code 3 response, Officer Hancock did not believe that he was involved in a crash and continued to the Mopac call. The other driver called 911 and reported the crash. During this incident, Officer Hancock failed to operate his vehicle in a careful and prudent manner. He also neglected his duties by failing to investigate whether a crash had occurred despite hearing a noise that should have registered to him that a crash might have occurred.

By these actions, Officer Hancock 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 804.2(a)(1): General Operation of Department Vehicles**

(a) Employees will operate Department vehicles in a careful and prudent manner within the guidelines of the law and Department policy. Unsafe or negligent driving is prohibited.

1. Vehicles will be operated in such a manner and at a rate of speed that the driver, by use of ordinary care, can avoid colliding with another vehicle, object, or person.

➤ **Austin Police Department 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.

➤ **Austin Police Department 900.3.2(a)- Acts bringing discredit**

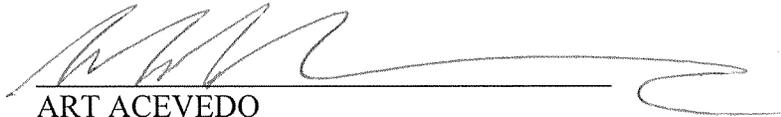
Since the conduct of personnel both on-duty or off-duty may reflect directly upon the Department, employees must conduct themselves at all times in a manner which does not bring reproach, discredit, or embarrassment to the Department or to the City.

(a) Employees will not commit any act which tends to destroy public confidence in, and respect for, the Department or which is prejudicial to the good order, efficiency, or discipline of the Department.

In addition to this 90 day suspension, Officer Hancock agrees to the following additional terms and conditions:

1. He will be required to attend any training specified by the Department.
2. He will be required to ride with a Field Training Officer for a period of twenty (20) working days after returning from serving this suspension.
3. His Field Training Officer status is being rescinded and may be restored at a future date with the approval of his chain of command.
4. He agrees to a one (1) year probationary period beginning on the date he returns to duty after serving this agreed suspension. He agrees that if during that one year period he has a sustained violation of a similar nature as determined by me, he will be indefinitely suspended without the right to appeal that indefinite suspension to the to the Civil Service Commission, to an Independent Third Party Hearing Examiner, or to District Court.

By signing this Agreed Discipline, Officer Hancock understands and agrees that I am forgoing my right to indefinitely suspend him for the conduct described above and that by agreeing to the suspension, Officer Hancock waives all right to appeal to this disciplinary action, as well as the additional terms and conditions cited herein, to the Civil Service Commission, to an Independent Third Party Hearing Examiner, or to District Court.



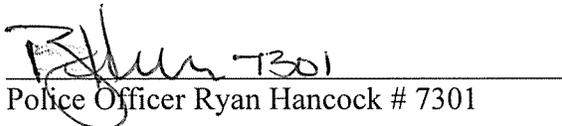
ART ACEVEDO
Chief of Police

6/5/2015

Date

TO WHOM IT MAY CONCERN:

I acknowledge receipt of the above and foregoing memorandum of agreed temporary suspension and I understand that by entering into this disciplinary agreement the Chief forgoes his right to indefinitely suspend me for the conduct described above and that by agreeing to the suspension, I have no right to appeal this disciplinary action to the Civil Service Commission, to the District Court, or to an Independent Third Party Hearing Examiner.



Police Officer Ryan Hancock # 7301

6/5/2015

Date