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City of Austin

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Human Resources Dept



MEMORANDUM

Austin Police Department *Office of the Chief of Police*

TO: Joya Hayes, Director of Civil Service

FROM: Brian Manley, Interim Chief of Police

DATE: November 16, 2017

SUBJECT: Temporary Suspension of Police Officer Travis Larned #8126
Internal Affairs Control Number 2017-0690

Pursuant to the provisions of Chapter 143 of the Texas Local Government Code, Section 143.052, and Rule 10, Rules of Procedure for the Firefighters', Police Officers' and Emergency Medical Service Personnel's Civil Service Commission, I have temporarily suspended Police Officer Travis Larned #8126 from duty as a City of Austin, Texas police officer for a period of seven (7) days. The temporary suspension is effective beginning on November 16, 2017, and continuing through November 22, 2017.

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

On May 26, 2017, Officer Travis Larned, failed to complete a thorough search of a female arrestee. Travis County Sheriff's Office jail staff later located a handgun concealed in the female arrestee's bra during the booking process. During his Internal Affairs interview, Officer Larned acknowledged he did not search the arrestee in accordance with his training. He also expressed remorse for his actions and the preventable danger his error created.

By these actions, Officer Larned 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 306.3.1(d): Search and Seizure: Search Protocol**

306.3.1(d) Search Protocol

Nothing in this policy supercedes officer safety tactics.

- (d) It is the responsibility of each individual officer to search a prisoner for weapons or contraband anytime he gains custody of that prisoner, regardless of whether the prisoner was previously searched by another officer.

By copy of this memo, Officer Larned is hereby advised of this temporary suspension and that the suspension may be appealed to the Civil Service Commission by filing with the Director of Civil Service, within ten (10) days after receipt of a copy of this memo, a proper notice of appeal in accordance with Section 143.010 of the Texas Local Government Code.

By copy of this memo and as required by Section 143.057 of the Texas Local Government Code, Officer Larned is hereby advised that such section and the Agreement Between the City of Austin and the Austin Police Association provide for an appeal to an independent third party hearing examiner, in accordance with the provisions of such Agreement. If appeal is made to a hearing examiner, all rights of appeal to a District Court are waived, except as provided by Subsection (j) of Section 143.057 of the Texas Local Government Code. That section states that the State District Court may hear appeals of an award of a hearing examiner only on the grounds that the arbitration panel was without jurisdiction or exceeded its jurisdiction, or that the order was procured by fraud, collusion or other unlawful means. In order to appeal to a hearing examiner, the original notice of appeal submitted to the Director of Civil Service must state that appeal is made to a hearing examiner.

For CHIEF MANLEY
B/C [Signature]
BRIAN MANLEY, Interim Chief of Police

11/16/17
Date

TO WHOM IT MAY CONCERN:

I hereby acknowledge receipt of the above and foregoing memorandum of temporary suspension and I have been advised that if I desire to appeal that I have ten (10) days from the date of this receipt to file written notice of appeal with the Director of Civil Service in accordance with the provisions of Chapter 143 of the Texas Local Government Code.

Travis Larned #8126
Police Officer Travis Larned #8126

11-16-17
Date