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MEMORANDUM

Austin Police Department *Office of the Chief of Police*

TO: Susan Sinz, Director of Civil Service

FROM: Lisa Davis, Chief of Police

DATE: November 26, 2024

SUBJECT: Temporary Suspension of Police Officer Ariel Crumes #8893
Internal Affairs Control Number 2024-0785

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 Ariel Crumes #8893 from duty as a City of Austin, Texas police officer for a period of ten (10) days. The temporary suspension is effective beginning on November 27, 2024, and continuing through December 6, 2024.

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

On July 29, 2024, Officer Ariel Crumes worked as part of the Executive Protective Unit (EPU) auxiliary team. She was assigned as the lead car in the travel route for the President of the United States (POTUS) visit, working alongside a Secret Service Agent. Officer Crumes took photographs while she was on duty, including a picture of the back of the President of the United States, while he was walking into Air Force One and a “selfie” with a Secret Service Agent. She later posted the photographs to her personal social media accounts (Facebook and Instagram). Within the post to her Instagram account, she referred to the President of the United States, Joseph Biden as ‘Sleepy Joe.’ Her Instagram account was set for public viewing.

On or about Wednesday, July 31, 2024, Internal Affairs (IA) received an internal complaint, signed by an APD Lieutenant. The complaint stated:

On July 30, 2024, I was notified that Officer Ariel Crumes #8893 posted approximately 5 pictures on her personal Instagram social media account that depicted her performing her duties as an Executive Protection Unit Auxiliary Team member during the Presidential visit on 7/29/2024. I was forwarded a screenshot of the post in which Officer Crumes stated on the post “Sometimes work is boring, sometimes you get to assist with the secret service getting sleepy Joe around Austin.” These actions are concerning and may be in violation of APD policy.

IA reviewed the following APD General Orders in relation to these allegations:

900.3.2 Acts Bringing Discredit Upon the Department
972.4 Prohibited Speech, Expression, and Conduct

IA conducted multiple interviews during their investigation, including one of Officer Crumes. The evidence shows that Officer Crumes committed the actions alleged in the July 29, 2024 complaint, and in doing so she violated the above-mentioned General Orders. Specifically, Officer Crumes verified that she took multiple photographs, including a photograph of the back of the POTUS entering Air Force One, while providing on-duty security for him. Officer Crumes then posted the photographs, with the derogatory reference about the POTUS on her social media account(s). Officer Crumes confirmed that she had a Facebook and an Instagram account. She also confirmed the evidence deduced from the investigation showed she had an estimated “*thousand [followers] maybe...over that amount*” on her Instagram account.

The IA investigation also showed one or more members of the Secret Service Department was aware of Officer Crumes’ Instagram post. An APD Sergeant stated... “*I saw [the post] myself 'cause I'm in charge of our police activities league, Instagram, social media, Facebook stuff so it popped up on there.*” The Sergeant expressed how seeing the post made him feel “*frustrated a little bit just because it brings kind of those feelings like we're supposed to be a professional unit, especially our EPU team.*”

The EPU Corporal stated that he viewed her personal Instagram account on July 30th, [it] *“was public, so I was able to see basically all her pictures that she had posts and there are tons of her in uniform.”* The EPU Corporal also expressed his disappointment when he stated he was *“A little upset that she was representing EPU that I found the position for her and kind of a little let down because she had worked with us for the past 1-1/2 year.”*

An APD Lieutenant, who became aware of the posting, summed up Officer Crumes' conduct to IA by calling into question her *“maturity.”* The Lieutenant elaborated that an EPU officer using derogatory language about a person the unit is assigned to protect undermines the credibility of the Department and unity saying, *“To use that language, which I think most people would correlate to that being a derogatory term for the president, doesn't - you know, it doesn't look good for the department, doesn't look good for the unit and it's unprofessional behavior that, is uncalled for basically.”*

Officer Crumes later confirmed the day after she took the photographs and then posted the photographs, *“A friend had messaged me and just said, ‘Hey, I don't think that the people at EPU are gonna like that you posted about working with EPU.’ on Tuesday [July 30, 2024]. I was like, ‘Okay. Sounds good. I'll delete it.’”*

To her credit, Officer Crumes conceded to IA that this post could damage the reputation or the professionalism of the Austin Police Department and/or its employees, *“because it lacks professionalism.”* She further acknowledged that she violated APD General Order 972.4 Prohibited Speech, Expression, and Conduct. IA also asked Officer Crumes if she complied with APD General Orders 900.3.2, Acts Bringing Discredit Upon the Department. She stated, *“No, ma'am. Because the negative connotation with the Sleepy Joe comment, just is a negative comment to make about the President of the United States.”*

In sum, I appreciate that Officer Crumes accepted some responsibility in her IA interview and during her Disciplinary Meeting and that she acknowledged that she violated APD General Orders. I also considered that Officer Crumes had no prior disciplinary history prior to this case in her five-year career. I remain concerned, however, Officer Crumes did minimally acknowledge the seriousness of her actions during her interview. As Officer Crumes knew at the time, extra measures were taken to protect the POTUS that day due to a recent assassination attempt against former President of the United States, Donald Trump. Nonetheless, Officer Crumes divided her attention and focus away from her important job. In doing so, Officer Crumes left some with the impression she deviated her full attention and focus from protecting President Biden. Officer Crumes did this by taking the time to take at least one picture of the POTUS that she would use in social media posts. That actual and/or perceived lapse in judgement could have resulted in tragedy and/or at least the impression this type of conduct is condoned by the APD. In conclusion, I have every confidence that Officer Crumes will learn from this incident and work to improve in the future. I conveyed this same sentiment to her at the end of her Disciplinary Meeting.

By these actions, Officer Crumes 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 900.3.2: General Conduct and Responsibilities: Acts Bringing Discredit Upon the Department**

900.3.2 Acts Bringing Discredit Upon the Department

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.

➤ **Austin Police Department Policy 972.4: Employee Speech, Expression, and Social Networking: Prohibited Speech, Expression and Conduct**

972.4 Prohibited Speech, Expression and Conduct

To meet the Department's safety, performance, and public-trust needs, the following is prohibited:

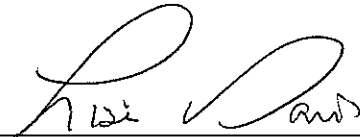
- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Austin Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Austin Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Austin Police Department or its employees.
- (c) Speech or expression that could reasonably be foreseen as creating a negative impact on the credibility of the employee as a witness. Posting or making statements or expressions that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior is prohibited.
- (d) Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of the employees of the Department. This includes speech or expression that would reveal the identity or affiliation with law enforcement of any undercover officer.

- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Austin Police Department.

Officer Crumes is advised that this suspension may be considered by the Chief of Police in a future promotional decision pursuant to General Order 919.

By copy of this memo, Officer Crumes 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 Crumes 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.



LISA DAVIS, Chief of Police

11-26-24

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) calendar 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.



Police Officer Ariel Crumes #8893

11.26.24

Date