



OFFICE OF  
POLICE OVERSIGHT

# 2024

## Annual Report

The Office of Police Oversight provides independent, impartial oversight of the Austin Police Department. OPO and APD are separate departments within the City of Austin. OPO is staffed by civilians with oversight, legal, policy, and community engagement expertise.

# Executive Summary

The Office of Police Oversight (OPO) is committed to fostering transparency, accountability, and trust between the Austin Police Department (APD) and the community it serves. This 2024 Annual Report provides a comprehensive overview of OPO's work and highlights work in policy, complaint oversight, and community engagement. It also reflects the continued implementation of the Austin Police Oversight Act and ongoing efforts to strengthen public safety practices and ensure that community voices remain central to the oversight process.

## Key Accomplishments in 2024

### Policy & Research

OPO proposed twenty-six policy recommendations to APD's General Orders, including expanded body-worn camera use, a standalone drone policy, appearance standards aligned with the CROWN Act, and enhanced oversight of off-duty officer conduct. OPO continues to provide feedback related to APD's curriculum and reviews APD and TCOLE training materials to ensure alignment with community values and best practices. Following the passage of SB 4, OPO reviewed APD's policies on racial profiling and interactions with foreign nationals. No changes were recommended, as current policies aligned with national standards.

### Community Engagement:

OPO expanded outreach through newsletters, social media, and public meetings. The Community Police Review Commission was re-established with 11 randomly selected and trained members, preparing to resume public meetings in 2025.

### Complaint Oversight:

OPO received 1,052 community contacts resulting in 841 external complaints (813 involving APD officers). Recommendations included 420 Community Concerns, 305 Supervisory Referrals, and 88 Formal Complaints. In 2024, 125 officers were disciplined, and OPO issued 21 disciplinary objections or recommendations.

### Transparency:

OPO monitored all external formal complaint investigations and issued closeout notifications to complainants, maintaining independent oversight even as final authority rests with APD under state law.

### Year-to-Year Trends

In 2024, community contacts declined compared with 2023, but compliments for APD more than doubled, suggesting improved quality of engagement. At the same time, both external and internal complaints rose, and more officers faced discipline. Most notably, sustained external complaints increased nearly fourfold (69 in 2024 compared to 14 in 2023), reflecting both a higher volume of complaints and more assertive oversight by OPO.

### Conclusion

While 2023 was a transitional year focused on rebuilding structures and implementing the Austin Police Oversight Act, 2024 marked a period of maturity and momentum. OPO advanced policy reform, strengthened complaint oversight, and deepened community trust—demonstrating a more assertive and effective role in ensuring accountability and transparency in Austin's public safety system.

# Table of Contents

Message from the City Manager and the Director .....	1
Introduction .....	2
Policy and Research Division .....	3
Communications and Community Engagement Division .....	10
Complaints Division .....	17
Glossary .....	28
Appendix .....	34

# Message from the City Manager



**T.C. Broadnax**  
City Manager

“Nationally, police oversight plays a crucial role in ensuring that local police departments operate with fairness and integrity. Police oversight in Austin is designed to ensure police accountability, foster transparency, and promote an atmosphere of earned trust between Austinites and the Austin Police Department (APD). This report outlines the accomplishments of the Office of Police Oversight and its efforts to build sustainable partnerships and ensure the City’s implementation of the Police Oversight Act. This work provides a strong foundation for continued progress.”

# Message from the Director

“I am proud to present the Office of Police Oversight’s (OPO) 2024 annual report, which shares the accomplishments and achievements from our three divisions: complaints, policy and research, and communications and community engagement. From reviewing feedback on police officer conduct to engaging community members and researching national best practices in policing, our staff made significant strides in advancing transparency and accountability in the last year.

As we prepared this report, our staff reminisced, feeling a sense of achievement at how far we have come and gathering our resolve to push forward. We do not expect the journey to be speedy or straightforward. Still, we are committed to moving onward and upward to make the community safer for both officers and community members.”



**Gail McCant**  
Office of Police Oversight Director

# Introduction

During 2024, OPO's work was shaped by several critical milestones:

May 2024 marked the first full year of implementation for the Austin Police Oversight Act (Chapter 2-15) and Council Resolution 99. Chapter 2-15 and Resolution 99 enshrined OPO's authority, affirming the City of Austin's commitment to independent and impartial police oversight.

In September 2024, a Travis County judge ruled that the City of Austin would no longer maintain the separate personnel files for police officers, known as G-files, allowing for even further transparency.

In October 2024, the City of Austin and the Austin Police Association finalized a 5-year Meet and Confer Agreement after operating without a labor contract for over one year.

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Thanks to these changes, OPO is in a strong position to effectively execute its mission to provide impartial oversight of the Austin Police Department's conduct, practices, and policies to enhance accountability, inform the public to increase transparency, and create sustainable partnerships throughout the community.



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# Policy and Research Division



The Office of Police Oversight's Policy and Research Division conducts academic, legal, quantitative, and qualitative research to support the OPO's mission of providing impartial assessment of APD's practices and policies. This division also synthesizes national best practices in policing to support recommendations.

# Policy Recommendations

Research and analysis are vital to the Office of Police Oversight's mission of enhancing accountability and transparency within the Austin Police Department.

Policy recommendations can originate from various sources, including:

OPO complaints from  
community members

APD-initiated policy changes

OPO-initiated policy changes

City Manager or City Council

OPO analyzed all

**58**

of APD-initiated policy changes.

In addition, OPO made

**26**

specific policy recommendations to APD.

Of those recommendations,

**8**

were OPO-initiated policy changes.

*See specific OPO-initiated recommendations on next page.*

OPO's Policy and Research Division recommendations reflect a consistent effort to enhance transparency, operational safety, and community trust in the Austin Police Department.

# OPO Initiated Recommendations

1

## **Camera System Use (303.4.2)**

Broaden APD policy language to cover more circumstances where Body Worn Cameras (BWC) must be used. Create a new, distinct policy governing how APD courtesy transports are recorded and managed.

2

## **Transport Vehicle Policy**

APD acquires additional transport vans with prisoner transport inserts to ensure safer transportation of individuals, especially those who exhibit physical resistance during arrest.

3

## **Supervisor Responsibilities (902.2.4)**

APD remove the language excluding OPO complaints from the standard supervisory review process.

4

## **Outside Agency Assistance (362)**

Add explicit language to the General Orders to safeguard laws and civil rights when APD collaborates with outside agencies.

5

## **Drone Policy**

Establish a standalone policy addressing APD's use of drones (Unmanned Aerial Systems) to clarify operational rules, oversight, and accountability for drone deployment.

6

## **Financial Responsibility (342.3.5)**

Clearer and more consistent enforcement of specific traffic regulations by officers.

7

## **Hair Policy (924.3.1)**

Revise APD appearance standards for both male and female sworn employees in accordance with state law (CROWN Act) and include clear definitions to prevent ambiguity.

8

## **Off-Duty Law Enforcement Actions (364)**

Tighten APD standards and broaden requirements for reporting of officer off-duty actions.

*\*See the full list of recommendations in the appendix.*

# Academy Curriculum Recommendations

In 2024, the OPO started collaborating with APD's Educational Development Unit to enhance the training curriculum at the Austin Police Academy. As part of this effort, OPO's Policy Compliance Consultant now serves on the Professional Advisory Committee (PAC), which reviews, evaluates, and offers recommendations to improve the academy's curriculum.

This work includes a comprehensive review of training materials from the Texas Commission on Law Enforcement (TCOLE),

APD instructor class materials, and learning resources provided to cadets. The committee held its first curriculum review meeting on November 5, 2024. The OPO curriculum recommendations summarized below emphasize the importance of community collaboration, updated resources, and inclusive practices to ensure effective, respectful, and responsive law enforcement training.

## Recommendations

**Curriculum:** Interacting with Drivers who are Deaf or Hard of Hearing

### Community Engagement

- Gather direct feedback from the Deaf and Hard of Hearing community through town halls or sessions at the School for the Deaf.

### Use Modern Communication Tools for Interpretation

- Update communication methods to reflect current technology and ensure compliance with the City of Austin's Language Access Policy. Clear protocols for contacting contracted interpreter services should be provided.

### Expand Active Learning Opportunities

- Involve volunteers from the Deaf and Hard of Hearing community in role-playing scenarios. Additionally, include recent and relevant case study examples from both local and national contexts.

### Localized History

- Refocus history lessons on local context, such as The School for the Deaf in Austin, and eliminate less relevant content like Gallaudet University.



Please visit our website to read OPO's curriculum recommendations.  
<https://www.austintexas.gov/document/apd-training-academy-curriculum-recommendation-interacting-drivers-who-are-deaf-or-hard-hearing>



# Use-of-Force Analysis

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In accordance with the Austin Police Oversight Act and Resolution 99 , the Office of Police Oversight has been charged with analyzing all APD use-of-force incident data.

In 2024, the Policy and Research Division published quarterly reports on the use of force data provided by APD. This division reviews and consolidates use-of-force data from monthly reports provided by APD's Force Review Unit. These analyses highlighted patterns in police use of force and identified areas that required further data quality improvement or transparency.



See the full quarterly reports available on OPO's website.  
<https://www.austintexas.gov/document-collection/use-force-analysis>

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# Senate Bill 4 Resolution Compliance

State Senate Bill 4 (SB 4), signed into law in December 2023, was a new immigration law in Texas that authorized state and local law enforcement to arrest and deport individuals believed to have entered the state illegally. Due to legal issues contesting its constitutionality, SB 4 only briefly went into effect and is currently not enforceable.

## City Council Resolution 2024-0829-134

In response to SB 4, the Austin City Council adopted a resolution reaffirming the City's stance on being a welcoming city for immigrants and directed an analysis of APD General Orders 328 (Racial or Bias-Based Profiling) and 330 (Interactions with Foreign Nationals) to ensure the general orders protect immigrant communities and maintain compliance with anti-bias and non-discrimination standards.

OPO evaluated both APD policies, reviewed national best practices, and held collaborative discussions with APD leadership to gain insight into current practices. Based on its comprehensive analysis, OPO found that both APD General Orders align with best practices/standards and made no formal recommendations to revise the two policies identified by the City Council.

# Police Oversight Implementation Working Group Meetings

The Policy and Research Division participated in the quarterly meetings of the Police Oversight Implementation Workgroup and presented its recommendations to the community.

OPO recognizes the importance of maintaining open communication with community members and gathering feedback throughout the policy improvement process.

*\*See the full list of recommendations located in the appendix.*





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# Communications and Community Engagement Division



The Office of Police Oversight's Communications and Community Engagement Division increases transparency and enhances accountability by informing the public and creating sustainable partnerships throughout the community.

# Central Depository Online

The Office of Police Oversight's website is a central hub for documents related to police oversight in Austin. The published documents include complaints and compliments data, disciplinary memos and recommendations, policy analysis and reports, lawsuits filed against the City of Austin that allege officer misconduct, and community meeting presentations.

In 2024, OPO published **151** documents online, including:

- Six disciplinary memos detailing the disciplinary decisions issued by the Chief of Police.
- Fifteen disciplinary recommendations and objections outlining OPO's investigatory findings and basis for recommending officer discipline.
- Seven case documents related to lawsuits filed against the City of Austin alleging APD officer misconduct.
- Twelve policy recommendations from OPO to improve APD policy for both officer and community member safety.
- One curriculum recommendation analyzing the training materials currently utilized at the APD training academy.

OPO publishes all documents in English and Spanish and utilizes screen reader-friendly design to ensure accessibility across the community. OPO's online central depository is accessible here.

 [atxpoliceoversight.org](https://atxpoliceoversight.org)





# Community Engagement

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Building strong, sustainable relationships within the community is a key part of OPO's mission. To ensure all community members can access and benefit from this work, the division prioritizes language access and accessibility. The staff is committed to making OPO's programs and services clear, transparent, and readily available to everyone in the community.

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In 2024, OPO's Communications and Community Engagement Division engaged community members on various topics, including:

**Submitting a compliment or complaint about their experiences with APD officers.**

**Community members' rights when interacting with police officers.**

**Documents published in the online central depository.**

**Improving APD's policies and practices with recommendations and research.**

In 2024, OPO hosted or participated in **50** public events or engagements to connect with community members. Sharing information about the complaints process, discipline recommendations, and policy recommendations, including:

Presenting to the Public Safety Commission about OPO's implementation of the Austin Police Oversight Act (Municipal Code 2-15) and re-establishment of the Community Police Review Commission.



Hosting Police Oversight Implementation Working Group meetings each quarter to share complaints data, answer questions about the complaints process, and share updates about OPO's work.



Educating APD Academy cadets about police oversight as part of the training curriculum.





Partnering with Austin/Travis County EMS Pop-Up Resource Clinics to offer essential supplies, information, and support to community members experiencing homelessness.

Raising awareness about police oversight and distributing summer safety items and information at Austin Pride.



Partnering with the Austin Public Library to educate community members about sharing their feedback on interactions with Austin police.



Connecting with Austin boards and commissions to raise awareness about opportunities to engage with police oversight in Austin.



# Critical Incidents

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In 2024, OPO oversaw the public release of APD videos related to seven critical incidents, including one death in custody and six officer-involved shooting incidents.

OPO consults and provides feedback on the videos selected for public release as part of APD's policy of releasing critical incident videos within ten days of the incident.

Critical Incident Briefing videos are published on APD's YouTube. <https://www.youtube.com/@AustinPolice>



# Digital Engagement and Media

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OPO's Communications and Community Engagement team uses digital and traditional media to increase awareness of OPO's work in the community.

In 2024, OPO:

Released regular newsletters with the latest opportunities for community members to engage in police oversight, including Police Oversight Working Group Meetings, reports, recommendations, and more.

Published social media posts on Facebook and X to inform the community about OPO's work, upcoming events, and when and where we will be in the community.

Corresponded with local and national press to enhance understanding of issues related to police oversight and public safety.

# Community Police Review Commission

The Community Police Review Commission is a City commission consisting of eleven community members. It is independent of and separate from the Austin Police Department and the Office of Police Oversight.

In May 2023, Austin voters approved the Austin Police Oversight Act (City Code Section 2-15), which changed some of the requirements for serving on the commission, including the commissioners' eligibility and selection process.

The selection process included an open application process, which began in Fall 2023. Next, the City Auditor reviewed the applicants' eligibility per Chapter 2-15. The Office of Police Oversight, on behalf of the City Manager, selected the commissioners on November 18, 2024.

The commissioners attended twenty hours of training created by OPO, in partnership with APD, and other City departments, to understand the responsibilities of their role.

The training focused on the laws, rules, and policies governing the conduct of police officers in Austin, and in accordance with recommendations of the National Association for Civilian Oversight of Law Enforcement. The commission completed the training and resumed public meetings in 2025.





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# Complaints Division



OPO's Complaint Division provides impartial oversight by accepting complaints and compliments regarding the conduct of the Austin Police Department officers.

## There are several ways community members can submit complaints or compliments to the Office of Police Oversight.

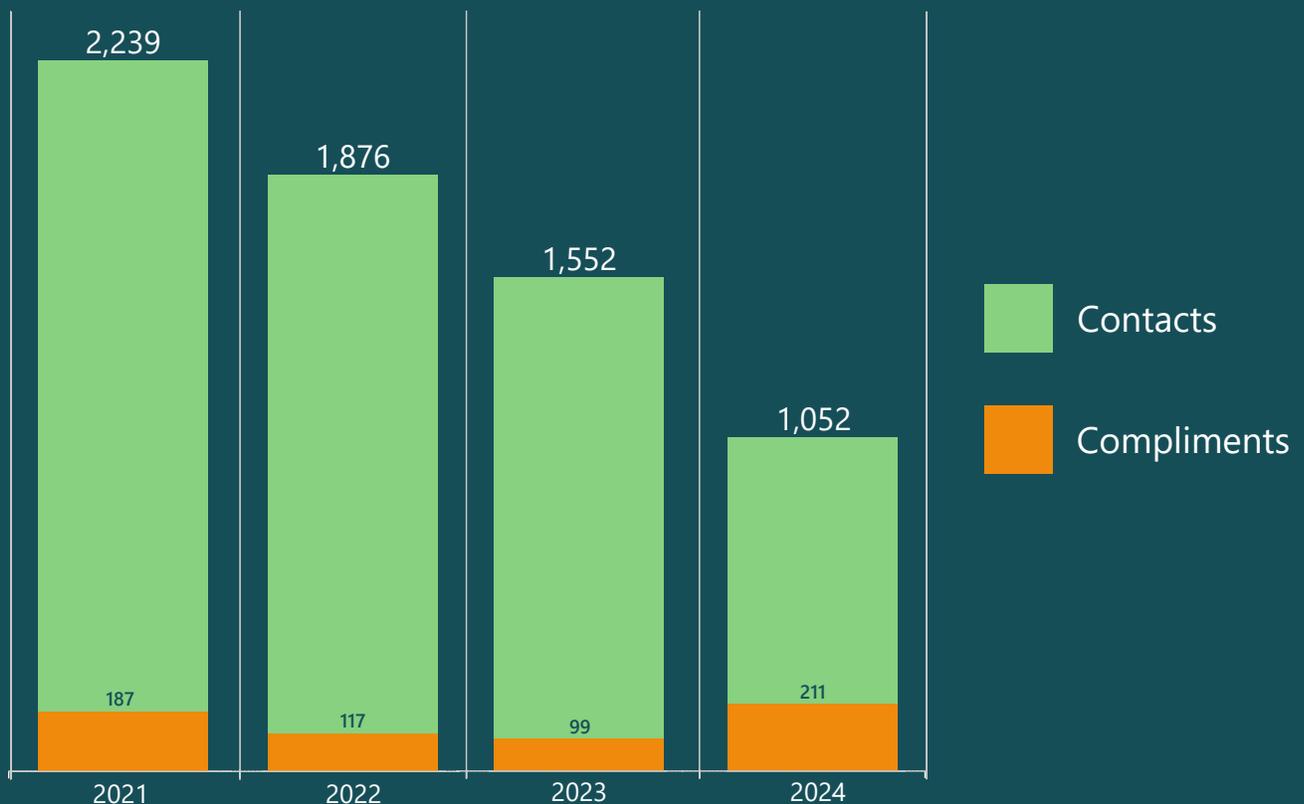
- Verbally through the Complaint & Compliments line at (512) 972-2676
- In-person complaint intake hours 9 a.m.-4 p.m.
- Electronically via e-mail at [policeoversight@austintexas.gov](mailto:policeoversight@austintexas.gov)
- In writing via U.S. mail (P.O. Box 1088, Austin, TX 78767)

An essential part of building trust between the community and APD is providing opportunities for the community to submit positive and negative feedback about their interactions with the APD. OPO works to provide these opportunities in a way that is accessible to all.

In 2024, OPO received 1,052 contacts, of which 211 were compliments for APD. In 2023, OPO received 1,552 contacts, of which 99 were compliments for APD.

Compared to the previous calendar year, contacts in 2024 went down by 32% and compliments increased by 113%.

### Contacts & Compliments



*\*To learn more about these terms, refer to the glossary.*

# OPO Complaints Process

1

## Preliminary Review

- OPO received complaints from external complainants alleging potential policy violations.
- OPO reviews evidence related to a complaint or incident of alleged misconduct.

2

## Preliminary Investigation

- OPO conducts detailed interviews with complainants and witnesses.
- OPO recommends a full investigation if warranted.

3

## Classify

- OPO makes Classification recommendations for external complaints.

4

## Complaint Outcome

- Upon completion of an investigation, OPO issues closeout notification.
- OPO may object to disposition or disciplinary action imposed by APD.
- OPO may make disciplinary recommendations.

5

## APD Disposition/Discipline

- APD has sole discretion in determining what disciplinary action, if any, is issued to the involved officer(s).
- Upon completion of an investigation, APD determines the outcome for involved officer(s).

# 1

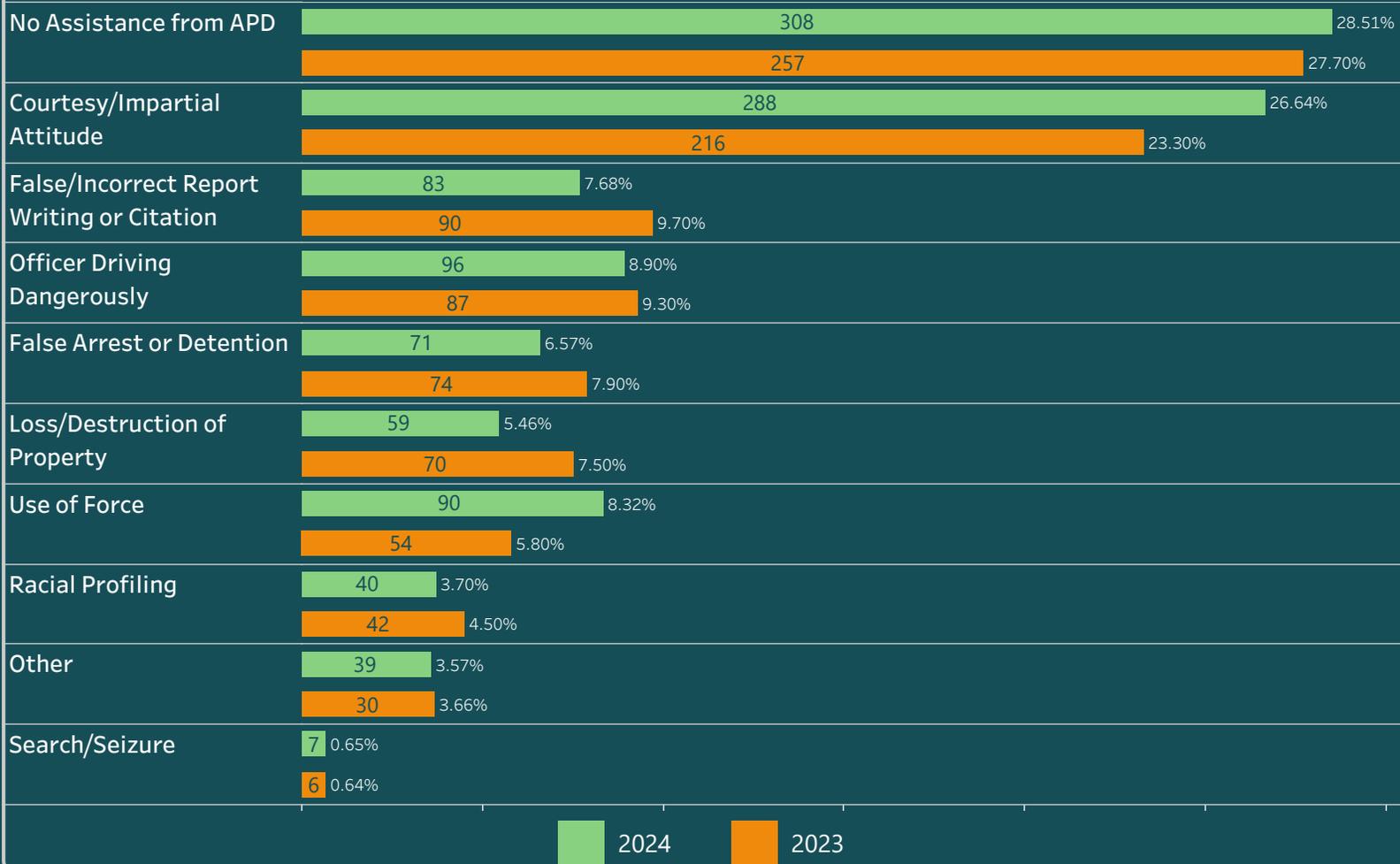
## Preliminary Review

There are two different types of complaints: internal and external. Austin Police Department (APD) initiates internal complaints, while external complaints originate from community members' contacts made to the OPO.

OPO receives complaints from external complainants alleging potential policy violations. OPO reviews evidence related to a complaint or incident of alleged misconduct and forwards complaints to the APD Internal Affairs Division (IAD).

Similar to 2023, OPO assessed external complaints to understand better what community members were reporting. The categories shown below relate only to allegations made by community members and were evaluated by OPO based on the allegations that community members made to describe their complaints. This assessment by OPO is conducted before the complaint enters the preliminary investigation phase.

### Allegations by Type



Like in 2023, in 2024, OPO found that the top two complaint categories described by the community were:

- No assistance from APD
- Lack of courtesy/impartial attitude

\*See definitions for these allegations in glossary.

# 2

## Preliminary Investigation

When conducting a preliminary investigation, OPO conducts detailed interviews with complainants and witnesses and recommends a full investigation if warranted.

Community members may also file complaints anonymously. Accepting anonymous feedback increases accessibility for community members who may otherwise be unwilling or afraid to share their experiences.

In 2024,  
OPO received **84**  
anonymous complaints

What is an anonymous complaint?  
*\*See the glossary for the full definition.*

### Anonymous Complaints



2024 saw a **58%** increase from 2023.

## Classify

The OPO is authorized to recommend the investigative classification for external complaints only. APD makes the final classification determination for all complaints. APD outlines multiple classifications, which can be found in the glossary.

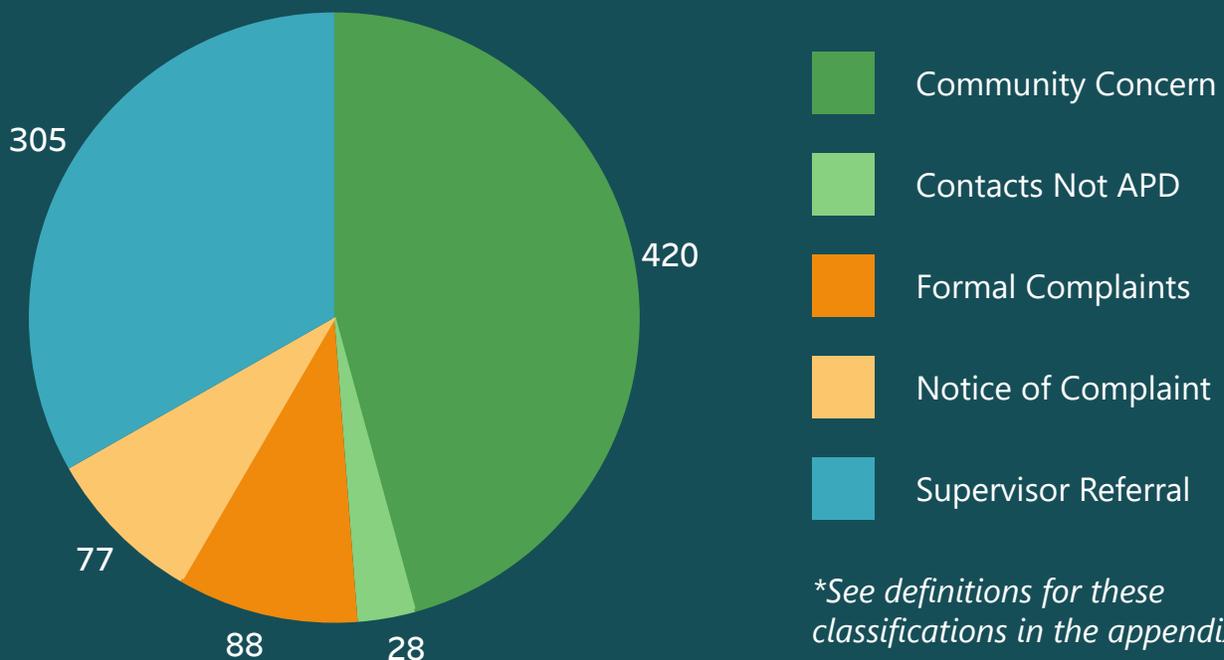
A complaint's investigative classification determines to what extent the Internal Affairs Division (IAD) will investigate the complaint. While OPO conducts a preliminary review of every complaint, we do not initiate a preliminary investigation for all complaints.

The OPO received 1,052 contacts in 2024, which resulted in 841 external complaints. Of those external complaints, 28 complaint contacts did not involve APD officers.

The OPO recommended the following classifications for the 813 complaints involving APD officers: 420 Community Concerns, 305 Supervisory Referrals, and 88 Formal Complaints.

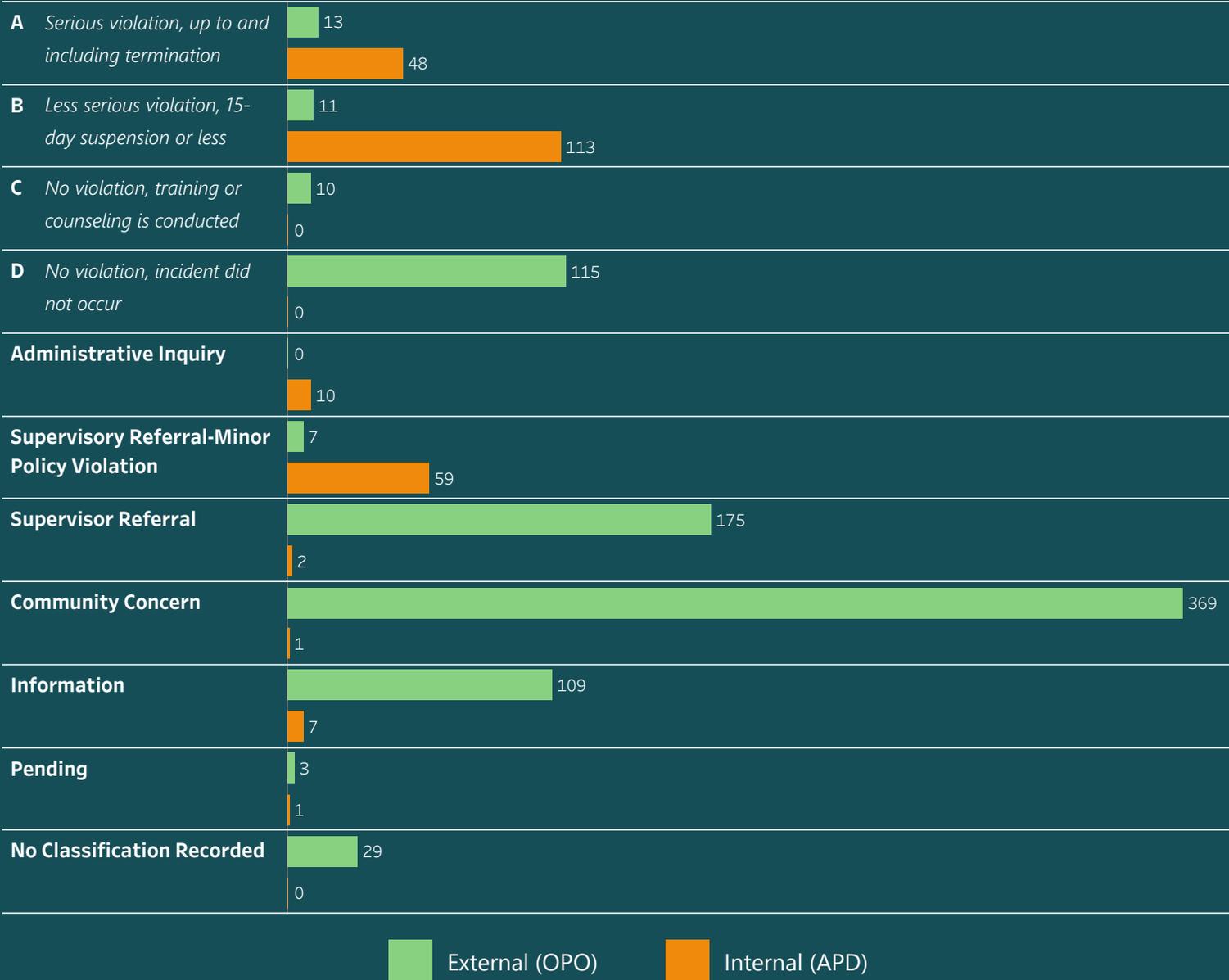
When a formal complaint was recommended to IAD, OPO identified that a full and thorough investigation was needed, or that a complainant had requested that the OPO process their complaint as a formal complaint.

### OPO Classification Recommendations



The chart below outlines the classifications APD assigned to each of the 841 external complaints and the 241 internal complaints.

## Complaint Classifications



\*See definitions for these classifications in the appendix.

# 4

## Complaint Outcome

Upon completing an investigation, OPO issues a closeout notification to the complainant. OPO may object to disposition or disciplinary action imposed by APD, and may make independent disciplinary recommendations to APD.

In 2024, OPO monitored all complaint investigations and:



The OPO forwarded 841 complaints to the APD, recommending that 159 of them be investigated. Of the 159 recommended cases, APD investigated 159. A total of 69 external complaints were sustained in 2024.

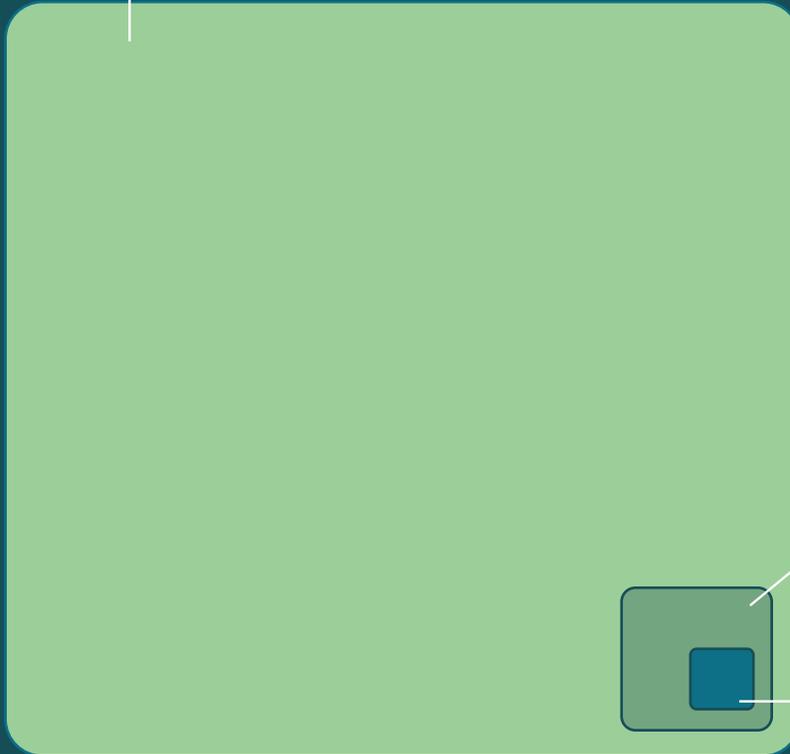
In 2024, APD initiated 241 internal complaints. Of these, 231 were investigated. A total of 107 internal complaints were sustained in 2024.

*See the next page for a graphic representation of this data.*

# External Complaints

*Taken by OPO*

**841** Total forwarded complaints from OPO to the APD.



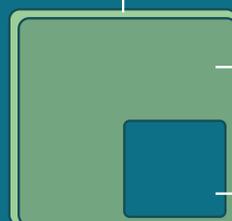
**159** APD investigated all 159 complaints OPO recommended investigating.

**69** sustained complaints

# Internal Complaints

*Internally Initiated by APD*

**241** Total APD initiated complaints



**231** complaints investigated

**107** complaints sustained

# 5

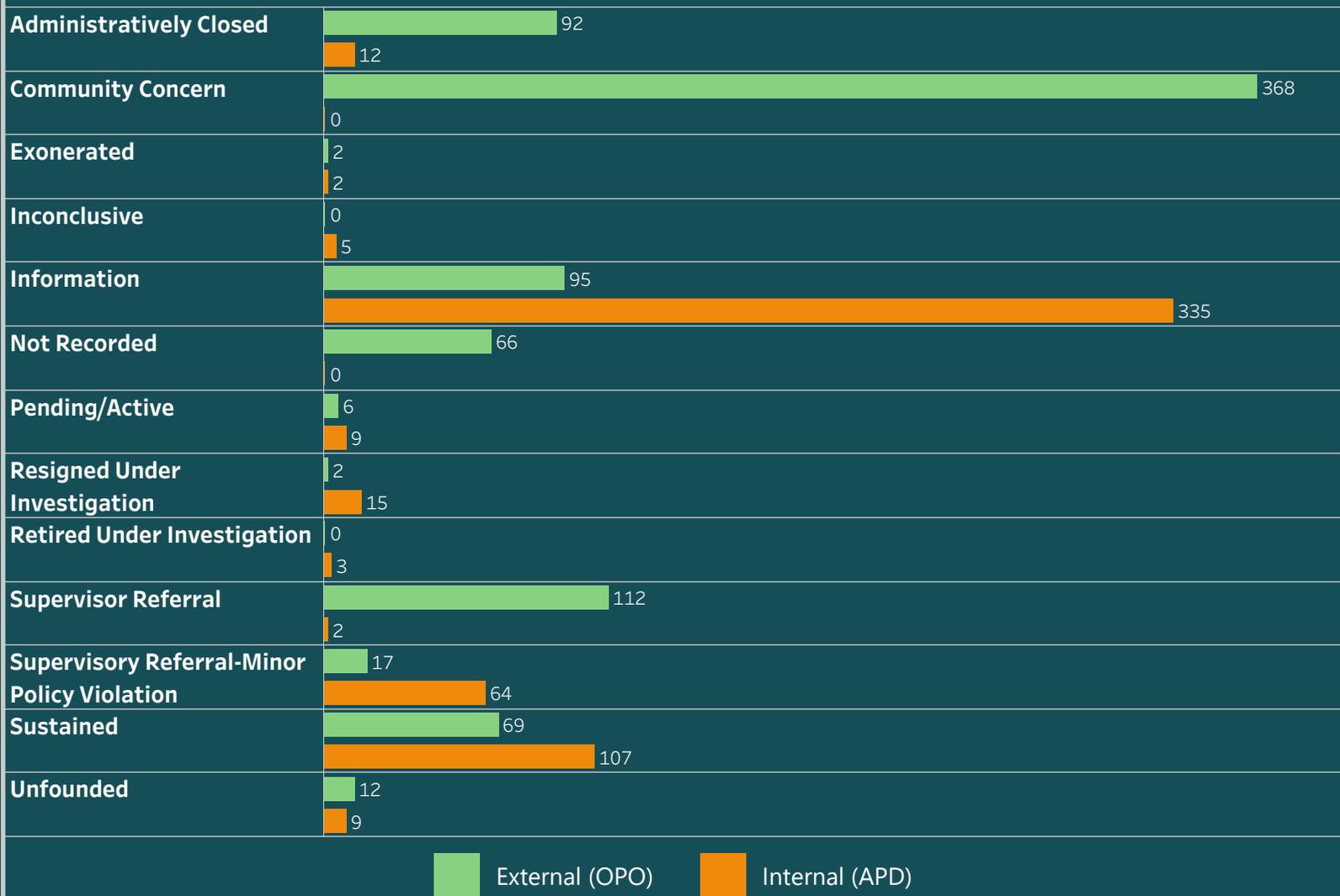
## APD Disposition and Discipline

Upon completion of an investigation, APD determines the outcome for the involved officer(s). APD has sole discretion in determining what disciplinary action, if any, is issued to the involved officer(s).

In 2024, OPO made **21** recommendations to APD. Three were objections and 18 were discipline recommendations.

### Dispositions

*A disposition is APD's final determination of how a complaint is closed.*

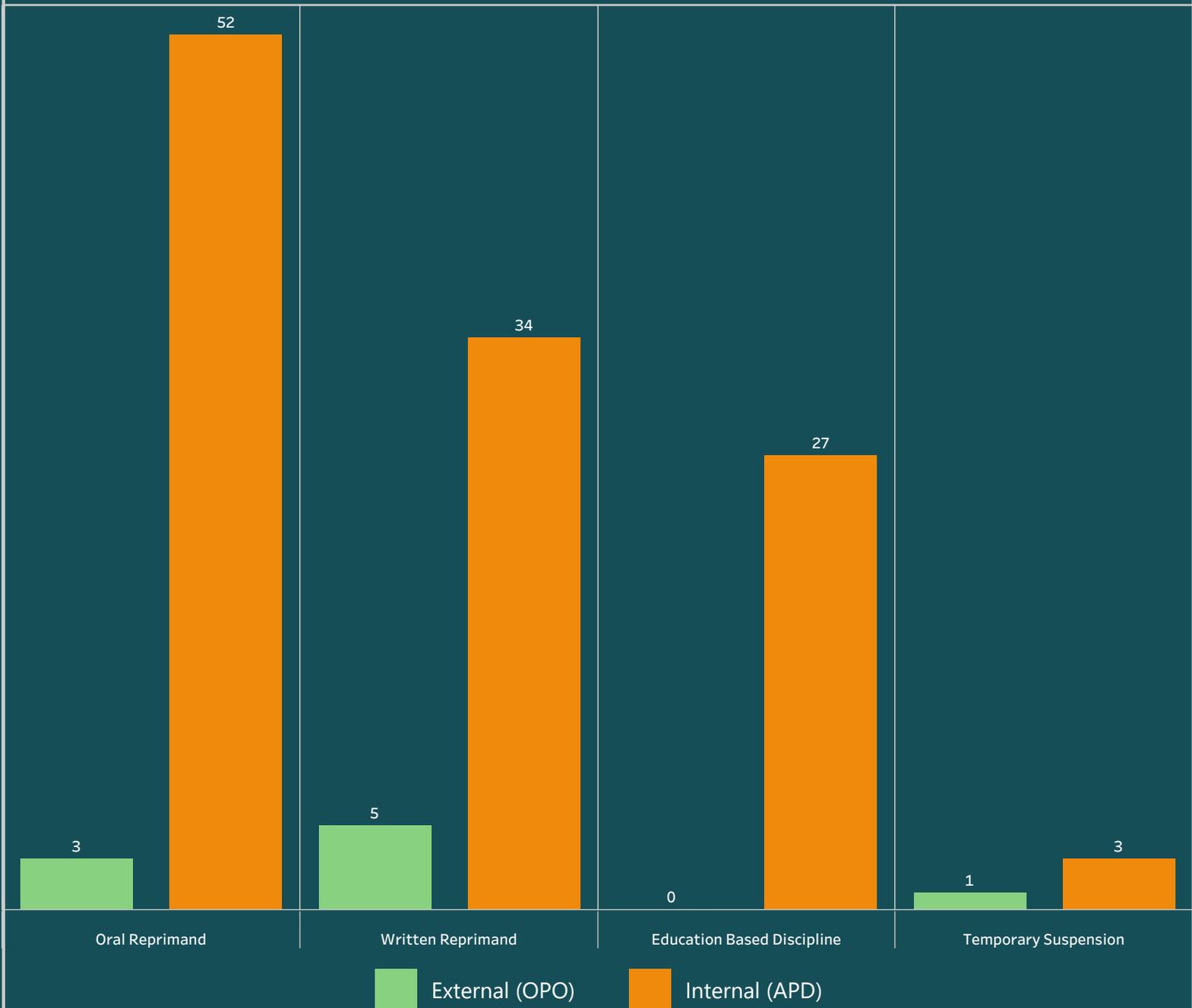


*\*See the glossary for definitions from APD's General Orders regarding the types of discipline available.*

In 2024, 125 individual Austin Police Department officers received discipline. Of the 125 disciplined officers, 116 were the subject of internal complaints, and 9 were the subject of external complaints.

*The chart below shows all discipline APD issued to officers in 2024.*

## Discipline Issued



# Glossary

The Office of Police Oversight (OPO) accepts complaints and compliments about the conduct of Austin Police Department (APD) officers. Any adult may submit complaints or compliments based on their own or someone else's experience. OPO accepts contacts via phone, email, U.S. mail, online, or in person at our office.

The following frequently used terms are organized based on where the term occurs during the complaints process.

## CONTACTS, COMPLAINTS, AND COMPLIMENTS

An essential part of building trust between the community and APD is providing opportunities for people to submit positive and negative feedback about their interactions with the Department. OPO works to provide these opportunities in a way that is accessible to all. As a result, community members who wish to share feedback about APD may communicate with OPO online, in person, or by phone, email, or mail.

**CONTACT:** OPO uses the term contact to refer to any communication received, whether a compliment, complaint, or general inquiry.

**COMPLIMENT:** When referring to positive feedback, OPO uses the term compliment, or thank you. Community members may submit compliments by phone, email, U.S. mail, online, or in person at our office, and do not have to provide any contact information.

**COMPLAINT:** When referring to negative feedback, OPO uses the term complaint. Community members may file complaints by phone, email, U.S. mail, online, or in person at our office. A complaint may allege that an Austin police officer acted improperly, violated the law, or APD policy.

**ANONYMOUS COMPLAINT:** Anonymous complaints provide accessibility for community members who would otherwise be unwilling or afraid to share their experiences. Community members may file anonymous complaints by phone, email, U.S. mail, online, or in person at our office, and do not have to provide any contact information. For anonymous complaints, OPO does not record the name or contact information of the person filing the anonymous complaint. However, OPO may be limited in what we can do with the information if the complainant does not verify their information or statement under oath.

# 1 - Preliminary Review

Preliminary Review is the first step in the complaints process. During the preliminary review, OPO complaints specialists review materials, such as body cameras or dash camera videos, and any information the complaint provides to see if a policy violation occurred. After the preliminary review is complete, complainants can choose how to proceed with their complaint.

- **Internal Complaint:** Internal Complaints are initiated within APD and come to the OPO from IAD. The original complainant is a sworn member of APD.
- **External Complaint:** External complaints originate from complaints received from community members. The OPO is authorized to make investigative classification recommendations only for external complaints, which are complaints that originate from contacts made to the OPO. In contrast, internal complaints are those initiated by APD.

## ALLEGATIONS BY TYPE

In 2024, OPO found that the top two complaint categories described by the community were:

- **No assistance from APD:** A complaint allegation whereby the community member believes they did not receive adequate police service from an APD officer responsible for handling their specific incident requiring police assistance.
- **Lack of courtesy/impartial attitude:** A complaint allegation whereby the community member believes an officer violated a condition of APD General Order 301 “Responsibility to the Community,” which specifies in part, “Employees will be held accountable for the manner in which they exercise the authority of their office or position. Employees will respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment.”

# 2 - Preliminary Investigation

- During the preliminary investigation, the OPO complaint investigator will evaluate the preliminary review, interview the complainant and any witnesses, and determine if a policy violation occurred. The complainant may be required to sign an affidavit. The Office of Police Oversight forwards all requests for formal investigation to APD’s Internal Affairs Division (IAD). A complainant may also request that their complaint be submitted for investigation as a formal complaint.

## 3 - Classify

**FORMAL COMPLAINT:** A complainant can request a full investigation.

**SUPERVISOR REFERRAL:** A complainant can request to speak to an officer's supervisor.

**COMMUNITY CONCERN:** The complaint can be documented as a community concern or general feedback for the Austin Police Department (APD).

**CONTACTS NOT APD:** This data point reflects the number of contacts community members made to OPO about agencies other than the Austin Police Department (APD).

**NOTICE OF COMPLAINT:** When a complainant wishes to remain anonymous and requests a formal investigation, OPO acts as the affiant and forwards the complaint to the Internal Affairs Division as a Notice of Complaint. Additionally, if OPO identifies an incident involving a serious policy violation that is of little concern to the complainant the incident is forwarded to the Internal Affairs Division as a Notice of Complaint.

**CLASSIFICATIONS DEFINITIONS:** When APD completes the investigation, OPO complaints staff notifies the complainant of the investigation results, including any discipline issued.

**CLASS A:** Include, but not limited to, criminal conduct, serious policy violations, or conduct that could damage the Police Department. Potential discipline may include demotion, more than 15-days suspension, or indefinite suspension.

**CLASS B:** Includes, but is not limited to, policy violations such as profanity, belittling language, inadequate police service, minor traffic violations, negligent damage, or property loss. Potential discipline may include 15-days suspension or less, or written reprimand.

**CLASS C:** Includes, but is not limited to, policy violations such as profanity, belittling language, inadequate police service, minor traffic violations, negligent damage, or loss of property. Potential discipline may include oral reprimand, training, or educational based discipline.

**CLASS D:** No policy violations because the evidence shows the allegation is false, or the actions of the officers were within policy. There is no formal discipline administered for this classification.

**ADMINISTRATIVE INQUIRY:** An inquiry into a critical incident, or other incident, ordered by the Chief of Police or designee. Inquiries are generally for issues that could destroy public confidence in, and respect for, the Department or which are prejudicial to the good order of the Department.

**SUPERVISOR REFERRAL-MPV:** APD determined that an officer violated policy for some complaints, though the violation was minor.

**SUPERVISOR REFERRAL:** An informal complaint referred to a supervisor for their attention. If an investigation discloses misconduct or improper job performance not alleged in the original complaint, the investigator shall take appropriate action regarding any possible additional allegations.

**COMMUNITY CONCERN:** A community concern allows the community to submit feedback to APD for review. APD does not investigate but reviews the feedback

**INFORMATION:** An incident is maintained for documentation purposes only.

**PENDING INVESTIGATION:** There are occasions when an investigation is unable to move forward for the following reasons:

- There is insufficient information to identify the incident or related officers; thus, Office of Police Oversight is unable to conduct a Preliminary Review or Investigation
- APD's Internal Affairs Division is unable to pursue an Administrative Investigation.
- The complaint is about another City Department or another law enforcement agency. The Office of Police Oversight can only accept complaints concerning an APD officer's conduct.

**NO CLASSIFICATION:** The complaint could not be classified for one of the following reasons: It fell outside of OPO's authority, such as being filed against another law enforcement agency or governmental body; The complainant did not request a formal investigation; The complaint was not sustained.

## 4 - Complaint Outcome

If the complaint moves to a full investigation, OPO complaint investigators evaluate the preliminary review, interview the complainant and any witnesses, and determine if a policy violation occurred. A sworn affidavit may be requested.

Complaints staff monitors APD's investigation, participates in interviews with witnesses and officers, and provides monthly updates to complainants.

**APD INTERNAL AFFAIRS INVESTIGATION:** APD's Internal Affairs Division (IAD) investigates all external formal complaints that were submitted by OPO. External complaints are complaints originating from the community. APD provided this data, which the Office of Police Oversight confirmed.

**RECOMMENDED FOR FULL INVESTIGATION BY APD:** The Office of Police Oversight forwards all requests for formal investigation to APD's Internal Affairs Division (IAD). A complainant can request that their complaint be submitted for investigation as a formal complaint.

**AFFIDAVIT:** An affidavit is a sworn statement notarized by a state-approved Notary. Texas Local Government Code, Chapter 143, requires a sworn statement to question a police officer. If the complaint moves to a full investigation, OPO complaint investigators evaluate the preliminary review, interview the complainant and any witnesses, and determine if a policy violation occurred. OPO may request a sworn affidavit so that an APD officer can be questioned about the complaint. OPO complaints staff are notaries and can notarize complaints affidavits in English and Spanish. OPO can accommodate other languages upon request.

**INTERNAL COMPLAINT:** Internal Complaints are initiated within APD and come to the OPO from IAD. The original complainant is a sworn member of APD.

**EXTERNAL COMPLAINT:** External complaints originate from complaints received from community members. The OPO is authorized to make classification recommendations only for external complaints, which are complaints that originate from contacts made to the OPO. In contrast, internal complaints are those initiated by APD.

**ADMINISTRATIVE INVESTIGATIONS:** The OPO complaint process is an administrative investigation process designed to review allegations of misconduct involving APD General Order violations. Community members may report allegation of criminal conduct by an APD officer to OPO, however the OPO will not investigate allegations of criminal conduct. These complaints are referred to APD's Special Investigation Unit for investigations. OPO will monitor external complaints involving allegations of criminal conduct to ensure the appropriate administrative action is also taken.

**OPO DISCIPLINARY RECOMMENDATION:** A disciplinary recommendation is a non-binding written recommendation from the Director of the Office of Police Oversight to the Chief of Police or an officer's Chain of command regarding critical incidents or APD DISPOSITION AND DISCIPLINE

**DISCIPLINE OBJECTION:** OPO issues a discipline objection when it disagrees with the final disciplinary decision made by the Chief of Police regarding a subject officer. The Chief is required to respond to OPO's objection in writing within 30 days.

## 5-APD Dispositions

### DISPOSITION

**ADMINISTRATIVELY CLOSED:** Complaints will be administratively closed under one of the following circumstances:

1. An administrative inquiry has been completed, and no allegations of misconduct were made.
2. The case was classified as a Class C or Class D complaint; or
3. At the discretion of the Chief of Police or designee.

**COMMUNITY CONCERN:** A community concern allows the community to submit feedback to APD for review. APD does not investigate but reviews the feedback.

**EXONERATED:** When the investigation discloses that the alleged act occurred but that the act was justified, lawful, or proper according to Departmental General Orders.

**INCONCLUSIVE:** When the investigation discloses insufficient evidence to sustain the complaint or fully exonerate the employee.

**INFORMATION:** An incident is maintained for documentation purposes only.

**CORRECTIVE ACTION:** A minor policy violation that normally results in informal discipline.

**SUPERVISOR REFERRAL:** An informal complaint referred to a supervisor for their attention. If an investigation discloses misconduct or improper job performance not alleged in the original complaint, the investigator shall take appropriate action regarding any possible additional allegations.

**SUPERVISOR REFERRAL MINOR POLICY VIOLATION:** APD determined that an officer violated policy for some complaints, though the violation was minor.

**SUSTAINED:** When the investigation discloses sufficient evidence to establish that the act occurred and constituted misconduct.

**UNFOUNDED:** When the investigation discloses that the alleged act(s) did not occur

**RESIGNED OR SEPARATED DURING ADMINISTRATIVE INVESTIGATION:** This metric represents when APD officers resign or separate from the department before the investigations conclude or before the Chief of Police can issue a final decision.

## DISCIPLINE ISSUED

**EDUCATION-BASED DISCIPLINE:** An alternative to traditional suspensions offering optional behavior-focused education and training for suspension of 1 to 5 days at the determination of the Chain of Command.

**ORAL REPRIMAND:** A formal document of counseling notifying the employee that a department general order has been violated. It may be issued for any misconduct that the supervisor determines is necessary and appropriate to correct the problem.

**WRITTEN REPRIMAND:** A formal letter of reprimand notifying the employee that a department general order has been violated. It is issued for any misconduct or performance in which the supervisor determines this level of discipline is necessary to correct the problem. Generally, written reprimands will be issued when there is a continuation of problems, or a supervisor determines a one-time event is serious enough to warrant a written record being placed in the employee's file.

**TEMPORARY SUSPENSION:** This may range from 1 to 3 days, 4 to 15 days, or an agreed-upon 16 to 90-day suspension.

**INDEFINITE SUSPENSION:** Equivalent to dismissal or termination from the Department.

# Appendix A

## Top 3 Categories for APD Discipline

SOURCE: Office of Police Oversight

### DEPARTMENT VEHICLES:

This was the most cited policy violation for sustained complaints. APD defines this policy as: For purposes of this order, Department vehicles are considered to be any vehicle used by Department employees for official Department business, including privately owned vehicles or vehicles owned, rented, leased, or maintained by the City.

### GENERAL CONDUCT AND RESPONSIBILITIES:

This was the second most cited policy violation. APD defines this policy as: It is the policy of the Austin Police Department that employees conduct themselves at all times in a manner that reflects the ethical standards consistent with APD written directives. This order shall apply to all sworn and civilian members, including volunteer, part-time, auxiliary, and nonpaid civilians affiliated with the Department through a Department-sponsored program while under the direction of a Department employee.

### VEHICLE PURSUITS:

APD defines this policy as: Vehicle pursuits expose innocent citizens, law enforcement officers, and fleeing violators to the risk of serious injury or death. The primary purpose of this order is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this order is to minimize the potential for pursuit-related crashes. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a subject is generally not more important than the safety of the public and pursuing officers.

# Appendix B

## 2024 OPO Policy Recommendations

SOURCE: Office of Police Oversight

OPO made policy recommendations on the following General Orders:

### 211.13 Chain-of-Command Responsibilities in Level 2, 3, and 4 Incident -APD Initiated

Recommendation #1: OPO objects to APD's removal of review power from the Force Review Unit.

Recommendation #2: OPO recommends that APD provide a concise definition and explanation.

Recommendation #3: OPO recommends that APD add clarification.

### 208: Taser Device Guidelines- APD Initiated

Recommendation #1: OPO recommends that APD remove any reference to TASER X26 from the General Orders.

Recommendation #2: OPO recommends that APD specify that additional training is required anytime an officer upgrades from a TASER 7 to a TASER 10

### 214.6.2 Tire Deflation Device- APD Initiated

Recommendation #1: OPO recommends that APD omit language that appears to narrow the scope inadvertently.

Recommendation #2: OPO recommends that APD address the safety of the officer deploying the TDD in policy.

Recommendation #3: OPO recommends that APD rewrite 214.6.2 (c) Pre-Pursuit TDD Deployment for clarity.

#### 214.6.4 Low Speed Intervention- OPO Initiated

Recommendation #1: OPO recommends that APD provide a concise definition.

Recommendation #2: OPO recommends that APD create training to address LSI.

Recommendation #3: OPO recommends that APD require lights and sirens activated before engaging in any LSI tactic.

Recommendation #4: OPO recommends that APD clearly outline the factors in which LSI tactics may be used.

#### 303.4.2 When Camera System(s) Use Is Required- OPO Initiated

Recommendation #1: OPO recommends that APD expand 303.4.2 (b).

Recommendation #2: OPO recommends that APD create a new Courtesy Transportation policy.

#### 342.3.5 Failure to Maintain Financial Responsibility- OPO Initiated

Recommendation #1: OPO recommends that APD correct grammatical errors in 342.3.5 on Failure to Maintain Financial Responsibility .

Recommendation #2: OPO recommends that APD revise 342.3.5 to add specificity.

#### 362 – Outside Agency Assistance- OPO Initiated

Recommendation #1: OPO recommends that APD add specific language to the General Orders to ensure that laws and civil rights are protected when APD assists outside agencies.

#### 364 Off-Duty Law Enforcement Actions- APD Initiated

Recommendation #1: OPO recommends that APD improve 364.4.2.

Recommendation #2: OPO recommends that APD amend 364.5 Reporting (a).

Recommendation #3: OPO recommends that APD expand 364.5 Reporting (b).

#### 902.2.4 Initial Supervisor Responsibilities- OPO Initiated

Recommendation #1: OPO recommends APD remove the language that disqualifies OPO complaints from the standard processes outlined in 902.2.4.

#### 924.3.1: Hair- OPO Initiated

Recommendation #1: OPO recommends that APD amend 924.3.1 (a) Male Sworn Employees

Recommendation #2: OPO recommends that APD amend 924.3.1 (b) Female Sworn Employees

Recommendation #3: OPO recommends that APD revise 924.3.1 to provide clear definitions

#### Drone Policy – OPO Initiated

Recommendation #1: OPO recommends that APD create a separate policy in the General Orders addressing the department's use of drones (Unmanned Aerial Systems).

#### Transport Vehicle- OPO Initiated

Recommendation #1: The Office of Police Oversight recommends that the Austin Police Department consider acquiring additional arrest transport vans, equipped with prisoner transport inserts, to transport arrestees who exhibit physical resistance during the transportation process.

# Appendix C

## APD General Orders

### Level of Force Definitions

SOURCE: Austin Police Department

Level of Force - the following from APD's General Orders and describes the different levels of force measured.

#### 211.2 DETERMINING THE CORRECT FORCE LEVEL 1

##### LEVEL 1 FORCE INCIDENTS AND IN-CUSTODY DEATHS

- (a) Any force resulting in death.
- (b) Any force that resulted in a substantial risk of death.
- (c) Any intentional firearm discharge at a person, vehicle, or structure regardless of injury.
  - 1. For the purposes of this General Order, TASER Conducted Energy Weapons and less lethal weapons firing kinetic energy projectiles (i.e. 37mm, and 40mm launchers) are not considered firearms.
- (d) Any intentional firearm discharge at an animal that results in injury to another person.
  - 1. For the purposes of this General Order, TASER Conducted Energy Weapons and less lethal weapons firing kinetic energy projectiles (i.e. 37mm, and 40mm launchers) are not considered firearms.
- (e) Any unintentional firearms discharge resulting in another person's injury or death.
- (f) Any force that resulted in serious bodily injury requiring admittance to the hospital, beyond emergency room treatment and release (e.g., serious disfigurement, disability, or protracted loss or impairment of the functioning of any body part or organ).
- (g) Use of any impact weapon, including kinetic energy projectiles, and improvised weapons, that strikes the head of a subject.
- (h) In-Custody Deaths: For inquiry, reporting, and review purposes, all in-custody deaths occurring prior to or within 24 hours after booking shall be treated as Level 1 incidents and require concurrent inquiries conducted by SIU and IA, regardless of whether force was used on the subject.
- (i) The utilization of the Precision Immobilization Technique when serious bodily injury or death occurs.

## LEVEL 2 FORCE INCIDENTS

- (a) Any strike to the head by an employee with any weaponless technique.
- (b) Use of any impact weapons, including kinetic energy projectiles (other than a Taser), and improvised weapons, to strike a subject and contact is made, regardless of injury. (A strike to the head is a Level 1).
- (c) Any deployment of a police canine resulting in a bite to a subject's skin, or which results in any injury to a subject.
- (d) The utilization of the Precision Immobilization Technique, unless serious bodily injury or death occurs.

## LEVEL 3 FORCE INCIDENTS

- (a) Use of Oleoresin Capsicum (OC/Pepper Spray) or other chemical agent on a subject.
- (b) Any Taser application (including a Taser application that misses or does not cause NMI).
- (c) Use of any impact weapon, including kinetic energy projectiles or any other similar object, in an attempt to strike a subject but no contact is made.
- (d) Use of a baton for a non-striking purpose (e.g., prying limbs, moving, or controlling a subject).
- (e) Any force resulting in injury or a continued complaint of pain, but not rising to a Level 1 or 2 incident.
- (f) Any weaponless technique that causes an impact to the body with or without a complaint of injury or pain. (A weaponless strike to the head is a Level 2).

Examples of weaponless techniques include:

1. Hand/palm/elbow strikes.
2. Kicks or leg sweeps.
3. Take-downs.

(g) Any deployment of a police canine for the purpose of biting a subject whose location is known to the handler which results in no injury to the subject.

## LEVEL 4 FORCE INCIDENTS

(a) A level of force utilizing empty hand control techniques that does not result in injury or continued complaint of pain and does not rise to a Level 3 response to resistance.

Examples include, but are not limited to:

1. Restricting a subject's movement by strength or body weight (to include resisted escorting or handcuffing of a subject who is actively resisting arrest beyond the initial or reflexive stiffening or pulling away of a person's arm(s) that officers commonly encounter during handcuffing).
2. Using leverage or strength to bring a subject's arms or legs together for the purposes of controlling, handcuffing, or hobbling the subject (to include resisted control, handcuffing, hobbling when the subject is actively resisting arrest beyond the initial or reflexive stiffening or pulling away of the subject's arm(s) or leg(s) that officers commonly encounter during efforts to control, handcuff, or hobble a subject).
3. Pressure point control tactics.

RESISTANCE- the following is pulled directly from APD's General Orders and describes types of resistance encountered by officers.

### 200.3 RESISTANCE 2

In any force encounter, and regardless of the tool/weapon/tactic chosen by the officer, the officer's decision to use the tool/weapon/tactic is dependent upon the suspect's level of resistance, the threat reasonably posed by the suspect to the officer or another, and the totality of the circumstances known to the officer at that time.

## TYPES OF RESISTANCE:

**No Resistance (Compliant)** - A subject who does not resist and follows all commands is compliant. Only a law enforcement officer's presence and verbal commands are required when dealing with these subjects; no coercive physical contact is necessary.

**Passive Resistance (Non-Compliant)** – A passively resistant subject that fails to take voluntary physical action to obey officer commands yet do not offer physical resistance when officers are forced to take physical control of them due to non-compliance. An example would be a subject going limp during an arrest. Among other things, General Orders do not allow for the use of a Taser when the only resistance offered is passive resistance.

**Defensive Resistance** – Defensive resistance is voluntary physical movement and / or muscular tension resistance by a subject that attempts to prevent the officer's control.

(a) This is the most common type of resistance encountered by officers.

(b) The situational context (totality of the circumstances) must be considered when determining if a subject is defensively resisting or merely passively resisting. Likewise, the "totality of the circumstances" must be considered when choosing which level of force is necessary to control the situation, and prevent unnecessary harm.

(c) Examples of defensive resistance by a subject may include pulling away from the officer's grasp, locking arms under their body, resisting handcuffing/frisk, fleeing from an officer, or evading arrest by concealment

**Aggressive Resistance** - Aggressive resistance is an offensive action by the subject who attempts to push, throw, strike, tackle, or physically harm the officer or another person. If the officer or members of the public are threatened by the subject's actions, the officer must respond with appropriate force to stop the attack and defend himself/herself or others.

**Deadly Resistance** – Deadly Resistance is an offensive action by the subject that could seriously injure or kill the officer or another person if immediate action is not taken to stop the threat.

**Preparatory Actions Indicating Greater Resistance** – Although, on the surface, a suspect may offer or exhibit behaviors associated with not being resistant or a lower level of resistance such as "passive resistance," or "defensive resistance," the officer may also recognize the subject preparing to offer greater resistance or launch an attack through specific, articulable behavioral cues (verbal, non-verbal and/ or physical). Depending on the circumstances, certain forms of passive resistance, such as verbal non-compliance and/or verbal threats, may be indicators the subject is preparing for a higher level of resistance than is actually being displayed. The officer must be prepared to adjust tactics and/or defend themselves from such a sudden change or attack. Officers do not need to suffer an injury or wait for a physical attack to manifest itself before taking actions to protect themselves or others.

## TYPES OF INJURY:

**Bodily Injury** - Physical pain, illness or any impairment of physical condition.

**Serious Bodily Injury** – Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

# Appendix D

## APD Sector Map

