



OFFICE OF POLICE OVERSIGHT

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August 19, 2024

TO: Lisa Davis, Chief of Police, Austin Police Department
FROM: Gail McCant, Director, Office of Police Oversight
SUBJECT: Memorandum of Concern: Early Intervention Review
Officer Ryne Kirchberg, AP9241

Dear Chief Davis,

Over the past several months, the Office of Police Oversight (OPO) has received numerous complaints alleging unreasonable and excessive use of force and/or improper police conduct by Austin Police Officer Ryne Kirchberg. Upon reviewing Internal Affairs Division (IAD) records, I noticed that IAD has conducted 25 investigations into Officer Kirchberg's actions and conduct between January 1, 2023, and July 31, 2025. Some investigations are currently active.

The breakdown includes nine (9) internal APD investigations and 16 external, OPO complaint-initiated investigations. Five (5) of the nine internal investigations resulted in a "sustained" finding. None of the external investigations were classified as "sustained"; however, two (2) were administratively closed with comments indicating that training was provided to Officer Kirchberg. It should be noted that OPO staff identified potential policy violations in some of the external cases that were administratively closed.

The information above reflects that Officer Kirchberg has exhibited a pattern of behavior and decision-making that may not align with the training and standards APD expects from its officers. An additional concern is that Officer Kirchberg has received five (5) sustained findings, some involving allegations of a similar nature; however, he was not subjected to progressive discipline intended to remediate the behavior. This suggests that his chain of command has not adequately held him accountable for his inappropriate conduct and decision-making.

IAD's ICMS and Axon case management systems reflect the following:

Internal Affairs History of Sustained Allegations 2023-2025
Internal Affairs Division
Ryne Kirchberg #9241
Date of Commission: 10/19/2020



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| Case No & Date | Allegation / Classification | APD Decision – Discipline |
|-------------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| 2025-00419 4/7/2025 | Chapter 3 - Class Section: 301 Responsibility to Community Section: 301.2 Impartial Attitude & Courtesy | Administratively Closed, no discipline, individual & shift training. |
| 2024-1270 12/26/2024 | Chapter 8 - Class B Section 804.1 General Operation of Dept. Vehicles | Sustained, EBD Pending |
| 2024-0389 4/7/2024 | Chapter 8 - Class A Section 803.2 Safe Handling of Firearms (Storage) | Sustained, Written Reprimand, (EBD Completed) |
| 2024-0251 3/12/2024 | Section 8 – Class B 804.2 General Operations of Dept. Vehicles | Sustained, Written Reprimand |
| 2023-0907 10/13/2023 | Chapter 2 – Class B Section 214.4 Pursuit Guidelines | Sustained, Written Reprimand |
| 2023-0416 5/22/2023 | Chapter 2 – Class B Section 215 Foot Pursuit | Sustained, Oral Reprimand |

I understand that in order to reduce certain crimes, a targeted and proactive strategy is necessary to identify and disrupt criminal behavior. However, the methods used by Officer Kirchberg to engage with members of the community appear to be an outlier. His peer group of officers seems equally active in proactive policing but receives far fewer internal and external complaints.

I recommend conducting a review of Officer Kirchberg's complaint history and the post-investigation actions taken by his chain of command to ensure that his conduct aligns with your expectations, and that policy violations are being addressed in accordance with APD General Orders and departmental standards.

Regards,

Gail McCant
Director
Office of Police Oversight