



## MEMORANDUM

**To:** Gail McCant, Office of Police Oversight Director  
**From:** Lisa Davis, Austin Police Department Chief of Police  
**Date:** November 18, 2025  
**Subject:** Response to OPO IAD 2025-0204 – Ofc. Avery Zucchi #10051

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A thorough investigation of this incident was conducted by both the Austin Police Department's Vehicular Homicide Unit and Internal Affairs. After review of the incident, it was determined that Officer Zucchi was not at fault for the crash. Another vehicle failed to yield the right of way to Officer Zucchi, who was responding with lights and siren to an emergency call for service involving a subject with a gun threatening to shoot another subject. This other vehicle also violated Austin City Ordinance 12-1-24, which prohibits turning left from a private drive. In addition, it should be noted that vehicles making right turns must turn into the outside lane of traffic in Texas (Transportation Code 545.01). Officer Zucchi was traveling in the inside lane. A reasonable officer would have believed that another vehicle would yield the right of way to the emergency vehicle, as required by Texas Transportation Code 545.156, and if not, at least not pull into the inside lane to make a left or right turn. While it is recognized that police officers must drive with care for others, they cannot always avoid crashes.

In this incident, Officer Zucchi took multiple precautions, such as driving in the inside lane, operating with lights and siren, and utilizing his horn to differentiate the siren sound, and applying his brakes prior to the crash. Lastly, it should be noted that the speed to which an officer responds to a call is highly dependent on a number of factors, including but not limited to road conditions, time of day, level of traffic, driver capabilities, weather, and the nature of the call.

This call for service warranted a "Code 3" response and it was not the driving actions of Officer Zucchi that caused the crash. Facts uncovered during the VHU and IA investigation and subsequent review by the chain of command did not identify Officer Zucchi engaged in misconduct and or violated APD policy.

LAD / mec

**Date:** Month Date, Year

**Subject:** Sample Subject