

DISCIPLINE RECOMMENDATION

TO: Chief Lisa Davis, Austin Police
FROM: Director Gail McCant, Austin Police Oversight
DATE: November 18, 2025
SUBJECT: 2024-1258 Discipline Recommendation

Dear Chief Davis:

On December 12, 2024, Commander Mark Clemens forwarded an internal memorandum to IAD requesting that Austin Police Department (APD) Police Officer Joseph Spees, AP7796, be investigated for his actions during a response to resistance while responding to a disturbance. On February 7, 2025, Assistant Chief Chancellor submitted another request for investigation, citing, *“While at the scene of the incident, Officer Spees was involved in a response to resistance with a female subject involved in the disturbance. The actions taken by Officer Spees during the response to resistance and immediately after may have violated APD policy. Officer Spees also wrote a report to document the response to resistance. The information in the report may have inconsistencies with video evidence of the incident.”*

Disposition by APD Chain of Command

On November 14, 2025, APO was notified that Officer Spees chain of command had scheduled a Discipline Review Hearing (DRH) with him for December 3, 2025. The Notice of Sustained Allegation (NOSA) indicated that Officer Spees chain of command recommended a finding of “Sustained” for the policy violations listed below related to the complaint investigation. The chain of command’s disciplinary recommendation is “up to or including Indefinite Suspension.”

- 200.2 De-escalation
- 200.4 Response to Resistance
- 402.2.4 Report Writing
- 900.3.1 Honesty
- 900.3.2 Acts Bringing Discredit to the Department

OPO Discipline Recommendation: Indefinite Suspension

Upon reviewing the investigative file, I believe IAD conducted a straightforward, unbiased investigation that collected and analyzed the pertinent information surrounding the incident. The investigation into Officer Spees actions confirms that he was involved in a response to resistance with a subject who was in his custody and restrained in handcuffs.

DISCIPLINE RECOMMENDATION

During the encounter with the arrestee, Officer Spees is observed via Body-Worn Camera (BWC) footage and security video from the business performing a takedown on the subject, who was intoxicated and restrained at the time. The use of force resulted in the subject's head hitting the ground, causing a brain bleed.

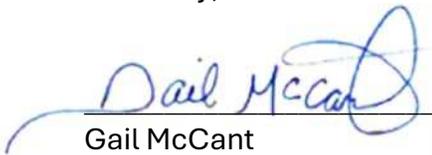
During the IAD interview, Officer Spees failed to take responsibility for his actions. He provided inconsistent accounts of the use of force and attempted to place blame for the takedown on the actions of the subject in custody. Officer Spees initially denied that a takedown had occurred, while simultaneously attempting to justify actions that would have warranted one. I believe his use of force during this incident was unnecessary and excessive.

It should also be noted that in May 2024, Officer Spees was involved in a separate incident involving the arrest of an intoxicated subject. At the conclusion of that IAD investigation, he was found to have violated APD Policy 309, Handling Publicly Intoxicated Persons. He received an Oral Reprimand as the outcome of that incident.

Officer Spees integrity has been compromised because of this incident and the subsequent IAD investigation. His statements to IAD were inconsistent and contradicted the information in his initial report. Additionally, the details documented in that report were inconsistent with the footage captured on his BWC. I believe Officer Spees has fallen below the standard of conduct expected of an APD officer. I recommend a finding of Sustained on each of the policies listed in the NOSA and that Officer Spees be given an Indefinite Suspension.

In compliance with Section 2-15-5(B) of the City Code, I request that the Chief "provide a detailed public, written explanation for not following a recommendation of the Office of Police Oversight."

Sincerely,



Gail McCant

Director

Austin Police Oversight