

Annual Report 2022



OFFICE OF
POLICE OVERSIGHT

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

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.

Vision: To enhance a culture of accountability and transparency within policing in Austin.

Common goals of police oversight:

1. Improving public trust
2. Ensuring accessible complaint processes
3. Increasing transparency
4. Deterring police misconduct
5. Promoting thorough, fair investigations
6. Improving policies, practices, and training
7. Improving the public's understanding of police policy and training
8. Minimize legal risk associated with office misconduct

The Office of Police Oversight recognizes that effective change requires a comprehensive approach beyond investigating complaints of alleged police misconduct. To achieve lasting improvements that benefit both the community and the police department, we prioritize robust data research, policy development, and community engagement. To this end, OPO is comprised of three divisions that work collaboratively to create positive change.

- Complaint Division
- Policy & Research Division
- Communications & Community Engagement Division

Having three distinct divisions in place enables a comprehensive approach to executing oversight that prioritizes accountability, transparency, and open communication.

Complaint Division

The Complaint Division of the Office of Police Oversight (OPO) accepts complaints and compliments about the conduct of Austin Police Department (APD) officers. Anyone may submit complaints or compliments based on their own or someone else's experience. OPO accepts contacts via phone, email, U.S. mail, or online. Community members may also file complaints anonymously. Receiving anonymous feedback increases accessibility for community members who would otherwise be unwilling or unable to share their experiences. Throughout 2022, the OPO operated under the meet and confer agreement.

2021 ARBITRATION DECISION

In December 2021, OPO modified its operating procedures within the Complaint Division. These changes were in response to an arbitration decision involving the Austin Police Association and the City of Austin. Per the arbitrator's direction, the OPO was no longer allowed to perform certain tasks that were previously within the purview of the Complaint Division, such as:

- Receiving interview questions in advance
- Change, modify, edit, or add suggestions to interview questions
- Conduct preliminary reviews before a complaint investigation has been initiated by APD

HOW DID OPO PROCESS COMPLAINTS IN 2022?

Throughout 2022, the OPO operated under the meet and confer agreement.

STEP 1: After being contacted with a complaint, OPO entered the complaint in a shared database with APD. OPO then notified APD and forwarded all information provided by the complainant.

STEP 2: APD reviewed the complaint and determined how it would be classified. OPO was allowed to make classification recommendations; however, APD had sole discretion on the final classification of complaints. If APD determined that the complaint was a Class A or Class B complaint and would be investigated, OPO monitored the investigation.

STEP 3: APD conducted complaint investigations. Once an investigation was complete, APD had sole discretion in deciding the disposition (outcome).

STEP 4: If APD determined that an officer had committed a policy violation, APD disciplined the officer. APD had sole discretion in deciding how an officer would be disciplined for a sustained policy violation.

Note: If a sustained policy violation originated from a community member's complaint (an "external" complaint), OPO communicated the details to the complainant who filed the complaint and published the discipline documents on our website.

Please see below for a visual chart of the OPO Complaint Process.

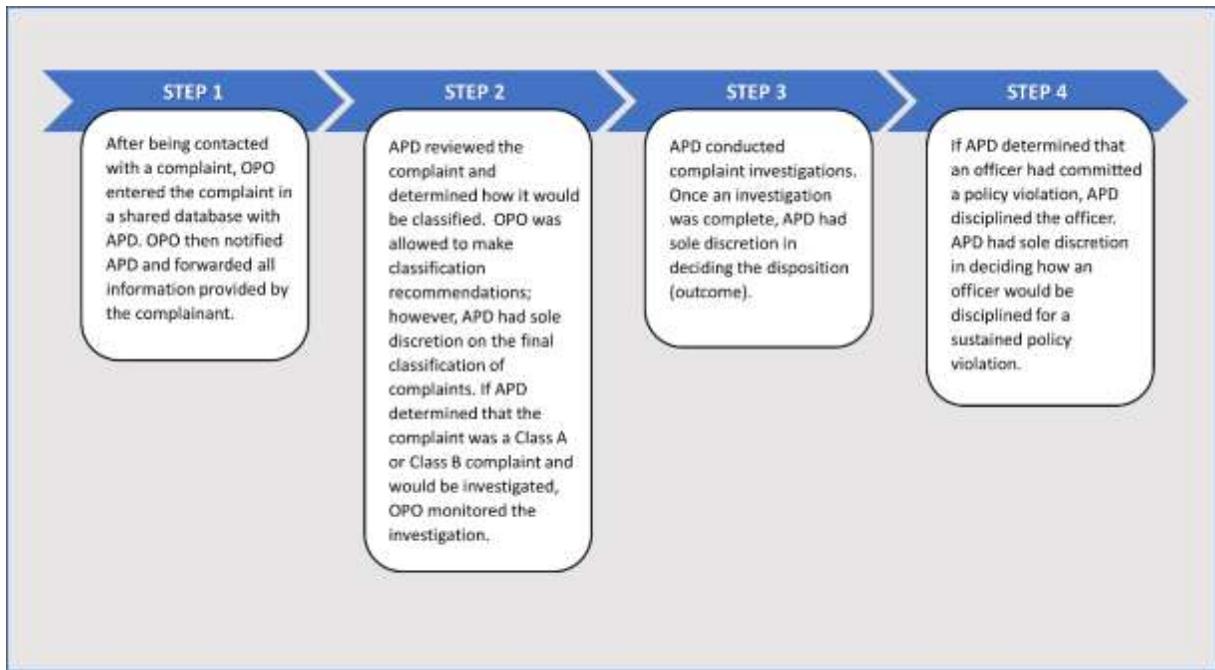


Image 1: OPO Complaint Process (2022)

WHAT KIND OF COMPLAINTS DID OPO GET IN 2022?

In 2022, due to the arbitration decision, the OPO could not conduct a preliminary review of complaints. Despite this, the OPO attempted to evaluate complaints from the community to gain a better understanding of the issues being reported. The categories presented below only pertain to allegations made by community members and were evaluated solely based on the words used by the community to describe their complaints. In 2022, the OPO found that the two most reported allegations were related: (1) a lack of assistance from APD and (2) a lack of courtesy or impartial attitude.

Alleged Policy Violations in External Complaints	
No assistance from APD	32.7%
Courtesy/Impartial Attitude	25.9%
False Arrest or Detention	10.3%
Use of Force	8.8%
Officer Driving Dangerously	6.4%
False/Incorrect Report Writing or Citation	5.9%
Loss/Destruction of Property	3.5%

Racial Profiling	3.4%
Search/Seizure	3.1%

Table 1: External Complaint Allegations (2022)

HOW DID OPO OVERSEE COMPLAINT INVESTIGATIONS IN 2022?

There are two different types of complaints: APD initiates internal complaints, while external complaints originate from contacts made to OPO. In 2022, OPO was responsible for overseeing investigations related to both internal and external complaints. Specifically, OPO:

- Reviewed information gathered by APD
- Attended interviews conducted by APD
- Recommended final dispositions to APD
- Recommended case classifications to APD and
- Recommended potential policy violations to APD

OPO COMPLAINT PROCESS STEP 1

After being contacted with a complaint, OPO entered the complaint in a shared database with APD. OPO then notified APD and forwarded all information provided by the complainant.

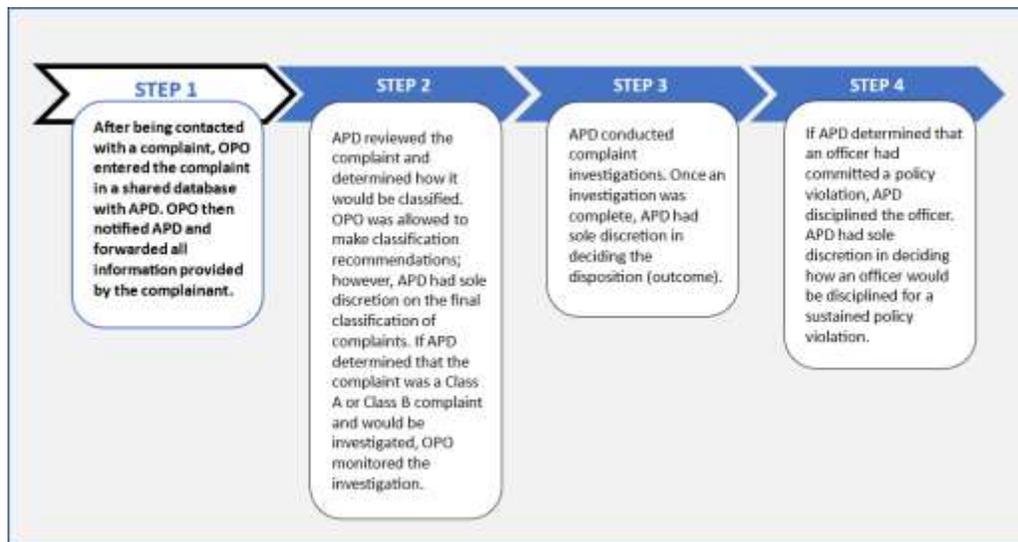


Image 2: Complaint Process Step 1

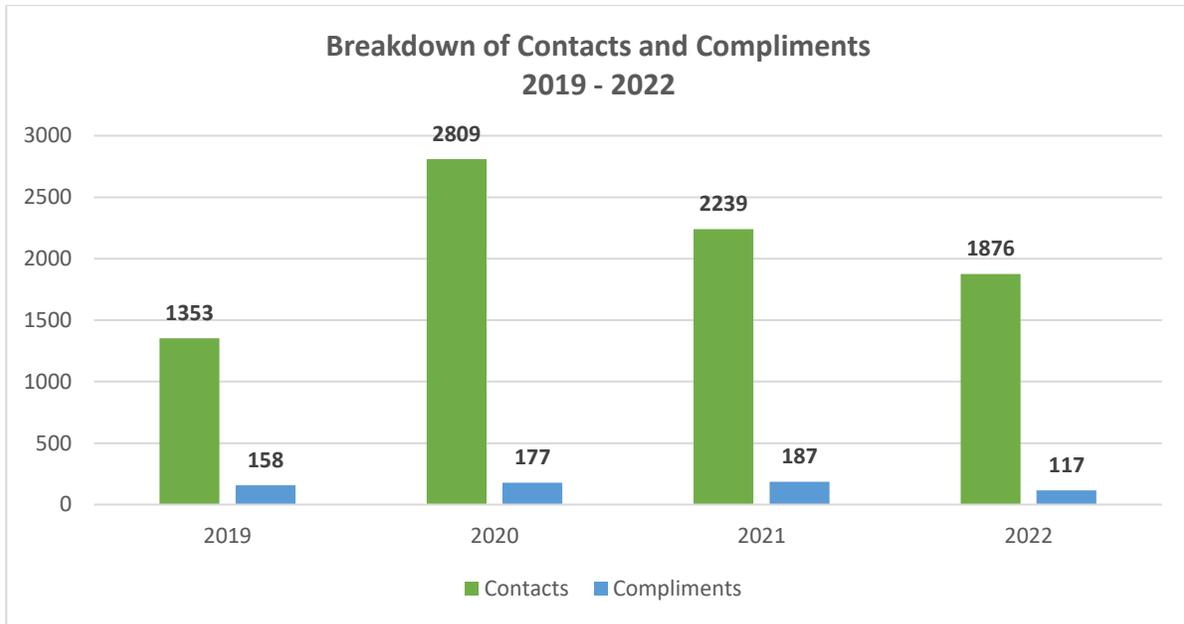
CONTACTS, COMPLAINTS AND COMPLIMENTS

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 do so by communicating with OPO online, in person, or by phone, email, or mail. OPO uses the term **contact** to refer to any received communication; a contact may be a compliment, complaint, or general

information and assistance. When referring to negative feedback, OPO uses the term **complaint**, and when referring to positive feedback, OPO uses the term **compliment**.

In 2022, OPO received 1,876 contacts and 117 compliments for APD.
In 2021, OPO received 2,239 contacts and 187 compliments for APD.
In 2020, OPO received 2,809 contacts and 177 compliments for APD.
In 2019, OPO received 1,353 contacts and 158 compliments for APD.

The graph below illustrates OPO's contacts and compliments between 2019 and 2022.

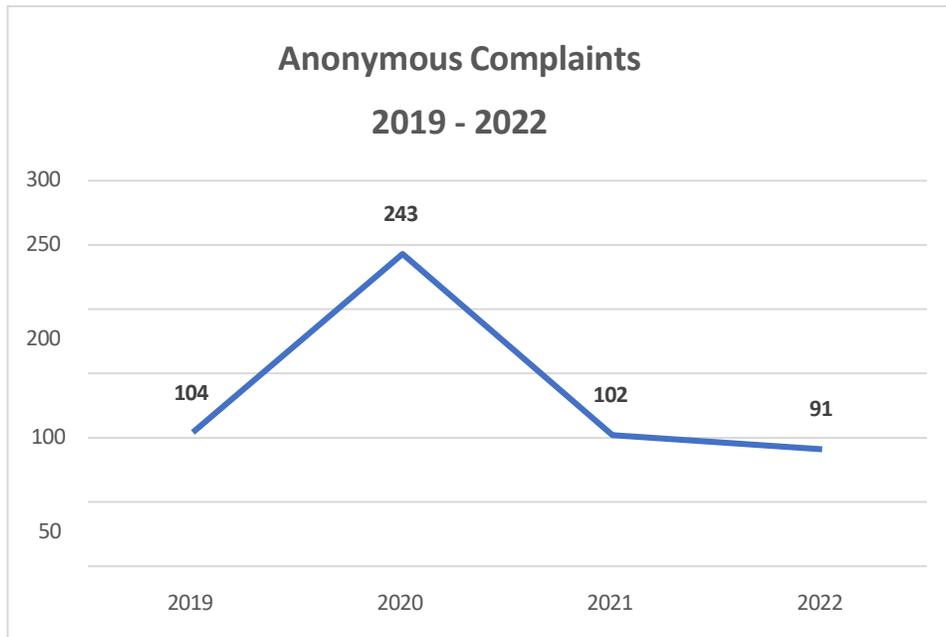


Graph 1: Breakdown of Contacts and Compliments (2019-2022)

Please note that the significant increase in 2020 was due to local and national protests against police brutality.

Community members may also file complaints anonymously. Accepting anonymous feedback increases accessibility for community members who would otherwise be unwilling or unable to share their experiences. In 2022, OPO received 91 anonymous complaints.

See below for a graph showing the number of anonymous complaints OPO received between 2019 – 2022.



Graph 2: Anonymous Complaints by Year (2019 - 2022)

OPO COMPLAINT PROCESS STEP 2

APD reviewed the complaint and determined how it would be classified. OPO was allowed to make classification recommendations; however, APD had sole discretion on the final classification of complaints. If APD determined that the complaint was a Class A or Class B complaint and would be investigated, OPO monitored the investigation.

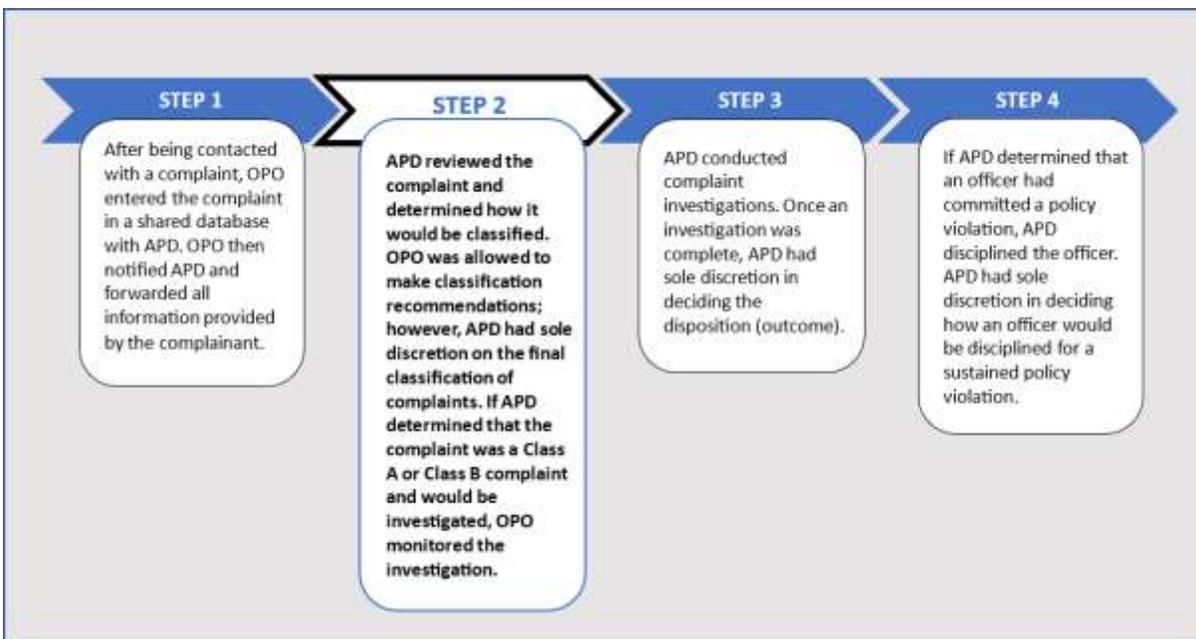


Image 3: Complaint Process Step 2

WHAT IS A CLASSIFICATION?

All complaints receive a classification; the classification determines how APD will handle the complaint. There are several classifications outlined in APD’s General Orders. You may view it [online](#) or in the table below.

Classification	Assessment	Investigative Responsibility
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 is prejudicial to the good order of the Department.	Administrative Inquiries will be assigned to the appropriate Unit or Division based on the circumstances surrounding the inquiry.
Class A Complaint	Cases in which the potential discipline is more than a 15- day suspension, indefinite suspension and/ or demotion according to the Discipline Matrix. Generally, Class A Complaints are allegations of a serious nature, which include, but are not limited to: <ul style="list-style-type: none"> • Criminal conduct. • Serious violations of a general order, rule, or regulation. • Conduct that challenges the integrity, good order, or discipline of the Department. 	Class A complaints are investigated by IA. Complaints that involve allegations of criminal conduct are also concurrently investigated by SIU as outlined in General Order 901.
Class B Complaint	Cases in which the potential discipline is a 15-day suspension or less. Generally, Class B Complaints are allegations of a less serious nature, which include, but are not limited to: <ul style="list-style-type: none"> • Less serious violations of a Department general order, rule or regulation (e.g., profanity, belittling language, inadequate police service, minor traffic violations). • Negligent damage or 	Class B Complaints that are OFCA eligible will be investigated by the employee's chain-of-command. Class B complaints not eligible for OFCA will be investigated by IA. The OPO has full access rights to Class B investigations that are conducted by an employee's chain-of-command. Class B complaints are resolved through three different procedures: <ul style="list-style-type: none"> • Investigation by IA • OFCA, if eligible (chain-of-command investigations)

	loss of property.	<ul style="list-style-type: none"> • Mediation, if eligible
Class C Complaint	<p>Generally, allegations that: Do not fit into the Class A or Class B category,</p> <ul style="list-style-type: none"> • The complaint does not rise to the level of a general order violation, and • The complaint would best be handled through other departmental processes (e.g., grievance, Conduct Counseling Memorandum, Employee Success Plan, or training). 	<p>Class C complaints will be reviewed by the IA commander and the employee's chain-of-command. If all of the parties agree with the initial Class C classification, the complaint will be "Administratively Closed". If it is determined that additional investigative follow-up is needed, the complaint may be reclassified and investigated according to its new classification.</p>
Class D Complaint	<p>Allegations that do not rise to the level of a general order violation and meet one or more of the following criteria:</p> <ul style="list-style-type: none"> • A preliminary review of the allegation shows it is not true (e.g., video or audio recording shows allegation is false), and/or • The complaint is about the probable cause for an arrest or citation that appears to be unsubstantiated. 	<p>Class D complaints will be reviewed by the IA commander and the employee's chain-of-command. If all of the parties agree with the initial Class D classification, the complaint will be "Administratively Closed". If it is determined that additional investigative follow-up is needed, the complaint may be reclassified and investigated according to its new classification</p>
Supervisor Referral	<p>A complaint:</p> <ul style="list-style-type: none"> • That is a minor policy violation which may result in informal discipline, or • Where no formal complaint affidavit has been received by IA, however the complainant requests that the issue be brought to the attention of the supervisor, or • Where there is no policy violation. These informal complaints can either be 	<p>If IA/OPO receives this informal complaint from a citizen, it will be forwarded to the appropriate supervisor and chain-of-command for its follow-up and response. Supervisor Referrals are entered into the IA tracking system for documentation purposes only and not for disciplinary purposes.</p>

	made directly to IA, an officer's supervisor and/or the OPO and are most appropriately handled through other departmental processes (e.g., grievance, Conduct Counseling Memorandum, Employee Success Plan, or training).	
Information Incident	An incident where no apparent general order violation has been committed and a signed affidavit has not been received. Information incidents may also be from complaints that are brought to the direct attention of a supervisor, handled satisfactorily and documented on an IA External Complainant Contact Form.	Complaints documented using the IA External Complainant Contact Form will be forwarded to IA with a notation that the complaint either was/was not handled satisfactorily. Satisfactorily handled complaints will be marked as "Information". Information incidents are entered into the IA tracking system for documentation purposes only and not for disciplinary purposes.

Table 2: APD General Orders Complaint Classifications

APD is responsible for assigning a classification. OPO may make a classification recommendation; however, APD has sole discretion in determining the final classification of a complaint.

HOW DID APD CLASSIFY EXTERNAL COMPLAINTS IN 2022?

There are two different types of complaints: internal and external. Internal complaints are complaints that APD initiates, while external complaints originated from contacts made to OPO.

In 2022, OPO received 1,876 contacts. OPO forwarded 689 complaints from those contacts to APD, requesting an investigation.

The table below represents how APD classified each of the 689 external complaints.

External Case Classification	
Administrative Inquiry	2
A	13
B	32
C	31
D	196
Information	88
Not Applicable to OPO	28
Supervisory Referral	208
Supervisory Referral – Minor Policy Violation	5
Community Concern	86
Total	689

Table 3: Classification of External Cases (2022)

Note: The category *Not Applicable to OPO* describes complaints that OPO cannot accept. OPO may only accept complaints against APD officers. Complaints that are not about APD officers do not apply to OPO.

HOW DID APD CLASSIFY INTERNAL COMPLAINTS in 2022?

In 2022, APD initiated 202 internal complaints. The table below represents the classifications that APD assigned to each of the 202 internal complaints.

Internal Case Classification	
Administrative Inquiry	13
Class A	47
Class B	101
Class D	2
Supervisory Referral – Minor Policy Violation	39
TOTAL	202

Table 4: Classification of Internal Cases (2022)

OPO COMPLAINT PROCESS STEP 3

APD conducted complaint investigations. Once an investigation was complete, APD had sole discretion in deciding the disposition (outcome).

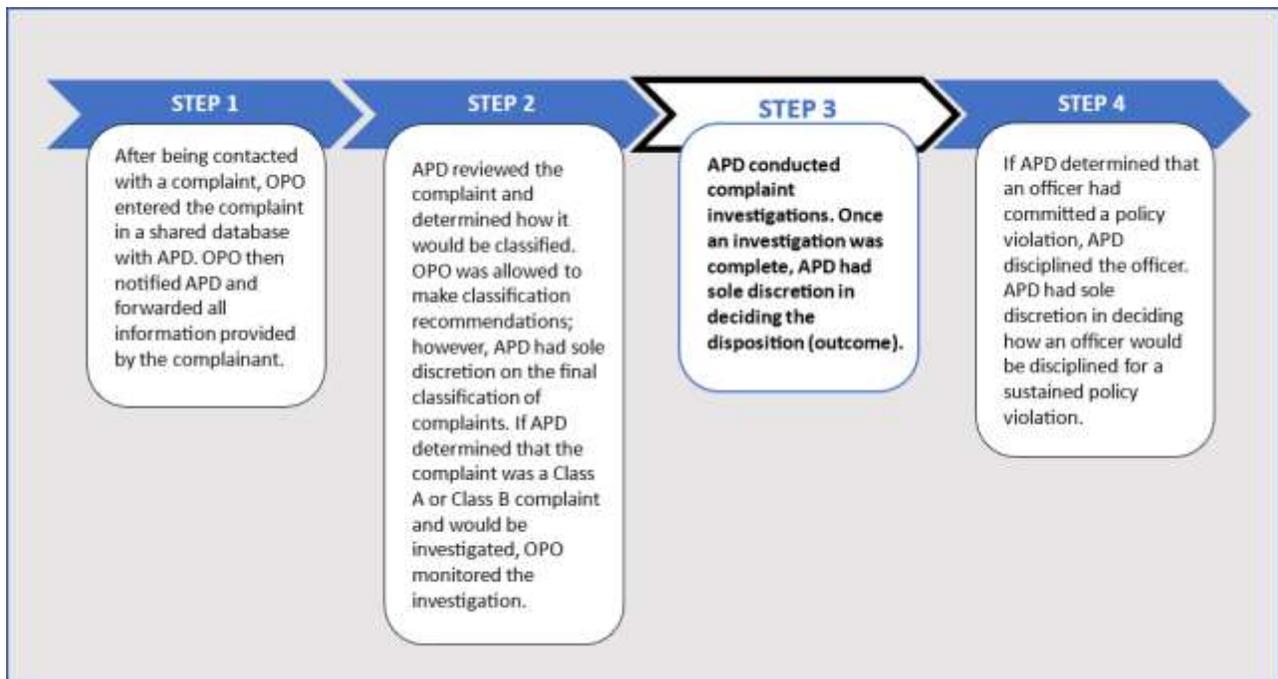


Image 4: Complaint Process Step 3

HOW MANY EXTERNAL COMPLAINTS WERE INVESTIGATED IN 2022?

In 2022, OPO received 1,876 contacts. From these, OPO forwarded 689 complaints to APD, requesting an investigation. OPO oversaw those complaints and found that of the 689, 47 were investigated, and 401 were not investigated. Of the 47 that APD investigated, 17 resulted in sustained policy violations.

Please see the image below for a visual representation of this information.

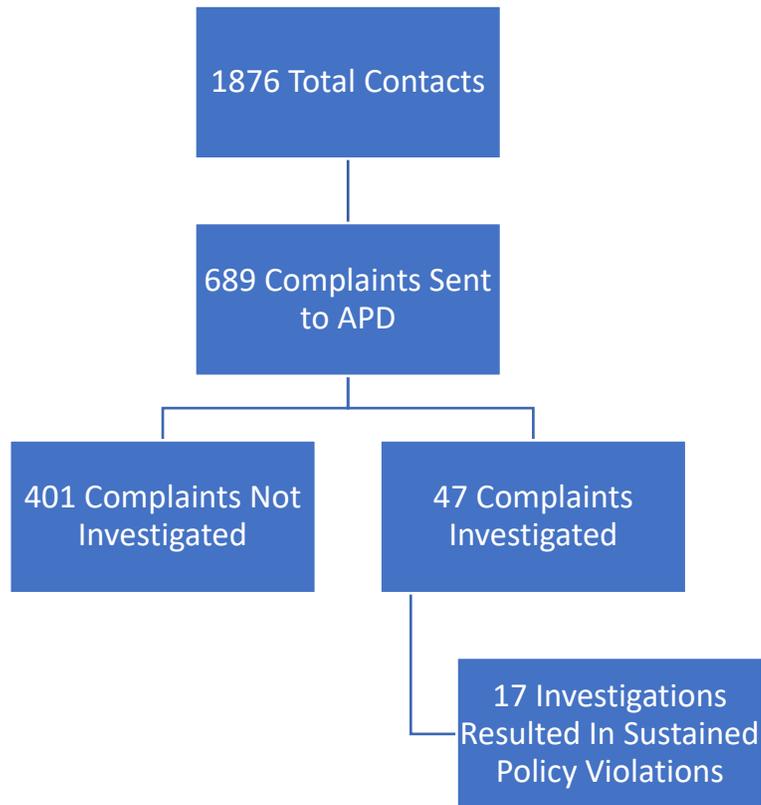


Image 5: Breakdown of External Complaints (2022)

HOW MANY INTERNAL COMPLAINTS WERE INVESTIGATED IN 2022?

In 2022, APD initiated 202 internal complaints. OPO oversaw those complaints and found that 161 were investigated and 41 were not investigated. Of the 161 complaints investigated, 101 resulted in sustained policy violations.

Please see the image below for a visual representation of this information.



Image 6: Breakdown of Internal Formal Complaints (2022)

COMPARING OPO AND APD COMPLAINT DATA FROM 2019 to 2022

In 2022, OPO received 1,876 contacts. A total of 689 were sent to APD as complaints for investigation. APD investigated 47 of these 689 complaints. APD did not investigate the remaining 401 complaints. Of the 47 complaints APD investigated, 17 resulted in sustained policy violations.

In 2021, OPO received 2,239 contacts. A total of 220 were sent to APD as complaints for investigation. APD investigated 90 of 220 complaints. APD did not investigate the remaining 130 complaints. Of the 90 complaints APD investigated, 16 resulted in sustained policy violations.

In 2020, OPO received 2,809 contacts. A total of 189 were sent to APD as complaints for investigation. Please note that this does not include complaints related to the 2020 protests. APD investigated 96 of the 189 complaints. There were 90 complaints that APD did not investigate. Of the 96 complaints that APD investigated, 52 resulted in a sustained policy violation.

In 2019, OPO received 1,353 contacts. A total of 53 were sent to APD as complaints for investigation. APD investigated 33 of these 53 complaints. APD did not investigate the remaining 20 complaints. Of the 33 complaints that APD investigated, 28 resulted in a sustained policy violation.

Below is a comparison chart for both OPO external complaints and APD internal complaints. The data below looks at 2019, 2020, 2021, and 2022.

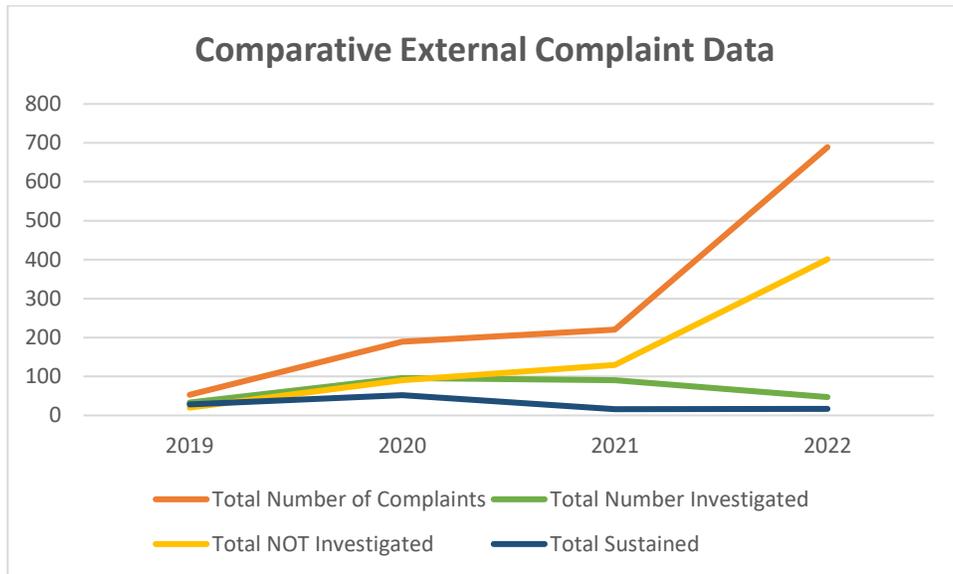


Table 5: Comparative Complaint Data External

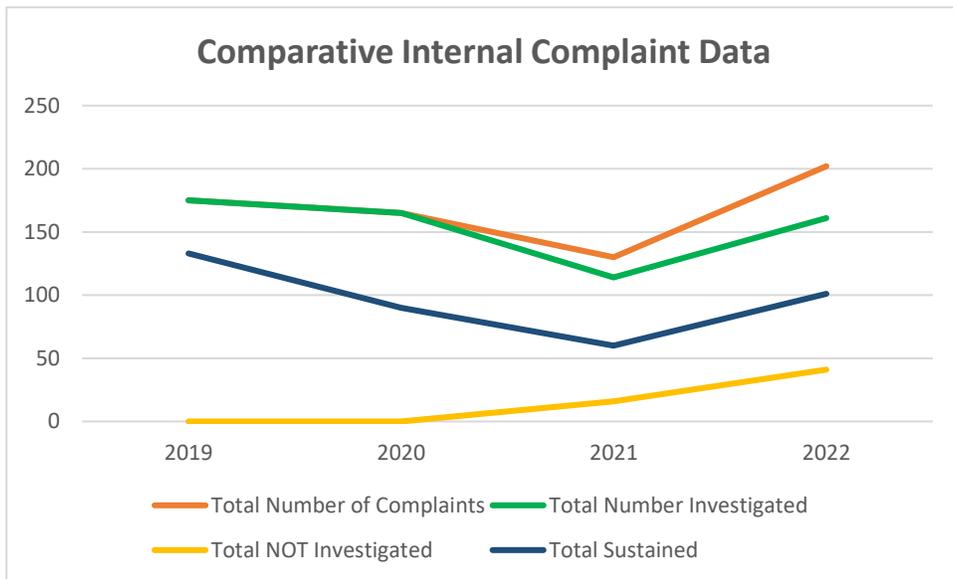


Table 6: Comparative Complaint Data (Internal)

OPO COMPLAINT PROCESS STEP 4

If APD determined that an officer had committed a policy violation, APD disciplined the officer. APD had sole discretion in deciding how an officer would be disciplined for a sustained policy violation.

If the sustained policy violation originated from an external complaint, OPO communicated with the complainant and published the discipline on our website.

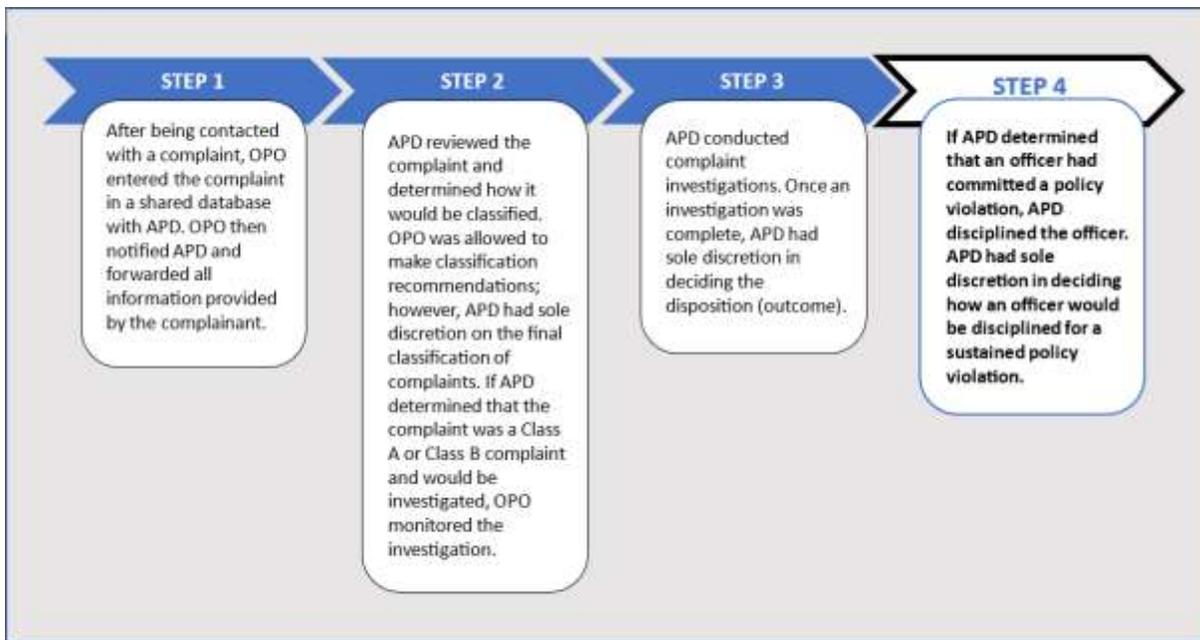


Image 7: Complaint Process Step 4

WHAT IS A DISPOSITION?

A disposition is APD's final determination of how a complaint is closed. Below are definitions of the dispositions outlined in the [APD General Orders](#).

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper according to Departmental General Orders.

Unfounded - When the investigation discloses that the alleged act(s) did not occur.

Inconclusive - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Administratively Closed - Complaints will be administratively closed under the following circumstances:

- a) An administrative inquiry has been completed and no allegations were made, or misconduct discovered.
- b) The case was classified as a Class C or Class D complaint.
- c) At the discretion of the Chief of Police or designee.

Information - An incident maintained for documentation purposes only.

Community Concern - A community concern allows for the community to submit feedback to APD, for their review, this is not an investigation.

Supervisor Referral - An informal complaint forwarded to the appropriate supervisor for follow-up. If an

investigation discloses misconduct or improper job performance which was not alleged in the original complaint, the investigator shall take appropriate action with regard to any possible additional allegations.

Not Applicable to OPO - Describes complaints that OPO cannot accept. OPO may only accept complaints against APD officers. Complaints that are not about APD officers do not apply to OPO.

HOW DID APD DETERMINE THE DISPOSITION OF EXTERNAL COMPLAINTS IN 2022?

External Case Disposition	
Administratively Closed	237
Community Concern	85
Exonerated	2
Inconclusive	5
Information	82
Not Applicable to OPO	28
Supervisor Referral	208
Supervisor Referral – Minor Policy Violation	5
Sustained	17
Unfounded	20
TOTAL	689

Table 7: External Case Disposition (2022)

HOW DID APD DETERMINE THE DISPOSITION OF INTERNAL COMPLAINTS IN 2022?

Internal Case Disposition	
Unfounded	10
Sustained	101
Supervisory Referral – Minor Policy Violation	40
Inconclusive	7
Administratively Closed	30
Active	9
Exonerated	5
TOTAL	202

Table 8: Disposition of Internal Complaints (2022)

WHAT TYPES OF DISCIPLINE CAN APD ADMINISTER?

Indefinite suspension: Equivalent to dismissal or termination from the Department.

Temporary suspension: This may range from 1 to 3 days, 4 to 15 days, or an agreed upon 16 to 90 days suspension.

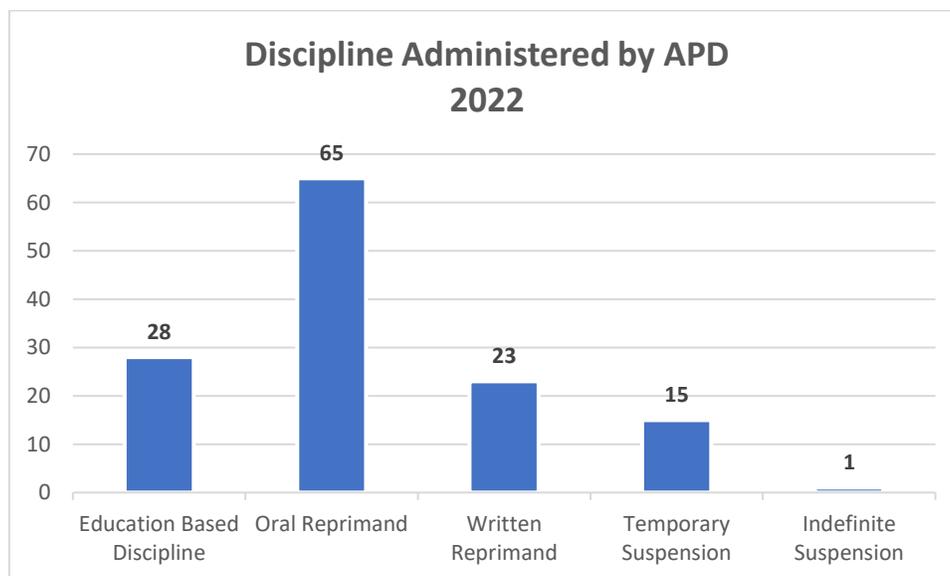
Written reprimand: A formal letter of reprimand notifying the employee that a department general order has been violated. It is issued for any misconduct or performance in which the supervisor determines this level of discipline is necessary to correct the problem. Generally, written reprimands will 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.

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.

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.

WHAT KIND OF DISCIPLINE DID APD ISSUE IN 2022?

In 2022, 132 individual Austin Police Department officers received discipline. Of the 132 disciplined officers, 113 were the subject of internal complaints, and 19 were the subject of external complaints. The chart below shows all discipline APD issued to officers in 2022.



Graph 3: Discipline Administered by APD (2022)

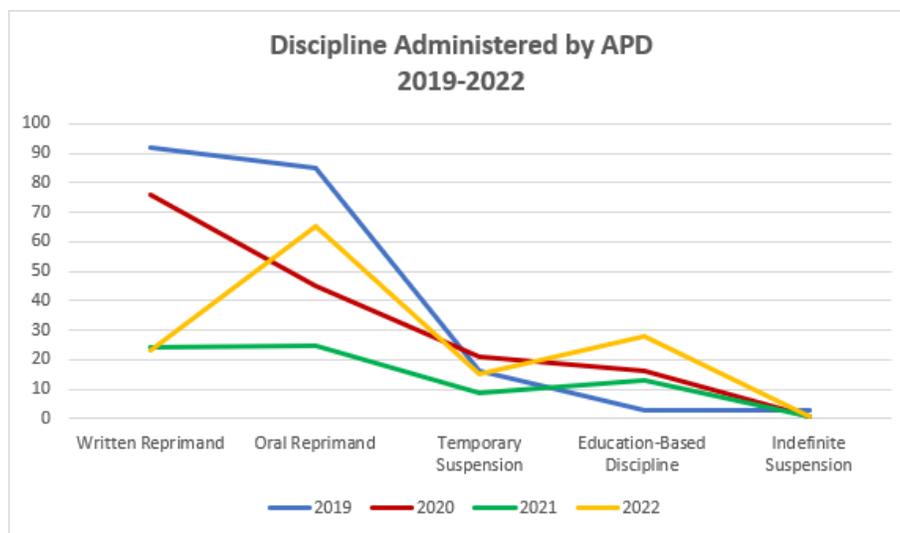
WHAT WERE OFFICERS DISCIPLINED FOR IN 2022?

In 2022, officers were disciplined most often for policy violations related to:

Department Vehicles – This was the most cited policy violation for sustained complaints. This policy refers to the general operation of department vehicles.

General Conduct and Responsibilities – This was the following most common policy violation. This policy category includes acts bringing discredit upon the department and responsibility to co-workers.

Responsibility To the Community – This policy category includes impartial attitude and courtesy and the required use of body-worn cameras. See the comparative chart below for APD-issued discipline between 2019 and 2022.



Graph 4: Discipline Administered by APD (2019-2022)

Policy & Research Division

The Policy and Research Division conducts rigorous academic, legal, quantitative, and qualitative research to:

- Recommend policy and training changes within the Austin Police Department (APD)
- Report clear and reliable information about APD data and other areas of public concern
- Object to APD practices that negatively impact transparency, accountability, or fairness

OPO believes that the best policies are created with equal attention to research, formulation, and implementation. Additionally, OPO works to ensure an open line of communication between policymakers and the individuals or groups affected by those policies.

Research and analysis are critical to OPO's mission to enhance accountability and increase transparency. The Policy & Research Division reports on the issues that most impact community members' interactions with APD.

In some cases, these reports are based on patterns or trends that OPO has observed while processing and monitoring complaints. In other cases, these reports are written in response to specific direction from the Austin City Council or the City Manager's Office.

In 2022, OPO continued expanding our policy and research work by publishing a series of reports and memos aimed at revising APD policies. Among this work were two comprehensive reports recommending changes to APD's body-worn and dashboard camera policies.

Revising the APD General Orders in 2022

The policies that govern Austin Police Department (APD) officers are found in a manual called the APD General Orders.

One of the main responsibilities of OPO's Policy & Research Division is to recommend changes to any policies within the General Orders where there is room for improvement. These recommendations are generally made through one of two processes:

1. OPO independently recommends a policy change and shares that recommendation in writing with City leadership and APD based on community feedback, complaints data, and national best practices.

In 2022, OPO made 157 recommendations to APD's policies and practices.

2. APD proposes or approves a policy change, and OPO responds in writing to either support or object to the change. Objections to a change are generally accompanied by specific recommendations for improvement.

In 2022, OPO objected to APD's approved changes to 4 policies. These objections were accompanied by 30 specific recommendations for improvement.

In 2022, OPO supported APD's changes to 2 policies.

OPO'S RECOMMENDED POLICY CHANGES IN 2022

Body-Worn Cameras & Dashboard Camera

In June 2020, the Austin City Council passed a series of [resolutions](#) aimed at reimagining public safety in Austin. As part of those resolutions, the City Manager directed OPO to facilitate a rewrite of the Austin Police Department (APD) policy manual, known as the General Orders. The rewrite covers all policies, including those surrounding issues like search and seizure, body-worn cameras, dashboard cameras, mental health response, discipline, bias, language, and courtesy.

OPO's Three-Phase Approach

OPO utilizes a three-phase approach to facilitate the rewrite of APD's General Orders. OPO approaches this rewrite through an open process, seeking feedback and input from the community.

In Phase I, OPO conducts a preliminary analysis of APD's current policy language on specific topics. The findings

from this research are available on atxpliceoversight.org.

In Phase II, OPO works with community partners and stakeholders to gather input from the public about proposed changes to policies. This outreach effort includes events, surveys, and other forms of community engagement.

In Phase III, OPO submits policy recommendations and community feedback to APD. APD, in consultation with the City Manager's Office will review the recommendations.

Reports

In 2022, the General Orders rewrite focused on a policy initiative related to APD's body-worn camera and dashboard camera policies.

Phase I of this initiative began in March 2021 and ended in January 2022 when OPO published our preliminary report. This report discussed our initial research and recommendations to change APD's policies on body-worn and dashboard cameras and covered the following topics:

1. Using public feedback to make policy
2. Aligning the purpose of policies with City priorities
3. Making clear policies that align with the law
4. Starting and stopping a recording – definitions
5. Starting and stopping a recording = officer discretion
6. Keeping written records of camera use
7. Telling individuals that they are being recorded
8. Inspection of camera recordings
9. Enforcement and discipline

OPO's initial recommendations related to these issues were based on research into best practices and relevant laws.

[Click here to read the preliminary report.](#)

Phase II of this initiative took place between February and April 2022. Phase II involved a community engagement campaign to collect public input on APD's current body-worn camera and dashboard camera policies and OPO's proposed recommendations. For more information on this community engagement campaign, read the Communications & Community Engagement division section below.

The final phase of this initiative, Phase III, took place between April and October 2022. This phase of the initiative closed in October 2022 when OPO published our final report. Community voices were at the center of our final recommendations. The report highlighted public input that we received and explained how we incorporated this input, along with current best practices and relevant laws, into our final analysis and recommendations.

In our Phase III report, we made 140 recommendations to change specific language within APD's body-worn and dashboard camera policies, as well as 17 broader recommendations to change APD's policy development practices.

Our final recommendations for APD’s policy language addressed issues including, but not limited to, the following:

- Compliance with the amendments to [1701.655](#) of the Texas Occupations Code under [House Bill 929](#), which requires that:
 - Body-worn camera policies include a provision related “to the collection of a body worn camera, including the applicable video and audio recorded by the camera, as evidence.”
 - Body-worn camera policies “require a peace officer equipped with a body-worn camera and actively participating in an investigation to keep the camera activated for the entirety of the officer’s active participation in the investigation unless the camera has been deactivated in compliance with [police department] policy.”
- [1701.657](#), which requires that:
 - an officer “who does not activate a body worn camera in response to a call for assistance must include in the officer’s incident report or otherwise note in the case file or record the reason for not activating the camera.”
- Ensuring definitions for pertinent terms
- Clearer requirements related to the following:
 - Documentation of recordings
 - Notice of recording
 - Activation/deactivation of video recording
 - Activation/deactivation of audio recording
 - Equipment testing by employees
 - Inspections by supervisors

Our final recommendations for APD’s policy development practices addressed topics including, but not limited to the following:

1. Partnering with OPO to develop a transparent and formalized process for soliciting and incorporating community feedback during policy development.
2. Publishing a schedule of planned updates to the General Orders at the beginning of each calendar year and updating it as needed.
3. Publishing background information to explain the reason for each policy change.
4. Publishing and sharing policies in a manner that is accessible to people with disabilities and/or people who speak a language other than English.
5. Considering the role that vendors play in the policymaking process.

[Click here to read the final report.](#)

Presentations

In March 2022, OPO gave an in-depth presentation of our initial body-worn camera and dashboard camera recommendations at a regular meeting of the City of Austin’s Community Police Review Commission.

[OPO Responses to APD’s Policy Changes in 2022](#)

[Recommendations for Improvement](#)

In 2022, OPO objected to APD's approved changes to four policies and issued 30 specific recommendations for improvement to support our objections. OPO's objections addressed the changes that APD made to the following policies:

1. General Order 317 Handling Juveniles
2. General Order 445 Mental Health Response
3. General Order 801.4 Required and Authorized Uniform Raiments
4. General Order General Order 427 Geolocates, Pen Registers, and/or Trap and Trace Devices

[Click here](#) to view OPO's memo discussing General Orders 317, 445, and 801.4.

[Click here](#) to view OPO's memo discussing General Order 427.

The sections below summarize our key recommendations to APD.

Handling Juveniles (General Order 317)

OPO recommended the following:

- APD policy provisions discussing an individual between 10 and 17 years of age who has not been assigned an incident should refer to that individual as a "child." Only those provisions discussing a child who has been assigned an incident number should use the term "juvenile." The use of these terms in the ways OPO described would be in accordance with state law definitions.
- APD policy should require officers to seek guidance from their Sector Detective Unit regarding probable cause, type of charges, and disposition of the juvenile when taking a juvenile into custody.
- APD policy should expand the situations in which juveniles receive emergency medical treatment. In particular, officers should ensure that juveniles also receive emergency medical treatment when they request it or complain of pain or injury during any contact with law enforcement. In other words, the General Orders should cover situations where a juvenile cannot or does not communicate a need for EMS, but officers believe that they need care, as well as those situations in which a juvenile communicates a need for care, regardless of the officer's beliefs.
- APD policy should categorically ban body cavity searches of juveniles
- APD should create a specialized unit to handle interactions with juveniles.

Mental Health Response (General Order 445)

OPO observed APD's incorporation of three of our recommendations to the Mental Health Response policy, including the following:

- De-escalation - APD added a provision to General Order 445.3 requiring officers to use de-escalation tactics while waiting for a CIT officer or the CIT Unit to respond to a scene.
- Documentation - APD added language to the approved version of General Order 445 that requires officers to document attempts to contact Integral Care (Travis County transports) or Bluebonnet Community Services (Williamson County transports).
- Wording - APD revised 445.4.2(b)(1)(b)(3) to stop referring to a detained person as "the Emergency

Detention.”

OPO recommended that APD incorporate the remainder of our original recommendations, including the following:

- Incorporating feedback from the 2021 town hall event, “Town Hall on Public Safety: People with Disabilities and Policing,” hosted by OPO, the Mayor’s Office, the Equity Office, and the Mayor’s Committee for People with Disabilities.
- Revising General Order 445.3 to clarify that requests for a “mental health officer” qualify as “mental health requests” for assistance, which would require patrol officers to refer individuals to an on-duty CIT officer, the CIT Unit, or EMCOT.
- Revise General Order 445.3(b) to outline the factors that officers should consider in determining whether EMCOT will be called to the scene. The approved revisions state that an EMCOT employee will be called to the scene to assist when deemed necessary by an officer or the CIT Unit but offer no further guidance.

Required and Authorized Uniform Raiments (General Order 801.4)

OPO recommended that APD use unambiguous, objective language to create any restrictions regarding officer attire. The restriction that APD implemented prohibits officers from wearing “any tie tack or other pin making a political statement, or displaying any offensive design, logo, or wording.” As is, this policy language is subjective and, as a result, would likely be difficult to apply consistently.

OPO cited APD’s November 2021 changes to Section 803.3.6 Personally Owned Rifles as an appropriate example of a restriction based on unambiguous, objective language. Section 803.3.6 originally prohibited officers from placing “offensive markings” on personally owned rifles carried while on duty. In November 2021, the policy was revised to prohibit officers from placing any “marking(s), sticker(s), engraving(s), etc.” on personally owned rifles “with the exception of the manufacturer identifiers...and an employee’s initials or employee number.” Changes like this, which use unambiguous objective language, allow for consistent application and make it easier for officers to understand what is being asked of them.

Geolocates, Pen Registers, and/or Trap and Trace Devices (General Order 427)

OPO recommended that APD:

- Define terms that have a specific meaning within the policy and based on APD’s use of the technology, including, but not limited to, terms like: mobile devices, trap and trace devices, exigent circumstances, subscriber, act of violence, etc.
- Review its definition of “ESN reader.” The revised policy states that the definition is pulled from the Texas Code of Criminal Procedure Article 18B; however, APD’s definitions are unclear and do not reflect the language of Article 18B.
- Cite its definition for the Communications Assistance for Law Enforcement Act (CALEA) to the Federal Communications Commission (FCC), as the revised definition is restated verbatim from content on the FCC website.
- Revise its policy to explicitly state that designees present during the operation of applicable devices must also be properly trained.

- Revise its policy to provide information about when administrative subpoenas may be appropriately utilized.
- Revise its policy to require documentation as it relates to seeking approval for an administrative subpoena and issuing the subpoena.

Acknowledgment of Improvements Made

In 2022, OPO acknowledged improvements that APD made to two policies and addressed the specific reasons why the revisions improved APD’s policies. The acknowledgments addressed certain changes that APD made to the following policies:

- 208.7.1 Proper Maintenance (TASER Devices)
- 803.3.6 Personally Owned Rifles

[Click here](#) to review the full memo discussing General Orders 208.7.1 and 803.3.6.

The sections below summarize the reasons why the revisions improved APD’s policies.

Proper Maintenance (TASER Devices) (General Order 208.7.1)

OPO agreed with the approved changes to APD’s TASER maintenance policy. The changes aligned with recommendations and objections made by OPO in 2021 and improved the policy in the following ways:

- Requiring, rather than advising, that officers report defective equipment to a supervisor
- Requiring that officers immediately report the defect
- Requiring that officers immediately email a description of the problem to the Learned Skills Unit

Personally Owned Rifles (General 803.3.6)

OPO agreed with the approved changes to APD’s policy on officers’ use of personally owned rifles. The changes improve the policy by creating an objective standard by which to enforce the policy. Rather than hinging on whether markings are “offensive,” the policy now simply requires that officers have no markings, stickers, or engravings on personally owned weapons that they use while on duty. Additionally, it provides appropriate exceptions for things like manufacturer identifiers (i.e., serial numbers and model numbers), employee initials, and employee numbers.

[Click here](#) to review the full memo discussing the following sections of the General Orders:

1. 427 Proper Maintenance (TASER Devices)
2. 803.3.6 Personally Owned Rifles

RECOGNITION OF OPO’S WORK

Texas Oversight Panel

On January 29, 2022, OPO was invited to speak on a virtual panel for an event titled “The Changing Landscape of Civilian Oversight in Texas.”

The event was organized by the Fort Worth Office of the Police Oversight Monitor and discussed the ways that civilian oversight practitioners in Texas approach their work, engage with stakeholders, and navigate challenges unique to Texas. Panelists also offered guidance for those interested in starting or building a civilian oversight entity in their area.

The panel included a senior staff member or executive from each of the four major oversight offices in Texas: Austin, Fort Worth, Dallas, and Houston. The panel was moderated by staff from the National Association for Civilian Oversight of Law Enforcement.

The live panel drew 64 attendees and allowed OPO to share our work at a statewide level with an audience made up of oversight professionals and individuals interested in establishing a strong civilian oversight body in their communities.

[Click here to view the panel discussion.](#)

NACOLE 2022 Annual Conference

On September 12, 2022, OPO was invited to speak on a panel at the annual conference of the National Association for Civilian Oversight of Law Enforcement (NACOLE) held in Fort Worth.

The in-person panel, titled “The Changing Landscape of Civilian Oversight in Texas,” was a continuation of the virtual panel hosted by the Fort Worth Office of the Police Oversight Monitor in January 2022.

As in January 2022, OPO discussed our work alongside civilian oversight professionals from the cities of Fort Worth, Dallas, and Houston.

This speaking engagement allowed OPO to share our work at a national and international level, with an audience made up of oversight professionals and individuals interested in establishing a strong civilian oversight body in their communities.

NACOLE Membership

The Office of Police Oversight is a National Association for Civilian Oversight of Law Enforcement (NACOLE) member. This non-profit organization works to create a community of support for independent civilian oversight entities that seek to make their local law enforcement agencies transparent, accountable, and responsive to the communities they serve.

Communications and Community Engagement Division

The Communications Division consists of communications and community engagement professionals who bring the work and services of the Office of Police Oversight to the community in an accessible, transparent manner.

How the communications division strives to bridge the gap between Austin police and the community

In 2022, OPO’s Communications and Community Engagement Division:

- Attended 41 community meetings to promote OPO’s programs and services,
- Hosted four virtual meetings and collected 525 surveys to gather community feedback on APD’s body-worn and dashboard camera policies,
- Held a joint in-person and virtual event to highlight the experiences of people living with disabilities and their interactions with policing in Austin,
- Received 113,683 unique pageviews on the OPO website.

Our community engagement strategy

How we engaged diverse populations across Austin

The Office of Police Oversight’s Communications and Community Engagement team uses a framework that prioritizes consultation and collaboration with the community while providing education on resources and services. We center our work around listening to community members’ feedback and encourage them to work alongside our office to create change and deepen understanding.

In 2022, OPO engaged community members to discuss topics such as:

- How to file a complaint or compliment
- Knowing your rights when interacting with law enforcement
- The unique experiences that people with disabilities have when interacting with APD
- Feedback on APD’s current policy manual, including the body-worn camera and dashboard camera policies

Transparency at the heart of our work

OPO’s Communications and Community Engagement team leveraged traditional and digital media to promote our work to the community.

- We published bi-monthly newsletters with the latest opportunities for community members to engage in transforming public safety.
- We published social media posts on [Facebook](#) to inform the community about our work, upcoming events, and when and where we will be in the community.
- We published articles to share our work with other City departments and the community.

Collaborating with the community

Collaborating with the community to reform APD’s body-worn camera and dashboard policies

In January 2022, OPO published its Phase I [report](#) examining whether APD’s body-worn and dashboard camera policies aligned with best practices, relevant laws, and the City of Austin’s policies, goals, and values. In the report, OPO identified several areas for improvement and turned to the community for their feedback.

In February 2022, OPO launched Phase II of the rewrite process with a community engagement campaign.

Between February and April 2022, OPO gathered community feedback on APD's body-worn and dashboard camera policies and OPO's recommendations. The campaign resulted in four virtual events and 525 survey submissions.

In April 2022, OPO began Phase III of the rewrite process, compiling and analyzing the data collected in Phase II. During Phase III, OPO also contacted police departments and/or civilian oversight offices in 15 cities across the country to learn more about their policy development processes. OPO concluded Phase III by incorporating community feedback and research findings into final policy recommendations. The final policy recommendations can be found [here](#).

Prioritizing accessibility in our work

In response to community feedback shared at a town hall event hosted in 2021, the Office of Police Oversight hosted our first hybrid event in June 2022 to further learn from people living with disabilities and their experiences with law enforcement. OPO, along with the Mayor's Office, the Equity Office, and the Mayor's Committee for People Living with Disabilities, recruited a wide range of community experts to join the planning committee, including SAFE Alliance, Texas Parent to Parent, ArtSpark, and U.R. Our Hope. Together, the planning committee identified best practices in accessibility, formed questions designed for small group discussions, and assisted in executing the event.

The second town hall was a hybrid event held on June 25, 2022, hosted both in person at the Asian American Resource Center and online over Zoom. The conversations during the event were small group discussions centered around intersectionality and community engagement. City of Austin employees facilitated discussions tackling questions about what the concept of intersectionality means and how it affects community members' experiences.

In total, 75 community members, four APD officers, and 18 additional City of Austin employees attended the event online and in person, providing 191 thoughtful pieces of feedback. After reviewing all data and conducting a data synthesis, OPO transformed community insights into recommendations for the Austin Police Department. The final recommendations can be found [here](#).

2022 Community Police Review Commission (CPRC)

[CPRC](#) is a group of volunteers appointed by the City Manager as another tool for accountability and transparency in policing.

In 2022, under the meet and confer, Commissioners:

- Made policy-level recommendations regarding APD's discipline, training, community relations, and the Office of Police Oversight's (OPO) complaint process
- Reviewed critical incidents
- Addressed any other issues of concern by the community
- Reviewed patterns and practices of the Austin Police Department (APD)
- Assessed critical incidents and review individual cases of police misconduct
- Made fair and objective recommendations, and make decisions based only on the facts and evidence
- Assessed the effectiveness of OPO

OPO provides administrative support to the Community Police Review Commission, including during public meetings. In 2022, CPRC hosted eight public meetings. You can access information about these meetings including agendas and recordings on [ATXN.org](https://www.atxn.org).