

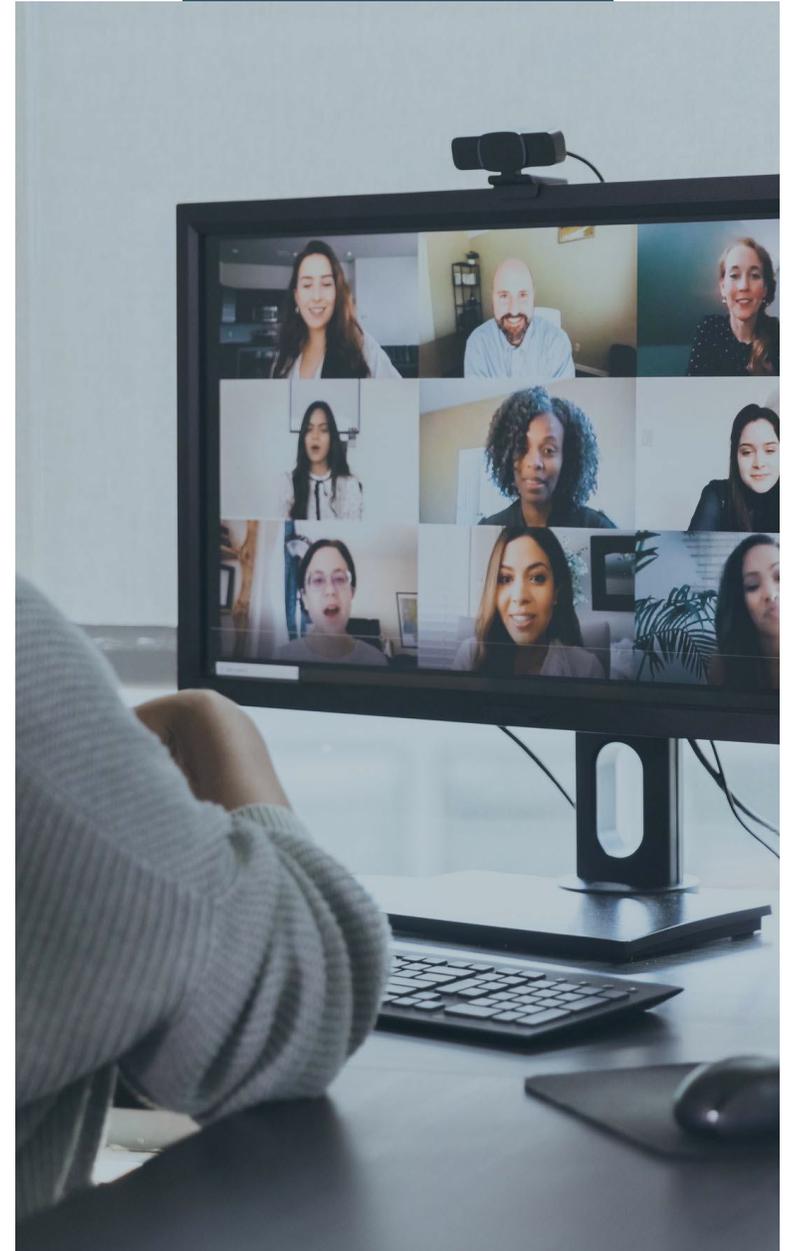


OFFICE OF  
POLICE OVERSIGHT

QUARTERLY

# POLICE OVERSIGHT IMPLEMENTATION WORKGROUP

June 13, 2024 | 6:00 p.m.-7:30 p.m.



# Agenda

- 01** Welcome and Housekeeping
- 02** Welcome from OPO Director
- 03** Policy and Research Presentation
- 04** Community Police Review Commission
- 05** Data Overview
- 06** Complaints Process Q&A
- 07** Closing

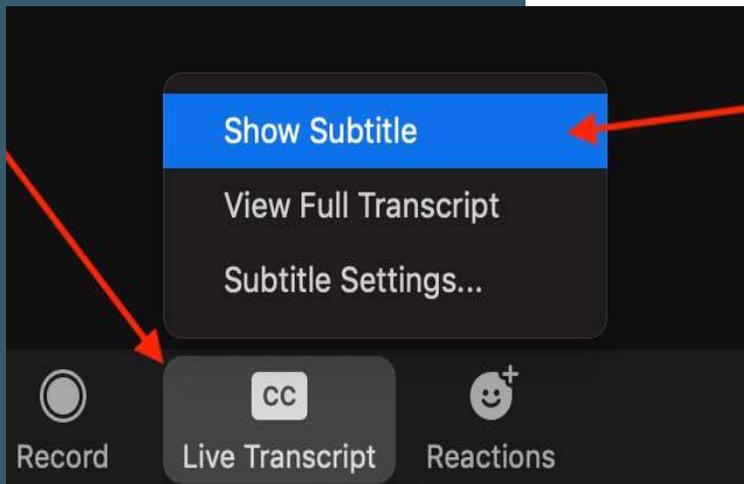
# Access Instructions

## For Interpretation

Para escuchar en español, marque: 512-856-7677

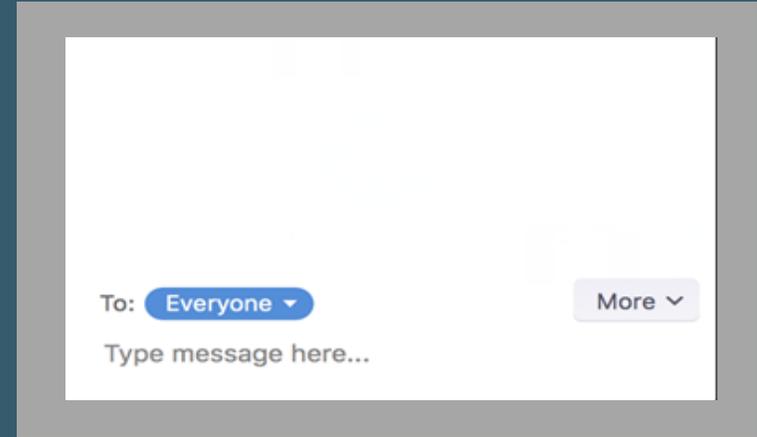
## For Closed Captioning

To access closed captioning services, click the "CC" Closed captioning icon on the bottom of your screen.

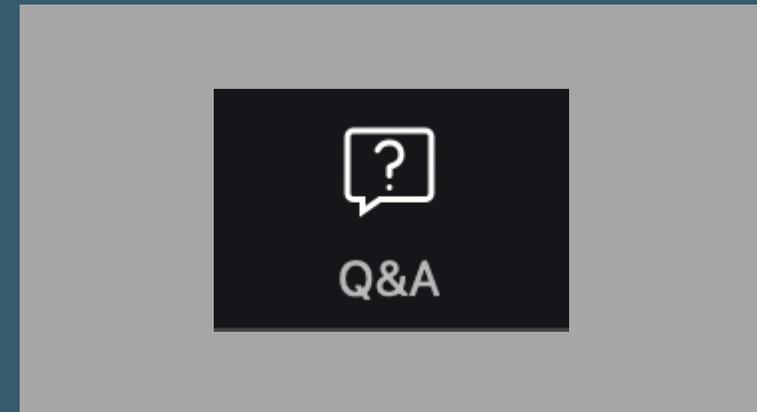


# How to Participate

Participate in the conversation by using the chat or adding your question to the Question & Answer function.



Chat



Question & Answer

# **OPO is committed to creating and sustaining a safe space that is comfortable for all attendees.**

By participating in this meeting, you consent to the following guidelines:

- We consent to this meeting being recorded for public record.
- We respect each other by listening when others are speaking.
- We respect each other by disagreeing respectfully.



# About the Office of Police Oversight

The mission of the Office of Police Oversight (OPO) is 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.



**ACCOUNTABILITY**



**TRANSPARENCY**



**PARTNERSHIPS**

# Director's Message



- Manages and directs the staff of the Office of Police Oversight.
- Oversees the Austin Police Department's investigations of critical incidents involving Austin police officers.
- Works closely with the City Manager, the Austin Police Department's Chief of Police, and Austin Police Department's Internal Affairs Division to ensure accountability, transparency, and input from the community.

**Gail McCant**

Director

- \* 25+ years of experience in civil, human, employment, and housing rights
- \* Certified Mediator
- \* Bachelor of Arts- Southern University, Baton Rouge (Liberal Studies/Communications)

# Policy & Research Division

## **Responsibilities:**

- Research ongoing issues related to APD
- Gather and synthesize national best practices in policing
- Analyze APD's General Orders policy, training, and procedures and offer recommendations for improvement

## **Sources of Work:**

- Complaint-generated
- APD-initiated policy change
- City Manager-generated
- Other (based on OPO strategic plan, other issues identified, etc.)



# March 2024 Policy Recommendations

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In March, OPO made numerous recommendations to improve APD policies. Recommendations were made on the following APD policies:

- ◆ **Off-Duty Law Enforcement Actions** (3 recommendations)
- ◆ **Tire Deflation Devices** (3 recommendations)
- ◆ **Required Camera System(s) Use** (2 recommendations)
- ◆ **Low Speed Intervention** (4 recommendations)

# OFF-DUTY LAW ENFORCEMENT ACTIONS

## GENERAL ORDERS 364

### OPO Recommendation

1. Clarify the definition of off-duty "incident of personal interest."
2. Require reporting within a specified time frame.
3. Require a written memo to their supervisor, to be immediately forwarded to Internal Affairs.

### APD Response

1. Expand the definition of "incident of personal interest".
2. Require a written memo to their supervisor.

# TIRE DEFLATION DEVICE GENERAL ORDERS 214

## OPO Recommendation

1. Remove confusing language in policy.
2. Address the safety of officers deploying TDD.
3. Rewrite Pre-Pursuit policy for clarity.

## APD Response

1. Revise language to clarify policy.
2. Add language to address the safety of deploying officers.
3. Revise Pre-Pursuit policy language.



# WHEN CAMERA SYSTEM(S) USE IS REQUIRED

## GENERAL ORDERS 303

### OPO Recommendation

1. Require BWC usage anytime an officer is providing a courtesy transport.
2. Establish a separate courtesy transport policy.

### APD Response

1. Require BWC usage anytime an officer is providing a courtesy transport.
2. Establish a separate courtesy transport policy.

# LOW-SPEED INTERVENTION

## GENERAL ORDERS 214

### OPO Recommendation

1. Clearly define "low speed" to avoid potential violations.
2. Implement practical application training for LSIs.
3. Require officers to be Code 3 before LSI impact to allow subject time to comply.
4. LSI policy should align with existing pursuit termination tactics.

### APD Response

1. Currently working on a re-write of this entire policy.

# Policy & Research Division

## **Responsibilities:**

- Research ongoing issues related to APD
- Gather and synthesize national best practices in policing
- Analyze APD's General Orders policy, training, and procedures and offer recommendations for improvement

## **Sources of Work:**

- Complaint-generated
- APD-initiated policy change
- City Manager-generated
- Other (based on OPO strategic plan, other issues identified, etc.)

# GENERAL ORDERS 364: OFF-DUTY LAW ENFORCEMENT ACTIONS

## OPO Recommendation

1. Clarify definition of off-duty "incident of personal interest."
2. Require reporting within a specified time frame.
3. Require a written memo to their supervisor, to be immediately forwarded to Internal Affairs.

## APD Response

1. Expand the definition of "incident of personal interest".
2. Require a written memo to their supervisor.

# GENERAL ORDERS 214.6.2: TIRE DEFLATION DEVICE

## OPO Recommendation

1. Remove confusing language in policy.
2. Address the safety of officers deploying TDD.
3. Rewrite Pre-Pursuit policy for clarity.

## APD Response

1. Revise language to clarify policy.
2. Add language to address the safety of deploying officers.
3. Revise Pre-Pursuit policy language.

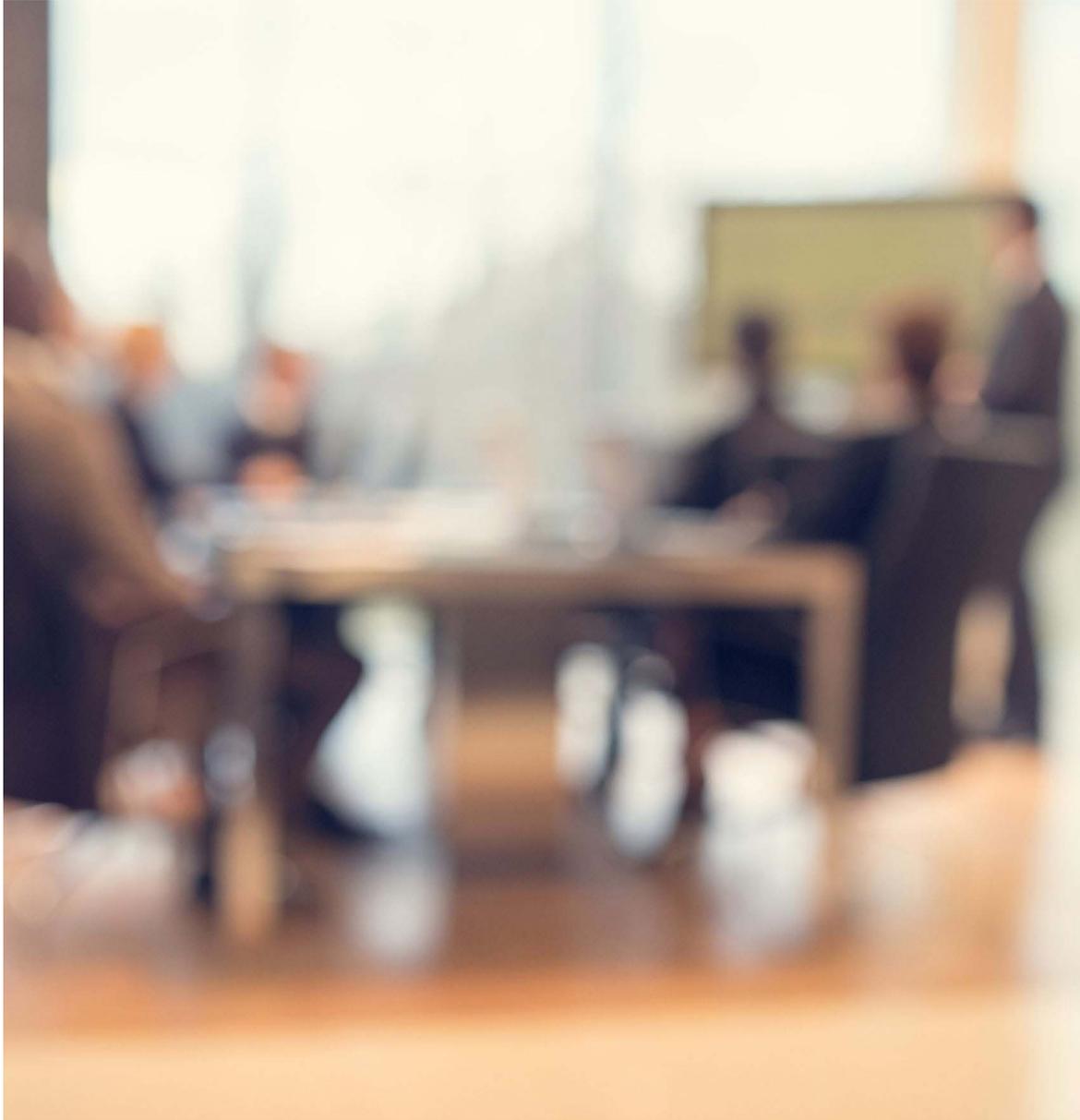
# GENERAL ORDERS 214.6.4: LOW-SPEED INTERVENTION

## OPO Recommendation

1. Clearly define "low speed" to avoid potential violations.
2. Implement practical application training for LSIs.
3. Require officers to be Code 3 before LSI impact to allow subject time to comply.
4. LSI policy should align with existing pursuit termination tactics.

## APD Response

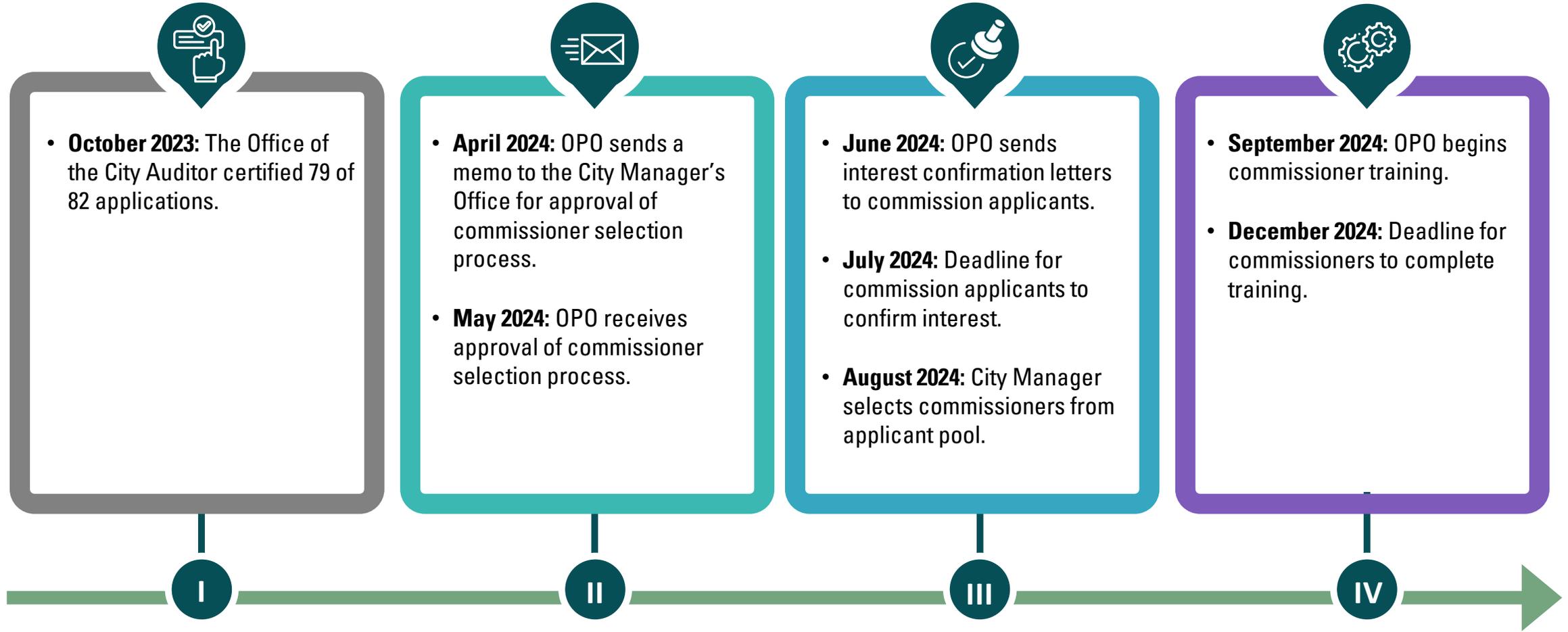
1. Update policy language to align with existing pursuit termination tactics.



**Community  
Police Review  
Commission  
(CPRC)**

# CPRC Timeline

In collaboration with the City Manager’s Office, the Clerk’s Office and the Law Department, the Office of Police Oversight (OPO) is proposing a four-phase process to establish the CPRC in alignment with City Code section 2-15-4, which was approved by voters as part of the Austin Police Oversight Act.

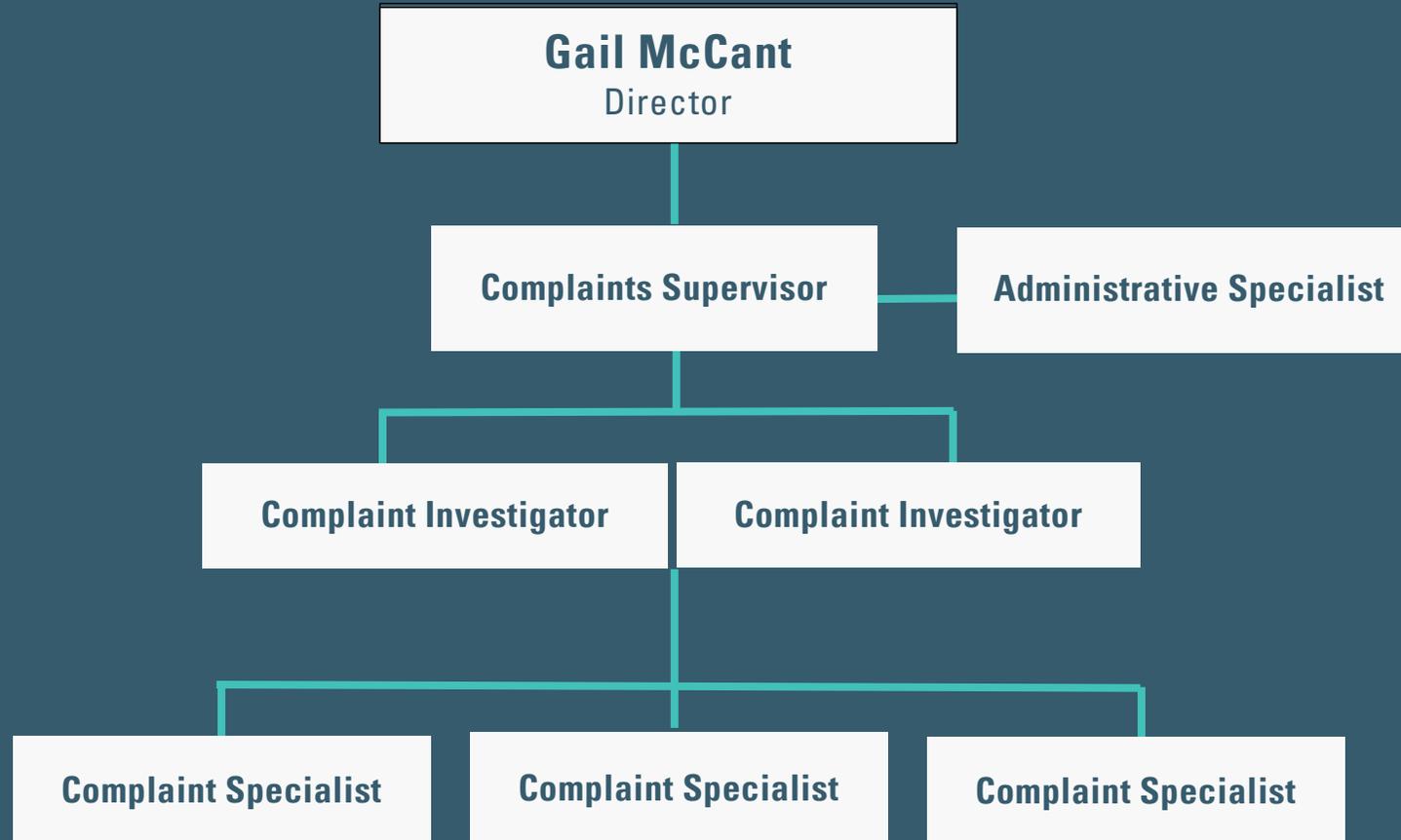




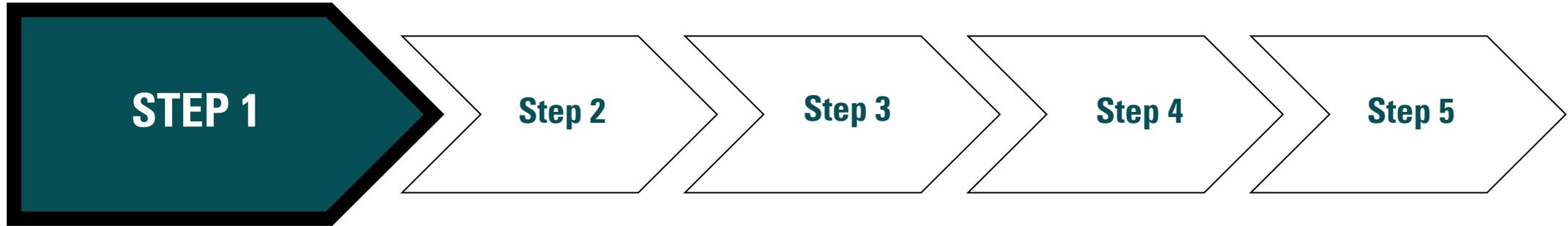
# Complaints Data Overview

# OPO COMPLAINTS DIVISION

## Organizational Chart



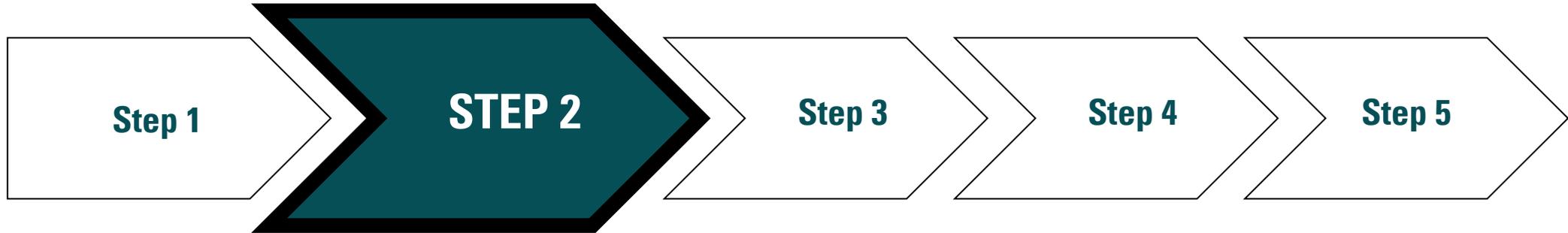
# OPO Complaint Process



## STEP 1: OPO RECEIVES COMPLAINT

- OPO receives complaint, enters it into a shared database with APD.

# OPO Complaint Process



## STEP 2: PRELIMINARY REVIEW

- As of October 1, 2023, OPO conducts a preliminary review of all complaints.
- During preliminary review, OPO independently reviews the complaint for potential policy violations.
- OPO has direct and unfettered access to all APD databases, including but not limited to, body-worn and dash camera footage, radio traffic, dispatch information, and GPS tracking data.

# OPO Complaint Process



## STEP 3: PRELIMINARY INVESTIGATION

- OPO initiates a preliminary investigation if a policy violation is observed.
- This includes contacting the complainant and any witnesses, conducting a detailed interview about the allegation, and collecting evidence to support the allegation.
- OPO will also attempt to complete an affidavit of fact from the complainant before forwarding the complaint to APD for investigation.

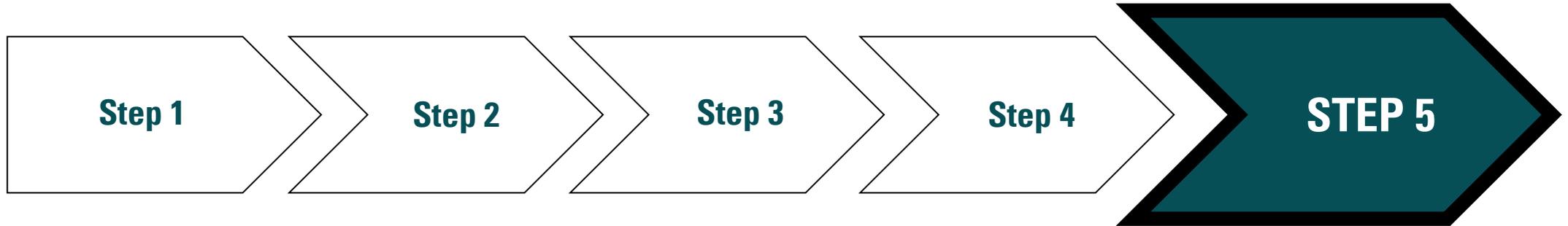
# OPO Complaint Process



## STEP 4: OPO OVERSEES INTERNAL AFFAIRS INVESTIGATION

- OPO oversees and participates in the Internal Affairs investigation from beginning to end.
- OPO's complaint investigators independently review evidence, including information from APD databases like body-worn camera footage and information submitted by complainants, witnesses, or subject officers.
- OPO participates in Internal Affairs interviews with complainants, witnesses, and subject officers by working with them to draft and ask questions.
- Throughout the process, OPO's Complaint Division staff regularly communicates with the Internal Affairs investigator assigned to the case to be notified about interviews or evidence collected during the investigation.

# OPO Complaint Process



## STEP 5: OPO MAKES A RECOMMENDATION

- At the end of the process, OPO's complaint investigators review the final investigative findings.
- OPO will either concur with APD's findings or make an independent recommendation to the Chief of Police or the Officer's Chain of Command regarding the classification of the policy violation or propose discipline.

# Data Overview: January-March 2024

	January	February	March
Complaints/Concerns	63	69	78
Compliments	5	4	8
Total Contacts	68	73	86

# Data Overview: January-March 2024

	January	February	March
<b>Preliminary Review Conducted</b>	<b>63</b>	<b>69</b>	<b>78</b>
<b>Sworn Affidavit Submitted</b>	<b>3</b>	<b>5</b>	<b>3</b>
<b>Recommended for Full Internal Affairs Investigation</b>	<b>8</b>	<b>17</b>	<b>30</b>
<b>Investigated by Internal Affairs</b>	<b>43</b>	<b>53</b>	<b>57</b>

# COMPLAINT CLASSIFICATIONS

\* **Complaints that Could Not Be Further Investigated:** OPO sometimes receives complaints outside of our purview, for example, complaints against other law enforcement agencies, or other government agencies.

## CLASS A

Include, but not limited to criminal conduct, serious policy violations, or conduct that could damage the Police Department.

## CLASS B

Include, but are not limited to policy violations such as profanity, belittling language, inadequate police service, minor traffic violations, negligent damage, or loss of property.

## CLASS C

Not policy violations, but the officer might need training to handle the situation better.

## CLASS D

Not policy violations because the evidence shows they are false.

# Data Overview: January-March 2024

	January	February	March
Class A	0	1	0
Class B	0	0	0
Class C	1	3	2
Class D	14	18	18
Complaints that Could Not Be Further Investigated	3	2	4

# Data Overview: January-March 2024

	January	February	March
<b>Total Anonymous</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>Disciplinary Recommendations Made to Chief of Police</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Policy Changes/General Orders Amendments*</b>	<b>11</b>	<b>0</b>	<b>11</b>

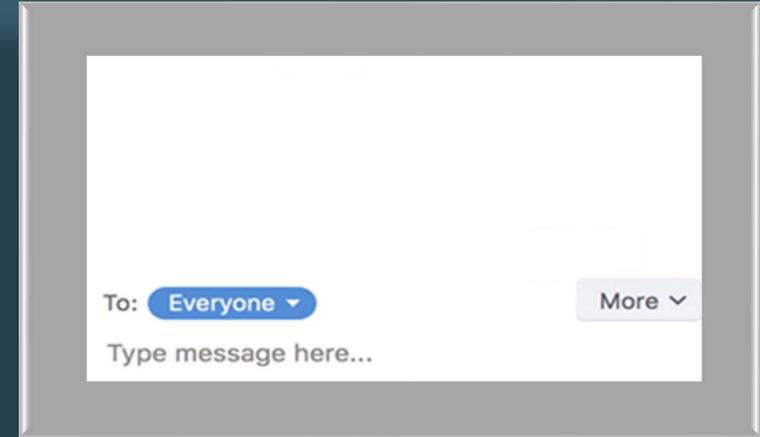
\*Data provided by APD



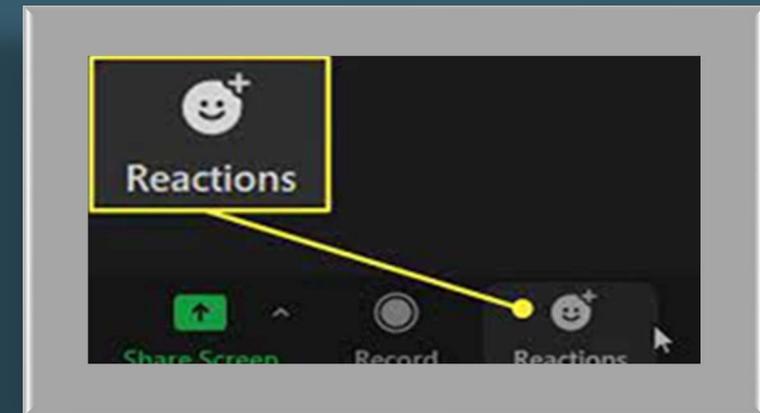
# Questions and Answers

# How to Participate

Participate in the conversation by using the chat, raising your hand or the Q&A option at the bottom of your screen.



CHAT



RAISE HAND



# Thank You for Attending

**Next meeting: August 2024**

**Follow us on Twitter or Facebook to stay informed!**



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