



# OFFICE OF POLICE OVERSIGHT

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March 19, 2024

Robin Henderson, Interim Chief of Police  
Austin Police Department  
715 E. 8th Street  
Austin, TX 78701

RE: OPO Policy Recommendations For Improvement to Austin Police Department's  
General Order 364: Off-Duty Law Enforcement Actions

Dear Chief Henderson:

The purpose of this memorandum is to provide feedback and recommendations for improvement to the Austin Police Department's (APD) General Order (GO) 364: Off-Duty Law Enforcement Actions.

The specific policies reviewed in this memorandum are as follows:

- 364.4.2 Incidents Of Personal Interest
- 364.5 Reporting (a)
- 364.5 Reporting (b)

This policy analysis and recommendations address inadequate definitions and present APD with an opportunity to expand the policy for a greater understanding that better aligns with nationwide best practices. The OPO recommends improving this policy for the betterment of APD sworn employees and the general public.

We look forward to addressing the items identified and improving these policies to benefit the community and APD's sworn personnel.

Sincerely,

Gail McCant, Director  
Office of Police Oversight



364: Off-Duty Law Enforcement Actions

**Recommendation #1:**

**OPO recommends that APD improve 364.4.2.**

OPO analysis indicates a need to clarify and define what constitutes an incident of personal interest. The example of family or neighbor disputes in the current policy needs more clarity or explanation.

**Recommendation #2:**

**OPO recommends that APD amend 364.5 Reporting (a).**

OPO recommends that APD remove the phrase “*as soon as practicable*.” The OPO recommends that APD require reporting within a specified amount of time.

**Recommendation #3:**

**OPO recommends that APD expand 364.5 Reporting (b).**

OPO recommends that APD require officers to write a memo to their supervisor documenting their account of any off-duty event immediately upon returning to duty. The written memo should then be immediately forwarded to Internal Affairs by the supervisor.

