

DISCIPLINE RECOMMENDATION

To: Chief Lisa Davis, Austin Police Department
From: Director Gail McCant, Austin Police Oversight
Date: April 9, 2026
Subject: 2025-1175 Discipline Recommendation

Dear Chief Davis:

On June 3, 2025, Assistant Chief Michael Chancellor signed an internal complaint directing the Austin Police Department Internal Affairs Division (IAD) to conduct an Administrative Inquiry to determine whether any violations of Department policy, Civil Service Rules, or state law had been committed by APD Police Officer Joshua Jackson, AP8546, for his actions during a critical incident on May 17, 2025.

Disposition by APD Chain of Command

The Administrative Inquiry was on hold pending litigation in the Travis County District Court, which was resolved on February 27, 2026, when charges against Officer Jackson were declined with a No Bill.

On March 31, 2026, APO was notified by IAD that the investigative case file had been forwarded to the officer's chain of command for disposition. At the time of this memo, no Notice of Sustained Allegation (NOSA) or Control Sheet was available for APO review.

The Administrative Inquiry involved the investigative review of the following General Order:

- APD Policy 200 Response to Resistance
- APD Policy 202 Firearm Discharge Situations

APO Disposition Recommendation: Exoneration & Administrative Closure

Upon reviewing the investigative file, I believe that IAD conducted a straightforward and unbiased investigation, and collected and analyzed the pertinent information surrounding the incident.

The investigation confirms that Officer Jackson was involved in the use of deadly force involving the discharge of his patrol rifle. Officer Jackson was dispatched to the location on a "hotshot, subject armed with a gun" call for service. While at the scene, the officer confronted the suspect, who was in a wheelchair and armed with a handgun. Officer Jackson instructed the subject to "put the gun down," and the subject did not comply. Instead, the subject began to raise his hand and point the gun at Officer Jackson. Officer

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Jackson then fired his patrol rifle at the subject and continued to fire until the threat was neutralized. The officer's actions appeared to be justified.

The Administrative and Special Investigations Unit investigation revealed that Officer Jackson used deadly force against the suspect by discharging his firearm seven (7) times at the suspect. During the IAD interview, Officer Jackson told IAD that the subject "*showed passive resistance by not listening to commands and wheeling away.*" He stated that he told the subject, "*Stop. Put the gun down,*" but the subject did not comply. Officer Jackson stated, "*I was presented with deadly resistance. Responded with deadly force, and at that time, I was in fear for my life and my safety, along with the innocent bystanders.*"

I believe the actions of Officer Jackson were within policy, as deadly force was utilized to stop a suspect armed with a handgun who pointed it toward the officer. The actions of the suspect, as seen on BWC, show noncompliance with the officer's commands before the use of deadly force. The suspect could have complied with commands to indicate that he was not a threat to the officer's safety or that of nearby citizens.

I also believe the officer did not have the opportunity to initiate additional de-escalation tactics. The armed suspect immediately became a threat.

Based on the above factors, I recommend a finding of Exoneration and administrative closure of the case.

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

Sincerely,



Gail McCant
Director
Austin Police Oversight