



MEMORANDUM

Austin Police Department *Office of the Chief of Police*

TO: Susan Sinz, Director of Civil Service

FROM: Lisa Davis, Chief of Police

DATE: September 29, 2026

SUBJECT: Temporary Suspension of Sergeant Philip Linsalata # 3004
Internal Affairs Control Number 2026-00277

Pursuant to the provisions of Chapter 143 of the Texas Local Government Code, Section 143.052, and Rule 10, Rules of Procedure for the Firefighters', Police Officers' and Emergency Medical Service Personnel's Civil Service Commission, I have temporarily suspended Sergeant (Sgt.) Philip Linsalata #3004 from duty as a City of Austin, Texas police officer for a period of three (3) days. The temporary suspension is effective September 30, 2026, October 3, 2026, and October 5, 2026.

I took this action because Sgt. Linsalata violated Civil Service Commission Rule 10.03, which sets forth the grounds for disciplinary suspensions of employees in the classified service, and states:

No employee of the classified service of the City of Austin shall engage in, or be involved in, any of the following acts or conduct, and the same shall constitute cause for suspension of an employee from the classified service of the City:

- L. Violation of any of the rules and regulations of the Fire Department or Police Department or of special orders, as applicable.

The following are the specific acts committed by Sgt. Linsalata in violation of Rule 10:

Introduction

On or about July 23, 2025, August 10, 2025, September 4, 2025, September 17, 2025, November 5, 2025, November 14, 2025, and November 19, 2025, Sgt. Phillip Linsalata arrived to work after his shift start time. Sgt. Linsalata's Ultimate Kronos Group (UKG) time sheet did not reflect the actual hours he worked on those dates. Sgt. Linsalata checked out a marked Austin Police Department (APD) vehicle, however, he did not return the vehicle at the end of his shift and, instead, took the vehicle to his residence. Sgt. Linsalata also worked over 16 hours in a 24-hour period without approval more than once during the time frame from July 23, 2025, to November 29, 2025.

Anonymous external complaint:

On February 2, 2026, Internal Affairs (IA) received an anonymous external complaint from Austin Police Oversight (APO). The external complaint stated:

I would like to bring to the attention of Office of Police Oversight (OPO)¹ a critical integrity issue that demands immediate and decisive action concerning the actions of the accused individual. I have serious concerns about Sgt. Linsalata #3004 and his questionable reporting of working hours. On multiple occasions, I believe Sgt. Linsalata has reported to his shift late, following overtime events that have left his officers without the necessary supervision during crucial hours.

Moreover, Corporal Krippner #5115 has repeatedly mentioned instances where Sgt. Linsalata claimed to be responding to calls. However, it is alarming that there is no record of him being logged into CAD during those alleged times. This raises significant questions about the accuracy and reliability of his reporting.

It is also worth noting that Sgt. Linsalata's vehicle is frequently parked at the substation, yet he arrives at work late in a patrol vehicle — a vehicle that I suspect he used for overtime the night prior. This discrepancy further compounds my concerns regarding his integrity and accountability.

Some specific dates when these troubling occurrences took place include July 23, August 10, September 4, September 17, November 5, November 14, and November 29 of 2025. I strongly believe this is a matter of considerable importance that warrants a thorough investigation in the interest of the department. Upholding the integrity of law enforcement is paramount, and the citizens of Austin are entitled to expect the highest standards from their police department, especially from those entrusted with maintaining those standards. While I cannot prove that Sgt. Linsalata recorded these hours accurately, I have serious doubts, and this matter should be investigated for the best interest of the department and its officers.

¹ Frequently referred to as Austin Police Oversight (APO).

On June 4, 2026, Sgt. Linsalata's Commander submitted an Internal Complaint Memorandum to Internal Affairs (IA). The complaint stated:

On January 25, 2026, the Austin Police Oversight received an anonymous external complaint concerning Sgt. Linsalata #3004. On February 2, 2026, APD Internal Affairs received the complaint and began the initial review. Upon review, it was determined Sgt. Linsalata may have worked over 16 hours in a 24-hour period during the date range of July 23, 2025, through November 29, 2025. Sgt. Linsalata may have violated APD policy.

IA reviewed the following APD General Orders in relation to these allegations:

- 800.3.1 Checking out Equipment and Supplies from a Property Control Office
- 949.7.5 Limitation on LERE Hours Worked

Investigative Actions:

IA reviewed the following documentation and media in relation to the Administrative Investigation:

- IA Digital Case File
 - Internal complaint
 - External complaint
 - Frank Radio communication traffic
 - Sgt. Linsalata's history of sustained IA complaints
 - Sgt. Linsalata's training history
 - InfoSec returns
 - Badge Card access swipes
 - South Substation security footage

During the course of the administrative investigation, IA interviewed the following:

- Sgt. Phillip Linsalata on June 25, 2026
- Retired Corporal Steven Krippner on June 11, 2026

On April 21, 2026, IA received Sgt. Linsalata's badge access swipes from Building Services Manager Miguel Galindo. The access swipes showed that Sgt. Linsalata did not use his access card to access any City of Austin controlled access points until after his shift start time on July 23, 2025, August 10, 2025, September 4, 2025, September 17, 2025, November 5, 2025, and November 14, 2025. Sgt. Linsalata arrived approximately 45 minutes early on November 29, 2025.

On May 1, 2026, IA received video and screenshots of the South Substation entrance gate and rear doors. The video and snapshots showed Sgt. Linsalata arrived to work in a marked patrol unit around the times indicated on his badge card access swipes.

On May 27, 2026, IA received Sgt. Linsalata's login activity for the APD computer network and his email activity for the dates in the complaint from the City's Information Security Office. On June 2, 2026, IA received Sgt. Linsalata's VisiNet login information from InfoSec. On June 15, 2026, IA received Sgt. Linsalata's login activity for Versadex from InfoSec. Upon review of the information received from InfoSec, data showed no record of Sgt. Linsalata logging in to any APD computer network and showed no record of emails sent prior to Sgt. Linsalata beginning his shift.

Upon further investigation, IA received additional badge access data for Sgt. Linsalata from Building Services. On July 7, 2026, IA received the following information:

- For the work week of July 20-26, 2025, Sgt. Linsalata accumulated approximately 1.5 hours of flex time and arrived at work approximately 2.25 hours late to his shift.
- For the work week of August 10-16, 2025, Sgt. Linsalata accumulated approximately 1.5 hours of flex time and arrived at work approximately 1.25 hours late to his shift.
- For the work week of August 31- September 6, 2025, Sgt. Linsalata accumulated approximately 2 hours of flex time and arrived at work approximately 1.75 hours late to his shift.
- For the work week of September 14-September 20, 2025, Sgt. Linsalata accumulated approximately 2 hours of flex time and arrived at work approximately 2.25 hours late to his shift.
- For the work week of November 2-8, 2025, Sgt. Linsalata accumulated approximately 2 hours of flex time and arrived at work approximately 1.5 hours late for his shift.
- For the work week of November 9-15, 2025, Sgt. Linsalata accumulated approximately 2 hours of flex time and arrived at work approximately 1.75 hours late for his shift.
- For the work week of November 23-29, 2025, Sgt. Linsalata accumulated approximately 1.5 hours of flex time. Sgt. Linsalata did not arrive late for his shift during this work week.

IA Interviews

Retired Corporal Steven Krippner

On June 11, 2026, Retired Corporal Krippner was interviewed. Corporal Krippner now works for Lake Travis ISD Police. Corporal Krippner could not recall if Sgt. Linsalata was late on the dates indicated in the complaint. Corporal Krippner said Sgt. Linsalata never

left the shift without supervision because when Sgt. Linsalata was not present, he left Corporal Krippner as the acting sergeant. Corporal Krippner could not recall a time when Sgt. Linsalata said he was responding to a call but was not logged into Computer Aided Dispatch (CAD). Corporal Krippner said he knew Sgt. Linsalata would take a marked patrol unit to his overtime assignments but did not know if he took the vehicle overnight. Corporal Krippner described Sgt. Linsalata as a "good supervisor. He didn't - he never left the shift hang - left the shift hanging. Took care of his troops."

Sgt. Phillip Linsalata

Sgt. Linsalata was interviewed on June 25, 2026, and agreed he was late to work on July 23, 2025, August 10, 2025, September 4, 2025, September 17, 2025, November 5, 2025, and November 14, 2025. Sgt. Linsalata stated he did not have permission to show up late. Sgt. Linsalata said he flexed time from the other days of the week, during which he came in early before his shift and completed paperwork. Sgt. Linsalata said on the days he came in late he would have let Corporal Krippner know so he did not leave the shift without supervision. Sgt. Linsalata explained that the overtime he works is usually scheduled for 5 or 6 hours but will sometimes go over unexpectedly and he did not want to leave 'Special Events' short-handed, which occasionally caused him to go over the 16-hour limit. Sgt. Linsalata stated he used a spare car and took it home rather than returning it at the end of his shift in order to economize on sleep time. He stated his use of the patrol car did not take a car away from any of his line officers. Sgt. Linsalata admitted his actions did not look good to his Chain of Command. IA asked Sgt. Linsalata what he would like to say to his Chain of Command. He stated,

*"I apologize for not following policy. And, um, if I had to do it over again, I would have asked permission from my lieutenant to, uh, come in late and/or keep the car if that was available. And if not, I wouldn't do that. But definitely, uh, speak to my lieutenant and, uh, let him know that I would be coming in late or the job was going over 16 hours."*²

Sgt. Linsalata said he violated Policies 800.3.1 Checking Out Equipment and Supplies from a Property Control Office (PCO), 949.7.5 Limitation on LERE Hours Worked, and 955.2.2 Digital Timekeeping System.

By these actions, Sgt. Linsalata violated Rule 10.03(L) of the Civil Service Rules by violating the following rules and regulations of the Austin Police Department:

- **Austin Police Department Policy 800.3.1(b): Property and Equipment Accountability: Checking Out Equipment and Supplies from a Property Control Office (PCO)**

800.3.1(b) Checking Out Equipment and Supplies from a Property Control Office (PCO)

Employees must acknowledge in writing receipt of all equipment and supplies received from a PCO.

- (b) Non-expendable equipment is any item that is reusable on a continual basis and must be returned to PCO at the end of each shift (e.g., radar, car keys, digital cameras).
 - (1) Employees must acknowledge in writing the return of all non-expendable equipment and supplies to a PCO.
 - (2) Any non-expendable item not returned at the end of the duty shift or on the expected return date will be flagged by PCO.
 - (a) PCO will immediately notify the employee's commander/manager of the situation by email, phone, or in writing.
 - (b) Commanders/managers are responsible for ensuring that the property is returned by the employee.

➤ **Austin Police Department Policy 949.7.5(a): Secondary Employment: Limitation On LERE Hours Worked**

949.7.5(a) Limitation On LERE Hours Worked

- (a) Employees shall not work more than 16 hours of any combination of regular duty, department overtime, or LERE hours within a consecutive 24-hour period without the approval of a lieutenant or above for sworn employees, or the employee's supervisor/ manager for civilian employees.
 - (1) A 24-hour period is any consecutive 24-hours, regardless of the time the work started.
 - (2) The employee is responsible for notifying the appropriate supervisor two (2) hours prior to the 16th hour of the 24-hour period. The name of the approving supervisor will be noted on the employee's overtime assignment form.

By copy of this memo, Sgt. Linsalata is hereby advised of this temporary suspension and that the suspension may be appealed to the Civil Service Commission by filing with the Director of Civil Service, within ten (10) days after receipt of a copy of this memo, a proper notice of appeal in accordance with Section 143.010 of the Texas Local Government Code.

By copy of this memo and as required by Section 143.057 of the Texas Local Government Code, Sgt. Linsalata is hereby advised that such section and the Agreement Between the City of Austin and the Austin Police Association provide for an appeal to an independent third party hearing examiner, in accordance with the provisions of such Agreement. If appeal is made to a hearing examiner, all rights of appeal to a District Court are waived, except as provided by Subsection (j) of Section 143.057 of the Texas Local Government Code. That section states that the State District Court may hear appeals of an award of a hearing examiner only on the grounds that the arbitration panel was without jurisdiction or exceeded its jurisdiction, or that the order was procured by fraud, collusion or other unlawful means. In order to appeal to a hearing examiner, the original notice of appeal submitted to the Director of Civil Service must state that appeal is made to a hearing examiner.

In addition, if this disciplinary suspension is for three (3) days or less, Officer Linsalata is advised of the following provisions of Article 17, Section 1, of the Meet and Confer Agreement:

The parties agree that when an officer is suspended for 1, 2, or 3 days the officer may choose one of two methods of dealing with the suspensions as listed below.

- a) **Suspensions that may not be appealed.** *The officer may choose to use vacation or holiday time to serve the suspension with no loss of paid salary and no break in service for purposes of seniority, retirement, promotion, or any other purpose. The officer must agree that there is no right to appeal if this method of suspension is chosen.*
- b) **Suspensions that may be appealed.** *The officer may appeal the suspension to arbitration or the Civil Service Commission. If the officer chooses to appeal the suspension, the arbitrator or Civil Service Commission's authority is limited to ruling on whether or not the charges against the officer are true or not true. If the arbitrator or Civil Service Commission finds the charges to be true, there is no authority to mitigate the punishment. If the arbitrator or Civil Service Commission finds the charges to be not true, the officer shall be fully reinstated with no loss of pay or benefit.*

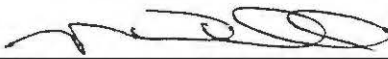
Arbitration Costs on Appealable Suspensions

In the event that an officer appeals a 1, 2 or 3 day suspension to arbitration, it is agreed that the party that loses the arbitration shall be responsible for all costs of the arbitrator, including travel and lodging if necessary.

To facilitate such payment on the part of the officer he shall submit, at the time of appeal, a signed payroll deduction agreement that if the arbitrator rules in favor of the City he authorizes up to one hundred dollars (\$100.00) per month to be deducted from his regular

pay until such time as what would usually be the City's portion of the arbitrator's costs have been satisfied.

SIGNED FOR CHIEF DAVIS

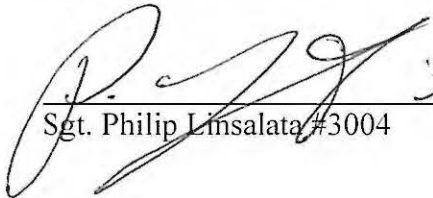
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LISA DAVIS, Chief of Police

Date 9.29.26

TO WHOM IT MAY CONCERN:

I hereby acknowledge receipt of the above and foregoing memorandum of temporary suspension and I have been advised that if I desire to appeal that I have ten (10) calendar days from the date of this receipt to file written notice of appeal with the Director of Civil Service in accordance with the provisions of Chapter 143 of the Texas Local Government Code.

 3004

Sgt. Philip Linsalata #3004

Date 9-29-26