



OFFICE OF
POLICE OVERSIGHT

CITY OF AUSTIN
THE OFFICE OF POLICE OVERSIGHT

Progress Update: Resolution 99 and Proposition A

Gail McCant, Director of the Office of Police Oversight
November 2023

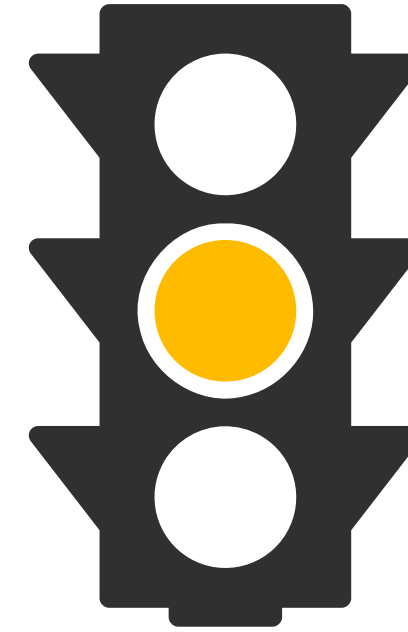


Definitions



In Compliance:

The Office of Police Oversight currently, or partially, executes or implements this task.

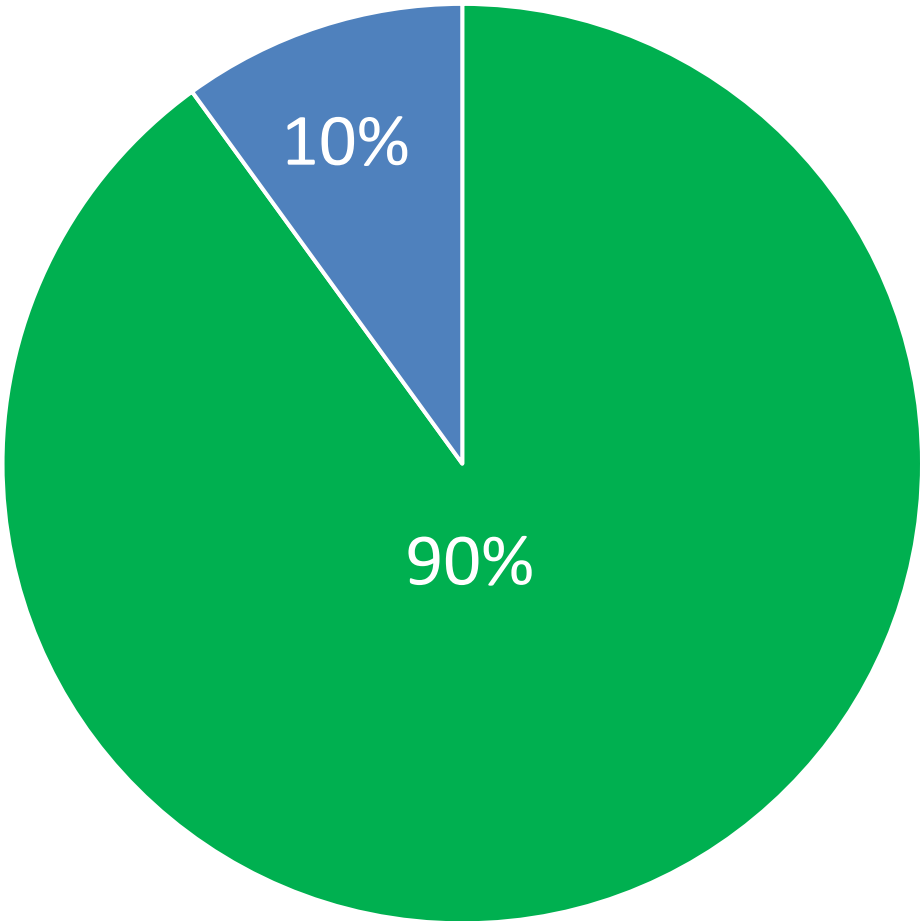


In Progress:

Provisions in progress. The Office of Police Oversight (OPO), Austin Police Department (APD), and Communications and Technology Management (CTM) are collaborating to develop solutions to implement each provision.

Summary of Progress

Resolution 99

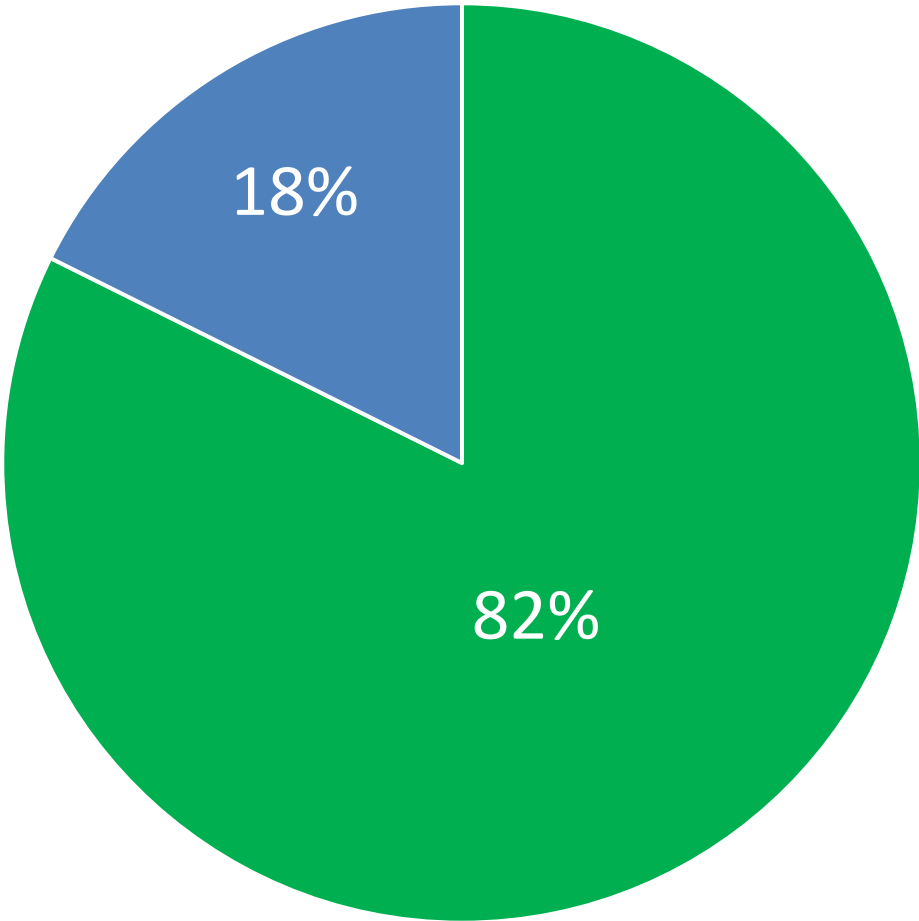


■ In Compliance ■ In Progress

Resolution 99 has 20 provisions. Two provisions are in progress while technology solutions are being finalized.

- 18 of 20 provisions are completed.
- 2 of 20 provisions are in progress.

Proposition A



■ In Compliance ■ In Progress

Proposition A has 17 provisions. Three provisions are in progress while technology solutions are being finalized, in addition to recruitment efforts for the Community Police Review Commission (CPRC).

- 14 of 17 provisions are completed.
- 3 of 17 provisions are in progress.



Resolution 99 Progress Breakdown

Resolution 99 Implementation Summary

In Compliance

- ✓ OPO staff will be enrolled in CJIS Level 3 certification (pg. 3-1).
- ✓ **After the certification, OPO will be granted independent access to all files and records (pg. 3-2).**
- ✓ **OPO will have independent access to APD's body-worn camera footage (pg. 3-4).**
- ✓ OPO will manage and maintain its own records (pg. 4-1).
- ✓ OPO will conduct a preliminary investigation on qualifying complaints (pg. 4-2).
- ✓ **OPO will conduct a preliminary investigation of all complaints, including verbal and written communications (pg. 4-3).**
- ✓ OPO will not require an affidavit to file a complaint (pg. 5-4).
- ✓ OPO will post disciplinary documents within Chapter 143 (pg. 5-6).
- ✓ OPO will conduct preliminary review and forward copy of the complaint to Internal Affairs (pg. 5-7).
- ✓ OPO will conduct preliminary review in a timely manner (pg. 6-8).
- ✓ All complaints that meet criteria should receive a full investigation, and OPO should be granted access to reach out to the complainant if more information is needed during the investigation (pg. 6-9).
- ✓ OPO will accept and review anonymous complaints (pg. 6-10).
- ✓ Complaints that do not merit investigation can be forwarded to APD and posted on the OPO website, in accordance with state law (pg. 6-11).
- ✓ OPO can participate in officer and witness interviews (pg. 6-12).
- ✓ OPO will be a liaison for complainants, provide information about their case, and access to body-worn camera (pg. 7-13).
- ✓ OPO will make discipline recommendations to APD, and APD will respond to OPO's discipline recommendations (pg. 7-13).
- ✓ OPO will share the 2022 annual report with Public Safety Committee (pg. 7-1).
- ✓ OPO should host quarterly check ins with community members (pg. 8-3).

Resolution 99 Implementation Summary

In Progress

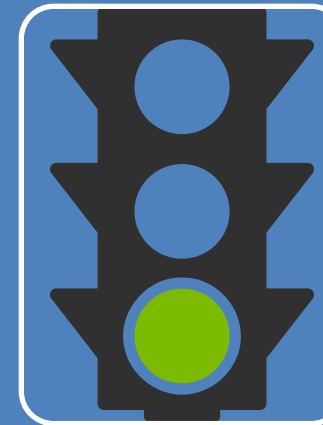
- ☐ OPO will be granted access to public force incident report data and OPO will conduct a data analysis on this data (pg. 3-3).
- ☐ OPO will post complaint data received since April 1, 2023, including type of complaint, alleged policy violation, and the nature of misconduct (pg. 5-5).

Resolution 99: pg. 3 -3

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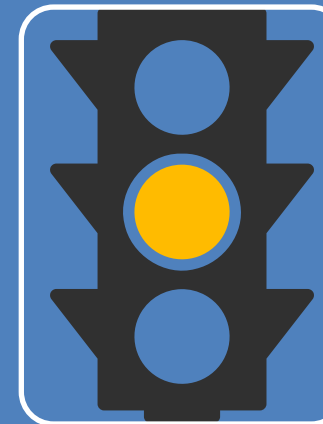
Immediately and without regard to CJIS certification, the Police Chief shall provide to the Office of Police Oversight all public force incident report data up to the most recent month including an anonymized officer ID so that the Office of Police Oversight may begin to conduct force incident data analysis in accordance with City 70 Code section 2-15-3(B)(11).

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Current Status

- OPO currently has access to public force incident data from 2021 and 2022.



In Progress

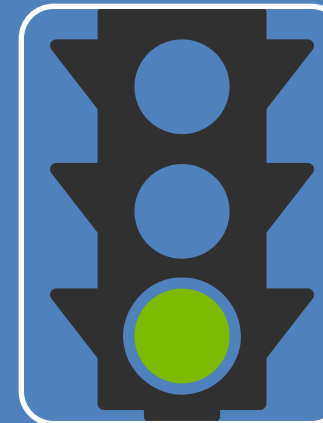
- APD's Public Safety IT Group is working to provide OPO with independent access to the data system that generates these types of reports, which will include data to date.

Resolution 99: pg. 5 -5



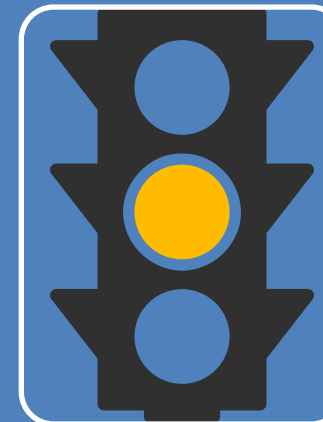
OPO will post the following data concerning all complaints as defined by City Code section 2-15-2(F) to its website since April 1, 2023, and disciplinary actions filed with the Office on its website, redacting all individually identifying information of both complainants, officers and witnesses as was its practice prior to April 2023:

1. Type of complaint,
2. Alleged policy violation,
3. Nature of misconduct,
4. Anonymized demographic information about the complainant, including, but not limited to race, ethnicity, age, gender, identity, if provided, and
5. Sector complaint originated
6. The Office of Police Oversight will post all disciplinary actions, as defined by City Code section 2-15-2 (J), to the extent allowed by Texas Local Government Code Ch. 143, to its website since April 1, 2023.



Current status:

- Data has been posted from April 2023- June 2023.



In Progress:

- OPO is working to hire additional staff members to focus on data analysis.



Proposition A Progress Breakdown

Austin Police Oversight Act

Prop A Implementation Summary

In Compliance

- ✓ OPO should provide recommendations to the City about how investigations involving officers are carried out and what the outcomes are (§2-15-3 (B-1)).
- ✓ OPO should provide recommendations to the City on how effective APD rules and procedures are for handling complaints about police officer misconduct, police officer training, when and how police officers use force, how the police interact with the community, and anything else the department does, are effective and suitable (§2-15-3 (B-2)).
- ✓ OPO will receive complaints and compliments from the community (§2-15-3 (B-3)).
- ✓ *OPO will act as a liaison between the community and APD during the complaint process (§2-15-3 (B-4)).*
- ✓ *OPO can participate in investigations of complaints, may interview complainants, and obtain more information from complainants (§2-15-3 (B-5)).*
- ✓ OPO will provide the Chief of Police with recommendations based on complaint investigations and policy violations (§2-15-3 (B-6)).
- ✓ OPO will address other department activities of public concern as directed by the City (§2-15-3 (B-7)).
- ✓ OPO will provide status updates to City Council about the Office activities (§2-15-3 (B-8)).
- ✓ OPO will work with the City and APD to release critical incident briefings (§2-15-3 (B-9)).
- ✓ OPO will conduct preliminary reviews of complaints and provide policy recommendations (§2-15-3 (B-10)).
- ✓ OPO will conduct random assessments of department use of force reviews, analyze all force incident data, and conduct random audits of body camera video and body camera usage (§2-15-3 (B-11)).
- ✓ OPO will conduct community engagement activities (§2-15-3 (B-15)).
- ✓ The OPO Director and complaint team should have direct access to APD files related to personnel records, use of force incidents, information on investigations, and body worn camera and dashboard camera footage (§2-15-3 (D-1-4)).
- ✓ *OPO should publicly release general information about the police department, including complaint outcomes, discipline recommendations, detailed information about incidents, data analysis, and recommendations for policy, training or legislative changes (§2-15-3 (E)).*

Prop A Implementation Summary

In Progress

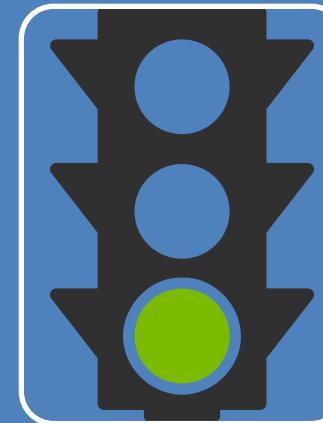
- ❑ OPO will make all complaint information, complaint outcomes, and lawsuits available to the public (§2-15-3 (B-12)).
- ❑ OPO will determine training requirements for members of the Community Police Review Commission (§2-15-3 (B-13)).
- ❑ OPO will receive briefings related to investigations as requested by the Community Police Review Commission and OPO Director should ensure all information related to the investigation is provided (§2-15-3 (B-14)).

Prop A- §2-15-3 (B-12).

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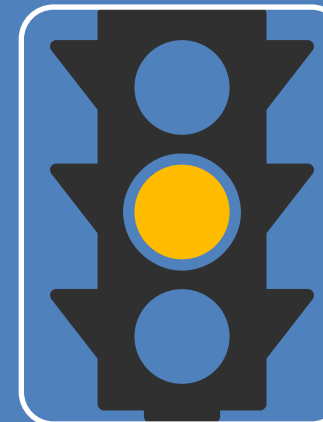
Act as a central depository for documentation relevant to the mission of the office and make such information available to the public, including but not limited to: complaint outcomes; officer discipline; force incidents; and lawsuits against the City that allege officer misconduct, including the filings and the final settlement amount of any such suits.

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Current Status

- OPO publishes policy recommendations, disciplinary documents related to a suspension, and formal reports, in accordance with state law.



In Progress

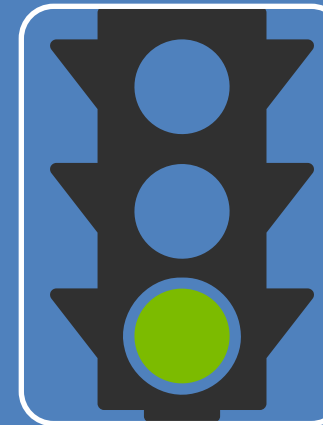
- OPO is working the City Legal to publish lawsuit materials.

Prop A- §2-15-3 (B-13).

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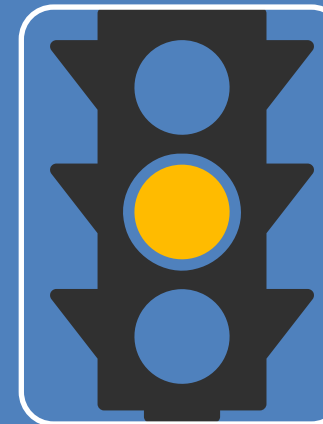
Determine training requirements for members of the Commission, in consultation with existing members of the Commission

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Current Status

- OPO is in the process of recruiting members for the Community Police Review Commission.
- Training requirements have been informed by previous years.



In Progress

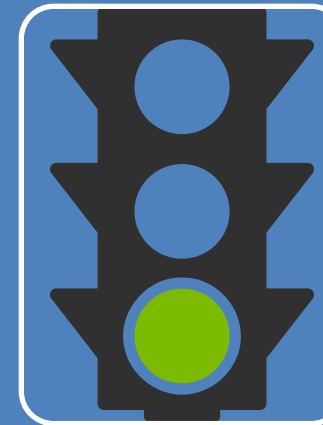
- OPO will set up the training when the commissioners have been selected.

Prop A- §2-15-3 (B-14).

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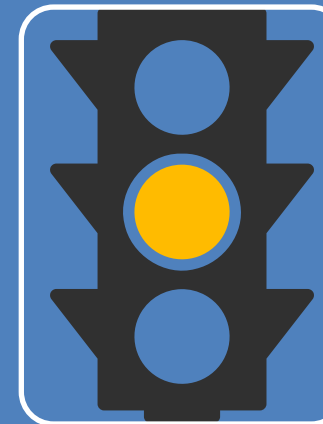
Receive briefings related to investigations as requested by the Commissioners, at which the Director or their designee shall include information obtained from the investigation and exercise discretion to omit information of a highly personal nature that would constitute an unwarranted invasion of an individual's personal privacy interests

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Current Status

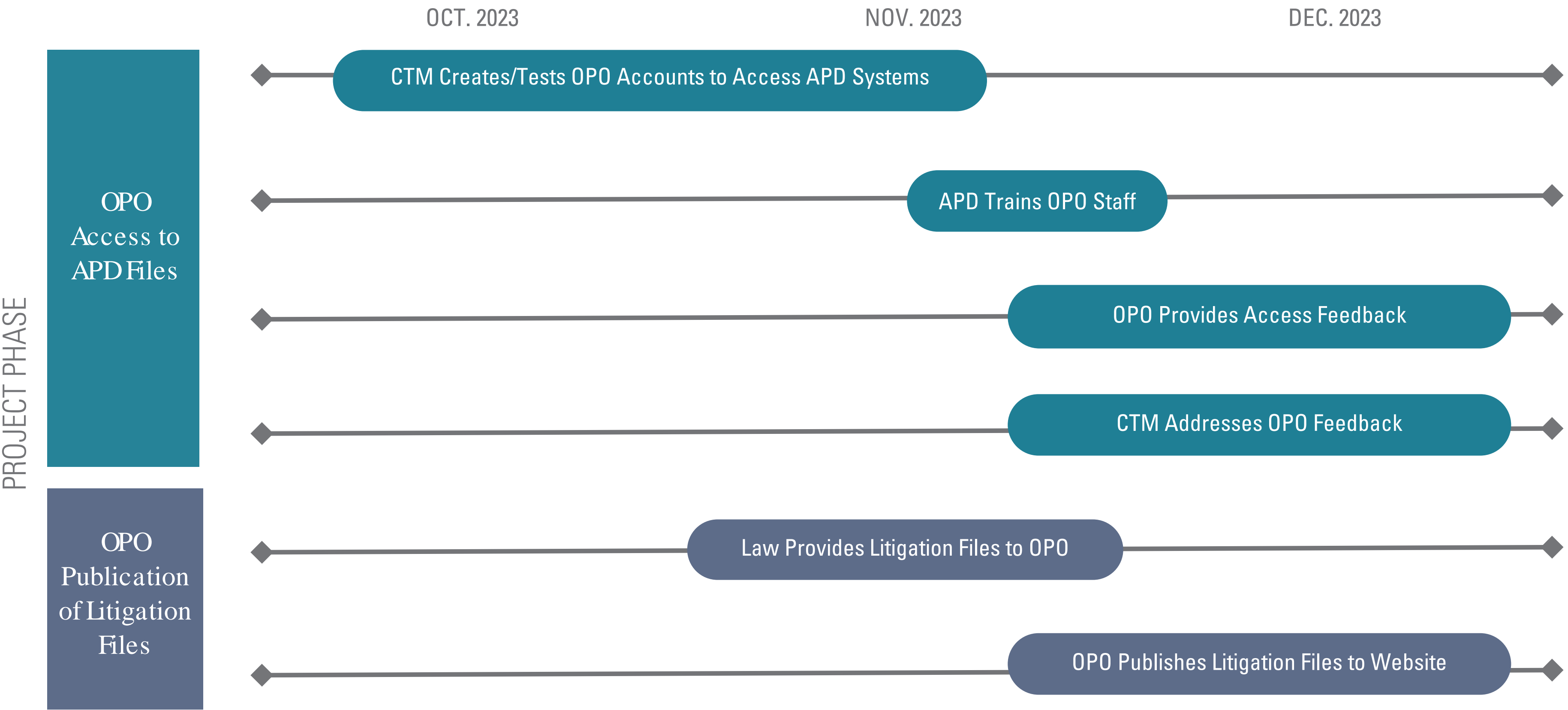
- OPO is in the process of recruiting members for the Community Police Review Commission.



In Progress

- OPO will receive briefings in collaboration with the commission when the commissioners have been selected and complete training requirements.

Timeline for Provisions in Progress



Conclusion

The Office of Police Oversight has made significant advancements concerning both Resolution 99 and Proposition A.

We remain steadfast in our commitment to finalizing ongoing tasks.

OPO will sustain its collaborative efforts with the Austin Police Department to address provisions in progress.



OFFICE OF
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QUARTERLY

POLICE OVERSIGHT IMPLEMENTATION WORKGROUP

November 21, 2023 6:30 p.m. - 7:30 p.m.

Hosted via Zoom

To register, visit ATXpoliceoversight.org





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Questions?

