



# Policy Revision Request

Requestor Name Adrien Chopin (Firearms Sgt) Emp # 7053

This revision applies to Existing Policy 04-29-24

If new, recommended section \_\_\_\_\_

This revision is necessary to comply with Best Practices

Whom does this revision affect? Department

This revision has an unbudgeted financial impact of \$ N/A

### Brief reason for the revision:

An annual qualification is mandated by TCOLE to maintain Peace Officer Licensing. Each year, the Department submits waivers on behalf of light duty officers who have not completed their annual qualification due to the below policy. TCOLE sometime denies these waivers, which leaves the officer in the position to either have their Peace Officer license suspended or violate policy. While an officer with a hand or shoulder injury may have medical orders to not use that body part, an officer with a broken toe should be allowed to qualify without violating APD policy if they have no medical restrictions concerning the drawing and firing of a handgun.

**Document the changes or additions to the policy below. Please include the specific policy number. ~~Red strikethroughs~~ are used for deletions and blue underlined for text insertions. Please email completed forms to [APDPolicy@austintexas.gov](mailto:APDPolicy@austintexas.gov). Use this email for any related questions or issues for policy.**

## 958 Limited Duty, Extended Limited Duty, Return to Work, and Pregnancy

### 958.9 RESTRICTIONS WHILE ON LIMITED DUTY AND EXTENDED LIMITED DUTY

While on Limited Duty or Extended Limited Duty, employees shall not engage in conduct that could possibly hinder their own recovery or safety or the safety of others.

(a) No sworn or civilian employees shall:

1. Drive a City-owned vehicle without supervisor approval.
2. Utilize a take home vehicle without supervisor approval.
3. Participate in any firearms training, practice, or qualifications if there are medical limitations (physical or mental) or restrictions which would prevent employees from using the weapon.
4. Participate in activities that could possibly hinder recovery (e.g., strenuous athletic activity).

5. Work any secondary employment that is inconsistent with any medical limitations or restrictions.
  6. Work any secondary law enforcement related employment (LERE).
- (b) Sworn employees may request to work Department Overtime and Non-LERE secondary employment by completing Form Limited Duty Request for Departmental Overtime and Non-LERE Employment form PD0143 and submitting it to the Risk Management commander at least 7 days prior to the assignment.
1. The form shall specify the duration and duties being performed during the overtime assignment; and
  2. The Risk Management commander shall determine if the duties of the assignment are within the medical limitations or restrictions; and, submit a written response to the requesting employee granting approval or denial of the overtime assignment.
- (c) In addition to the above guidelines, sworn employees shall not:
1. Wear any part of the APD police uniform.
  2. Enforce any laws of the United States, State of Texas, or Ordinances of the City of Austin.
  3. Take law enforcement action or make arrests.
  4. Carry a firearm unless:
    - (a) It is concealed; and
    - (b) There are no medical limitations or restrictions which would prevent employees from using the weapon in an authorized manner.
  5. Display their police badge or identification card, either on-duty or off-duty, in a manner that may identify them as a police officer.
    - (a) This provision does not supersede the requirement that all Department employees must display Department issued identification while on Department premises.