



**Public Safety Committee
MINUTES**

**REGULAR MEETING
April 27, 2015**

The Public Safety Committee convened in a regular meeting on Monday, April 27, 2015 at 301 W. Second St. in Austin, Texas.

CALL TO ORDER:

Chair Zimmerman called the Board Meeting to order at 4:15 p.m.

COMMITTEE MEMBERS IN ATTENDANCE:

Don Zimmerman, Chair; Greg Casar, Vice Chair; Ora Houston; Leslie Pool

1. APPROVAL OF MINUTES

The Committee approved the minutes by a unanimous vote.

2. CITY STAFF, CITY OF AUSTIN MUNICIPAL JUDGE, AND CITY OF AUSTIN CHIEF PROSECUTOR BRIEFINGS REGARDING NAMING A PERMANENT CLERK TO REPLACE RETIRING MUNICIPAL CLERK REBECCA STARK, AND POSSIBLE RESOLUTION DISCUSSING GOVERNANCE AND MANAGEMENT OF COURT PERSONNEL UNDER GOVERNMENT CODE CHAPTER 30, SEC. 30.000009 (c) AND (d).

Human Resources Director Mark Washington and staff provided an update on the stakeholder engagement, process and timeline related to the appointment of a new Municipal Court Clerk. Human Resources requested the Committee to determine if the process and timeline, as outlined, were reasonable.

Committee Member Houston stated that she did not see the ability to work with a diverse staff as part of the candidate profile. Mr. Washington indicated where it was in the presentation and indicated that the Austin Police Association stated that was a priority for them, too.

Chair Zimmerman asked for clarification on the reporting structure for the Clerk, as outlined in Government Code Chapter 30, Section 30.000009 (c) and (d). Mr. Washington deferred to the Law Department and attorney Lee Crawford. Mr. Crawford indicated that the Government Code citations are correct; there are no known ordinances that speak to the issue but added that the annual Budget ordinances also deal with the staff issue.

Presiding Judge Sherry Statman provided some background on the history of the Municipal Court Clerk position and well as information on the preferred qualifications for the next Clerk. Chief Prosecutor Bianca Bentzin provided some context for the Government Code citations, and

Downtown Area Community Court Judge Michael Coffey provided some information on the climate and structure of Municipal Court and the office of the Clerk.

In response to Committee Members questions, Judge Statman responded that the City of Houston has a Court Director position, but she is unsure about the City of San Antonio. Committee Member Houston also asked if the Clerks have any criminal liability related to the performance of their job duties. Attorney Crawford indicated that they do not, as long as they don't go against state law. Vice Chair Greg Casar asked the presenters if there was anything other than a resolution that they wanted from the Committee or from Council. Judge Statman indicated that it would be helpful to get clarification on how the Downtown Austin Community Court fits in with Municipal Court and the need to reevaluate where the Clerk of Court positions needs to go.

Amber Vasquez Bode, of the Austin Criminal Defense Attorney's Association, said she agreed with the presenters and shared insights on some of the challenges defense attorneys encounter with Municipal Court and the Clerk's office.

Ms. Houston reiterated the need to add cultural competency to the list of desired traits for a new Clerk and Vice Chair Casar added that he wanted to make sure that the next Clerk was familiar with all the diversity in Austin, including language.

Chair Zimmerman asked Mr. Washington to provide a summary of the process and the Committee discussion so it could be shared with the public via the Council Message Board.

3. STAFF BRIEFING, INVITED TESTIMONY, AND POLICY DISCUSSION REGARDING POLICE BODY CAMERAS INCLUDING AUSTIN POLICE DEPARTMENT'S REQUEST FOR PROPOSAL DEVELOPMENT UPDATE.

Assistant Police Chief Jason Dusterhoft began his presentation by clarifying that the Department has not put out a Request for Proposals, merely a Request for Information, which will guide the development of the RFP. He noted in his presentation that there is currently 100 percent deployment of cameras on police vehicles. He said the courts have access to them. One of the challenges for implementation of body cameras is that some of them are bulky, they can be slow and there are often technological challenges. He said that some officers are using personal body cameras purchased at their own expense. The RFI yielded 17 potential vendors. He noted that there are bills in the Texas House that might help with costs in a very limited way. He said it would take one to two months to develop an RFP, then an additional 4-6 months to review those proposals, and then another 12-18 months to make the actual selection/purchase. He estimated a cost of \$7 million over the next five years. Among the challenges the department would face after the implementation of camera use would be the additional manpower for redacting information as a result of Public Information Requests, establishing sound protocols and providing good training for officers. He said the retention schedule for the camera footage would mimic that currently in place for the dashcams.

Police Monitor Margo Frasier indicated that there is a great need for body cameras and that their use would provide additional needed transparency. She advised the Committee and the Police Department not to rely on the Texas Legislature for funding. She said most of the funds made available related to racial profiling actually went to purchase vehicles. She also advised the

Police Department work with stakeholders on developing policies related to the use of the cameras. She cited research that use of cameras tends to drive down citizen complaints.

Chair Zimmerman indicated the need to use best practice lessons from other cities rather than merely rushing to use cameras in response to an event. He noted that because of the speed at which technology changes, there is a need to be thoughtful and deliberate when implementing such a system. Ms. Frasier said she was concerned by the Police Department's two-year implementation timeline.

Committee Member Pool asked the Police Department about who might be included to help draft a policy and if it would be advisable to start with small pilots and then tease out concerns that might surface. Assistant Chief Dusterhoft indicated that the Office of the Police Monitor would have input in the draft policy and said responded that walking beat officers would likely be the first to use the cameras. Committee Member Pool stated that public education will play a huge part in the success of a rollout. Committee Member Houston asked for additional information on who might be involved drafting a policy for the cameras. Assistant Chief Dusterhoft replied that the Austin Neighborhoods Council and the NAACP would be involved, because of a desire on the part of PD to address legitimate concerns now during the policy development stage. He indicated that PD is reviewing existing policies of other departments currently. Chair Zimmerman asked if a goal might be to have something ready for the 2017 budget process and Assistant Chief Dusterhoft indicated that was a reasonable timeframe and that policy review can run at the same time as the RFP process.

Debbie Russell of the ACLU voiced that organization's support for body cameras. She encouraged the Committee to not let the process drag on for too long. Nelson Linder of the NAACP expressed that organization's support for body cameras. Committee Member Pool asked if the NAACP would be willing to get involved in crafting policy for the use of the cameras. Mr. Linder said it would, but said that the cost should not be the determining factor in when or if the cameras would be implemented. He said the issues involved trust and integrity and there was a sense of urgency.

Vice Chair Casar thanked all of the presenters for their information and said he was encouraged that everyone is on board for the implementation of body cameras for police officers. He also noted that body cameras are just one step, there is a lot more than can be done to address police-community issues.

Chair Zimmerman asked Mr. Linder if, in terms of accountability, it might be better for the Office of the Police Monitor to report directly to City Council; Mr. Linder agreed.

Antonio Buehler of the Safe Streets Project said he is in support of the use of body cameras, but urged that the City not move too quickly to give the illusion of accountability. He also provided four safeguards the Police Department should use if cameras are used:

- 1) APD can never turn them off
- 2) Severe penalties for disabling cameras
- 3) Officers cannot review cameras before writing reports
- 4) Access can't be controlled by APD/should be third-party servers

Chair Zimmerman asked Mr. Buehler if the APD timeline is reasonable. Mr. Buehler indicated that it was.

4. STAFF BRIEFING, INVITED TESTIMONY, AND POLICY DISCUSSION REGARDING THE RECLASSIFICATION OF THE AUSTIN FIRE DEPARTMENT FIREFIGHTERS POSITIONS AND ITS EFFECTS ON THE WILDFIRE DIVISION.

Assistant Chief Tom Dodds gave an overview of the reclassification of positions as it relates to the Wildfire Division. Division Chief Palmer Buck gave a presentation that provided context for the division. Committee Member Houston asked the number and location of the 10 Firewise Communities. Division Chief Buck responded that the majority of them were in Western Travis County. He also stated the Division recently received national recognition for its outreach to Spanish speakers. Committee Member Houston said she would like to see that program extended to East Austin.

Chair Zimmerman said the Department appears to have good plans, but they are not being implemented. He cited a Jester Estates fire break near tennis courts, but said trees were too close to nearby homes. Division Chief Buck responded that they continue to work within the parameters of the Balcones Canyonlands Preservation Project. Chair Zimmerman responded that the BCCP property is unmanaged and clarified concerns that homeowners can't mitigate their land. Division Chief Buck said that the Division continues to work within its limitations.

Committee Member Houston expressed concerns that there no fire breaks on the East side of Austin and Committee Member Pool asked what education efforts have taken place in other communities. Justice Jones responded that Western Travis County has a low frequency of fires, but they tend to be more intense. He said Eastern Travis County has more fires, but they are less intense and that the department is doing a pilot to increase its outreach efforts.

Committee Member Pool suggested the Division also look at areas north of U.S. 183. She also invited the Division to a Town Hall Meeting at 10 a.m. on May 16 at St. Albert the Great Catholic Church. The Division said that they are also participating in a symposium at the J.J. Pickle Research Center. Committee Member Houston requested they consider a comparable event somewhere in District 1 because of the lack of public transportation to reach the Pickle Center. Chair Zimmerman said he was initially concerned the change would cut the Division. But he said the department said that it was not so.

Bob Nicks of the Austin Firefighters Association made a presentation to the Committee that showed that the reclassifications result in a loss of an opportunity to diversify the top ranks of the department. He also said that the Department presented faulty information and a false sense of urgency to Council.

Ms. Houston and Vice Chair Casar thanked everyone for their presentations.

Former firefighter and current member of the Public Safety Commission Randy Moreno said he was concerned about the disbanding of a division and the loss of uniform personnel as well as the lost opportunity for diversity.

5. CITIZEN COMMUNICATION.

Isla Waters spoke in support of the use of body cameras.

Monica Brieger spoke in support of use of body cameras.

Andrew Bucknall spoke in use of body cameras.

Randy Moreno spoke against the reclassification of positions for the Wildfire Division.

Jim Von Wolske spoke out in favor of allowing landowners to eliminate cedar trees from their property to prevent and control wildfires.

NEXT MEETING

To be determined due to the Memorial Holiday.

ADJOURN

Chair Zimmerman adjourned the meeting at 7:02 p.m. without objection.

The minutes were approved on this the 26th day of May 2015 on a unanimous vote.