



BOARD/COMMISSION RECOMMENDATION

Human Rights Commission

Recommendation Number 20200622-002a: Office of Police Oversight Complaints

WHEREAS, the City of Austin Police Department (hereinafter APD) exists to serve the community of Austin, Texas; and

WHEREAS, The City of Austin's Office of Police Oversight's mission is to provide impartial oversight of the Austin Police Department's conduct, practices, and policies to enhance accountability, inform the public to increase transparency, and create sustainable partnerships throughout the community; and

WHEREAS, The City of Austin Office of Police Oversight exists to promote an atmosphere of earned trust between the community and the Austin Police Department; and

WHEREAS, The City of Austin Office of Police Oversight makes recommendations to the City Manager and to APD about individual incidents and investigations, as well as broader policy recommendations, and

WHEREAS, the City of Austin's Office of Police Oversight was created in order to ensure community concerns and/or complaints about potential police misconduct are heard, investigated, and resolved; and

WHEREAS, It has been has reported in the media that community complaints are vetted by OPO and when sent to the APD they do not lead to an automatic investigation by the APD Internal Affairs Division; and

WHEREAS, complaints are vetted by the Office of Police Oversight, sent to APD are not immediately investigated by APD Internal Affairs, but instead are re-reviewed by APD Internal

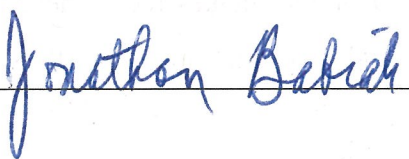
Affairs staff, resulting in less than 1/3 of complaints sent by OPO since January 2020 being investigated by APD Internal Affairs; and

WHEREAS, when community members who have demonstrated courage in bringing forth their complaint of misconduct they should at the very least receive procedural justice for their complaint.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council compel City Manager Spencer Cronk to direct APD Chief Brian Manley to initiate automatic investigations of vetted complaints received from the Office of Police Oversight. Chief Manley shall be directed to treat external formal complaints from the Office of Police Oversight in the same manner as APD handles internal complaints. Furthermore, Chief Manley shall be directed that it be compulsory that complaints received by APD from the Office of Police Oversight be sent to APD Internal Affairs for investigation and action.

Date of Approval: June 22, 2020

Record of the vote: 11-0; Chair Davis motion, Commissioner White second. Voting in favor were Chair Davis, Vice Chair Jamarr Brown, Commissioner Breckenridge, Commissioner Garry Brown, Commissioner Caballero, Commissioner Casas, Commissioner Griffith, Commissioner Museitif, Commissioner Santana, Commissioner Weigel, and Commissioner White.

Attest:  _____

Jonathan Babiak

Staff Liaison, Human Rights Commission