



BOARD/COMMISSION RECOMMENDATION

Hispanic Quality of Life Commission

Recommendation Number (20200824-3b): Leadership of the Austin Police Department must uphold and demonstrate anti-racist, anti-bias values that the community, City Council, and our City of Austin Leadership expect

WHEREAS, it is the value of the City of Austin to be an inclusive city for all of its citizens including those of diverse racial, ethnic, religious, and national origin backgrounds;

WHEREAS, the City of Austin had called for an adequate response from the Austin Police Department following the shootings of Mauris DeSilva (July 2019) and Mike Ramos (April 2020), both incidents involving Officer Christopher Taylor;

WHEREAS, in the Joint Report: Analysis of APD Racial Profiling Data dated January 2020, the City's Office of Police Oversight, Office of Innovation, and Equity Office jointly evaluated APD's Annual Racial Profiling Report from 2018 in the context of the City Council's Strategic Direction 2023 (SD 2023) priority indicator of Fair Administration of Justice and concluded that "Black/African Americans and Hispanic/Latinos are increasingly overrepresented in motor vehicle stops from 2015-2018. White/Caucasians are increasingly underrepresented during the same time period;" "Data from 2018 shows that Black/African Americans are disproportionately overrepresented in cases when their race is known by officers before the stop compared to cases when their race is not known before the stop.;" and "While African Americans have the largest disproportionality, Hispanic/Latinos have similarly concerning trends, and APD should work to bring these disparities to zero in the same timeframe.;"

WHEREAS, the Office of the City Auditor Impact of Community Policing Efforts audit, dated May 2020, found mixed results when they reviewed how APD's efforts have affected APD's relationship with the community, and state "One possible reason why the results of APD's community policing efforts have been mixed is that community policing efforts address issues of culture, trust, and confidence both within APD and between APD and the public. Recent issues suggest there are deeply rooted challenges APD must face to create a department-wide culture that is fair, impartial, and procedurally just, which APD states it is aiming for in its community policing policy.;" and "While APD's community policing efforts since 2016 appear to have helped establish a foundation to support community policing goals, APD must address these issues and then continue to build on the foundation they have built to produce the change that they and the community want.;"

WHEREAS, the audit report's APD Employee Survey shows more officers disagree with the following statements now (2019) than in the 2016 survey: "APD provides a high level of law enforcement service to the residents we serve; APD improves the quality of life in the City; APD has the support of the community; APD's approach to providing community policing is right for Austin; APD's organizational structure provides for coordination of service delivery to the community; The Academy does a good job preparing new officers for effective service to the community; APD's field-training program does a good job preparing academy graduates to effectively serve the community";

WHEREAS, the 2018 Officer-Involved Shooting Report, dated June 2020, indicates: 1) 5 officer involved shooting incidents determined to be fatalities were caused by police and all incidents involved Black and Latinx individuals; 2) the southeast region of Austin experienced the highest concentration of OIS incidents; 3) City Council District 2 had the highest concentration of OIS incidents; 4) Latinx individuals were disproportionately impacted by OIS incidents; and 5) 25 of the 33 officers involved in OIS incidents were white males;

WHEREAS, the 2018 Officer-Involved Shooting Report, dated June 2020, further indicates that the APD was involved in 12 officer-involved shooting (OIS) incidents in 2018, a historically high number, and they identified the following patterns: 1) Failure to use de-escalation tactics in many of the incidents; 2) Failure to use "less-lethal" force options in all but one incident; and 3) Disparate concentration of officer-involved shooting incidents affecting Black and Latinx individuals, as well as in areas of Austin that are historically minority-majority;

WHEREAS, the Austin Police Department has a history of delaying release of videos and information due to possibility of impacting trial, yet Austin Police Association President Ken Casaday tweeted inappropriate, insensitive, and unethical materials regarding the shooting death of Garrett Foster, less than 24 hours after the shooting death and before scheduled APD briefing later that day;

WHEREAS, Ken Casaday tweeted an apology, that centered himself, several days later after complaints; however, his tweets were already seen by members of the public and will continue to be seen due to circulation of screen shots, causing issues if and when the case goes to trial;

WHEREAS, our Commission has had and continues to have growing concerns over the ability of the Austin Police Department to keep our communities of color safe;

WHEREAS, it is the responsibility of the leadership of the Austin Police Department to make all communities in Austin feel safe and respected;

WHEREAS, on June 8, 2018, City Manager Spencer Cronk gave a memo to the Mayor and Council regarding Austin's next police chief, and stating, "There were concerns raised by citizens who questioned whether or not he (Manley) is able to bring about a cultural change in the department and around areas of community policing, oversight and accountability. This concern was primarily due to his internal candidacy status and the uncertainty of whether or not an internal candidate can be an effective change agent;"

WHEREAS, on April 17, 2020 City Manager Spencer Cronk released the results of an investigation conducted by Tatum Law that found that there were issues surrounding equity, fairness, and fear of retaliation within the Austin Police Department;

WHEREAS, on June 11, 2020, Austin City Council approved RESOLUTION NO. 20200611- 095 which put a ban on chokeholds or strangleholds, officers shooting at moving vehicles, and the use of tear gas and impact munitions on people exercising their First Amendment rights. It also limits no-knock warrants, and the use of facial recognition technology by police, requires de-escalation tactics in all circumstances, and delays the July APD cadet class until the training curriculum is overhauled;

WHEREAS, on June 11, 2020, Austin City Council approved RESOLUTION NO. 20200611- 050, which set a goal of zero racial disparity in traffic stops, zero racial disparity in arrests and citations that result from traffic stops, zero use-of-force incidents, and zero deaths at the hands of APD officers;

WHEREAS, RESOLUTION NO. 20200611-096 approved on June 11, 2020 by City Council, states that “more than two dozen community leaders presented a letter to City Council demanding that the leadership at the top of our city's public safety system be replaced with individuals who support and are willing to enact the reforms passed by City Council;

WHEREAS, the elected members of City Council were forced to take measures the Austin Police Department Leaderships should have taken, and the City Council have no confidence that current Austin Police Department leadership intends to implement the policy and culture changes required to end the disproportionate impact of police violence on Black Americans, Latinx Americans, other nonwhite ethnic communities, and returning and low-income residents”; and

WHEREAS, Austin has a real opportunity to start the process to bring real equitable changes into Austin; and

WHEREAS, the Hispanic/Latino Quality of Life Advisory Commission’s purpose is to advise the City of Austin on Hispanic/Latino quality of life;

NOW, THEREFORE: BE IT RESOLVED BY THE HISPANIC/LATINO QUALITY OF LIFE RESOURCE ADVISORY COMMISSION: In accordance with City Council Item 96 on the June 11, 2020 City Council Agenda, in which all of Austin City Council has lost faith in current leadership, we demand the Austin Police Department implement real equitable changes that Austin needs and deserves, and be in monthly communication with the Quality of Life commissions about these changes; and

BE IT FURTHER RESOLVED: The Austin Police Department leadership should be in alignment with the goal of making this a more just and fair city. Thus, the City Manager must be vigilant about making sure that all police leadership is vetted to the fullest extent possible to highlight any concerns regarding racism, sexism, homophobia, or transphobia. Furthermore, since our Chief of Police is not meeting the needs of making Austin a more just and fair city and he is not an “effective change agent” within the department, we fully support City Council continue to demand Chief Manley resign. We also demand the resignations of the failed public safety leadership Chief of Staff Troy Gay and the civilian management lead Assistant City Manager Rey Arellano.

BE IT FURTHER RESOLVED: If Chief Manely does not choose to resign, we fully support City Manager Spencer Cronk demote Chief Manley and replace him with leadership that shares the values of our city. Similarly, if Chief of Staff Troy Gay and Assistant City Manager Rey Arellano do not resign, support their demotions.

