

AUSTIN CITY COUNCIL

MINUTES

FOR

SPECIAL WORK SESSION

SEPTEMBER 14, 1979

6:00 P. M.

Mayor McClellan called the meeting to order, noting that all Council members were present. Also present were City Manager Dan Davidson and Police Chief Frank Dyson.

The following individuals who had been invited to attend the work session were also present: Miguel Guerrero, Alicia Mitchell, Monsignor Lonnie Reyes, Dr. Charles Urdy, Dorothy Turner, Delores Duffie, Mary Nell Garrison, Spencer Blain, Rev. Bob Breihan, Rev. Freddie Dixon, Royal Masset, Larry Jackson, Rev. James Obey, Ray Dell Galloway, Ruth Epstein, Ora Houston, Charles Miles, Ed Wendler and Volma Overton.

Mayor McClellan stated that the purpose of the meeting was to discuss police-community relations. The Mayor then asked City Manager Davidson to introduce Chief Dyson who would brief those in attendance on the City's Police-Community relations.

City Manager Davidson said that Chief Dyson was selected from 56 applicants and that the selection process was extensive. Before that process began Mr. Davidson had sent letters to 164 organizations in Austin asking what criteria should be used to select the next Chief of Police. He had received over 76 responses which often mentioned human or community relations. As a result, the selection criteria leaned heavily on the sensitivity of the individuals toward minorities within the City. Interviews with Dallas citizens concerning Chief Dyson's sensitivity in the field of police-community relations was one of the major factors which determined his selection. Mr. Davidson pointed out that many of the people present contributed to the selection criteria in determining the Chief of Police.

After an exchange between Mayor McClellan and Paul Hernandez during which time the Mayor invited Mr. Hernandez to participate in the work session, Mr. Hernandez declined to participate and then left the meeting.

Chief Dyson next presented the following briefing:

"I appreciate the work of those who have brought about this meeting and I sincerely hope it will provide a basis for progress toward what I believe is our common goal--the very best law enforcement for all citizens of Austin.

In recent weeks a number of charges, both responsible and irresponsible, have been levelled against the Austin Police Department. What I hope to accomplish this evening is to provide sufficient information to allow us to separate the responsible from the irresponsible and to begin efforts to improve in those areas where we are found to be deficient.

(CHIEF DYSON - Continued)

Many questions from those who I consider responsible community leaders have centered on our training staff and its effort in providing quality officers for Austin. But before we can look directly at the Austin Police Department's training effort, I must outline our recruiting and selection procedures since they are the enormously important first steps in providing quality law enforcement personnel for the Austin Police Department.

Throughout my discussions I will refer to Civil Service law, or 1269M, which is the State Civil Service law applicable to Austin Police and Fire personnel which provides a rather specific framework for the selection, promotion, and disciplining of covered personnel. One of the most basic constraints imposed by 1269M is that competitive examinations must be used in the selection process and historically these tests have had an adverse impact on members of minority groups. Searching for a solution to this problem, in 1977 we adopted a test developed by the Texas Commission on Law Enforcement Officers Standards and Education, but it became obvious after only one use that the Commission's test had an even greater negative effect on minority groups than did the previous exams. Not until we located and adopted the test provided by the International Association of Chiefs of Police did we begin to see a reversal of this negative impact on racial minorities.

While searching for a more acceptable exam, we also changed the method of scoring the cadet oral interview in an attempt to place more emphasis on the applicant as an individual rather than to continue relying as heavily on the written exam as had been the practice prior to 1977. Under the new procedure, the oral interview which previously was strictly pass/fail is graded numerically and comprises 75% of the final score with the written exam providing the remaining 25%.

In a further attempt to provide the maximum opportunity to minority and female applicants, we elected to concentrate all our active recruiting efforts at these groups. No further efforts to recruit white males was to be made. We did not ignore white applicants, we simply did not seek them out on the high school and college campuses and through the media as we did the minorities and females. As a result of these efforts a number of encouraging signs are beginning to appear.

In 1977 just over 13% of our commissioned personnel were racial minorities or females while at present, less than two years later, almost 22% of the force is composed of these groups--an increase of almost 62%.

In 1977 only 9% of the Black and 30% of the Mexican American applicants passed the written examination. At present these figures have been raised to 44% for Black applicants and 71% for Mexican American applicants.

In 1977 almost 60% of those taking the written exam were white males while recent figures show that more than 50% of the applicants are now minorities or women.

The cadet class presently in training is composed of more than 42% minority or female members while the entire eligibility list from which the next cadet class will be drawn contains almost 40% racial minorities or females.

(CHIEF DYSON - Continued)

I stress our efforts in recruiting because I sincerely believe that experience has shown that the true, lasting answer to the goal of providing police officers who are sensitive to all community members is to build a police agency whose make-up reflects that community and this is our primary goal. We are not yet there but I believe we have made good progress particularly in view of the constraints imposed by State Civil Service law.

As I mentioned earlier, many questions have been raised concerning the extent and direction of our training effort but before I discuss this area I would like to take this opportunity to introduce the present Austin Police Department training staff. And I hope I don't overlook anyone, but I want very much for you to meet these individuals who are active, full-time in the training effort of the Austin Police Department:

Major Mike Belvin, who commands the Training Division as well as a number of other Divisions.

Captain Bobby Shirley, Director of the Training Division

Lieutenant Louie White, in charge of cadet training

Lieutenant John Ross, in charge of in-service training

Sergeant Delbert McCullough, cadet training

Sergeant Jerry Spain, in-service training

Officer Harvey Hightower, cadet training and counselor

Officer Calvin Smith, instructor and counselor, cadet training

Officer Alvin Shaw, instructor and counselor, cadet training

Officer Sandra Slater, instructor and counselor, cadet training

Allen Dietz, staff psychologist

Dr. Rick Bradstreet, staff psychologist

These are full-time members of the training staff of the Austin Police Department and not only are they here to provide me the pleasure of introducing them to you but also to hear some of the comments you will be sharing with us later on in this work session.

In 1977 our full-time training staff consisted of one lieutenant who coordinated all training with the actual training being conducted by personnel from other units throughout the Department. Presently our training section consists of twelve full-time personnel devoted to cadet and in-service training and we have hopes of adding an additional officer in the upcoming budget year. But let me be more specific about our cadet training efforts.

Under present Texas regulations from the Texas Commission on Law Enforcement Officers Standards and Education, individuals wishing to be commissioned Texas peace officers must complete 240 hours or 30 days of classroom training. Current Austin Police Department requirements total almost five times that or more than 1,000 hours or six months of training for receipt of an Austin commission. As you would expect a great number of subjects are covered during these over 1,000 hours from constitutional law to traffic stops; from crisis intervention to ethnic cultures; from stress control training to rape victim interviews. Almost 20% or 200 hours of the training is concerned with some aspect of dealing more effectively with the public and community groups.

(CHIEF DYSON - Continued)

While I believe we are doing a great deal more than the minimum at present, we are always sincerely looking for new methods and courses to strengthen our training and help officers, new and experienced, deal more effectively with those they seek to help. It is in this area that I have my greatest hope for assistance from this group.

As a feature of police officer selection and training much has been said about utilizing psychologists and psychological testing in selecting those individuals who will make the best police officer. I concur with that ideal and APD has had for more than two years two full-time psychologists on our staff. Dr. Bradstreet who you met previously works primarily with training matters while Mr. Allen Dietz assists in counselling and stress training. I know of no other department of comparable size with two full-time staff psychologists.

But while these two individuals are a great plus for our Department, the goal of 100% accuracy in psychological screening is far away if indeed it is ever attainable. The problem centers on the fact that no authoritative answer exists in the realm of psychology to the question of what psychological traits make the ideal police officer. We have administered basic psychological tests to our officers for many years. These have increased in number and sophistication in the past two years, but we still do not have an adequate answer. We are also working out details on implementing a program of psychological testing prior to assignment of officers within the Department. While this effort is subject to the same limitations which I previously outlined, I believe it is important to note that we are looking and have been looking for assistance in the psychological testing field for many years before the Texas Legislature attempted to address the issue in its last session.

Another area I feel compelled to address is that of change within police departments. Many paint the picture of police departments as static institutions gloved in tradition and arbitrarily resisting change in any form. I just do not believe that an objective review of the facts will support that picture in Austin. In the past two years some of the changes we have instituted are:

- (1) Creation of walking beats;
- (2) A complete rewrite of all Departmental general orders and addition of new orders;
- (3) Adoption of a team policing project;
- (4) Employment of two full-time psychologists;
- (5) Involvement of all levels in management through creation of Departmental committees and weekly general staff meetings;
- (6) Expansion of training and internal affairs staff;
- (7) Creation of the Court Coordinator Office;
- (8) Establishment of a general assignments detail;
- (9) Institution of college and advanced training incentive pay;

(CHIEF DYSON - Continued)

- (10) Establishment of a Public Information Office;
- (11) Creation of the Career Criminal Unit;
- (12) Creation of a Crimes Analysis Unit;
- (13) Creation of a Multi-County Organized Crime Unit;
- (14) Revamped recruiting and selection procedures;
- (15) Creation of a motorcycle unit.

These are only a few of the programs we have tried. Some have been very successful, others less so, but the important point is that we are willing to try even if there is only a limited chance of success.

A program which I will be asking the Council to fund in the upcoming budget is the creation of a full-time minority liaison position for my office. It is my hope that such an individual will help create new unobstructed lines of communication between my office and the minority community.

I would just like to add that Mrs. Whatley of the NAACP Executive Board is the one who first made that recommendation to me and I think it has a lot of merit.

I also intend to renew a request first made two years ago for funding to construct a police ministration to serve the East Austin area.

Another item which has been brought out recently for discussion is the idea of a citizen's review board and I believe this subject particularly as it relates to Austin should be discussed and some misunderstandings erased.

The history of citizen review boards has been one of almost total failure. Not because the concept is bad in theory but rather because of the difficulty in finding anyone willing to serve on such a board who does not have a pre-existing interest in the outcome of investigations either anti or pro police. There is also the question of providing experienced investigative staff for the board. Additionally there is a problem of establishing procedures for the board which will guarantee due process to the accused individual whether citizen or police officer, and also not destroy the potential for criminal prosecution. Additionally there would be a legal problem of granting authority to the board which would conflict with State Civil Service law which currently grants authority only to the Chief of Police and the local Civil Service Commission. On the administrative side of police discipline, I fail to see how a civilian review board could function since even the Chief of Police cannot fire an officer. Under current law only the local Civil Service Commission has termination power with the Chief having the power only to reprimand or suspend an officer. In either case the officer has an automatic right of appeal to the Civil Service Commission or the State District Court.

But as I have mentioned previously, I do not feel there is a necessity for an additional review board. I feel the best civilian review board which we can find already exists--the local Grand Jury. I would like to point out some of my basic reasons for favoring the use of a Grand Jury for review of police conduct:

(CHIEF DYSON - Continued)

- (1) Clearly they are civilians not connected with the criminal justice system;
- (2) They are reasonably representative of the community;
- (3) They are appointed for relatively short periods of time;
- (4) They have subpoena power;
- (5) They can through the District Judge grant immunity and compel testimony;
- (6) They can initiate independent investigations if they feel the situation warrants such a move;
- (7) They can return criminal indictments; and
- (8) They have wide acceptance in the community.

I find it painfully ironic that many civil libertarians who call for civilian review boards oppose the Grand Jury system on grounds that it is too powerful and results in violations of individual civil rights to representation and due process. It escapes me how they can claim the Grand Jury is too weak to serve as a review body for police conduct and yet is too powerful, violates constitutional rights, and should be abolished. Surely they are not suggesting that police should have less due process--less individual rights in criminal matters than other citizens.

I believe charges that police are all powerful and their actions subject to no review cannot be sustained in an objective examination of the facts. If one considers the departmental regulations, the state and local laws and federal investigations under the Civil Rights Act, police actions come under closer examination than perhaps any group in our society.

In closing my prepared comments I would like to summarize and add some personal comments:

I believe strongly that the best way to teach a better understanding of minority cultures and problems is to recruit and train qualified minorities so as to have a police force which reflects the community it serves. We are not there yet but I believe we are making great strides.

We have a quality training program and I believe any objective examination will confirm that belief. That does not mean that we cannot use help in expanding it and making it more effective in some areas.

We do change and perhaps more than any other organization which has been in existence for as long as has the police function. We will try new approaches if citizens will work with us to develop those new approaches and will support our endeavors.

We have review authority now. Three years ago our Internal Affairs Section consisted of only one lieutenant. We now have four full-time staff and I will be asking the Council to expand our Internal Affairs staff by one investigator during the upcoming budget year. And if that is granted by the Council it

(CHIEF DYSON - Continued)

will permit me to do a lot more pro-active work through the Internal Affairs staff than we have been able to do to this point.

I am also sending members of our Internal Affairs staff to San Diego, California; Albuquerque, New Mexico and Kansas City, Missouri to examine the Internal Affairs units in those cities in an attempt to explore all possibilities for improving our operation.

I said I was summarizing but I feel I must make a point about our Internal Affairs operation. Many question the effectiveness of an Internal Affairs unit and I agree that it takes an especially strong, high quality officer to be effective in Internal Affairs work. They must see that to be less than aggressive in pursuing complaints is the greatest disservice they could do to the Department and their fellow officers--I believe our officers understand this concept. While an ideal goal would be to reduce complaints against police officers to zero, I believe the figures for the Austin police show encouraging signs: In 1975 we received 209 complaints which were investigated by Internal Affairs with 56 of those complaints involving charges of excessive force. Based on a commissioned strength in 1975 of 463 officers, the rate of total complaints per 100 officers was 45 with excessive force complaints running at 12 per 100 officers. In 1976 the rate was 25 complaints per 100 officers with excessive force complaints standing at 4 per 100 officers. The 1977 figures were: Total complaints 24 per 100 officers and excessive force complaints 9 per 100 officers. In 1978, the level remained fairly constant with total complaints of 25 per 100 officers and excessive force showing 9 per 100 officers based upon a strength of 502 officers. Projecting 1979 based upon the year to date, our total complaints will be down to approximately 21 per 100 officers and excessive force complaints to 8 per 100 officers.

I would certainly admit that some citizens are not satisfied with the results of an Internal Affairs investigation but I believe this comes not from lack of an aggressive investigation as is frequently charged but rather from a frequently overlooked fact that we must apply the same rules of due process to the investigation of officer misconduct that we apply in an investigation of criminal conduct by a citizen. We must rely on provable fact rather than emotion or what we "think" we know but cannot prove. In summary, I believe we have an effective Internal Affairs operation now and I believe we have potential for an effective citizen review in the Grand Jury system if we will utilize it.

Perhaps the most crucial point in our entire discussion is the feeling that some police treat Blacks and Browns differently than Whites. I sincerely wish I could tell you that this has never happened in Austin but I cannot. Our officers are humans like all others, subject to the same prejudices of environment and education as other citizens. They do not come to us from a vacuum. There are officers who are ignorant of or misunderstand minorities, their culture and history and this misunderstanding hinders them in their dealings with minorities. I believe these individuals are no more common in police work than in society as a whole and I believe police, like society are improving but we must do all we can to speed this improvement.

(CHIEF DYSON - Continued)

The only method of instituting lasting change which I know to be successful is that which involves all sides talking and, more importantly, all sides listening to others and their problems. If nothing else, history in the past decades should have taught us that rhetoric only produces more rhetoric; shouting only hardens positions and prevents change. All sides must put aside these obstacles if we are to make headway in meeting our goals.

And that last phrase is all important. They must be our goals. In an attempt at taking the first step toward these goals, members of my executive staff will be seeking out leaders in the minority community and holding one to one discussions with them. I believe that these meetings, if kept on a personal basis, can begin to establish mutual understanding of problems on both sides and this understanding can lead to action to correct these problems. But as I have repeated so often, you must work with us.

At this time I want to introduce my executive staff, those who will be meeting one on one with community leaders in the community hoping to provide some interchange of concerns and thoughts:

Assistant Chief George Phifer
Major Kendall Thomas
Major Don Doyle
Major Harvey Gann
Major Mike Belvin

Those are members of my executive staff who will be involved in moving into the community, meeting on a one to one basis with community leaders.

I do not now, have never in the past, and will never in the future condone any less than equal, sensitive treatment for all Austin citizens. I do believe that individual rights should and must mean the same whether the citizen lives in north, south, east or west Austin. In law enforcement for Austin, this is my goal; it is the City Manager's goal; and most importantly it is the City Council's goal and I believe this Council has established a history of working toward and meeting its goals. On a personal level, I have only one basic promise which I or any individual can bring to this discussion and that is a promise to listen and do all within my power to work with you."

Mayor McClellan thanked Chief Dyson for his presentation and then opened up the meeting for discussion.

Volma Overton first expressed his regret that Paul Hernandez did not stay for the meeting. He felt that the problem in prosecuting police misconduct did not address itself to the Police Department as such or the Chief of Police but to the actions of officers in a certain circumstance. Cases should be acted upon based on their merits and the police involved. The purpose of the meeting should be to develop communications techniques for sensitizing police executives and

police officers in the criminal justice system as to the problems of the Black community. Effective means and strategies should be established to deal with racism in the criminal justice system. Mr. Overton proposed that the City Council establish a fire arms policy and establish a jurisdictional liability for the excessive use of deadly force by law officers. He supported the establishment of a civilian review board with authority to formulate changes and policy within the Department, which would answer to the citizens of Austin. The board should have rules and powers to subpoena and cross-examine and have findings which were binding on the Internal Affairs unit of the Police Department. He opposed the establishment of a police sub-station in East Austin. He felt that a citizen review board would be more effective than the Grand Jury.

Mayor McClellan asked Chief Dyson to review the City's fire arms policy. Chief Dyson stated that in his opinion Austin had one of the strongest fire arms policies in the State of Texas. Present City policy would not permit an Austin police officer to take action which was permissible under State law. The policy statement was extensive and was open for review by anyone interested.

Charles Miles asked if he could have a copy of Chief Dyson's opening comments, and Mayor McClellan said "Yes."

Mr. Miles also asked if the Grand Jury could do anything other than indict or not indict and was the determination as to the use of excessive force always determined by whether or not something was indictable.

Chief Dyson commented that the Grand Jury ordinarily would hear only cases involving criminal violation. However, administrative action within the Police Department could cover violations less than a criminal violation. With regard to the Couch case, the Grand Jury heard evidence to try to determine the cause of death and whether or not a criminal violation was involved in the death. After the Grand Jury ruling, Chief Dyson said that he took no further action in the death, but did review the officers' actions in the whole affair and determined that they had violated Departmental policy during the incident. He then took administrative action. He did not try to review or take any action based upon what the Grand Jury reviewed concerning the death or any criminal violation.

Jonathan Davis, legal advisor to the Police Department, stated that when a Grand Jury had a situation or set of circumstances presented to it, one of their decisions would be to try to determine if any criminal activity at all was involved. Usually, the Grand Jury was not in the business of providing advisory opinions on a variety of different subjects.

Alicia Mitchell suggested that in the event of a death involving a police officer, that the officer be removed from duty until a full investigation was made and a determination made.

Chief Dyson stated that a suspension in the Police Department was a term extracted from State law and meant that a person had been removed from the payroll in the Police Department and had lost his law enforcement authority. It would be

impossible in most if not all cases for the Chief of Police to suspend an officer pending the outcome of an investigation. Under current Departmental policy an officer is placed on restricted duty following an incident involving serious injury or death. While on restricted duty an officer is assigned to a desk job in civilian clothes and is not on the street in an enforcement capacity. The officer remains in that status until all legal and administrative parts of the investigation are resolved.

Ms. Mitchell felt that as a show of good faith the officer should be taken off duty with pay and not even given an office job.

Chief Dyson did not agree and felt that at least some work could be gotten out of the officer while on restricted duty.

Ms. Mitchell asked who comprised the Internal Affairs unit and who did they work directly under.

Chief Dyson said that the Internal Affairs unit was composed of Lt. Bobby Simpson who was in charge, Sgt. Lemuel Hunter, Sgt. Jay Eads and an administrative secretary. The unit reported directly to Chief Dyson, and was a full-time operation with no other duties. Currently there was one Black sergeant and one White sergeant. Chief Dyson was requesting one additional sergeant in the upcoming budget and if granted, would add a Mexican American sergeant to the unit.

Delores Duffie felt that cadets were not getting enough sensitivity training and wondered if more such training could be given. She stated that prior to Chief Dyson's appointment people from the community used to address the cadet class whereby there was an interchange of feelings. She did not know how effective the program was, but asked why it was eliminated. She also asked for clarification as to why some officers were suspended while others were placed on restricted duty.

Chief Dyson agreed that more sensitivity training was needed, both in cadet training and in-service training. The problem was to determine the kind of training which would be effective rather than turn people off. The Department presently was undergoing stress training which the Chief thought was a type of sensitivity training. The training staff was actively pursuing ways to increase sensitivity training.

In response to Ms. Duffie's question regarding how many hours of training were devoted to stress or sensitivity training, Chief Dyson replied that 200 hours were devoted to those parts of the program dealing with interaction between officer and citizen.

Ms. Duffie said that that was not the number of hours given to her by the training staff and she was particularly concerned with the amount of sensitivity training being given which related only to the minority community.

Chief Dyson said that he could not separate the specific number of hours but wanted to explore the matter with her further or any member of the training staff would work with her.

Regarding Ms. Duffie's question as to why the program of having citizens talk to incoming cadet classes (Project Understanding) was discontinued, Lt. White of the training section said that the project was replaced with stress training because it was felt that stress training would be more effective.

Concerning Ms. Duffie's question on suspension vs. restricted duty, Chief Dyson said that suspension without pay was the same thing as restricted duty. If a person was on restricted duty he was still paid but had no law enforcement responsibility. Suspension meant without pay and no law enforcement authority.

Mayor McClellan then recognized Travis County State Representative Wilhelmina R. Delco.

Reverend James Obey stated that all of the things he had heard so far had been discussed in previous meetings. He was concerned over Chief Dyson's position regarding a civilian review board, police ministration and use of the Internal Affairs unit and the Grand Jury. He asked if citizen input really was wanted, and if so, then citizens must be heard and consideration be given to that input before making decisions.

Mayor McClellan stated that she did not hear as Rev. Obey did that Chief Dyson said how things were going to be. What she heard was Chief Dyson's review of previous and current practices within the Police Department. Under the Council-Manager form of government such policies were largely determined by the Council and the City Manager. She felt that it was appropriate for everyone to have a working knowledge of current practices within the Police Department. She asked Rev. Obey to share any new recommendations with the group.

Rev. Obey referred to Minutes of a meeting held recently at the Police Department and stated that just about everything being discussed this evening was discussed in that meeting. He felt that some of the suggestions made previously should be implemented.

Mayor McClellan asked Rev. Obey to indicate what should be addressed and what was not being addressed. Rev. Obey declined stating that he was being asked to repeat the same suggestions. He was concerned about implementation.

Reverend Freddie Dixon stated that the overall problem in Austin was much bigger than just the police force, that it involved the Capital Improvements Program, employment, housing patterns, the economic system and better relations.

Monsignor Lonnie Reyes felt that the Internal Affairs unit did not have the confidence of the community to investigate certain situations, such as traffic tickets and family quarrels. He felt that it was an important and serious question that people were asking regarding where people should turn when they felt that they were not treated properly by the police in such situations.

Ray Dell Galloway stated that he had been a barber on East 12th Street for 32 years and had seen both sides of the coin. He felt that the only way to solve problems was for citizens and police to sit down together and get to know each other.

Mr. Galloway said that a real community relations program should be started in part through the help of ministers, teachers and the business community.

Charles Miles stated that he had been working with Henry Nobles on proposals which had been implemented in Houston. The first proposal involved the creation of a program whereby people could carry their complaints through the bureaucracy, which in this instance was the Internal Affairs unit. The program involved using paralegals, lawyers and social workers. The group would serve as advocates between the citizens and the Internal Affairs unit and work within the Black and Brown communities.

Mr. Miles' second proposal involved the creation of another group composed of people representing organizations from the entire City to deal with the broad spectrum of police problems and work with the Chief of Police directly to improve police-community relationships within the entire City.

Chief Dyson said that he was not familiar with the advocacy program in Houston.

Councilman Snell then described the program, known as the Public Interest Advocacy Center, a non-profit corporation which was funded in January, 1979 by LEAA. Two offices, each staffed by case workers, were set up with one each in the Black and Brown communities. The case workers take complaints and the legal counsel then determines if a case can be made. After determining that there is a viable complaint, PIAC assists in filing the complaint with the Internal Affairs department with all necessary supporting information. PIAC supplied a representative to the complainant each time there is a police complaint meeting. The police routinely ask PIAC to appear whenever a complaint is called.

Councilman Snell indicated that he and Councilman Trevino had a great deal of other material relating to the program, including cost.

Mayor McClellan thought that the program was a good idea and had no problem with it.

Mr. Miles pointed out that the program had to have the blessing of the City and the police department had to work with the advocacy group.

Councilman Trevino said that the materials on the program had just been received yesterday afternoon. Tentative arrangements were being made to go to Houston to look at the program.

Ruth Epstein stated that she had talked to the Executive Director of PIAC in Houston, Mark Campos. She had mentioned that the Austin Human Relations Commission had a Police-Community Relations Subcommittee. Mr. Campos thought that it was possible for the City Council to instruct HRC to ask for funding to turn HRC or a subcommittee into a PIAC. All that would be needed would be case workers and paralegals. If the Council so chose, those positions could be added to the HRC while a request for funds from LEAA was being processed.

Ms. Epstein pointed out that PIAC in Houston had no access to records of the Internal Affairs Department of the Houston Police Department. On paper Austin's HRC had more power. In a task force report written three years ago there was a statement referring to a policy made by City Manager Davidson with Chief Miles to the effect that it was now Austin's policy to turn over to the Human Relations Commission summaries of ongoing investigations of any cases brought to the Internal Affairs Division of the Police Department. The Police Chief also would go to the Human Relations Commission to answer any questions they might ask about any complaints that had been brought. As far as she knew, the policy still stood.

Spencer Blain felt that there were three choices before the group: (1) extract a pound of flesh, (2) do nothing, or (3) change. He felt that a man's death had given the chance to change. It appeared to him that a committee that had something to say should be funded by the Council. Money should be spent on the ideas presented by Ms. Duffie and by Mr. Galloway. It seemed to him that the community would be willing to pay for it.

Dr. Charles Urdy agreed with Charles Miles' proposal for a PIAC. He also felt that the items proposed by Chief Dyson should be done. He felt that it was important for citizens to have faith in something which ultimately connected them with the police department, particularly minority citizens. Dr. Urdy was in Houston for six weeks this summer and said that many citizens there felt that PIAC was accomplishing something. He did not support putting a PIAC group under the Human Relations Commission, because it should be independent of and not appointed by the City Council.

Mayor McClellan asked if it was correct that the group would be a private, non-profit group which would need the City's cooperation working with the group.

Mr. Miles replied that the City's cooperation would be needed as well as its sanction of the organization, but could not be connected officially with the City Council. The PIAC group should be operated only in impacted areas. The second group proposed earlier by Mr. Miles to be composed of organizations within the City would be separate from PIAC. He did not agree that a PIAC should be operated through the Human Relations Commission. He felt that the group chosen by the Council to attend the meeting tonight could be the catalyst to start solving some of the police-community relations in Austin, especially in the forming of a PIAC. He suggested that Henry Nobles be added to the present group in place of himself.

Reverend Bob Breihan, Chairman of the Police-Community Relations Subcommittee of the Human Relations Commission, agreed with others that a PIAC should not be handled inhouse. He stated that violence was increasing in Austin and that the minority part of the City would feel the effects more quickly than any other part of the City. He suggested that the two proposals by Mr. Miles be followed.

Councilman Snell stated that he would like to charter a bus and go to Houston to talk to the people involved in PIAC. Mayor McClellan felt that it was a worthwhile suggestion.

Delores Duffie wanted to know what the Council felt at that point and if they planned to implement any of the suggestions and if so how would people know.

Mayor McClellan pointed that the session tonight was a work session only and that any action taken would be posted and taken publicly. If the Council agreed on any of the suggestions put forth tonight, then implementation could begin.

Councilman Goodman stated that he could endorse the PIAC concept and agreed that it was time for some definite change. He suggested that a PIAC be involved not only with complaints but also with recognition of good police officers. He favored incentive pay for officers who lived in the neighborhoods that they patrol, with walking beats to be implemented.

Ora Houston said that she did not want to sound pro police, but she was anti crime. She thought Mr. Miles' idea was excellent and she hoped the Council would pursue it with a trip to Houston. She had ridden with the police as a police buddy and wondered how many of the people sitting around the table had also done so. She felt that sensitivity was the issue and that ongoing training in that area was needed. She had not attended the meeting referred to by Rev. Obey and could not respond to his comments. She felt that smaller groups could work better on the problems than a large one.

Larry Jackson endorsed the concept proposed by Mr. Miles for a PIAC, and hoped that the Council would follow up on it. He pointed out that only two groups out of the recent protest coalition were represented at the meeting tonight. He thought that it would cause some serious problems among the demonstrators to serve on anything that would negate the Brown Berets.

Councilman Cooke stated that it was critical that the Council as leaders of the community respond to the present problem. He realized that there was a serious problem in the community and wanted to work to do something about it. He felt that it was his position to listen and then go forth with some action. He echoed the remarks of Councilman Goodman and Councilman Snell concerning Mr. Miles' proposal.

Councilwoman Himmelblau supported Charles Miles' proposal but disagreed with the suggestion to implement that proposal through the Human Relations Commission. She requested that Councilmen Trevino and Snell share their information on a PIAC with the rest of the Council and move ahead on the matter.

Councilman Snell said that he had just been handed a note from a citizen sitting around the table who volunteered to pay for the bus trip to Houston. He felt that that was the spirit everyone was looking for.

Councilman Mullen, speaking to Ms. Houston, said that he had not ridden as a police buddy but did ride four years as a policeman. He agreed that the job of being a policeman was extremely stressful, and that even after training it was hard to remain sensitive after dealing for several years with nothing but criminals, family disturbances and fear for their lives. He agreed that ongoing training was desirable. He also agreed with Mr. Galloway's statement and pointed out that in France there was very close contact between citizens and the police, where citizens actually helped to solve crimes. He felt that in East Austin to a large extent the citizens helped to protect the criminal. He felt that most policemen were good people, but that there were bad people in all areas. Even so, there were enough bad policemen to make the entire force look bad. He believed that Mr. Miles proposal for a PIAC had a great deal of merit and thanked him for it.

Mr. Miles stated that everything that he had said tonight was as a result of being invited to attend. He did not represent the Black Citizens Task Force or the Brown Berets. The Task Force had not formally endorsed his proposal, but he hoped that they would support it.

Mr. Galloway hoped that some form of organization would emerge to carry out the proposal, but suggested that careful thought should be given to the name of the organization and how it would involve citizens and police so that both groups could work with that name.

Mary Nell Garrison commended the Council for calling the meeting and offered her services in the future. She felt that there was a problem and that it should be solved.

Mayor McClellan requested that copies of the Minutes from tonight's meeting be circulated to all participants at the meeting. She also requested that if possible the complete, correct Minutes from the meeting referenced by Rev. Obey also be circulated.

Rev. Obey commented that some important points were omitted from the Minutes of the meeting he attended and he wanted to be sure that they were included in the revised Minutes.

Chief Dyson stated that the meeting referenced by Rev. Obey was purely an advisory meeting. The meeting was not transcribed or recorded and that there was no way now to produce a verbatim account of the meeting.

Mayor McClellan requested Chief Dyson to share whatever Minutes were prepared of the advisory meeting and that Rev. Obey could add to those Minutes if he felt that something important had been omitted. The information would then be circulated to tonight's participants. She next said that the proposed trip to Houston to look at the Public Interest Advocacy Center should be set up in the near future. Anyone interested in making the trip should so indicate.

After reviewing the Minutes of tonight's meeting, Mayor McClellan said that if other suggestions were found that should be pursued then perhaps small groups composed of tonight's participants and non-participants could be set up.

Councilman Snell said that he certainly wanted to see the Council follow up on the bus trip to Houston. He also wanted to see that any Council member who did not select a participant for tonight's meeting be given a chance to do so. He then asked for some remarks from Representative Wilhelmina Delco.

Rep. Delco commented that she attended the meeting referenced by Rev. Obey and that she had already called Lt. White about her concerns over significant omissions from the conversation. She assumed that updated Minutes would reflect those concerns. She said that the two key issues to her were how people perceive the police department positively or negatively with reinforcement by the Council and whether that perception is shared on both sides of the Interregional. She submitted that at this point it was not. There was a difference between in the minds of the citizens the role of the police in disarming or disabling, in patrolling or protecting. When those issues were addressed from the standpoint of how citizens on both sides of the Interregional perceived that with a vehicle for them to address that, great strides would have been made. She felt that Austin was in a better position to do that than any other city in the world, and was personally encouraged.

Ed Wendler commented that if the group met again, that other groups in the coalition which demonstrated should be included in the discussions.

Councilman Goodman stated that if the group did meet again that Henry Nobles should be included.

In conclusion, Mayor McClellan thanked everyone for attending the meeting including the observers.

ADJOURNMENT

The meeting adjourned at 8:30 p.m.