



MEMORANDUM

TO: Mayor and Council Members

FROM: Rey Arellano, Assistant City Manager 

DATE: January 7, 2021

SUBJECT: Update on Magistration Services (Resolution 20200409-030)

The purpose of this memo is to update you on Resolution No. [20200409-030](#) and request an extension to April 30, 2021.

The Resolution, which encourages further reforms to improve equity and end wealth-based detention, directed the City Manager to:

- Engage with Travis County through the working group process described in the Interlocal Agreement, and with the "Who's in Jail and Why?" working group created by the Travis County Commissioners Court, with City's participation. The goal for these meetings is to amend the Interlocal Agreement to create administrative procedures and a physical environment for the magistration process.
- Provide a financial analysis showing the cost to the City of each proposed amendment to the Interlocal Agreement.
- Provide a report to the Public Safety Committee outlining the steps that have been taken to implement this resolution, with additional updates on implementation. These updates should include analysis of the data collected about arrested persons.
- Make such data reports available on the City's public website.
- Work with the Innovation Office and the Equity Office to produce a report on the financial impact that the Travis County pretrial justice system has on Austin residents.

Status Update

Since April 2020, the City Manager's Office has held five (5) workgroup meetings with Travis County and Municipal Court to strategize how we might modify existing magistration administrative procedures to further safeguard arrested persons to the extent permitted by state law. In addition, the workgroup discussed potential amendments that align with the policy

directives responsive to the Resolution that could be incorporated into the Interlocal Agreement and fiscal impacts. Earlier this year, Travis County applied for a funding opportunity from the Texas Indigent Defense Commission (TIDC) for conducting a study pilot of 24-hour legal representation and bond advocacy at magistration. While the TIDC ultimately decided not to fund the pilot, it is still under consideration for funding by Arnold Ventures, a non-profit organization that financially supports innovative criminal justice initiatives across the country.

Additional time is needed to continue examining how the Interlocal Agreement could best be modified in response to the Resolution and to provide a comprehensive update of proposed amendments to the Public Safety Committee.

The Equity Office and Innovation Office have identified data that pertains to the financial impact that the Travis County pretrial justice system has on Austin residents, in particular lower-income residents and residents of color, who are disproportionately arrested. Travis County staff is reviewing what data is readily available and evaluating level of effort for data not currently captured. Both City departments are prepared to review and analyze this data to develop a report that will include key data analysis, such as the amount of money Austin residents have paid and continue to pay to for-profit bail bond companies, and the amount of money Austin residents otherwise pay in secured bail.

Staff requests an extension of April 30, 2021, to finalize a proposal of amendments to the Interlocal Agreement, and to perform data analysis and produce the report. We look forward to providing the Public Safety Committee an update of these efforts.

Please do not hesitate to contact me should you have questions.

cc: Spencer Cronk, City Manager
CMO Executive Team
Judge Sherry Statman, Municipal Court Presiding Judge
Brion Oaks, Equity Officer
Kerry O'Connor, Innovation Officer