

Public Safety Committee Meeting Transcript – 03/28/2016

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>> Zimmerman: Hello, everyone. Thank you for coming to the public safety committee meeting. The time is 4:04 P.M. We're at city hall in the council chambers. I'm don Zimmerman, chairman of the public safety committee. I'm joined about councilmembers Leslie pool and ora Houston. We're going to be joined by the mayor in a few minutes. He wanted to be included on agenda item number 2 so if there's no objection let's take item 3 before item 2. Unless there's any objection to that. So our first item of business here is to review the minutes. And I do have an amendment on the minutes if we could strike the words "Executive session." Is there any objection to that? >> Pool: I'll move that we approve the minutes with the deletion of the heading "Executive session." >> Zimmerman: So there's a motion to approve the minutes removing the words executive session because we didn't have one >> Houston: On page 3 of the minutes I'd like the speakers, the last name is gosh. >> Zimmerman: Gofh >> Houston: Sh, >> Zimmerman: Gosh, gosh. We will make that edit and there's a motion to approve the minutes with those two edits as noted. All in favor? So the vote is 3-0 with councilmember Casar currently off the dais. So that brings us to item number 3 since we're going to wait for the mayor before we do item 2. Item 3, staff briefing, invited testimony and policy discussion. I think -- were we going to do that along with the items.

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Sorry about that, we have a new speaker list. We can do that now. Oh, councilmember Casar just joined us. If you want to go to the speaker list application they've now updated that so we have the same speaker list format we do for regular meetings and I'm showing one win person to speak on item 2, 10 persons to speak on item 3 and 9 not wishing to speak and I don't see any other people signed up for any other issues. So if it's okay with you, do you want to start with our citizens on item 3? Citizen communication? >> Pool: I was going to suggest we take the citizen communication in relation to the agenda items, anyone for two would be on two, three on three >> Zimmerman: That sounds good. Since the mayor has now joined us, is there any objection to going back to the regular order of the agenda? So we're going to pick up item number 2, and item 2, staff briefing on the high-level performance metrics for emergency medical services, Austin fire department, Austin police department, Austin code department. If I could ask for a very, very brief point of privilege. We do have the metrics we're going to point up here that were part of the 2015-16 fiscal year budget. There were 21 items that were put up. If you could put those on the overhead. So we do have metrics and we've been trying to track metrics. We had some metrics that are getting ready to go up that were from the budget. Mr. Mayor, I did find those that you were referring to earlier so we printed those out and they're about to go up on the overhead.

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And there are 21 key items, and I wanted to draw attention to just a couple of them. >> Pool: While we're waiting for, that can you tell us who determined the -- which items were key? >> Zimmerman: My office worked on this if was mostly my chief of staff, Joe Petronis. He has a lot of experience from Dell computer doing metrics. Dell computer is kind of famous for doing metrics >> Pool: Did the staff have any input on the metrics? >> Zimmerman: They did. And we'll hear from them in just a minute, and they can comment on what they think of the metrics. The metrics are our first attempt at coming up with reasonable Numbers that help us get to our goals, and they are a work in progress but they'll be speaking to those too. I tell you what, why don't we go ahead and get started. I think we have some staff from A.P.D. And from AFD that can speak to the metrics. Why don't we jump into that and we have some technical difficulties here right now. >> Pool: Just for further clarification, is this -- did y'all present it on metrics at our last meeting. Is this the same presentation? >> It is. >> Pool: So why would we be doing this with y'all a second time. >> Mayor, council, what we've got here is -- it's the same performance metrics, but the Numbers are the Numbers from January and February of this year, when we presented last it was Numbers from last year. So it's the same metrics that we presented to you before. The data is from January and February of this year.

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>> Zimmerman: Terrific. So do you have -- I guess to answer councilmember pool's question, could you talk briefly about what our collaboration was on trying to come up with metrics? You know, how your department keeps this data and we were looking for a concise way to have, you know, a quick one-page summary of where we are. >> I guess prior to last meeting there were some back and forth between your office and us on identifying the metrics that you believed this committee had an interest in, and based on that this is what was produced. >> Zimmerman: Okay. And I tell you what. Do we have -- I guess that's -- those are different metrics. Could you take those off the overhead. Now we've moved on to something else. Let me find the metrics for the people that are here. Here they are. I'm just going to hand them to the -- >> Pool: So, chief Manley, while you're standing -- while we're waiting, I just have a quick question for you. The items that are on this list that were identified, would these items, for example, be similar to measures that are best practices that we might find, for example, the national league of cities or the conference of mayors might offer up as areas for focus? >> Speaking for the police department, you know, obviously response times are metrics that are very important to us. There are other metrics that are very important that aren't on here such as violent crime rates, property crime rates, things to that effect. I think the metrics that we have here with vacancies, which were an issue, along with the response times, are important, but we have a lot of other ones that are important as well as, such as crime rates, that are not reflected on here. And I don't know how the others feel about that. >> I'd say the same thing. Our response times are important but these are broken down by district per month and some of those are very small

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for highest priority calls. You may get 20 in a district, maybe misone or two, that's a 90 or 85% but that isn't indicative of the whole year so it's looking at a very small segment in a very small area of Numbers. The cost per call and per fte I think is very misleading because we have a lot of calls in a month. The cost goes down. If we don't have a lot of cost the cost goes up but there's a cost for service we provide and so it -- it's not measured like that anywhere in our industry. >> Pool: I know when these were presented in January, I just wasn't able to grab on to the relevance, and so maybe we'll find that out today. >> Fire department. We also agree the response times are important but the way we look at the city is by

response areas of polygons which we feel gives a better picture rather than breaking it down by the district, even though we know that you want to know the information for your districts and all councilmembers across the city. But just tagging on to what the others have said, I agree with that plus that part. >> Pool: Plus the historic data that you have would not have been sorted that way. I suppose we could get there, but we need to kind of be comparing trends over time. >> We can get to that point. The problem, because the way the district layers are placed over our cad data there's sometimes there's a number of calls that will land right down the middle of the street and it's going to take somebody to say this call lives there, this call for there for thousands of calls. Typically what you see here, those calls that fall right on the line are excluded and so you're missing maybe one or two or three calls per month in these. I believe that's why A.P.D. Does not report per district, because those calls will fall on these lines that we cannot separate easily. And it's denoted and I know in a.p.d.'s and ours down there that there's a segment that are not showing in this.

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>> Pool: Do you report by your sector boundaries? >> For ems we report by the city of Austin, and we do have some different, like, south, central, north, and I'll leave the other agencies on how exactly they break it down about because we were asked by council we're able to do that knowing there's a few calls that fall right on the line that we exclude from the data set because like I said you have to go every time you run the data and choose which district that call is going to fall in. >> Pool: Mm-hmm. >> Very similar for us. We use other metrics to judge our performance, like confining fire to the room of origin, which we feel reflects our performance more so than just a pure response time. But we do judge ours by these response area polygons. That's how we typically look at response times and also on medical calls, how fast we -- return of spontaneous circulation is a key measure for us on our performance, when we actually make a medical call. >> Pool: Okay. >> Zimmerman: To that point, could you put now that we have this working, put the other page back up there I just mentioned. I think the metric you mentioned about percent of structure fires, that's on this list here. Yeah, that we took from the budget. >> That's correct. We report that annually. >> Zimmerman: Okay. So what -- do you have an objection to reporting that monthly or bimonthly or quarterly? Because that would -- >> No. We could supply that, absolutely. >> Zimmerman: That would be good. As I said, this is a work in progress here. >> Mayor Adler: The concept of having a dashboard that would identify the metrics that a committee had agreed on with the relevant metrics to be taking a look at seems to be a pretty good idea for a council because it enables the council to be able to indicate to staff what are the things that the council is interested in seeing. Hopefully that dovetails with the metrics that the departments are also watching.

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But to have some subset of the council that's taking a more regular look at those metrics and those areas that they're taking a look at, without adding work to what staff is doing seems to me to be a -- you know, a good idea across committees. Something that wouldn't take a lot of time, that would be set as uniform and would reflect the things that the committee thought were relevant to take a look at. >> Zimmerman: That's a good point. Going back to the overhead that we have here now, you'll notice the very top line says violent crime rate per 1,000 population. And this is very helpful because it shows from 2010, 2011, 2012, to the last several years, the yellow ones are the actual Numbers and there's 2015 is the estimate. But you can see kind of where we've been over the summary, right, for the years past. And then it shows 2014-15 amended 5.01, 2015-16 approved, that would be the target, right, the metric we're trying to reach of 4.96 which looks to be considerably higher -- we've been around four over the years but set the metric at 4.96 and it says we're on track for that. >> We do a rolling five-year average

instead of basing it on what the previous year was in case that was an anomaly. We do a lot of rolling average and base our targeted reduction off a five-year average. >> Zimmerman: Is that what these Numbers are, 2010, 4.3, based on five prior years? >> We started this methodology about three years ago. Prior to that we were basing it off of the previous year. We just believe it's better to do it off an average of several years since there's a lot of flux in some of these -- some of these metrics. >> Zimmerman: But that's true, and you're right, stats can be tricky but if you do a rolling average over five years that would mask, you know, an issue you might have -- actually it masks it both ways, if you had much better performance that would be dragged down by prior

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years and if we had problems that would be hidden by the prior years. >> We don't mask it because we do list it individually as you have on the chart there but for predictive purposes where he do an average. >> Zimmerman: The Numbers I'm looking at here are they annual based or five-year based. >> The Numbers for 2010-11 and probably 11-12 would have been annual. I believe 2013 was likely the first year we switched to the average. >> Zimmerman: I read through the description. I didn't see that detail in the documentation. Was that included in the -- >> I'll get documentation and forward it to you, councilmember, if you don't already have that. >> Zimmerman: All right. This is the discussion we wanted to have. So thank you very much for coming. Any other questions on this? All right. Thank you very much for coming. >> Houston: Can we talk just a minute about how often we're going to need this information? Because to me it doesn't make sense to do this on a monthly basis, but if we could maybe after six months, you know, six months time, then a year, so that we keep up with, but it's not onerous to do it on a monthly basis. >> Zimmerman: Would it make sense to do it quarterly? >> Houston: Six months. That gives you enough time to have trends already. >> Zimmerman: Twice a year. You want it twice a year. Any other comments on this before we go on? Thank you again for being here. And thank you, Mr. Mayor, for joining us. So that brings us to item number 3. Sorry. Do we

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and and so I would draw the line at no leg traps. Thank you for -- length to me. >> Zimmerman: Thank you, Mr. King. Do we have Brenda Collier here. >> Good afternoon, I'm Brenda Collier, I'm a business owner, lawyer, and I live in the zilker park area as a homeowner. I have a cat that was attacked last year by a coyote and almost died and you might think then as a result of that that I'm here in support of the resolution to take care of the coyote problem in our city, but that's not the case. I'm here opposed to the resolution. The resolution has two major flaws. It allows the U.S. Department department of agriculture to manage the coyote problem rather than empowering our own very fine, qualified city animal control officers to humanely attend to this issue. It would allow the use of traps that are not only horrifyingly cruel but dangerous to all animals and to humans. It is unbelievable to me that this council, which has shown its love for animals and made Austin the largest no-kill city in the United States, would even consider for coyote management control this horrible agency that is unaccountable to anyone and has taken pleasure in killing coyotes in an inhumane manner. I don't know what this agency -- I don't want this agency operating in the united States of America, I don't want it in my backyard and I don't want it in Texas or this city. I would urge this council not to adopt this resolution and to redraft it to empower and allow our animal control officers to take care of the coyote problem. Again, I think I echo what Mr. King said. We live in the same neighborhood and frequently on the same list serve so I have -- I was going to read from and I don't think I will now, but read from a Harper's magazine article, which you may have seen, March 16. I have copies it for councilmembers if you'd like to read it about how horrifying this agency is and the practices that they

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employ. And that they like to skin coyotes and sell them to the government for their skin. I don't want my cat trapped in a -- I'd rather subject my cat unhappily to the possibility of a coyote because it's an inside-outside cat, as many in the neighborhood are that we care for rather than see it in a trap and/or a baby in the trap or a child walking through the greenbelt in a trap and I don't want this agency anywhere in my neighborhood. Would you like to have copies of the Harper's snarls may I hand them to you or to - article? May I hand them to you or to another person? >> Zimmerman: Thank you. While you're handing that out, do we have Carolyn Abernathy, followed by Susan balunzy. And you're speaking for? >> Yes. Mr. Chairman, I am Carolyn Abernathy and I've been a homeowner for 22 years in district 10. I would -- when I contemplate this issue it really comes down to this. Feelings are nice but we must subscribe to reality. And here's what the reality is without an effective lethal option for removal of highly had a by the waited coyote. People will take matters into their own hands. And all it takes is the perception that a pet is threatened in a danger due to the presence of coyote but the safety of a yard for a pet or a child. And as a matter of public safety, that is the thing we want most to avoid. Education is really the key, and it's at the core of this issue. There needs to be more of it. It's the only thing that will

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effectively reduce the need for the use of the lethal option. That's what I have to say. Thank you. >> Zimmerman: Thank you. And do we have Susan balunzy followed by pat volstrellis and I believe both speakers with against. Thank you for being here. >> Good afternoon, my name is Susan balunzy. And I currently live in a neighborhood down toward south park meadows on the edge of south Austin. It's a highly built up area that in the last seven years since we moved there we've just seen explode with building and as a result we have some real coyote problems in the area now. I want you to know that I also am an advocate of the tnr, trap, neuter and release program for things liquefier reconcile cats. I try to -- feral cats. I try to hold down the population in our neighborhood. I've gotten that colony from 23 to currently about 15 cats over the last three years that I've been working with that so I do a lot of trapping myself. But not leg traps, just regular humane traps. I also own a piece of property in a another state that is wilderness and rural and that's where I lender about leg traps. That's where I encountered a neighbor's puppy that had been caught in one and, again, like the gentleman before me, I don't want to be heart wrenching about this but I need you to be very, very clear that these leg traps don't just break the bone. They crush it. They don't just injure tendons, they receive voluntary receiver them and the -- sevor them and the animal dies simply with no food and water long enough. I had to go back and get two adult known pull the trap apart. They are very, very strong. It's not easy to get them released once they're there. In general, I just think that leg traps are a very, very bad

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way to go. I think you have lots of other options to think about. I hope you will come to all the many rescue committees that exist in this city for perhaps some input and some ideas about how that might happen. I will be honest. I don't know much about this agency. I've just read a little bit about them, but I do believe that Austin leads the nation in humane treatment of animals and I can't imagine would you would want to turn away from such expert people whose expertise is sought by people all identifier the country to turn to an outside agency that perhaps doesn't understand us very well here. Thank you very much for your time. I appreciate your thoughts. >> Zimmerman: Thank you for being here. Any questions or comments? It is -- is pat here? >> Thank you, Mr. Chair. My name is pat volstrellis, and I was

a long-time member of the animal advisor commission in the '90s and early twos and recently I work with other people in our community communicating through something I call the Austin animal network. And we talk about a lot of different issues. A few years ago, someone shared with me that coyotes are being trapped in blunt creek, around the corner from where I live, and we took that issue to the animal advisor commission. We worked with a committee, Abigail Smith was invited to attend those meetings. She did not attend but she sent other members of her staff to come and participate in that. I regular one time her attending a meeting and we discussed the coyote issue and we came out with a humane coyote management policy, which is what you are trying to undo right now.

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And I would like you not to undo that. I think it's a good policy. We worked on it for a really long time. You've heard some of the reasons from Brenda Collier and David king, and I agree with them. Some of the things they said about it being inhumane. But in addition to that, when we were working on it, we found out that, you know, trapping coyotes doesn't work. You often trap the Wong coyote so there's still -- the wrong coincident so there's still a possibility in the neighborhood. We also found out there haven't been any coyote attacks of humans and I'm sorry I don't think people taking matters into their own hands is a good idea to pass a policy because you should really do what's right as opposed to people doing something that they shouldn't be doing. So I would say keep the current humane coyote management policy in place. And if anything, get rid of that \$10,000 contract that is not cost effective, it's not helping us. It's sending money to an agency that does brutal and terrible things and isn't effective and instead let's keep that money with our city employees, animal control, under animal protection services, and have something that our community really supports. Thank you. >> Zimmerman: Thank you very much. Any questions? Okay. I think that brings us to our invited testimony. We had -- >> We signed up to speak. >> Zimmerman: But you're going to be speaking after -- I think we had Mr. -- Mike -- sorry, I called you at the wrong time. And are we going to have -- is it six minutes I think we're going to set on the clock here to keep things moving? >> Again, my name is Mike [indiscernible], state director for the cooperative Texas wildlife services program. Our program -- >> Zimmerman: Before you go on, to be clear, so you're the group that has been contracted with the city for about ten years or so and you work with the city and the county? >> That's correct. >> Zimmerman: For about the

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>> Speaker2:years. >> Since 2005. >> Zimmerman: Since '05, thank you. >> Texas wildlife services program is a cooperative federal state private program where ranchers pay in for wildlife damages services in rural areas, communities pay in urban areas. We have the authority under federal law to deal with wildlife with diseases, injurious to agriculture and nuance wildlife. Under state law we have the authority for managing coyote damage and so under those two -- under that umbrella larks the cooperative program is managed by usdaafis and involves both the agricultural life -- most of our employees are state employees as well as usda. We began work an an urban coyote program in Travis county from 2005. From 1981 until 2000 we actually had an employee in Travis county doing rural work but didn't have much going on between 2000-2005. All of that by the way predates my tenure with the program. I came back to Texas after being with the agency in other states in 2007. Our program utilizes a behavioral score that's been published in peer -reviewed literature to evaluate the behavior of coyotes and our attention in the urban area is to deal with coyotes that are habituated and exhibit aggressive behavior. That behavioral score published by bob ten describes an escalation of behavior and it's clear -- I want to be clear about this. We are not punishing coyotes for eating a cat. We're trying to prevent additional losses and additional aggressiveness on the part of the coyotes. We use this peer -reviewed

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published behavioral score to evaluate the complaints that we've received and use the wildlife services decision model to evaluate what needs to be done in an area. We support nonlethal education. We support responsible pet ownership, people keeping their cats inside, not putting pet food out, preventing coyotes from becoming habituated. What our agency does, in addition to that, is remove those that have been habituated. It is our intention to do that without ecosystem damage. We understand individual coyotes are killed, but we realize they're going to be replaced by other coyotes and those other coyotes usually don't exhibit that same aggressive behavior. We support the community outreach and teaching people to do that, and the majority of the work that our employee does has been in educating people and making assessments on behavior of coyotes. However, when that line is being crossed that's when our agency does remove coyotes. We have removed coyotes with food hold traps they're traps that have passed international standards for humane treatment. They do not crush bones or sever tendons. We have been using the 311 system to receive those requests when we started the program in 2005. It's my understanding that we were receiving the 311 calls along with animal services. Since November we have had only screened calls referred to us, and animal services is taking all those calls and we have not been getting them. I am concerned that that practice is compromising our decision model and our ability to do our job. We have not been getting some of the calls where coyotes have been responsible for killing pets, for example, and we're not really able to track the trend. You talked about metrics earlier in the day. We've had metrics since 2005 and those metrics have gone down the tubes with the screening of calls and our

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agency only getting some of those. I'm available for any questions you might have, but that's what we do, and that's what we've been doing for you. >> Zimmerman: Are there any questions? Councilmember pool, you have a question? >> Houston: I'm sorry, sir there, was an allocation about you skinning the cats and selling them. Could you speak to that? >> I gladly do that. I don't get biological information from Harper's magazine. The Harper's article dealt with an employee -- the allegation about skinning coyotes dealt for an employee that worked for news the '80s and then they skinned coyotes and they were sold as fur and that money was put back into the program to offset costs. We do not salvage fur in the state of Texas and we won't. >> Zimmerman: Sorry, before you go, I've got a video cued up. Someone brought in one of these traps, I think it's one of the traps in question. It has rubber handles on it. Maybe we could play that and let me ask you if it's actually the trap that you use because, you know, I don't know. I'm happy that you're here to answer these questions, but it was a rubber padded trap and, yeah, I stuck my hand in it. See if this looks like -- >> That's that's a rubber foot hold trap. >> Zimmerman: You see I put my hand into it. >> I'd put mine in it now. >> Zimmerman: My wife says I have a low pain threshold and she's right. You would hear me screaming. >> These traps were subjected to an international scrutiny on injury scores, animals were captured in these traps and -- they looked at the injury score, not just to the foot but to the shoulder, to the teeth, if the coyote was chewing on that trap. There's a number of different things that trap passed internationally accepted standards for humane treatment of animals. I understand people object to killing coyotes. If I thought there was a

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nonlethal way to deal with coyotes that had become habituated we would be the first people to implement that. When it has to be done, I would just assume see professionals do it and that's what

we've got. >> Zimmerman: So what is the situation with live trapping in the -- and the work that you do? Having large live traps? >> Cage traps for coyotes are notoriously ineffective. The catch rate per hundred trap is less than 0.3 and those that do go in are usually the most naive and nuance trash can kind of habituated coyotes. They may not be the aggressive ones. Generally the aggressive ones -- >> Zimmerman: They're the smart ones, right? >> They're the territory holders. Coyotes hold territories and in some cases attacks on dogs are trying to exclude dogs from that territory. This is the time of year they do that. Those animals patrol the edges of their territory and are not inclined to go into cage traps. We did compare -- the national wildlife research center, the research branch, compared live traps to foot hold traps for coyotes and live traps were seven times less effective at getting any coyote in them, let alone the right coyote. >> Zimmerman: So that's why you prefer these -- >> Yes. >> Zimmerman: The traps we just saw. >> Yes. >> Zimmerman: Maybe a final question, have you -- in your experience, working here in Travis county, at least, have you -- how many small pets like small dogs and cats have you found in these coyote traps? >> Our traps, we have not had any in the last two years. That's all that I went and looked up if it was non-target captures in the last two years. We have had a number of employees in this position. I didn't go all the way back to 2005 in our database but I specifically looked for 2015, 2014 in our database. All of our captures are recorded even if they're released and we do not catch them. >> Zimmerman: So during that period when you had two years and no small pets, how many

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coyotes did you trap during that two years? >> Oh, my goodness. You know, I didn't look at that. I know we've caught two in the city of Austin since October this year. The rest of the coyotes that we've taken were out in the county. I would want to say from a previous meeting, we took 26 last year total in the county and not all of those were in the city of Austin. >> Zimmerman: Okay. It's not intuitively obvious to me why a coyote would get in that trap and not a small cat or a dog. >> There's a couple things. Can I borrow your trap again? There's a couple things that make these traps both -- in order to pass that standard, they have to be both humane and selective. There's a brass screw right here that adjusts the pan tension on that trap. And so that, for example, if it -- we set ours at about 4 pounds. A 16-pound animal puts 4 pounds of pressure on each foot and so if a cat goes across there and the cat weighs less than 8 pounds, for example, it's not going to trap -- trip that trap. The spacing between the center of that trap and the attractant that we use to attract it is also designed to minimize non-target captures. If you put that too close you're going to get small animals. If you put it too far away a coyote is actually going to step over the trap. Coyotes, if you're interested in this kind of thing, appear to be right-handed. When they approach a novel object they approach it with their right foot so we offset this to the right and put a stepping stick there to where the animal doesn't do this. I've been a professional biologist for 38 years and knowing where that animal is going to be and how to target a particular animal, territorial coyotes, the ones that are most aggressive, are also triggered by territorial markers, droppings and urine rather than a food-based lures. We don't use food-based lures. All of those things are

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designed to catch a particular coyote and I don't work in Travis county. I have an employee who does, but when I set a trap, it's supposed to catch a coyote by the right front foot. It's that specific of what we're doing. >> Zimmerman: Thank you very much. >> You bet. >> Zimmerman: Do we have city staff? I think we had invited some city staff to speak on the subject as well, and then I think we have Mr. Fossom afternoon that. Thank you for being here. >> Thank you, my name is tawny Hammond, chief animal services officer for the city of Austin. Previous to coming to Austin I spent 26 years working

for the Fairfax county park authority where I hired and biologists and worked very closely with them on humane mitigation of wildlife in urban environments. A review of the city -- how did we get here today, very quick review, review of the city's coyote management policy was initiated by citizens concerned about trapping in the bloom creek preserve. This concern was presented at the public health and human services committee in summer 2013. Over the next 1.5 years one and a half years community stakeholders and city staff worked to develop the policy we have today. It was approved by city council in a resolution passed in November 2014. The policy seeks to balance humane treatment of animals with policy -- excuse me, with public safety needs. Specifically the city manager has directed to adopt the coyote management policy and coyote response guide regarding coyote management utilizing education and hazing methods and lethal responses only in the event of an attack or incident followed by an immediate hazing and education program. The coyote response guide creates an escalation of bold coyote behaviors enticative to

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guide our decision-making. It's based on coyote ecology and attacks on pets and conflicts with people. The response guide was developed by urban wildlife biologists utilizing data from long-running urban coyote studies in the United States. It's used in many other communities successfully throughout the country and was recently presented at the national animal care and control conference. Since November 2015 animal -- excuse me, Austin animal services leadership has been working to bring coyote management practices in the city into compliance with this approved policy, which we have. The current policy is not a no-kill policy. It allows for lethal means of accrual for true public safety concerns. It's akin to how the city would handle any other wild animal presenting a public safety threat. The policy focuses on identifying the individual coyotes just as would be done for other aggressive wild animals. To truly mitigate such a situation the individual animal exhibiting that behavior must be targeted. Time and time again it's been documented that coyotes throughout the country become problems when they have easy access to food and neighborhoods with no negative consequences which is why hazing is necessary and effective. Policy focuses on public education and hazing for this reason because it addresses the root cause of the problem. I'd like to point out that we have had no human exposures to coyote -- from -- human exposure by coyotes in 2015. Nor had we had any in 2016. And then the only other thing is we have had domestic pets caught in the traps and one was a Texas wildlife service trap and we did return that to Texas wildlife services. However, was that set by a citizen because the traps were left with him. We do have instances of domestics and it was reported to us at commissioners court that it was a frequent occurrence so that's what

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we're working on. The other thing is we haven't stopped working with Texas wildlife services or the county. We've actually been following the parameters of the contract and interlocal and city policy as it was approved so that's what we're doing. Therefore, has not been a change. We've actually brought the city into compliance so that we're following that policy. That's what we're doing. City looks at the data. We call in help when we need it, when we see a public safety concern -- public safety concern. >> Houston: Thank you, director. So this 2014 resolution, which was adopted by council and the attachment that talks about the coyote conflict management policy is what we're operating under is now. >> Yes, ma'am. >> Houston: Thank you. >> And I did review the contract and interlocal again, and it's in lockstep with the policy as far as 311, data collection, collaborative, community efforts if we need help. >> Pool: Did you find instances of violations of the city policy by the contractor? >> >> I found that we were not in compliance and that through communication and with -- we don't hold a contract.

So I found by working with the county executive that we brought ourselves into compliance. So a dropoff in the data only means that we haven't had a public safety incident. We're analyzing all of that. When we do have that incident that's what the policy lays out, that's what the interlocal, that's what the addendum to the contract with tws that the county is party to, it's all laid out pretty clearly. And we've reviewed that through law, we've reviewed that through the assistant city manager's office, the whole goal is what the city manager's office has approved. >> Were they putting it on

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their private property? >> They left the traps with a citizen to keep and that citizen took it upon themselves to set a trap and he caught a cat. And that part of their leg had to be amputated. And they caught another domestic caught and they were able to save that cat. Then we were told that it's a fairly frequent occurrence when we were at the commissioners' court. >> Pool: Are we monitoring that to be sure that it stops? I think we should be complying with the Ila and the why the that we have on the books. >> Houston: Thank you. That's fine. I just want to make sure everybody understood that we're operating under the 2014 resolution and the policies that are attached, including the recommended response guide and the behavior escalation. >> Yes, ma'am, we're in compliance. >> Pool: I would just say that I find the leg traps really inhumane and I also find that I quickly skimmed the Harper's magazine article that was offered to us by one of the citizens. I used to take Harper's magazine. It's a good magazine. I don't think there was any intention maybe of diminishing the importance of the article having been published in that particular journal, but Harper's has a really good reputation and I would credit the article that they wrote. It may not continue -- it may not still be happening, but I'm pretty sure if they reported it, it did happen and it's possibly an extreme circumstance, but it's pretty appalling and I would not like to see any behavior like that within the confines of the city of Austin or Travis county. >> Zimmerman: By the same token, I also read the Harper's article and it's pretty sensational and meant to elicit an emotional response. And I think that we've had

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no coyotes skinned in our Travis county area. None of our contracts would do or have done anything like that. I don't think that's that's a fair characterization. Let me go back to the data question. If somebody at tws had left a trap with a private individual, they went out and set the trap and then a cat get caught in there, that statistic would not go back to Texas wildlife service because they didn't set the trap. Does that make sense? So we heard that there haven't been trappings in two years, but that would be because their statistics are based on their employees setting their traps. Because somebody's wrong, right? Either the trap has captured cats or not. They say it has not. So I'm trying to square these two positions. >> The best way I could square it is I'm going with what the wildlife biologist told animal protection is it was a fairly common occurrence -- >> Zimmerman: Do you know who it is? We have an expert from tws. I just want to know who reported that. I think it's important. >> A.p.d., police department. >> Zimmerman: A.p.d. >> The police department is the one who confiscated the traps. >> Zimmerman: Okay. Help me understand. I can't square it. >> Our employee was going away for the weekend and because he cannot check the traps, he unset the traps. He left them on the property because there was a continuing conflict on that property he had not resolved. The homeowner or landowner took it upon himself to take those traps that Stephan and -- and Stephan hunt is our employee. He's the urban specialist we employ. We took it upon himself to leave them there instead of taking them home because we had no idea that the landowner would set those traps. If I'm not mistaken there was another trap that was also retrieved that was his personal trap that he set. And that trap showed up in a county commission meeting. We did not set that trap. We did not set the other

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trap. We did not see the cat. By the time our employee got back, it was -- the traps had been removed and animal protection services was there. So we cannot capture a cat. The homeowner did it with equipment that was left on the property. And if that was a lapse of judgment, it was because we trusted a property owner and that was our fault. >> Zimmerman: Okay. Now, you are still the authority for Travis county. Tws is still the Travis county authority for coyote management for the county? >> Yes. Actually, your agreement is with the county for \$10,000. The county pays us 55,000 for the total agreement and we supply an employee for the entire county. And they work on more than just coyote problems. We're dealing with city and urban deer. We do a lot with pig work in some of the watershed areas. So there's a wildlife damage contract with the county and we are doing that work. >> Zimmerman: So nothing has changed with your relationship with the county. The only thing that's changed is with the city? >> The way we obtain information has changed. We're no longer allowed to review the requests that come through the 311 system. >> Zimmerman: That's the city. >> That's correct. >> Zimmerman: So the county situation is the same as it has been since 2005. >> Yes. >> Zimmerman: Okay, thank you. >> Houston: I see the Travis county health and human services and veterans affairs executive here if she would like to say something. Ms. Fleming? >> Zimmerman: That would be great. And after that I think our last speaker on this is Michael fausem, if you would be ready. >> [Inaudible]. >> Good afternoon, councilmembers. Sheri Fleming, county executive for health and human services and veteran services at Travis county. Thank you so much. I did not have any prepared comments. I'm here only for your questions. >> Zimmerman: Based on

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what you've heard so far do you have any comments or anything to add to what we've heard already? >> I believe you've heard it all, sir. We continue to have a relationship and work very closely with the Texas wildlife service and that relationship is a part of a broader partnership that Travis county has with A&M with the county extension programs, if you're familiar with that. So yes, we are still very close partners. >> Zimmerman: But these concepts are familiar to you. I think there was some discussion, right, on the county commissioners' court? >> Yes, there was. >> Zimmerman: And they decided to not change the contract, right, with tws? >> That's correct. >> Zimmerman: Okay. And can you explain why? Because there is some disagreement here. >> Well, we had no concerns with the work that had been performed under the contract. But also at the time that we received information that there were concerns about the contact. It was sort of at that time where we needed the services to also continue. So we made a commitment with city staff to continue to work through any concerns that they have, and we have done that. >> Zimmerman: Okay. Thank you. >> Houston: Thank you. >> Zimmerman: So we have a Michael fausem followed by Zoila Vega. And I think that concludes our testimony. I think you have three minutes for each of you. Thank you. >> Good afternoon, councilmembers. I was hoping for more than three minutes, but that will do. Basically just to give you an overview, I feel like the process has changed in spite

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of what the aso says. What we have with tws is a proactive policy where when we see aggression, the -- if it escalates and reaches a criteria as Mr. Bodencek says, it will be removed. Mr. Hammond has said in the acs meetings that I listened to that she believes no coyotes should be removed unless there's an attack on a human being. And I think she will stand by that. And I think her actions as far as trying to set

up a program of her own inside the city, which the resolution allows, reflects that. The problem with that is that that's not effective and we're going to pay the price in increased costs and also in increased attacks on pets and eventually on human beings. What you see here is a summary of how the program works versus what the humane society of the U.S., which is what Ms. Hammond is pushing, operates. The resolution did not mandate that the agreement with Travis county be ended, but in -- I believe it was December the animal services officer -- or it could have been January. I think it was January -- did call Travis county and said verbally that she was ending the contract for Texas wildlife services to provide management services. She was counter manned by Mr. Lumbreras who said, well, gee, we're not ready to do that yet. The resolution that you have before you is intended to clarify the resolution from 2014 -- actually, the process that is being used by the animal services officer. It does not change the resolution at all and just flipping through here -- let me see here. For example, not complying with city policy violating hunting and trapping wild animals, firearm discharge, et cetera, these concerns were cleared by council,

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which said limitations on trapping and lethal methods are removed. Lethal methods include shooting. Let's just look at the humane aspect of this program, which is a concern for everyone, myself included. The leg-hold traps are actually used in research studies, particularly Mr. Gerht, Dr. Gehrt, which the aso and her friends like to quote. He uses leg-hold traps just like this one, I will show you, to show that it is not inhumane. Also there is a concern of use of firearms or euthanasia. That is considered humane by the American veterinary medical association per avma guidelines for the euthanasia of animals. A proper gunshot can cause immediate euthanasia and death. It works, it should be kept in place. These changes all it will do is clarify the policy if the aso thinks that is not a correct policy what she needs to do is go through the public positive process, have it reviewed and aired before council. >> Zimmerman: Thank you very much. Ms. Vega, I think you are our last speaker. >> I'm Zoila Vega. First I wanted to clarify the issue with cats. It wasn't cats. It was one cat that was caught. There was a cat trapped before that because that citizen had been trapping since 2014. He set four sets of traps throughout the years. The last one was the one that he grabbed the traps that the tws had set and one cat was caught. There is also the accusation that the tws admitted they're catching animals everywhere and just released them. That happened at the Travis county commissioners' court on November the 10th. After there was a meeting there was a recess and I saw

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April Moore, animal control supervisor, talking to Stephan hunt, the wildlife biologist. They were in kind of a fight. I got in the middle and I said can you guys work together. Not really a fight. It was like they were kind of [indiscernible] in the face. So after that I have this from April Moore, she says, following the presentation at the Travis county commissioners meeting I spoke to Stephan and he stated that domestic cats have been caught in the leg hold traps that he use, but they look fine so he lets them go. Then I asked Stephan, do you do that? Do you say that? He said oh, no, non-targets, that means cats or domestic pets. She tried to back me into a corner and just stated what do you do with the pets you catch? I told her we don't catch non-targets and our traps were as safe as possible in the event that there was a capture non-target. That means that they were not targets. He was saying if by any chance they got caught they're not going to get hurt, but she came up with the story that we're trapping everywhere. The resolution we're proposing is to clarify the system. This data you see from the screen is from [indiscernible] And shows how the indicator has lowered throughout the years. What's happening with the changes that Tony aimed has made this is not being tracked anymore. The process has

changed. There used to be sightings and incidents and attacks and that's [indiscernible] The animal control doesn't have that. They have sightings and saliva exposure. I got the 311 calls. There was a cat -- a dog that was killed and they said that's a sight ising. There was a woman with a baby, the coyote jumped on the balcony and that was a sight a because there was no saliva, no contact. There were four cases, four different areas, the animal control officers pull cameras for one week. They say there were no coyotes. They say just fix it and take the food in and keep

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the dogs on Alicia. They will go away. And then when they ride among themselves they say I'm concerned with the brevity of at least two individual coyotes and the frequency it has occurred. While I'm not sure what the best method is at the time, I think we need to look at the chemical immobilization and relocating. In another case they say I doubt that vaccine [indiscernible] Will solve the issue. [Buzzer sounds] So even though they're saying that -- they give some advice on the citizens -- >> Hang on a second. I think Ms. Blye donated three minutes to you. >> Even though they use all of this and everything will be fine, when they ride among themselves they say no, it's not going to work. So what are they going to do? They don't want to trap or release and remove. When they say while remove the aggressive coyote that means they will shot shoot it with a tranquilizer and take it to a preserve. By state law you can only do that if you are within 10 miles in the same county because of rabies. They also recognize in their emails that that's not going to be possible so what they're saying is the plan is the city will not trap anymore. We're going to tell the citizens it's up to you. We don't trap, we don't legally remove coyotes. Education is the key. That's what happened in all these other cities, California and the Denver metro area. They say attacks have increased over 200 percent. The information by the humane society and they say don't hays the coyote. If the coyotes are where you're standing don't hays it. Why? Because it's not doing any harm. What happens to that is the coyote gets habituated. It's making it worse and that's why it's increasing. So what we're asking you to support that resolution it's because is that clarifies the administrative changes that Tony Hammond made. This is council policy. Only council should change it. It should be changed administratively. Everything in that resolution is in accordance

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to the 2014 resolution the way it was since 2005. If Tony Hammond was to change it let her write a plan, let he post it for public comments. Have it reviewed by the Texas parks and wildlife. See if this is a good idea to start shooting darts at coyotes and take it to council. Thank you. >> Zimmerman: Before you go, any questions? So again, our trouble here is with definitions and what the resolutions mean. I believe our animal services officer believes that the changes that have been made are consistent with the 2014 - November 2014 resolution and your position is, no, it's not consistent with that. >> Right. So one city manager thing, in the resolution it says all the events shall be tracked. Sightings, encounters, incidents and attacks. They're not tracking anything because they only want to follow saliva exposure. When they define sightings it's not the same as it was before. So this graph you have in front of you is not going to continue. It's not the same data. So that's a change. And they know that's a change. They wrote in one of the emails that's contradicting what we're doing. Maybe we should take it out. >> Zimmerman: Okay. Thank you. Mr. Lumbreras, your name was mentioned, if you have anything to add, I wish you would. You were referenced in one of the testimony remarks. And you probably have some history on this as well, right? I think all of us here are new to the 10-1 council so we took office in January of 2015 so obviously we had nothing to do with the November 2014 discussion. >> Sure. Burt Lumbreras, assistant city manager. As our animal care officer has indicated it's a balance about the humane treatment of the animals. We certainly as Ms. Policemanning said we've got some issues and we're

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working through with Texas wildlife service and we're very open to making this work. We've got a policy we believe we can adhere to. We've got data that certainly suggest that we don't have a public safety issue at the present time. At some point if it does, you know, as chief animal services Hammond has indicated, you know, even though we're a no-kill city, that still does not mean that we take lethal means or actions whenever there is a well-known public safety risk to essentially conclude that there will be a public safety risk when there has been an interaction with a coyote is just not where we're at at this point. So I think -- I feel comfortable in saying that the policy that we have, we're certainly closely monitoring it. We're working very closely with not only the Texas wildlife service, but the county to assure that we take not only the safety concerns in mind, but we are also following through with a guide that was very clearly spelled out as a part of an adopted strategy. What Ms. Hammond is doing is following an adopted council policy and a strategy that was included as a part of information that came from experts in the country. So I certainly understand that a lot of people have different perspectives. I might have a perspective, but when you have experts who have recommended a policy and it's a policy that we're adhering to, we're going to follow it. So I can stand here before you saying that we have a policy that we certainly want to make sure that we follow through at this point. >> Zimmerman: Thank you for that. I don't think I'm any closer because I have a veteran here with 38 years of experience. Mr. Bowdencheck, and he's saying this they aren't experiencing the 311 calls anymore. I think from his view of the county, coyote management, which is completely unchanged, he's expressing some frustration that he's not going to be able to keep up with the statistics and

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know what's going on if he's not getting 311 calls anymore. So is that -- are we doing it, not doing it as far as the 311 calls being shared with tws? >> Well, the practice of the 311 going to Texas wildlife service, somewhere in there changed, the calls should have been coming into animal services. So there was a change in the practice at some point and maybe at the -- because keep in mind there was a transition here from the time the policy gotten acted, we had Abigail Smith and then Abigail left right after November, sometime after November. As a matter of fact, I think I recall her announcing that she was leaving in December almost the following month. So we had a transition so it could very well have been that the calls either started flowing or we didn't monitor it on our end of it at the animal services office, but when tawny came in we noticed that in order to follow an adopted policy, to follow all those recommended guides and procedures in terms of if the call required education that we would do that upfront versus just putting traps out there. We can collaborate with the Texas wildlife service, and that was a change in practice that we implemented. >> Why would they not go to both? >> Because at the end of the day the city staff is responsible for administering the policy. Not Texas wildlife service. We do not have a contract with Texas wildlife service. >> Zimmerman: That's the change. That's what we're talking about. We had it for many years, the city and the county together have the tws county? >> We do not have a contract with Texas wildlife service. The Texas with Texas wildlife service is with the county. >> Then we were contributing money towards paying with

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the contract. >> In the city's interlocal agreement that we have with the county that we have had with a number of years, we actually -- there is -- >> Zimmerman: I understand where the confusion is coming from now. >> Yeah. >> Pool: I want to say I would not support 311 referring calls outside to a contractor.

It absolutely needs to go through animal services office so that we can keep track of the calls and try acknowledge them appropriately. -- Triage them appropriately. I think the process you have in place is the correct one. >> Houston: My question is just about people who are outside the jurisdiction of the city, do they call 311 too? People who live in the counties, pflugerville, lake Travis, bastrop? >> The 311 calls, councilmember, would be the ones that we would get for city calls. I do not believe that we have 311 going to the county, right? >> What I'm hearing is that 311 would primarily cover the city, but she's indicating some areas of the county, but not the whole county. >> Houston: I want to thank everybody. This came to health and human services last year right when all those changes got started and there was some -- some confusion. What I would like to do is keep working with the county to where we see it's workable for both the city and the county and it sounds like we're on that path now and have been on that path for awhile and get the information that how many calls are coming in and of the sightings of -- what was the other matrix that was there? >> We will definitely drill down on all that. I think it's a very important point and we will

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take that into consideration. Actually, I think Ms. Fleming can indicate to you we actually met today and we went through a lot of these very specific issues and we committed to working very closely not only with the county, but with Texas wildlife service and we'll make it a point to do that. >> Houston: Good. Just kind of keep us informed because I think we have to have time to see if it works and what works well and how we can make sure that everybody is getting the services and the protections that they need. So I'm perfectly comfortable saying it's time to let this work. >> Zimmerman: On that note I'm going to presume there's going to be no motion for this resolution? Do we have a resolution in our backup material? Are you familiar with this? There's no motion. All right. We will move on to item number 4, staff briefing, invited testimony and policy discussion regarding the body worn cameras. Thank you all for being here. >> Pool: I wanted to thank the staff for coming this afternoon to help work through this issue. Thank you. And also to folks from the animal services commission that are here. Thank you. >> Zimmerman: So let's see how we want to do this. Let me check for the testimony here, if anybody has signed up, if anybody has signed up. I have nobody signed up for agenda item 4. So thank you for being here. So you can proceed. >> Committee chair, members of the committee, James Scarborough, purchasing. Staff is here to provide an

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update on solicitation the purchasing office about D on behalf of Austin police department, rfp ead 0124 for body worn cameras for Austin police department. The solicitation was issued on December 7th, 2015. There was a preoffer conference where prospective offers were invited in to go over the details of solicitation. This occurred on December 17th. Shortly thereafter there was a deadline for vendors questions upon which we proceeded with closing of the solicitation on January 15th. The city received a number of offers. After conducting an initial valuation for minimum responsiveness, the city presented the offers to the committee, upon which the committee conducted its review and valuation of offers. Evaluation of offers. On March 4th, 2016, the offerers were notified of the city's selection of the apparent successful offer, taser international. Currently the Austin police department is in evaluation of the units proposed to determine their actual compliance with the specifications. This review will occur over the next several days, upon which completion the evaluations will be confirmed and an rca will be brought before the council for authorization of the item. Staff is here to answer any questions that you may have. >> Zimmerman: Okay. Thank you. Are there any questions for staff? So I have one. Could you talk to me briefly about what's happened with the data integration effort to connect the body cameras

with the existing Panasonic system for the dash cameras? And how that has worked out so far doing that data integration? >> We're not doing a data integration, sir. >> Zimmerman: So you're going to have a completely separate system for body worn cameras versus the dash

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cam system? Are they completely separate systems? I thought that was part of the request for proposal was to try to merge those together. >> They're separate systems. >> Zimmerman: Okay. Where are we on the issue of turning the camera devices on and off? As far as policy goes and how that's going to work. What is the decision-making matrix and how does that work with the technology for turning cameras on and off? >> We have -- we've gone through a series of meetings with the community. We had the meeting at the convention center, we've also had several online inquiries with the community as well to get their input. We did a Reddit, an ask me anything on Reddit where we got some input. So we have posted on the A.P.D. -- We now have a body cam website so we do have highlights of our policy that are posted on there. I have copies for you guys if you want them. In addition to that we have an faq on there that talks about our policies about when the officer will turn it on and when they're permitted to turn it off. A lot of that policy is also surrounded by state law. State law does have some specific requirements for when an officer can turn it on or turn it off so we're northing all of those state laws into our policy about allowing the officer to turn it off. One of the key elements of the proposal was an automatic trigger for the officers who are in vehicles for that camera to turn on when they open up the car door, similar to what we have existing in our in-car cameras now. We wanted to make sure that the camera automatically turned on when the officer exits the vehicle and that is a key requirement of the proposal so that when the officer opens the car door the body camera automatically turns on. >> Zimmerman: And ha what about when the officer gets off of a bicycle or off of a's horse? Does it start it then too? >> No, sir. >> Zimmerman: Okay. Do you have any questions?

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Anybody have questions? >> Houston: Well, I have a question about the turning on and turning off because especially in the downtown area where we have a lot of complaints about police interactions with the public, do we just trust that the officer will remember to cut their body camera on when they're either walking the beat or if they're on horseback and trying to control -- do crowd control? What's the policy going to be about? >> Any time an officer responds to a call for service they're going to be required to turn the camera on. If an officer is required to take immediate action due to an incident that occurs directly in front of them and they have to take immediate action and they are not able to turn it on prior to taking action, they're required to turn it on as soon as it's feasible for them to turn it out on. The body cameras do have a prevent recording feature similar to what we have in the cars. If an officer is engaged in something and then turns his camera on, it actually backs up and records the 30 seconds previously so we will have that 30 seconds prior to him hitting the record button. So there are some things in place so that an officer has to take action without being able to turn it on when they have to manually turn it on that we do still get that footage recorded. >> Houston: So if somebody forgets to turn the body camera on, is that a disciplinary -- >> That's in our discipline matrix, ma'am. It's in our policy about an officer who intentionally does not turn on the body camera? And it's fact specific so it can be anything from a training issue all the way up to an indefinite suspension if the officer is involved in, say, a critical incident, for instance. >> Houston: Okay. I that's that's what we were looking for, something that we didn't leave it to the person to ensure that it was on, but it would engage initially once -- >> For the majority of officers that is going to be the case. For all the officers that

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are on patrol in a car and all the officers that are on motorcycles, the camera will automatically turn on for them. [Buzzer sounds] >> Houston: But not those patrolling the streets. We just have this 30-second backup. >> Correct. >> Houston: Look behind. If they remember to turn it on at some point before it gets out of hand. >> Yes, ma'am. >> Casar: Chair, just one brief question because I know we have speakers and I may have questions based on what they have to say. You mentioned that y'all are indeed updating your policy because of recent state rules. Is that what you said? >> Yes, sir. >> Casar: And how long does that process take? >> To update the policy? We will have an updated policy before implementing the program or before bringing the contract to council. We can't finalize the policy until we have a final vendor selected because a lot of the things go hand in hand. So as soon as we get that we will update the policy and then we'll have -- get it sent through our policy review committee to be approved. >> Casar: That makes sense. Thanks for that explanation. And also you said you recently had an update. Do you know that? >> It's apdbodycams.com. It's austintexas.gov/apdbodycam. >> And there are also the FAQs and our proposals and a link to the Reddit. >> Zimmerman: And it's not intranet to the city, but open to the public. >> Yes. >> Houston: I have a question about storage. That came up when we were discussing, how are we going to handle the storage of the footage? >> The proposal was a hosted solution. It's an unlimited storage per camera. So we'll be paying -- if it gets approved, we'll be paying on a per camera basis for unlimited storage. >> Houston: And how many cameras are we purchasing the first time around? >> The proposal for the first year was 500 cameras.

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And so we received funding from council for the year one. In addition to that we did receive a preliminary award for next year, for 750,000-dollar grant from the state body cameras and we're also looking at additional grant opportunities as they become available from the federal government. >> Zimmerman: Okay. Thank you. If you could hang around for 10 or 15 minutes we have a few more people talking. That would be helpful. Thank you. >> Did you want copies of this? >> Zimmerman: We do, thank you. We have -- is Matt Simpson here? And Yanis Banks? Is Banks here? And also is it Kathie Mitchell? Those are the three persons -- and I believe we have Margot Frasier, our police monitor if she is able to make a few comments we would like to hear from you as well. Thank you for being here. >> Sure. Shall I start? I'm Matt Simpson, senior policy strategist at the ACLU of Texas. I actually was part of the work group that created the state law. So I feel like I'm pretty familiar with the strengths and weaknesses of where the state law -- how we can work in Austin to ensure that these body cameras fit our community and not be in violation of state law. I will say that I think that the main focus really should be on the release procedures. I think that we want to avoid a situation where there's a critical incident or the public is clamoring for more information about an incident between a civilian and an officer and that video is not available. So we as a community really need to be able to be reassured that these videos will be released in a timely fashion and in a way that the public can view them and it can build trust. And research has been done on body cameras and one of the benefits interestingly is that it can be a trust builder even just having them present. Research has found that both an officer and the person involved in the officer's stop actually are less likely to have complaints if there's a body camera involved. So on a fundamental level they build trust.

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However that trust can easily be undermined and very often we've seen it undermined in communities like Chicago where video wasn't released. Additionally I think that there was -- the way that the bill is set

up it's not clear who should be responsible for determining when video should be released. So I think the city of Austin has a real duty to incorporate into the A.P.D. Policies some pretty clear guidelines about when the public will be able to see these videos. I guess the final thing I would say is I think in order to ensure not just that the videos encourage transparency and ensure that release is happening, but I think that really I would say that the public hasn't had much of a role yet in this policy development and I think one of the things that we need to do is to figure out how A.P.D. Can really meet with citizens that have not just on Reddit and not just the single powerpoint that was presented at the convention center, but a meaningful meeting with stakeholders in the community. Yanis couldn't be here, but the naacp and the aclu are both interested in this and other community members as well. Police accountability and oh understand how the law works and how we can work within the confines to understand how it's working with the officers. Ultimately the goal should be for these cameras to make our community trust law enforcement and for everybody to work together. I mean, these should be a vehicle for community trusts and community policing. I think if we get release provisions right, and if we engage the community as this policy is being developed, we'll see that these 500 cameras and beyond, we'll see that they can do that. I think that on the flip side of that if we fail to have good release policies, we could end up with a -- it being a great source of frustration. [Buzzer sounds] >> Zimmerman: Right on cue there. Any questions or comments? Monitor I have one question. -- >> Houston: I have one question. Thank you so much for being here. If I'm part of that video do

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I have a right to refuse to have it be released as a private citizen? Or is that part of the process that needs to be worked out? What are my rights as somebody that is captured on the video? >> Certain people have rights. Let's say a domestic violence victim or somebody that's under age. There may be certain requirements that A.P.D. Has to take into account when releasing a video, but I think that we haven't worked out all the details of that and that should be in the policy. I think that's another additional piece we should engage the public, see where they think it should be and then work with A.P.D. And the public to find an answer that works for all of us because I do think that there could be times when we need to think about whether something could be released or not for privacy sake. I will point out that I think there's also the option of redacting the videos. So in some cases it may be possible to remove the audio and blur the faces of, say, someone who is underage, for example. And again, I think those are the kind of things we need to be talking about between A.P.D., the community and other stakeholders here. >> Houston: Thank you. >> Zimmerman: I appreciate those remarks, but that issue of setting that policy is pretty complex. As you can imagine. One of you as you mentioned about the redaction is where does the cost burden lie? It can be very expensive to go in and edit video, you might know. I think we need ooze a council, maybe oo we need as a council, maybe as a public safety committee, we need to have some proposal. And if you could contribute to that, that would be fantastic. I've also floated some time back the idea of some of the authority for releasing this data residing with elected council. I mean, the people elect city councilmembers and when there's an incident they call their elected council, they ask us questions, what's going on here? And we don't know. I think that should change. And I don't know how that might change, but I think having a committee with some

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kind of subpoena authority as an elected council for at least reviewing video data as elected officials and deciding if and what could be released. Because right now just to let you know, as an elected city councilmember, when the young man was shot and killed, David Joseph, I know probably less than

anybody in this community about what happened. As an elected councilmember I know nothing. And I was advised that that is the policy of the city. Everyone has a role except the elected council, it seems to me. I would like to see that changed and I would like to have your help on that. Okay? >> Sure. If I might respond quickly. I think the redaction issue and the cost, we're talking about there will be a large number of these videos that really don't have anything controversial about them. If anything, they really just show good police work. What we're really worried about is redacting a small number of these videos. Hopefully the cost would be minimal. In terms of your involvement, of course. I think there's more than -- the stakeholders here include elected representatives. So I very much hear what you're saying. I think it sounds correct. >> Zimmerman: Okay. Thank you. >> Hi. I'm Kathie Mitchell. I'm not entirely clear who I'm representing tonight. I will be working for the Texas criminal justice coalition starting next week. In between jobs. I'm on the board of the electronic frontier foundation which has been actively engaged in this issue since last year when the December public meeting occurred. I'm going to "Me too" everything you just heard and that will shortcut us to the end of some of what I was going to say. On the public process I actually think that A.P.D. Has very much underappreciated the degree to which the public wants to

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participate in this debate. I think body cameras is both a national and a local hot button issue that people care deeply about. I think that you see that in the video back in that November hearing. There was a lot of -- there were an almost untold number of questions. A.p.d. Was able to answer some. Not answer others. Gave, you know, difficult, much caveated answers to some of the questions. And subsequent on to that there hasn't been a sort of clear next step. So I would encourage you to reopen that public debate that was launched last year with more than just sort of a small meeting here and there. I think that community forums are absolutely critical and that one of the areas where those forums will help to elucidate some good answers to some difficult questions are going to be in the areas of privacy around children, around the mentally ill, and around private spaces. As a person who works in digital arenas, I find that privacy -- I'm a big privacy advocate -- is one of those very personal things and we all draw our privacy footprint differently. One of the reasons why digital technologies have been able to flourish in sort of an entrepreneurial way is that they present people with the ability to opt in or opt out of the revealing of their personal information or the sharing of their personal information at the time that that information is collected. Now, are those -- are those systems awesome? Sometimes they're not awesome. But they're not terrible either. And in terms of modeling ways that we might be able to handle some of the privacy issues that we're going to come up against,

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we've been thinking about this idea that many of these videos, especially, for example, at traffic stops, are sort of non-controversial. They are likely to show officers doing great work. [Buzzer sounds] Could I take another moment? >> Zimmerman: Just finish the thought, please. >> Yeah. There's a study actually out that says that body camera video tends to show 93% of complaints that officers were just fine. In general we expect to see that video show that, but it only will show that if everybody can look at it and everybody can feel that the release of the video was fair. And with things like traffic stops where you're looking at a very personal moment, you can actually give people an opportunity to choose do you wish to have -- you've been visually impaired. Been -- videotaped, is it okay if the city releases that video? And that allows individuals to make reasonable choices about what they wish people to see and what they don't wish people to see. And I think that launching a conversation like that will allow us to all end up in a more secure and stronger place where we've actually listened to the citizens and made really

good choices about public release and build trust. >> Zimmerman: Okay. Thank you. Appreciate it. Any questions? Thank you very much. >> Casar: Mine are for A.P.D. I wanted to let y'all ask them questions if they needed to be here, if not I have a couple of questions. >> Zimmerman: Go ahead. >> Casar: For the police department. Sorry. Sorry, I didn't know if all of a sudden y'all were the police department. I was speaking quietly into the microphone. >> Yes, sir. >> Casar: So some of the folks who came and spoke with us today had questions related to the release policy. And I appreciate you giving us the handout a moment ago.

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It's sort of our release policy around critical incidents and policy is that also posted somewhere on the city website. >> I think there's a link to the senate bill 158. It outlines specifically in there the requirements for us being able to release video. And we're going to comply with that law. >> Casar: But as far as our own interpretation of implementing that law, we don't have something written down that's A.P.D. Specific yet? >> It will be specifically in the policy that we're going to comply with the law. It will refer to a lobby because if the law changes then we don't have to rewrite the policy. But there are some provisions in there where a private space, for example, you asked if you're on a video, can anybody get the video. If a recording does occur in a private space that video cannot be released without the written consent of the person on that video. So you don't have concern of a neighbor getting a video of a neighbor because they want to find out what happened in a domestic violence incident or something like that. So there are a lot of provisions in the state law that do require written permission from the person on the video from the police department for them to release that video. And those provisions are in the law. >> Casar: So the policy revamp that you're working on between now and when the taser contract comes to us, right now you're not thinking of including too much around release, mostly you're just inclined to refer to the existing state law? >> Correct. And a lot of that is also going to be part of the training. We're required to do four hours of training on body cameras when we implement the program for everybody in the department. And so that state law about releasing that information will be included in the training. And then also that will carry over to our open records department, our video technicians to work on these open records requests as they come in. >> Casar: And so if we wanted to help direct some of the citizens who are interested in being engaged on those policies, be it the training, be it how we interpret the state law around release, would it be

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best for them to be engaged and work with the department before the taser contract is signed or since it's only just 500 cameras and it's not a full deployment of them, is this something that they could work with the department on even after you have -- >> We have had the in car camera in place over 10 years and that camera policy has changed several times over that time frame. I can only imagine as we go through this process with the body camera program that that policy is going to change as well. And if anybody has any input as to what they think or believe should be in the policy, we're more than happy to hear that. There are a lot of other things that we've done. She mentioned eff that she's on. We did do an engagement with eff about body cameras. Aclu was there as well. We did have other things that were lower level. I was just hitting on the key ones. >> Casar: Thank you for offering to continue to engage. You know probably better than anyone that this is a big change for the department, for the city and the community. And it's about building trust and so if we can perhaps think about a structured way to make sure the community is talking back and forth with the department as you roll this out about the policy so that it evolves to fit our specific needs within the state law, that would be something I would be interested in continuing to talk with y'all and my colleagues about. Thank you. >> Happy to do it. >>

Zimmerman: Terrific. Thank you. I think Mr. Linder, were here for yanis banks? >> Actually, yes. >> Zimmerman: Thank you for being here. Let's do your three minutes. >> Thank you. That's all I need. I want to clarify we're the local naacp and there is our issue. I beg to differ with the aclu. This is not about all the first amendment for me. There are many cases around this country where folks have been killed where these cameras stop social disturbances. In my opinion this is not rocket science.

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I've said this before, my concern is that we need to have transparency and accountability. We need to have these cameras on the street. As far as the release, [indiscernible], that can be dealt with. Chicago is an example. It's the community's fault. We could ask for those films much earlier. Chicago is not Austin. In Austin we demand everything. I want to be very clear. When the cameras are out there and something happens bad, it can clarify a lot of situations. I want to say I'm very upset that we're taking way too long. This is not rocket science. How many debates are we going to have? I mean, there are examples out there, department of justice, the oncall systems. We can do this. While we can debate the first amendment all we want to, I want to make sure that folks have the proper protection and I know from my own experience as a branch president for 15 years if you have things on camera, even dash cams, it makes a big difference in these critical situations. I want to encourage you to not make this a paralysis of analysis. I think it's due time we looked at these issues, gather our own officers, on cars, horseback and the streets and make the streets of this country safer. What I read everyday we're 2,000 branches around this country, they make a tremendous difference in trust, accountability, but also they tell you what happens. I can assure you in cases I've worked personally, if it was fully recorded you have a lot more respect in these situations, a lot of things will get done a lot more professionally. I want to encourage you to look around the country and find out who is doing this right and don't make it too complicated because in my community I work and talk for, we want cameras on the street and make it a safer city. Thank you very much. >> Casar: Chair? Mr. Linder, thank you for bringing that up. I think that just as one comment, I think that it's helpful that I heard from the department that even as we analyze those policies we don't have to slow it down to do that. Thanks for urging us not to do the paralysis.

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My hope is as soon as it's a good contract -- >> We've had the discussion before. I live in Austin, Texas. This is our community. We want to go forward. >> Casar: I understand. And I think the intent of my questions is for us to move forward. Now, of course, body cams are different than dash cams. There will be some nuances to it -- >> Absolutely. >> Casar: Especially since you can go into somebody's home. My hope is we work on this in a structured way as it rolls out. >> My point is there are ways to do that. There are folks already doing that. We can learn from the best practices around the country is all I'm saying. >> Casar: We'll make sure if there are any sort of structured conversations that you are included. >> Thank you. >> Houston: I wanted to say that while we're waiting for the process to go forward with the procurement of body cameras, we're not stopping. Everybody is in lock step that we need do this as quickly as possible. These are just some things that people are asking in the community. And the other thing I want to ask is that although you have things on the internet, that's not the way we had the thing at the palmer auditorium where I attended. There needs to be a look behind where we can do something else that says this is where we are and we're moving as fast as we can and this is our projected date. Just like you gave us a briefing, the people in the community need a briefing too because everybody is not going to go on the website. Everybody's not going to go to Reddit. But we call them to a community gathering and we had that conversation at palmer and now we have some action, we need to go back to them and say this is what's going on. And then people will begin to feel like they're in a

partnership with the police force and again to be more vocal about what they think the policies might need to be down the road that may be different than what the state law says right now. So I'm not stopping at all. It needs to go forward. >> Thank you. >> Zimmerman: Before you go, let me just ask you the pointed question that I asked almost a year ago. >> Right. >> Zimmerman: Do you think that your elected city councilmembers ought to have some subpoena power on

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getting these video records? Because right now we have no power whatsoever. >> Absolutely, absolutely. I mean, you are representing the citizens. Absolutely. >> Zimmerman: I've got a ton of things to do and I don't see a lot of energy yet from my colleagues on this, but if they want to do it I'm all over it. >> I think you will find the public will be very supportive of that idea for a lot of reasons. Thank you. >> Zimmerman: Ms. Frasier, police monitor, would you like to comment. This is pretty much our last item and the last item is the discussion of the 2015 racial profiling report. Is Mr. Spelman, has he arrived yet? >> I don't see him. >> Zimmerman: I don't see Mr. Bill Spelman. He was our presenter here for the 5:30. But I guess you were as well. Do you have the information -- >> Certainly. >> Casar: Chair, before we move. I wanted to say something about item 4 before we moved on, but it looked like you were going to also. >> On the body cameras, I fell like just saying amen. I mean, I think one of the things that really needs to happen is going back to the community and making sure the community is involved. I think one of the mistakes that we often make in government is thinking that we -- because we're the paid staff that we know better than the public knows and that we should only kind of write our policies in a silo and I think this is definitely one where the public should be actively involved. State law is what state law is, but I just returned from last week to an aba task force on body cameras. That's the American bar association, before I get in trouble with Ms. Houston. I'm fortunate enough to be a member and one of the things they talked about is the need to have community involvement. In Texas it was kind of hurriedly passed law this last session. I expect that there might be great change in the law. And I think that Austin should look at if there are certain things that we decide as a community we don't like, that we should look at whether or not we

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want to make owe pushes for legislative changes. And my last thing I would say is my concern is although I can obviously highlight several situations recently that we certainly wish we had a body camera so we could see the last few moments of a confrontation, there are also lots of other situations and I think councilmember Houston mentioned it specifically with the downtown officers where we get a large number of complaints. We also get a large number of complaints with some officers who are not patrol officers, particularly like the narcotics units and some other units. And so I think having the discussion as to who we're going to outfit with these body cameras other than just patrol officers is a discussion and a decision for the community as a whole to make. >> Casar: I did have one last comment, which is related to the rfp process and our budget process. I know we say a lot of things during the budget, but I just recall that during the budget, we did state that any savings we have on this contract for this round of body cams should be rolled over for body cams only. My hope is that this particular contract comes in as efficiently and effectively as possible, which hopefully frees up money to buy the next set we need to be able to get to the full force. Just wanted to point that out, because we say so much during the budget, that even I forgot about it for a minute. >> Zimmerman: With that, are we done with item number 4? Body cameras. I believe we are. So, if we could now move to item number 5, staff briefing, invited testimony, and policy discussion regarding the 2015 racial profiling report and patrol staffing levels. And hopefully we have someone to speak on that. If Mr. Spelman is not here,

maybe our staff is just go ahead

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and proceed. >> Just a moment, we'll get the slides up so we can go through this for you. >> No problem. Thank you. >> We can just start on the next one. I will briefly go over the Texas law on the reporting of racial profiling information. So, this is under the Texas code of criminal procedure. Without reading this to you, basically, what this says is that the requirements on a law enforcement agency to be in compliance with the racial profiling law. So it mandates police departments have a policy that clearly defines acts that constitute racial profiling, what is considered racial profiling, that that policy prohibit the agency from engaging in racial profiling, that we have a complaint process built into that policy that allows for persons to make complaints of racial profiling if they believe that that has occurred. Also, that we provide public education regarding the agency's complaint process. So before moving to the next

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slide, what we have here, we've got a very detailed complaint process here in the city of Austin. The police monitor is here, who can also attest to this, that she can take complaints in her office. People can make complaints to the supervisors on the street. We have informational pamphlets in the substations that explain the complaint process. So I think you all are aware that we recently hired one of the state's top leading experts on racial profiling to audit our department and our reporting. And he found we were in compliance with these requirements here. Next slide, please. >> Houston: Do you want us to hold our questions until the end? >> Maybe. If it's to a specific slide, maybe it would be easier as we go, since we have to go off the projector. >> Houston: Okay. The consultant you had to do the external survey of whether or not you're in compliance with the law -- that may not meet community standards. This is fairly loose. So is there a possibility that the police department has community standards that would be a little more finite and granular than the state law, which is very general? >> I think maybe where we measure that best, councilmember, is with the citizen satisfaction surveys done by the city each year across all levels of city service. And I think things that like might show up in levels of satisfaction with police service. And I also think that the current study that you all requested we do this year on community policing -- I do believe in the meetings that we will have out in the community at each of your districts will speak to that as well about any concerns the community has with how we're policing. So I think that's probably the best -- >> Houston: Not how we're policing, how we're profiling. >> I'm sorry? >> Houston: How we're profiling. >> If we're profiling. >> Houston: No. We are profiling. Your statistics say that we are. We've -- I mean, you've got some

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statistics that say that there is some profiling being done. But it's the degree in which that's being captured. >> Maybe that will come up as we go through the presentation. >> Houston: I'll wait and see. >> Zimmerman: From living in district 6 on the far northwest side, if you send a survey out to me and my neighbors on the northwest side and you say, you know, is APD doing racial profiling, their answer would be, absolutely not. But if you sent that same survey over into east Austin, I think you'd get a very different survey answer. I think that's the point we're making here. >> Fair enough. Next slide, please. The law goes on that requires that the department does take appropriate action if an officer is found to have engaged in racial profiling. And then the key points is it requires us to collect information on those individuals that we stop on traffic and either write a citation to or make an arrest based on that traffic stop. And then that we file that annual report. And so, this is a report that we file annually. It's a report

that's available to the public. It's posted on the front page of the police department's website. And that is now what I'm going to speak to here, is to the report from 2015. Next slide, please. Some of the key findings from that report, what we did see was that from 2014 to 2015, we saw a 17% decrease in the community engagement time. It went from 19% down to 17%. So we did see a reduction. And then similarly to that, we actually saw a reduction in vehicle stops and traffic stops, both of those decreased 17%. So, what we looked at was the decreased level in the patrol staffing. I think we've talked to you before about some of our vacancies, and some of the impacts that's having on us as a department. And then also the reduced community engagement time. Some of the Numbers we'll go into as we go through this

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presentation is the -- what we call -- it's called the hit rate, but it's the rate at which we find contraband during our searches. We found in 2015 that that rate was very similar between African Americans, hispanics, and anglos. And then in the year 2015, we had a total of three complaints of racial profiling. Two of those were informal. One of those was a formal complaint. None of those were sustained, out of 120,000 citations. That's not a perfect mechanism, some people may not feel comfortable making complaints, I think the fact that we only had three speaks volumes. And then we also have a rigorous audit process where supervisors must regularly audit their officers' in-car camera videos randomly. We have measures built in to identify early, hopefully, if we have an officer that's engaging in that. Next slide, please. This, again, just highlights the 17% overall drop. We had 120,056 motor vehicle stops in 2015, compared to 144,906 the year before. So, we did see a significant decrease from the previous year. And it was also below the level in 2013. Next slide, please. When we look at our motor vehicle stops, you can see here that in 2015 50% of the stops were on the anglos. 30% hispanic, 12% African Americans. You can see the other groups. Those Numbers are pretty similar to the Numbers in 2014. Just a few percentage variables. I know one of the things that would immediately jump out is that the African-American population was 12% of the total stops when they represent between 7 and 7.5% of the population in Austin due to

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gentrification and other issues. What we do and how we assign our officers is we're a data-driven police department. We place our officers in those communities where we tend to have crime clustering. And we do tend to see that crime clusters oftentimes in communities that are less affluent than other communities. And for a lot of social and other reasons, we do see the minority communities overrepresented living in those communities. So we have a higher level -- [beeping] >> Zimmerman: How many more slides have we got? >> I believe I've got about three more slides. >> Zimmerman: Okay. Thanks. Go ahead. >> Okay. So, again, we expect to see a higher percentage based on the fact that we're putting our resources where the crime is occurring, because we believe the children that live in those neighborhoods have the same right to walk to their schools, convenience stores, and playgrounds in safety as do the kids that are fortunate enough to live in more affluent neighborhoods. Next slide, please. As you can see here, our searches also dropped by 19% in 2015 from 2014. So, you know, if our stops decreased by 17%, we would expect to see a very similar decrease in searches, and we saw that. We saw our searches drop to 9,253 as you see noted there. Next slide, please. What I think is important here is the type of searches. And what's really important here is you'll see we did 63 consent searches in 2015. And consent searches can often be considered one of the more intrusive ones, because this is an officer just asking if they can search a person. They have not yet developed probable cause, or there is no probable cause, but yet they want to search. There may be a place for that in law enforcement, but

not a significant role. We took significant steps, at least four years back now, I think. For an officer to do a consent

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search, before they can ask that individual to search them on a consent, they have to first ask their supervisor and explain why they want to do that search. And if the supervisor then approves it, then they can ask that citizen if they can search them. There's a form they have to fill out. And it all has to be captured on video. We've seen a reduction from 2010. The remainder of the searches are nonconsent. They're either based on probable cause, or, if we've arrested the individual, we search every individual that we arrest. Next slide, please. >> Casar: Sorry, I know you said it, but I missed writing it down. When did you make that change? >> It was, I believe, four years ago that we made that change to where you have to get it in writing and on video. >> Casar: And the Numbers there reflect how many people agree to the consent search, or how many times you asked the people? >> That would be the number of individuals that agreed to the search. >> Casar: Thank you. Yes. >> Zimmerman: Help me understand. How many were asked? I mean -- >> I don't have that information with me. I'll go back and see if we have that. I know the number of consent searches that we actually did. >> Zimmerman: It would be interesting. If you asked a hundred times and 50 people say yes, I'm just curious. >> Sure. >> Zimmerman: And if you ask and they say no, then does that necessarily go to phoning up to get a warrant, or . . . ? >> No. You cannot use someone's refusal to, you know, use their right not to be searched to then say, okay, now I have probable cause. >> Zimmerman: Look for some probable cause after you don't get permission. >> Right. That's not an element for probable cause, the fact that they told you no. When we look at the searches, we look at, a factor, the hit rate or rate at which we find

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contraband. For the year 2015, within the white population, 32% of the time, the hispanic time we found it 31%, and the African-American population it was 35% of the time. So we do track the rate at which we find contraband in these searches. And as you can see, the rates were within three percentage points of where they were this 2014 as well. Next slide, please. When we look at that compared to a national data, though, this is where -- this came directly from Dr. Dell Carmen, one of the state's leading experts, and the report he did on our racial profiling. Our find rate, hit rate, contraband rate, whatever you prefer to call it, 32% caucasian, for hispanic, 31%. When you look at the African-American population, our find rate is 35% here. But on the national level it's 3%. And so, as a profession, I think this points to the fact that we've got some failed policies and some failed practices out there. Some of those are policies like search and frisk that were real popular in some communities. And you yield Numbers like this. So, when we look at what the national contraband rate is across the country, I would, too, be very alarmed by those Numbers. But if you look at the rates here in Austin, we are far over and above those rates. So, again, we pay very close attention to our searches. This is a report we've authored annually. We do a routine audit. We only had three complaints last year. And, again, we've gone so far as now to hire one of the state's leading experts on racial profiling to come in and audit our previous reports for both 2013 and 2014. And then he was the author of our 2015 report. So, with that, next slide. >> Casar: Before you leave that slide, just because that's such an alarming statistic, I

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just want to make sure I understand it right. You're saying at the national level, according to the doctor, on a national level, only 3% of African Americans that are searched -- contraband is found on them

nationally? >> Correct. >> Casar: Thank you. >> Houston: And then I have a question that's not on your slide, but on page 5 of your report. Table number 4. It says search hit rates, consent searches. For 2014, the rate for African Americans is 71% hit rate. And then in 2015, it's, again, the white anglos are 70%. So what do you see as the cause between the difference in those rates going from 71% in 2014 for the blacks and now 32% in 2015? >> Councilmember, I would say there the challenge is that you're dealing with very small Numbers. And a change in small Numbers leads to very large percentage changes. So you went from 2014, there were 24 searches with 17 finds. And in 2015, there were 19 searches with six finds. So when you're dealing with such small Numbers, the percentage difference, when you drop by one or two, is significant. So that's what you're seeing there. >> Houston: Okay. Thank you. And the other thing is that somewhere in the report that you talked about is -- and you just said it tonight in a more gracious kind of way, is that because of the poverty and other economic factors in communities of color that you place more of your resources in those areas to ensure that people are safe. Is that correct? >> We place the resource where is crime is clustering. For a lot of social reasons, we know crime clusters in less affluent communities, which have an overrepresentation of the minority community. >> Houston: I cannot speak for

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the Latino community, but I can speak for the African-American community. We've not noticed any height in police presence in the black community. Maybe that's because we're not there at 2:00 in the morning. But it seemed a little insensitive to say it that way, because it's what we as a city have done. People -- poor people have only places to live where poor people can live. And so it sounded to me as though you were saying because people are poor and have less resources, that's where all the crimes go. But I don't see any information in the data about the location of where these stops are made. Are the stops all made in those poor communities, or -- I suspect for the people that I know, the stops are being made all over the city, not in just those -- can we get locations of these stops? >> We -- do we have the data, yes. It's not something that's been tabulated at this point. I think I agree with you on your earlier point. We're saying the same thing. It's not anything that's being critical. When we draw up our geographical boundaries for our sectors, we have some sectors that are much larger than other sectors based on the level of crime, the number of calls. And so the communities that have the higher rates, what we tend to do is create smaller districts like we did in the rundberg area, we created the Ida sector several years ago. And along with the Henry sector, because we realized we needed a lot more concentrated attention. And so, through drawing geographical boundaries that are smaller, we tend to have a larger police presence in those neighborhoods. And it is for those reasons, though, that it's that that's where the crime is occurring. It's not who is living there, it's because that's where the crime is occurring. >> Houston: One of the things I think would be helpful for us to be able to look at whether or

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not racial profiling is going on is not just look at the number of stops that led to -- I think it was arrest, or a ticket was issued -- but the number of stops. The number of citizens where they said, oop, never mind, have a good day, go on about your way. Why was that person stopped that time? So if we could capture the number of times people were stopped, whether arrest was made, or ticket was issued, and the locations of those, I think it would give us better data about whether people are being profiled. >> Councilmember, I would tell you that we agree with you. And we agree with the monitor. That was her number 1 recommendation. We have tasked planning with telling us what it will take to capture that information in a meaningful way. Do we have to add a check box to the warning citations, create another form to document these stops? We are actively looking into what we will do to capture that

data so that we can give -- we will still file this report. This is all the state allows us to enter into the state database. But we will then have a report that includes all of the information on all of the stops. And so I think that that will address what you have brought forward as a concern. I believe Ms. Phillips brought it forward in a recent editorial, and the police monitor listed that as her number 1 recommendation in her report. >> Zimmerman: Thank you very much. If you could hang around just a couple more minutes, and we're going to hear from the police monitor. But, thank you for that, Mr. Manley.

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>> Margo Frasier, Austin police monitor. I've been the police monitor for a little over five years. When I became police monitor, one of the questions I had in my mind was, why did we see such a huge difference between compliance by African Americans in this community as opposed to their representation. And so, we started trying to figure that out. And one of the things we began to look at was traffic stop data to try and see, when we were being told by African Americans in this community they thought they were being singled out for police action, whether or not there was any validity to it. So we looked at -- here's the 2015 traffic stops and what percent it is. One of the things that first stands out to you, yes, is that the, you know, African Americans it's basically 150% rate of their representation in the population. So if you're African American, you stand a 1 out of three chance of being stopped, 1 out of five as a Latino, one out of six for white. The Asian statistics are unreliable. Huge other or unknown is officer failing to report data. And we get some complaints about the fact that they can't seem to tell somebody who is middle east earn from somebody who is Asian. We then looked at the fact of who's being searched, and the Numbers become much more alarming. We started doing this with the 2011 data. So we've done it -- we took the 2010 data and did it in the first report I published. It's consistent right around these Numbers, that African Americans, although they're 12% of the stops, they represent 24% of the searches. So the data becomes one out of

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seven if you're African American that you are likely to be searched if you're stopped. One out of nine for Latinos, and one out of 21 for caucasians. In other words, I'm three times less likely to be stopped and searched than Ms. Houston. So, we looked at those data. And like I said, that's been consistent over time. Next slide, please. We then looked at the search data to try and see. I agree with the assistant chief that the amount of consent searches have gone down drastically. And I think that's a good thing. And that's something we advocated for a couple years ago. But what you have to look at is some of the other hit rates. When you get, kind of, this combined, sort of, hit rate, it doesn't necessarily tell you the entire picture. The things where, quite frankly, some bias can come into play, or searches that are based on, I would suggest, not only consent, although that can be all over the place when you're talking about a small number, but particularly probable cause number and contraband. And what you'll find if you look at those two, that you have, essentially, based on probable cause, the officer is saying that they had a reason to search this person, that they're finding contraband, basically, one-third of the time. So, we have some concerns about that. If you'll go to the next slide. This was on plainview. Again, the officer saying that they had a reason to search. When you're looking at this, the issue of when do they find something versus nothing being found. So, it shows us that over half the time, that nothing is being

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found. On contraband, actually, the group that they find things on most often are caucasians. But, I want to talk about one of my real concerns. One of the things that we did suggest, and we continue to

suggest. A couple years ago, APD decided to change the policy and stop reporting -- and I understand there was a change in state law, but that doesn't mean, quite frankly, that information should not be available to the police monitor, the city council, and the public at large. And that was in situations if they stopped someone, even if they searched them, if they found nothing, but they didn't give them a ticket or arrest them, they did not record the data. And so that is -- I would suggest -- the exact opposite of transparency. Now, whether that's going to make a difference in the Numbers, I don't know the answer. But what I do know is that that information should be readily available. We have been asking since I've been police monitor for the last three years for the data on trying to be able to figure out where these stops are occurring. We hear anecdotally that certain folks get stopped because they're in the hood, and also they get stopped for what're you doing out of the hood. And so we want to see whether or not that's accurate. And if I may, every time I hear this, sort of -- I want to be careful about my words -- but these comments about the fact of, lower socioeconomic folks having the right to be safe, and councilmember Zimmerman and I grew up in the same neighborhood in San Antonio, and I suggest our neighborhood fit that criteria. It's not about traffic stops in those areas. That's not how you keep people safe. You keep people safe by the fact that you have officer presence, that they're doing something other than going on fishing expeditions by stopping people for pretext traffic reasons. And if you go to the next slide,

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please, I would suggest to you there's a difference of opinion between the Austin police department and the Austin police monitor as to how many racial profiling complaints we have. Our records show in 2014, we had 22 complaints in which individuals -- 22 complaints, we'd have more if we just looked at allegations -- complainants who felt race was a factor. In 2015, we had 14. Essentially, it's a rate over four times as much as what APD has reported. >> Zimmerman: Can you offer some rationale for that difference, because there's got to be some rationale for that. >> We consistently tell the Austin police department of all the allegations and complaints that we think involved race. And I they choose not to include what we say. >> Zimmerman: So it's a difference of opinion? >> Perhaps the APD could shine some light on that. >> Zimmerman: It would be helpful. >> We feel very confident -- >> Zimmerman: Chief Manley, we had a brief conversation about this. I don't understand -- >> I don't know if it's a conversation or a comment. I'm not aware of what the disparity is. I'll have to talk to police monitor whether she was including things that were not considered formal complaints. What we count is somebody who actually made a formal complaint, whether it be to a supervisor on the street, or through the ia process. In 2015, we show one formal and two informal complaints. This may not be a conversation to have here. We will have to reconcile our Numbers. >> Zimmerman: Is it a difference between where the citizen approaches? If the citizen approaches just the police monitor, and doesn't ever contact internal investigations for some reason, would that account for it? Does it matter who they report

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the problem to? >> No. If they make a complaint, it doesn't matter whether the initial intake was through the police monitor's office or the police department. >> Zimmerman: The Numbers ought to be the same. >> Unless they're counting citizen contact that didn't make a complaint, that could be a difference. We would have to have a conversation. >> I'll be glad to have that conversation again. >> Zimmerman: We need to figure that out so we're working with the same Numbers. >> Absolutely. >> Zimmerman: Okay. >> Houston: And the other thing is that if I'm stopped and searched or not searched, and just not issued a ticket, not arrested, I'm going to go. I'm not going to sit there with the officer and

say, I think you racially profiled me and I want to file a complaint. I would be stupid to say that to somebody. I would have to wait until I could get someplace and go to someplace safe. So to think that everybody that feels like that they were profiled would be able to say that to the sergeant, or to the -- up the chain of command is not reasonable. >> I didn't intend to imply that. I said myself that that's not a metric that we put complete weight in, because some people are not comfortable making complaints. I would agree with you, making the complaint to the officer that just stopped you is not the appropriate place. But we have many mechanisms that are intakes for complaints. And that is the police monitor's office. If you're not going to report it to the supervisor. >> Houston: Perhaps that is why she has more complaints than you all do at the APD. Because people feel more comfortable going there, perhaps, than going to anybody in the police department. The history of APD in the black community is not one where people feel very comfortable. I know you all try to do the best job you can, but it's just not something that I would do. And I'm fairly comfortable with police officers. I've got one in my family. But I would probably go to the monitor's office. So maybe that's something of why your Numbers are off.

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>> We share the same database. The Numbers should be similar if not exact. We're going to have to look at that. >> If I could make a couple more points. One thing is that, what we hear constantly from people is the fact that the officer at the end of searching them and not finding anything says, today's your lucky day. I'm not going to give you a ticket. And they feel that it's almost trying to incentivize them not to make a complaint. And one last thing I'd like to say, the hit rate data that Dr. Del Carmen -- I would -- I really caution you about that. That hit rate data, for one thing, Austin, in this data, does not include its pedestrian stops, does not include stop and frisk that takes place much more often, I would suggest, in the lower socioeconomic/minority areas of this community. So when you're looking at some of this data, you want to really make sure you're comparing apples, you know -- Macintosh apples to Macintosh apples, as opposed to blueberries versus apples. I think you really have to look at that data. And while -- and also recognize that as long as we have a situation where we're not reporting all the data, that we're going to continue to have an issue of transparency and lack of trust in the community, because they feel like the books are being cooked. >> And to that point, we've already spoke on to that, that we are looking into making that happen. We've given the direction to make that happen. We've never had stop and frisk in Austin. >> Casar: And so, both of those concerns brought up, one, whether or not pedestrian stops of any kind are incorporated into that data, along with -- so, both of those things are part of your direction that you've said you want to address as far as the data. It sounds like the police monitor brought up two pieces. One, the other stops, and then two, to make sure that pedestrian stops are included as

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we compare to the national data. >> Yes, councilmember. We're looking to capture all of the data of those stops. >> Houston: And chief Manley, I'm not saying that we have a policy about stop and frisk, but I don't know that there's a practice that's not happening. So, that's why it just keeps coming up. People just get stopped. >> Zimmerman: Okay. >> Casar: I have one very last question. And this had to do with the disparity between the Latino Numbers and the African-American Numbers, just knowing, obviously, I represent several of our lowest-income neighborhoods where there are large Numbers of Latinos and significant Numbers of African Americans. And looking at the data for stops, it's one out of three Latinos versus one -- sorry, one out of three African Americans versus one out of five Latinos, can with the searches, there is a disparity there. That's not quite as large. Do we have any reasons behind, or any alarm about the fact that obviously, both black folks and Latinos are pretty heavily represented in

some of these lowest-income communities, but we see, even still, they are disproportionately larger, a share of African Americans in the stop data and the search data? Do we have -- >> I guess, councilmember, that's what I was trying to reference earlier. When we have a larger presence in the communities where we tend to have a larger representation of the minority populations, if they're being stopped at a rate that's higher than they're represented in the population, then they're going to be searched at a higher rate as well. >> Casar: I understand that between anglos and those communities of color. But I mean, even amongst between Latinos and African Americans the number is still significantly higher nor African for African Americans. I was saying, some of our poorest neighborhoods are largely hispanic with large Numbers of African Americans there, and you still have that higher African American number.

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>> Chief Manley and I will just, quite frankly, disagree. I think there is significance. I mean, I think that kind of consistently, hispanics or Latinos are stopped proportionate to their representation in the voting population in this community. They are searched at, again, a much higher rate. Once they are stopped. So, I would suggest something is happening that results in this disparity of stops of African Americans and blacks. And I think there is significance to the search rate that we're seeing among both Latinos and African Americans. >> Casar: Okay. Thank y'all for your frankness here at the podium, because I think just seeing the differences in opinions and reading the data is informative for the council. So, thank you. >> Zimmerman: I would concur. I think if we keep having these kind of candid conversations, we're going to get somewhere. This is great. Appreciate you being here. Thank you very much. >> Glad to be here. Thank you for including us. >> Zimmerman: That brings us to item 6, discussion of future agenda items. Do we need to talk about anything now, that we might bring up? Sorry? We're good. All right. With that, if there's no objection, we don't -- we've changed the way we've done speakers. So we bring them in during the agenda items. If there's no objection, we are adjourned at 6:33 P.M. Thank you all.