



**PUBLIC SAFETY COMMISSION  
MINUTES**

**REGULAR MEETING  
Monday, May 2, 2016**

**The Public Safety Commission convened a regular meeting on Monday, May 2, 2016 at City Hall, 301 West 2<sup>nd</sup> Street in Austin, Texas.**

**Chair Rebecca Webber called the Board Meeting to order at 4:00p.m.**

**Board Members in Attendance:**

|                           |                  |
|---------------------------|------------------|
| Rebecca Webber, Chair     | Preston Tyree    |
| Daniela Nunez, Vice Chair | William Worsham  |
| Ed Scruggs                | Kim Rossmo       |
| Brian Haley               | Sam Holt         |
| Michael Levy              | Rebecca Gonzales |

**Board Members not in Attendance:**

Emmanuel Loo

**Staff in Attendance:**

Brian Manley, Chief of Staff, Austin Police Department  
Jasper Brown, Chief of Staff, Austin/Travis County Emergency Medical Services  
Brian Tanzola, Assistant Chief, Austin Fire Department

**1. APPROVAL OF MINUTES**

- The minutes for the regular meeting on 04/02/2016 were approved with a correction on the members of the Budget Working Group. The members are Commissioners Worsham, Scruggs Tyree, Haley and Nunez. Commissioner Worsham asked if a highlighted sentence on second page of minutes was highlighted because it was referencing the nature of the resolution. Janet Jackson, Liaison responded that he was correct in his reasoning for the highlighted sentence. Commissioner Worsham motioned approval of the minutes and Commissioner Haley second the motion. Minutes were approved with a unanimous vote.

**2. CITIZEN COMMUNICATIONS –**

- Anthony (Tony) Marquardt, President of Austin Travis County Emergency Medical Services Association spoke on the medical direction for the City of Austin. Mr. Marquardt advised the board that with the resignation of the former medical director and recent resignation of the Deputy Medical Director this is an opportunity to examine the medical direction for the City of Austin. In addition to the personnel changes at City of Austin, Travis County is looking to go in an independent direction

that does not include the City of Austin. Per Mr. Marquardt, “ this is a good time for City of Austin to come together and work collaboratively to define new medical direction for the City of Austin”.

- Citizens signed up to speak on specific topics were:
  - Joell McNew – Item #4 –Homeless Issues Around UT and West Campus
  - Susan McDowell – Item #4 “
  - Laura Poskechil – Item #4 “
  - Deborah Walker – Item #4 “
  - Colton Becker – Item #4 “
  - Bob Harkins – Item #4 “
  - Paula Buls – Item #7 ADP GENDER IDENTIFICATION REPORTING
  - Claire Bow – Item #7 “
  - Chuck Smith – Item #7 “

## 7. APD GENDER IDENTIFICATION REPORTING – Commissioner Nunez

**Commissioner Nunez** brought this item to the board for review and action. The feeling of a need to change identification policies of transgender individuals by Austin Police Department came from the murder of Monica Loera. Monica was the first murder in Austin this year (2016). Monica was misidentified by Austin Police Department and was not identified by family until a week later. This was disrespectful to Monica’s friends and family. Monica’s life is just as valuable as anyone else’s in Austin. What you have in front of you is a resolution (latest update from CM Casar’s office) to be voted on at the next city council meeting. There is also a resolution from the Human Rights Commission which much of their language was used in the one going before council. This resolution is directing the City Manager to convene a working group to identify the identification issues of transgender and gender non-conforming individuals. The resolution ultimately is for Austin Police Department to determine the scope and the actual wording of the policy. This resolution does not say what the police should be, but only recommends possible changes to the Austin Police Department policy and training be considered. Ultimately what it could help with is timely and accurate reporting of crimes against transgender and gender non-conforming individuals; and enhances respect and dignity of transgender individuals. The bottom line is that the resolution would improve the accuracy of reporting the crimes against the transgender community, and I am asking you to vote yes (approving) this resolution that will be voted on by city council on May 5, 2016. I know we have members of the community here today to speak and I think we should invite them to speak before we have a discussion. **Commissioner Rossmo** - to Public Safety Commission Board , if we have a speaker on a specific item they have to speak after the discussion/business. If speakers are signed up to speak on something that is not on the agenda then they speak at the beginning of the meeting. I guess you want to make a motion on this item right? **Nunez:** right At this time in the meeting there was discussion (questions & answers) on the procedures and **Commissioner Webber** deferred to Chief Manley for an answer. Manley stepped out of the meeting to speak with Law Department for an answer. **Commissioner Scruggs:** asked if any of the other commissions have this same type of restriction? **Commissioner Haley:** asked can we suspend the rules? Commissioner Tyree mentioned that he had just finished the training and in the training it states you make a motion then open up for discussion. **Commissioner Nunez** – made a motion and then reworded the motion after **Commissioner Webber** advised that the motion should be to pass your resolution then it could be opened up for discussion. **Commissioner Nunez** offered the motion and **Commissioner Scruggs** second. **Commissioner Worsham-** asked to clarify that the board was voting on the resolution from CM Casar and not the one from the Human Rights Commission that was in the folders. **Chief Manley-** responded that Worsham was correct. While the board continued to wait for an answer from the Law Department there was some discussion among the board members. **Chief Manley** returned with an answer from the Law Department “ Legal has advised that you may take testimony from those who are here to speak before taking action”. **Commissioner Webber-** thanked Chief Manley for a quick answer and called the speakers for this item.

**Paula Buls**, Member of the Human Rights Commission, Licensed Clinical Social Worker (working primarily with transgender population) She spoke in favor/support of the resolution going to council on May 5, 2016

**Claire Bow** – Supervisor Attorney for the Texas Gender Marker Project @ U.T. School of Law. Volunteer Education @ Transgender Education Network of Texas – Ms. Bow spoke in favor of the Resolution

**Chuck Smith** – CEO of Equality Texas, spoke on behalf of Lou Weaver who is the Transgender Program Coordinator @ Equality Texas. He is in favor of the resolution.

**Commissioner Webber called for a vote on the transgender identification resolution from Council Member Casar. The Public Safety Commission voted unanimously in favor of the resolution.**

**4. HOMELESS ISSUES AROUND UT AND WEST CAMPUS** – Chris McIlvain, Assistant Chief, Austin Police Department, McIlvain began the discussion by sharing the most recent numbers he had concerning a decrease in crime in the area. From 1<sup>st</sup> Quarter 2015 to 1<sup>st</sup> Quarter 2016 there has been a 33% decrease in violent crime and 17% decrease on property crimes. In addition to the decrease in crime, there has been a marked decrease in the number of homeless in the area. We (APD) have spoken with churches in the area alerting them to the problems generated by the homeless population; and they have offered to assist. However, they will not change the way they do business. Three emails from former vendors in the area who had left are returning. In the emails vendors commented on the reduction of homeless people and they have decided to bring their vendor business back. AC McIlvain commented he feels that one of the reasons for the decrease in the homeless population is due to increased presence of the Austin Police Department. He mentioned other things City of Austin is working on to continually reduce the homeless population in the area is:

- amending City Ordinances
- no panhandling in the area at certain times
- single serve alcohol
- concentrated effort on collecting trash and debris in the area Austin Resource Recovery is involved with frequent collections
- improving cameras in the area (upgrade to high resolution)
- biggest win in working on improving the area is the collaboration with UT Officers (bike patrol, foot patrol all of the work together is improving the area)

David Carter, Chief of Police, University of Texas commented on changes in the Guadalupe area (the drag) and the make up of the homeless population in 2014. He observed during the summer 2014 there was a older homeless population and also the beginning of receiving anecdotes from UT students concerning threats and assaults. In October 2014 the first fulltime bike unit was established at UT Police department. This bike patrol was helpful in fighting crime and they worked closely with APD's bike unit. Also during this time there was the rise of a synthetic drug called K-2 that contributed to crime and ongoing problems in the area. There was strong cooperation from business owners in area to help combat the crime. Per, Chief Carter, the police is not the ultimate solution to the homeless, but we will certainly do our part. He offered to answer any questions. There were six citizens signed up and spoke on West Campus issues/safety.

- Joell McNew
- Susan McDowell
- Laura Poskechil
- Deborah Walker
- Colton Becker
- Bob Harkins

### 3. OFFICE OF POLICE MONITOR ANNUAL REPORT RESOLUTION

Commissioner Levy began the discussion with comments on his recommendation that was included in the May 2016 packets and the eight points included in the recommendation that are from **Commissioner Rossmo**. **Commissioner Levy** motioned for adaptation of his recommendation and **Commissioner Tyree** second but no vote was taken. **Commissioner Levy** asked Webber what did she have; **Chair Webber** opened this topic by sharing an explanation on why this topic is on the May 2016 agenda. This resolution is a follow up to what Commissioner Webber introduced at the April 2016 Public Safety Commission meeting. Due to there not being enough time in the April 2016 meeting to adequately discuss/vet the recommendation. **Commissioner Levy and Webber** agreed to form a working group to report back to the commission with a resolution/recommendation in May 2016. They were unsuccessful in meeting/drafting one recommendation and that is the reason for two recommendations in the packets today. There was much back and forth discussion amongst the board members on what the OPM office was asking them to do/recommend and the analysis of the data Office of Police Monitor used for the report. **Commissioner Levy** commented he believes it would be inappropriate for us (Public Safety Commission) to support anything in the report unless OPM was able to resolve some of its deficits in management of data gathering. **Commissioner Rossmo** commented:

- the OPM must produce a report with proper analysis and data,
- Do not jump to conclusions without substantiation,
- Recognize what a statistical insignificant is,
- Conduct a Veil of Darkness study which is standard when studying racial profiling,
- Make sure that any data given to City Council is properly analyzed so that any inferences that are drawn from the data are based on science.

**Commissioner Levy** commented that his recommendation acknowledges that what they (OPM )do is critical and there has been success and cooperation between OPM, Austin Police Department and Austin Police Association. Commissioner Webber asked if there was any further discussion.

**Commissioner Nunez** asked Commissioner Levy what does his recommendation actually do?

**Commissioner Worsham** asked how close would we be to one recommendation if we get the expert analysis that Commissioner Levy is requesting.

**Commissioner Webber** responded I am certainly open to going back and making another effort this month. **Commissioner Nunez** – I support what Rebecca has offered. **Commissioner Tyree** – I don't have a PHD but we need good data. I am uncomfortable with making a recommendation with the quality of data that we got, because some of those 8points need to be addressed with data we get in the future (the analysis of future data). **Commissioner Haley** – commented that we should table this item until the next meeting.

**6. AUSTIN TRANSPORTATION DEPARTMENT BRIEFING** – Mike Trimble, Capital Planning Office, City of Austin – Mobility Talks- what is it? City Council about a month ago directed staff to go out and have a robust public engagement with the community. The task was to create a process to get feedback on mobility priorities and funding options and bring all the feedback to a June 8, 2016 Mobility Committee meeting. The Council would think about how to proceed in addressing some of the issues in the feedback.

What are we doing?

- Community Engagement – online and in person
- Community Engagement centered around Four Community Improvement Benefits
- Identifying Needs

- Key areas of need and the cost
- Mobility Talks gathers all feedback from online surveys, websites, public hearings, and face to face conversation
- Summary of universe of needs over next 10-30 years

**Questions/Comments from Public Safety Commissioners:**

- You got my attention when you said this will be a tradeoff process. I started as a big skeptic but I'm glad to see that you are attempting to find out what people are willing to give up. Not just what everybody wants to ask for in a limitless resource environment? Thank you (**Commissioner Worsham**)
- Any hope/options of getting help from the state or federal government on the cost of this bond because it will help the taxpayers? (**Commissioner Rossmo**)
- Any talk of purchasing the toll roads down here to divert some/most of the truck traffic from I35? (**Commissioner Holt**)
- This is very fast tracked. How are you going to guard against skipping past some of the deep analysis that are needed to get this information? I'm just wondering about the pressure of the timeline. How are you going to shadow the need to really look at things closely? (**Commissioner Scruggs**)
- Is there any talk about if projects if they get funded are they quickly implemented? (**Commissioner Nunez**)
- Some of the bonds have been approved for projects that have not happened and the money goes elsewhere. Any talk about that in this package? (**Commissioner Scruggs**)
- The last bond package was too big and people didn't know what they were voting for. Are you going to package this one in a way that people will be able to tell what is in it? (**Commissioner Levy**)

In closing **Mike Trimble** stated one of the things we shared with Council from the get go is that this is a very short timeframe to gather data and they understood. They (the council) are aware of the short timeframe and kinda gave us marching orders so now we are moving forward.

**5. VISION ZERO FINAL REPORT – Frances Reilly**

Commissioner Levy urged the board to wait before taking any action on the Vision Zero plan. The key elements in the draft that Public Safety Commission previously asked to be included in the final report are not in it.

- Impound the car of an unlicensed driver
- Bring neighborhood streets into the equation
- Transportation department has to coordinate all of the different action groups according to the final Vision Zero plan. The Transportation Effectiveness Audit states that is one thing that the Transportation Department cannot do.

So Commissioner Levy's suggestion is to let's take a closer look at this report. This material is much too important. **Frances Reilly** said they were looking for a recommendation from the Public Safety Commission today. The task force will be going before the Mobility Committee on May 9, 2016 and then to the City Council on May 19, 2016. **Commissioner Webber** commented that there was not enough time for the group to come back in June 2016. **Commissioner Rossmo** mentioned that there were some things mentioned in the draft report that seem to have been taken out of the final Vision Zero report that caused for some concern. He referenced page 41 in the report and item #55 (shorter driver license renewal from 6years to 4years). Next there was so discussion on drivers involved in accidents having no license or suspended license. It seems the real problems got ignored in the final report. Enforcement of suspended or impaired and cite and release doesn't address impounding the vehicle. **Commissioner Nunez:** Austin Police Department has been involved and enforcement is in this plan. **Commissioner Levy** – everything we have heard was that we need to

impound the car. **Commissioner Tyree** – I was involved in the Vision Zero Task Force as well. I don't remember the concentration on enforcement that you do. 1. To suggest impounding the car just says they are going to find another way to drive. 2. If we make the argument half of the people in accidents were males then should we be able to impound all of the males' cars. The issue of impounding I think is overplayed. **Commissioner Levy** – Commander Fortune wasn't that something that APD said was a significant issue? **Commander Fortune** well we made a recommendation that we change the policy just from giving cite and release (technically meaning the driver could drive off in the vehicle). We had a policy revision sent up and it is with Chief Acevedo's office as well as how did some of those people have their license suspended. Now we are waiting outside of Vision Zero to see if that policy can be changed. **Commissioner Levy** – yes, it was recommended by APD that should have been in this draft. **Commander Fortune** – we can surely add it. Last time we talked about everything being in here outside of the kitchen sink and I think that was taken out while trying to clean up the draft. **Commissioner Levy** – are there any benchmarking against any other cities in the Zero Plan? **Commissioner Webber** – does anyone plan to offer a resolution this evening regarding the report or agenda item. **Commissioner Rossmo** – okay I will make a recommendation that we compliment the Vision Zero report (see complete recommendation below). Do I have a second? **Commissioner Levy** – and I would add to your resolution **Commissioner Worsham**- and you are leaving the impoundment of vehicles out of that (recommendation)? **Commissioner Rossmo** - I'm saying research it, find out what works. **Commissioner Holt** second. **Commissioner Levy** – offered a friendly amendment to include neighborhood streets being as important as highways. **Commissioner Rossmo** accepted the friendly amendment. **Commissioner Nunez** – could you repeat that? **Commissioner Worsham** – to be clear this is not a resolution endorsing the conclusions in the report. I am just clarifying because it will affect my vote. **Commissioner Webber** – any further discussion on the motion?

Recommendation- The Austin Public Safety Commission compliments Vision Zero on their work, but we would encourage them to research and consider strategies to deal with repetitive problem individuals; particularly those who drive while their license is suspended, unlicensed or impaired.

**Vote: For – 6 (Commissioners Webber, Worsham, Scruggs, Rossmo, Gonzales, and Holt)**  
**Against – 2 (Commissioners Nunez and Levy)**  
**Absent – Commissioner Loo (Commissioners Preston & Haley had left the meeting)**

## 8. FUTURE AGENDA ITEMS

- Greater Crime Commission –Police Force Strength Analysis and Assessment Report (Commissioner Rossmo)

## ADJOURNMENT

– Commissioner Scruggs motioned and Commissioner Nunez second