



**PUBLIC SAFETY COMMISSION  
MINUTES**

**SPECIAL CALLED MEETING  
Tuesday, July 5, 2016**

The Public Safety Commission convened a special called meeting on Tuesday, July 5, 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	William Worsham
Daniela Nunez, Vice Chair	Kim Rossmo
Ed Scruggs	Rebecca Gonzales
Preston, Tyree	

**Board Members not in Attendance:**

Emmanuel Loo  
Brian Haley  
Sam Holt  
Michael Levy

**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 06/06/2016 were motioned for approval by Commissioner Worsham and Commissioner Gonzales second. **The minutes were approved 6 for and 1 abstained (Commissioner Tyree)**

**2. CITIZEN COMMUNICATIONS –**

- There were four citizens signed up to speak. Gus Pena spoke on several topics: (1) his disapproval of sending Austin police officers to the Republic National Convention (2) He is not in favor of a merger of Austin Police Department, Austin Fire Department and Emergency Medical Services. (3) Mr. Pena expressed he would like to see more recognition from City of Austin for Emergency Medical Services Department. He credits Emergency Medical Services for helping to save his life recently. The final point Mr. Pena expressed was the continued need for more police officers for the City of Austin. **Mary Kenek**, second citizen to speak; expressed her frustration with getting someone from Austin Police

to speak with her concerning gang activity. She requested a 1on1 meeting with an APD officer so she could share her observations to help keep her community clean and safe from gang and drug activity/crimes. **Don Shepard** introduced himself as a Austin citizen and former member of the Restore Rundberg Team. His comments were centered on Community Policing and how effective Community Policing only comes about if the people who live in the community become actively involved. He mentioned several recommendations he felt could help reduce the budget and help with community policing. Mr. Sheppard commented that more money needs to be spent on hiring police officers, decrease funding for public relations budget mainly HEROES at Dell's Children Hospital, eliminate importing culture from outside of Austin community, and the Austin Fire Department and Emergency Medical Services departments' needs to remain separate/independent.

### **3. BODY CAMERA UPDATE - Commissioner Nunez & Commissioner Scruggs**

**Commissioner Nunez** – provided an introduction on why she and Commissioner Scruggs wanted to hear updated information on where the City of Austin was with the purchasing of body cameras. During the last City Council the voted to approve a 17 million dollar contract to purchase the first five hundred body worn cameras. While the contact has been approved there are still policy questions concerning policy on Body Worn Cameras: such as release of video footage and the privacy of crime victims. Commissioner Nunez stressed that policy should reflect how to build community trust particularly in the City of Austin.

**Commissioner Webber asked commissioner Scruggs if he had any comments to add to the introduction.** **Commissioner Scruggs** responded, no that Commission Nunez had stated the introduction very clearly and he was ready to hear the presentation from Austin Police Department. Commissioner Webber turned to Chief Manley to begin the presentation. Chief Manley introduced Commander Ely Reyes who had and is still working on the Body Worn Camera Policy. Commander Reyes begin his presentation by letting the board know that there had been several stakeholders meeting prior to releasing an approved policy and we continue to have stakeholder meetings with NAACP, SAFE PLACE ACLU, and AUSTIN JUSTICE COLAITION. We are trying to make the policy more definable and easier to understand for the officers and the members of the community. Explaining the requirements of state law that says when an officer's camera can and cannot be turned on. In addition to knowing when to turn camera on and off there is still much discussion concerning victims of domestic violence and how to ensure their privacy rights are protected as well as other citizens. Discussion and questions were accepted from the board members with a commitment to follow up/respond from APD.

**Matt Simpson, Senior Policy Strategist – ACLU of Texas, presented** a summary on how meetings with Austin police department have gone in the past and there's more clarity now on how these body worn cameras would be used. The policy Mr. Simpson spoke to areas where they (ACLU & APD) were in agreement that the need to develop language that will clarify the purpose of the Body Camera System is to improve trust between APD and the community. Issues of record retention to be consistent with City of Austin's Records Management Ordinance- meaning video will be maintained for longer than 90 days. Other main areas of concern expressed was (1) release of video, (2)use of body cameras in schools

mainly privacy for underage. (3) video of civilian complaints must be available to the public.

**Two Citizens signed up to speak on this item:**

**Mark Griffith** – spoke on his concerns over Utilities Co. who is currently supplying body worn cameras for Bear County’s Sheriff’s Office. He mentioned that the Taser Director told Council last week that they could provide redaction software with their smart phone. He found this to be very interesting because Taser does not own the software, Utilities Co. owns the software and you can’t provide what you don’t own. Per, Mr. Griffith the cost for the service from Taser is 17.2million when Utility only cost 9.6 million is very disturbing. He advised the board to compare the cost and the services provided.

**Fatima Mann, Co-founder of Austin Justice Coalition** – shared her comments about meaningful dialogue with Austin Police Department and appreciated they took into consideration all of Matt’s comments on areas of concerns with the body worn cameras. Ms. Mann stated her biggest concern was she was the only Black person in the room having this conversation. There should have been more Latinos and Blacks having this conversation particularly since they tend to have more interaction with police in some of their communities. She commented that some of the things they were asking to be done concerning the camera but the status quo seemed not interested in helping everyone. Resisting the change because things hadn’t changed in 25years. The policy still needs meat. What is the point of having the body work cameras if we can’t see the footage? There needs to be more diversity at the next/future meetings.

**Commissioner Nunez** – introduced a resolution on Body Worn Camera Policy. A motion from **Commissioner Worsham** to accept the resolution and Commissioner Scruggs second. **Commissioner Webber** opened for discussion and extensive vetting took place concerning the draft resolution with all commissioners weighing in. Amendments were suggested to the resolution and Commissioner Nunez accepted. *A copy of this resolution has been posted on the Public Safety Commission website – July 5, 2016*

**Vote – Unanimous The resolution passed.**

**4. WORKING GROUP’S BUDGET UPDATE - Commissioners Nunez, Worsham, Haley, Scruggs and Tyree**

**Commissioner Nunez** opened with an introduction of the 2015-16 City of Austin budget, and what some of the goals and desires of this commission is to learn how and what is the best way to become more involved in weighing in on future City of Austin budgets. The working group met to brainstorm, understand the budget process, and be informed on what percentage of the budget is actually spent . Their next step is to review the proposed budget and present some updates at the August 2016 Public Safety Commission meeting. Questions were presented and asked by the board members. **Commissioner Webber** commented there were questions in minutes from last month (June 2016). **Commissioner Worsham:** yes they were asked but not answered yet. **Below is a list of the questions:**

1. From Rossmo to APD: By what time period will 4 additional latent print FTEs speed up the current wait for fingerprint lab results?
2. From Worsham to APD: what were APD's salary savings goals for FY 2015?
3. From Rossmo to APD/EMS/AFD: how has Austin's population growth over the last 10 years affected performance measures?

4. From Levy to EMS: how much overtime?
5. From Worsham: When do public safety departments start sharing info on budget with the city? Can the public see department requests to the city manager?
6. From Worsham: When can the public see actual spending compared to requested budget expenditures?
7. From Worsham: Where is the information on the revenue side of the budget? (Such as tickets, fees, special events) To what extent is the city reliant upon revenue streams generated through the safety agencies?
8. From Worsham: What is the cycle of transparency that relates policy goals to city manager's implementation of policy goals? Policy-Execution-Implementation
9. From Haley: Based on FTEs requested, is there a range they get?
10. From Nuñez: To what extent are public safety departments making requests based on Increasing innovation? (Such as new technology; community engagement; medical response best practices)
11. From Nuñez: What kind of audit/independent review process do we have for evaluating the city's performance as it relates to budget?
12. From Worsham: Beginning in January 2017, what is the calendar of events that go into the budget process? What kind of information can PSC members get in advance to prepare for these budget conversations?
13. From Worsham: Explore the merger of EMS and Fire. 14. From Nuñez: Explore impact of civilianizing departments or expanding community partnerships to respond to public health/mental health issues.
15. From Rossmo: How much of each department's budget increase is due to inflation, population growth, one-time new technology purchases, a line item that has become more expensive, or other factors?

The Public Safety Commission Budget working group commented they need to have a timeline to leave for our successors concerning the PSC budget calendar so they are prepared to weigh on the budget /department business plans throughout the year. They are working on an Internal Operating Procedure for PSC working on the City of Austin budget. This year because of the limited time before Council Budget Worksession the group suggested drafting a memo to the City Manager that could be voted on in the August 2016 Public Safety Commission meeting.

## **5. RECENT DEATHS IN BARTON CREEK – Commissioner Scruggs**

Commissioner Scruggs introduced this item to the board and stated his reason for inquiring. Per Commissioner Scruggs there have been two drownings in the Greenbelt about six weeks ago according to a media story. He had a couple of questions concerning who was responsible for closing the Greenbelt vs who's responsible for closing the waterway. **Scruggs** commented he knows there are different agencies that use different flow levels to close but he wanted to know what flow levels determine when they close the waterway. **Assistant Chief Tanzola** responded - there was in 1992 an ordinance passed for the Fire Chief at that time to have authority to close the waterways. After the 1992 ordinance some groups started to complain about the closing of the waterways and in 2005 the Fire Department met with city leaders and special groups, and LCRA, Parks Department to reexamine the closing.

In 2006 the document we use today is that all waterways will close at 1500 flowing thru Barton Creek waterway. What we should take away from this is that in water there is always danger. There is the individual responsibility plays a big part in the safety in the water also. The City of Austin Parks department determines when the Green Belt should be closed. **Commissioner Scruggs** – is there any way to truly enforce the law when violators enter the Greenbelt after it has been closed. **Tanzola** asked Chief Manley to address the questions on enforcement of the law. **Chief Manley** – responded that APD does have a division of officers for parks enforcement. I don't know how often they patrol the Greenbelt. I would have to get back to you on that. **Scruggs** – Question, if someone violates the closure of the Greenbelt and has an accident that requires City of Austin rescue services i.e. ambulance, fire dept., does that person have to reimburse the city? **Tanzola** - I don't know if they would, if an ambulance ride is involved they may have to reimburse some of that cost. **Scruggs** – thanks

## **6. FORMATION OF WORKING GROUP FOR PUBLIC SAFETY COMMISSION ANNUAL INTERNAL REVIEW – Commissioner Webber**

Commissioner Webber was seeking volunteers to assist with completing this report. Commissioner Rossmo commented that this report is sort of like a boiler plate and with the exception of describing the goal/plans for the year. He offered Commissioner Webber a copy of the last report completed.

**Adjournment: 6:00pm**

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