



Recommendation for Action

File #: 20-3505, **Agenda Item #:** 39.

11/12/2020

Posting Language

Authorize negotiation and execution of a contract with Kroll Associates, Inc., to provide an assessment of the Austin Police Department training academy and conduct analysis of recruitment and promotions, use of force incidents, and public interactions with officers, in an amount not to exceed \$1,300,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities).

Lead Department

Purchasing Office.

Client Department(s)

City Manager's Office.

Fiscal Note

Funding is available in the Fiscal Year 2020-2021 Operating Budget of the Management Services Department.

Purchasing Language:

The Purchasing Office issued a Request for Qualification Statements (RFQS) 4400 EAD4006 for these services. The solicitation issued on May 18, 2020 and it closed on July 28, 2020. Of the four offers received, the recommended contractor submitted the best evaluated responsive offer. A complete solicitation package, including a log of offers received, is available for viewing on the City's Financial Services website, Austin Finance Online. Link: [Solicitation Documents](https://www.austintexas.gov/financeonline/account_services/solicitation/solicitation_details.cfm?sid=134187)
<https://www.austintexas.gov/financeonline/account_services/solicitation/solicitation_details.cfm?sid=134187>.

Prior Council Action:

December 5, 2019 - Council passed Resolution No. 20191205-066 on an 11-0 vote; which directed the City Manager to hire an independent investigator; undertake a comprehensive investigation and evaluation of the Austin Police Department.

June 11, 2020 - Council passed Resolution No. 20200611-050 on an 11-0 vote; which set a goal of zero racial disparity in certain metrics under the Safety strategic outcome in Strategic Direction 2023 other racial equity metrics and baseline analyses.

June 11, 2020 - Council passed Resolution No. 20200611-095 on an 11-0 vote; directing the City Manager to ensure the City's policies and policing policies conform to the policy directives which address the use of force; police munitions; equipment and technology; policing tactics; acoustic devices and on the upcoming cadet class.

June 11, 2020 - Council approved Resolution No. 20200611-096 on an 11-0 vote; directing the City Manager to bring forth a baseline budget for Fiscal Year 2020-2021 and creating reporting requirements for Austin

Police Department General Orders.

For More Information:

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or

AgendaOffice@austintexas.gov <<mailto:AgendaOffice@austintexas.gov>>

NOTE: Respondents to this solicitation, and their representatives, shall continue to direct inquiries to the solicitation's Authorized Contact Person: Erin D'Vincent, at 512-974-3070 or erin.dvincent@austintexas.gov <<mailto:erin.dvincent@austintexas.gov>>.

Additional Backup Information:

In 2019, an anonymous complainant accused an Austin Police Department (APD) Assistant Chief of using racist epithets and derogatory terms to refer to specific African American elected officials and sworn APD officers. The Assistant Chief named in the complaint subsequently resigned. The City Manager commissioned a separate third-party investigation into the allegations of the anonymous complaint, which concluded in April 2020 and the findings were presented to Council on April 17, 2020.

APD's state-mandated racial profiling reports consistently show that African American and Latino drivers are more than twice as likely to be searched as their white counterparts during traffic stops, despite similar "hit rates", including in 2018 where 6% of traffic stops of white drivers resulted in police searches, compared to 14% for Latino drivers and 17% for African American drivers.

These actions along with other instances, prompted Council to approve a resolution on December 5, 2019, directing the City Manager to retain a qualified third-party with substantial experience to conduct a comprehensive, multi-pronged investigation of the extent to which forms of racism, bigotry, and discrimination are present in the protocols, practices, and behaviors of the APD. To the extent to which these prejudices are present, this investigation and evaluation shall document the impacts these individual and systemic biases have had on both hiring, professional ranking, and treatment of personnel within the APD, and on police interactions with people of color and other marginalized groups in Austin.

The scope of work was developed by a work group comprised of representatives from the City Manager's Office, Office of Police Oversight, Equity Office, and Human Resources Department. Through the Purchasing Office's Request for Information (RFI) process, the scope of work was shared publicly with the community and with Council Offices, March 27 through April 8, 2020 to allow for input in developing the resulting solicitation. The solicitation issued on May 18, 2020 and it closed on July 28, 2020.

The selected contractor, Kroll Associates, Inc., will conduct a comprehensive evaluation and assessment of the APD. Kroll Associates, Inc. will:

- Analyze APD training practices, including courses, materials, internal reports, and interviews with former cadets
- Research national standards in policing, including best practices for police academies, reducing use of force, and improving communications with diverse communities
- Recommend improvements to APD recruitment and promotion practices, including screening candidates for cadet classes and promotion
- Recommend incorporating the participation of community groups representing those disproportionately affected by policing in the development of new police training
- Assess recruitment and promotion practices related to diversity and inclusion, including role of assessment centers
- Review use-of-force incident reports from June to November 2019, analyzing them by location, any resulting charges, the outcome of each incident, and demographic information (including race, ethnicity, and language spoken) of all persons involved

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- Review aggregate data on every recorded interaction from June 2019 to November 2019 between APD and a with any member of the public, including type of interaction and its outcome (search, arrest with charges, citation with charges) and an evaluation on whether there are racial and/or ethnic or other disparities in searches, arrests, charges and citations

An evaluation team with expertise in this area evaluated the offers and scored Kroll Associates, Inc. as the best to provide these services based on company professional experience, personnel and qualifications, sample documents, service capacity, and references.

Strategic Outcome(s):

Safety.