

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE RELATING TO FUNDING, STAFFING, TRAINING, AND OVERSIGHT OF THE AUSTIN POLICE DEPARTMENT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1. Purpose**

On August 13, 2020, the City of Austin announced the adoption of its budget for 2020-21. One of the most fundamental and basic duties and responsibilities of municipal government and local elected officials is to provide for the safety of residents and visitors. The adopted budget was represented “to reflect the priorities of the Austin community,” while it drastically defunded the police department by reducing the budget by over \$31 million, cutting 180 officer positions and delaying four cadet classes. In addition to these budget reductions, more than \$120 million in funds were also set aside from police activities that could be ended or redirected. All of these decisions were made by the City Council, despite the fact the same City budget reflects that fewer than 7 in 10 Austinites say they feel safe at all times, a downward trend in satisfaction the City itself admits it would “optimally ... like to increase significantly.” Further, more than 50% of residents and visitors say they are dissatisfied with public safety at night downtown, a critical deficiency for our community that has been historically dependent on tourism and entertainment. We must ensure that more police are employed, highly trained and fully accountable on the streets of our community. This proposed ordinance is critical and will require the City Council to adopt an adequate level of police funding, staffing, and training and enhance police oversight, all of which are crucial to providing for the safety and well-being of our Austin Community.

**PART 2. Title 2 of the Austin City Code is hereby amended by adding Chapter 2-16 as follows:**

**§ 2-16. EFFECTIVE PUBLIC SAFETY**

**§ 2-16-1 – MINIMUM STANDARDS AND RESOURCES**

The city council shall ensure at all times that the police department achieves the following minimum standards:

- 33 (A) the employment of at least two sworn officers for every 1,000 residents, as  
34 determined by the city demographer based on the most recent data available from  
35 the United States Census Bureau, while maintaining not less than 35% community  
36 engagement time for all front-line officers whose time is measured on this basis  
37 across the entire police force;
- 38 (B) full enrollment for no fewer than three full-term cadet classes for the department,  
39 until such time as the staffing levels for the department return to the levels  
40 prescribed in the 2019-2020 city budget;
- 41 (C) an additional 40 hours each year of mandatory continuing education and in-service  
42 training for all sworn officers employed by the department above the hours  
43 required by the Texas Commission on Law Enforcement, with an emphasis on  
44 training outside a classroom setting that will equip the officers to handle evolving,  
45 fluid, dangerous situations and enhance their own safety and that of the public. The  
46 training will be developed by the commander of the department academy and  
47 emphasize skills essential to the everyday split-second decision-making officers  
48 face on the streets in areas such as critical thinking, defensive tactics, intermediate  
49 weapons proficiency, active shooter scenarios, and hasty react team reactions; and
- 50 (D) a program designed by the police chief to enhance recruiting and retention of  
51 officers by providing incentives in the form of additional compensation or  
52 compensatory time for:
- 53 (1) officers proficient in the five most common non-English languages spoken  
54 in the city, based on the most recent information available from the United  
55 States Census Bureau,
- 56 (2) officers who participate in a mentoring program for cadets in the department  
57 academy, and
- 58 (3) officers in good standing and eligible for an honorable conduct citation or  
59 equivalent recognition every fifth year.

60 **§ 2-16-2 – REPRESENTATIVE COMMUNITY POLICING**

61 To ensure effective public safety throughout all areas of the city that meets the needs of  
62 neighborhoods and establishes and maintains trust between the police and city residents,  
63 the police chief shall:  
64

- 65 (A) Work to recruit, hire and maintain a police force that reflects the racial, ethnic and  
66 gender diversity of the city.
- 67 (B) Establish a system that, to the extent practicable, ensures officers representative  
68 of, and proficient in the most common non-English languages spoken in,  
69 neighborhoods within the city regularly and consistently patrol those  
70 neighborhoods.

71 **§ 2-16-3 – COORDINATION OF OVERSIGHT**

72 To help ensure effective oversight of and accountability for the Department:

- 73 (A) The mayor and council members, their assistants and members of their staffs, and  
74 the director of the office of police oversight shall, during their first year of service  
75 or employment, (a) attend and complete the curriculum of the Citizen Police  
76 Academy or the alternative program developed by the director and (b) participate  
77 in the city's Ride Along Program, and the director shall issue a report annually  
78 regarding the participation of these individuals.
- 79 (B) In order to be eligible for appointment to the Public Safety Commission or the  
80 Community Police Review Commission or their successor boards, a person  
81 nominated to serve by a council member must, prior to any vote of the council to  
82 approve the nomination, (a) attend and complete the curriculum of the Citizen  
83 Police Academy or the alternative program developed by the director and (b)  
84 participate in the city's Ride Along Program.

85 **PART 3. Effectiveness and Severability.**

- 86 (A) The effective date of this ordinance shall be the earlier of (i) ten (10) days after the  
87 date of its final passage by the Austin City Council, as prescribed under Article IV,  
88 Section 4(a) of the Austin City Charter or (ii) the date upon which the results of an  
89 election required under Article IV, Section 4(b) are canvassed.
- 90 (B) If any section, paragraph, clause, or provision of this ordinance is for any reason  
91 held to be invalid or unenforceable, the invalidity or unenforceability of that  
92 section, paragraph, clause, or provision shall not affect any of the remaining  
93 provisions of this ordinance, and to this end, the provisions of this ordinance are  
94 declared to be severable. This ordinance shall supersede the Austin City Code to  
95 the extent there are any conflicts.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2021.

**PASSED AND APPROVED**

\_\_\_\_\_, 2021      § \_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
Anne L. Morgan      Jannette S. Goodall  
City Attorney      City Clerk