



**PUBLIC SAFETY COMMISSION
MINUTES**

**REGULAR MEETING
Monday, August 2, 2021**

The Public Safety Commission convened a videoconferencing meeting Monday, August 2, 2021 at City Hall 301 W. 2nd Street in Austin, Texas.

Chair Rebecca Gonzales called the Board Meeting to order at 3:01p.m.

Board Members in Attendance:

Rebecca Gonzales	Queen Austin
Kathleen Hausenfluck	Rebecca Webber
Nelly Ramirez	Amanda Lewis
John Kiracofe	Rebecca Bernhardt

Board Members Absent: Rocky Lane and Michael Sierra-Arevalo

Staff in Attendance:

Robin Henderson, Assistant Chief, Austin Police Department
Jasper Brown, Chief of Staff, Austin/Travis County Emergency Medical Services
Rob Vires, Chief of Staff, Austin Fire Department

Citizen Communications - Citizens signed up to speak:

-Carlos Leon spoke on Threat from Cap Metro Driver, COVID-19 Vaccines, Mask and Unmasked mandates

1. Approval of Minutes – Chair Gonzales called for the approval of the July 6, 2021 minutes.

Commissioner Bernhardt requested two edits/corrections to the minutes; 1. Update attendance list to include Rebecca Bernhardt’s name and delete the duplicate listings of Rebecca Webber’s name. 2. Edit language on Commissioner Bernhardt’s request to APD from “clearance updates to clearance rates”. Chair Gonzales, deemed the minutes approved with noted corrections.

2. OLD BUSINESS

2a. **Implementation of Proposition B Ordinance** (sponsors: Commissioner Bernhardt and Hausenfluck) 3:25pm-3:40pm

This item was introduced by Commissioner Ramirez

Speakers were:

- Dianna Grey, Homeless Strategy Director, City of Austin
- Sarah Rose, Director, Austin Mutual Aide
- Candace Swan, Community Advocate and recipient of Austin Mutual Aide Services
- Karly Jo Dixon, Attorney

Dianna Grey thanked the board for inviting her to present/update on the latest efforts on implementation of Prop B Ordinance. Ms Grey commented on the stages/phases her office has in place when working to assist the homeless population to find temporary shelter and permanent housing. The topics discussed were:

- HEAL(Homeless Encampment Assistance Link) initiative and the work taking place in Phase I to offer the homeless resources to assist in finding temporary housing and permanent housing.
- First Phase: Four High Priority Encampments (East Austin, South Central, Downtown (Central Business District and Northwest Austin)
Compassionate closure of first two HEAL sites
 - Terrazas Library – June
 - Ben White Bld. and Manchaca Road – July 15
 - Suites #3 and #4: August/early September
 - 70 of 74 people who were offered housing accepted and moved to bridge shelter
 - 67 of the original 70 guests remain at Southbridge,
 - the 67 guests, approximately 50 have been enrolled in housing programs to on a path to permanent supportive housing
 - Housing placements are expected to begin in August

Ms. Grey ended her presentation with mentioning outreach and community engagement efforts are important when working to end homelessness in the City of Austin. There are various other nonprofits her department works with to try and provided/find permanent shelter to the homeless population.

There were questions from Commissioner Kiracofe and Hausenfluck.

Karly Jo Dickerson and Sash Young are attorneys who work with the homeless and they work to try and stand in the gap for folks in the criminal justice system that don't have representation (like most homeless people don't have representation). Ms. Dickerson commented the homeless population is currently being ticketed by APD and disputed Ms. Grey's earlier comment that ticketing had not begun. Her final point was most homeless camps don't fall under the HEAL initiative and are not receiving any kind of assistance.

Sarah Rose, Director, Austin Mutual Aid, expressed her concern that a lot of the homeless camps don't qualify for the HEAL initiatives. Ms. Rose expressed how she and her organization would

like to be welcomed to the table when discussions/plans are being made to help bridge the GAP between all homeless and the services from the City of Austin.

Candace Swan, a former homeless person who received assistance from Austin Mutual Aid during a time she described as critical in her life while living in the woods. She credits Sarah with saving her life by assisting her with a motel room and later housing. Candace is currently working on a documentary about being homeless titled “What’s it’s Like to be on this Side of the Fence”. In her closing remarks she asked the board to be mindful of House Bill 1925 that goes into effect September 2021, as this bill creates a loop hole that would give Mayor Adler a right to deem homeless camps as state of emergency.

Chair Gonzales thanked all of the presenters and moved to direct the commissioners to discussing the draft recommendation from **Commissioner Ramirez** ,seconded by **Commissioner Bernhardt**. Before discussion began **Commissioner Webber** asked **Assistant Chief Henderson** to weigh in on the comments from the speakers on whether or not APD is handing out citations and if the board could get a copy of materials APD is handing out in the homeless camps.

AC Henderson responded with the most current information she had, and that was there had been 14 citations issued, and APD would forward the handout materials to the Public Safety Commissioners.

There was discussion over the recommendation and Chair Gonzales called for a vote.

VOTE:

For: 7 (Commissioners Gonzales, Ramirez, Webber, Lewis, Hausenfluck, Bernhardt, and Austin)

Against: 1 (Commissioner Kiracofe)

Abstain: 0

Absent: Commissioners Lane and Sierra-Arevalo



PUBLIC SAFETY COMMISSION
RECOMMENDATION 20210802-002a

Date: August 2, 2021

Subject: Recommendation to cease citations and arrests of persons experiencing homelessness

Motioned by: Nelly Paulina Ramirez

Seconded by: Rebecca Bernhardt

Recommendation: The Public Safety Commission recommends that City Council, Mayor, and City Manager Spencer Cronk direct the Austin Police Department cease the citations and arrests set forth by the Responsible Public Space Management Plan unless the diversions being offered to persons experiencing

unsheltered homelessness include a housing option. We also recommend the city invest \$1.2M in funding to support non-profits like Austin Mutual Aid to house at least an addition 450 of our unhoused neighbors in hotels or alternative housing for a month while the HEAL initiative acquires more temporary housing. And finally, we recommend Council and the Mayor, direct City Manager Cronk to identify city owned land that can be used as a temporary legal encampment for the remaining sites that do not currently fall into the HEAL Initiative.

Description of Recommendation to Council:

Whereas the objective set forth by the Responsible Public Space Management Plan is to safely and humanely relocate persons camping in a public area, in a manner that preserves human dignity and respect while promoting voluntary compliance.

Whereas the Public Space Management Plan set forth by APD currently allows for citations of our neighbors experiencing unsheltered homelessness.

Whereas the Public Space Management Plan set forth by APD will allow arrests of our neighbors experiencing unsheltered homelessness starting August 8.

Whereas housing options are not being provided to all experience unsheltered homelessness.

Whereas citations and arrests directly impede our unhoused neighbors' ability to secure housing independently.

Whereas the threat of citations and arrests may cause those experiencing unsheltered homelessness to seek shelter in even higher risk areas where flooding and wildfire put them in even more danger.

Therefore, The Public Safety Commission recommends that:

- City Council, Mayor, and City Manager Spencer Cronk direct the Austin Police Department cease the citations and arrests set forth by the Responsible Public Space Management Plan unless the diversions being offered to persons experiencing unsheltered homelessness include a housing option
- the city invest \$1.2M in funding to support non-profits like Austin Mutual Aid to house at least an addition 450 of our unhoused neighbors in hotels or alternative housing for a month while the HEAL initiative acquires more temporary housing
- Council and the Mayor, direct City Manager Cronk to identify city owned land that can be used as a temporary legal encampment for the remaining sites that do not currently fall into the HEAL Initiative.

Rationale: The Public Safety Commission believes that citations and arrests are at odds with both the City of Austin's plan to end unsheltered homelessness and APD's objective to safely and humanely relocate persons camping in public areas.

Vote:

For: 7 (Commissioners Gonzales, Ramirez, Webber, Bernhardt, Hausenfluck, Lewis, Austin)

Against: 1 (Commissioner Kiracofe)

Abstain: 0

Absent: Commissioner Lane and Commissioner Sierra-Arevalo

Attest: *[Staff or board member can sign]*

b. Update on 87th Legislative Session

Speaker(s):

-Brie Franco, Director, Intergovernmental Relations, City of Austin

Ms. Franco provide an overview of the past 87th Legislative Session and the current Special Called Session. She reviewed House bills that passed with both negative and positive effects for the City of Austin. Some of the bills passed with negative effects for Austin were:

- the Camping Ban
- Permit less Carry
- City Police Funding

These three were the most notable. Bills that failed in the 87th Legislative session were:

- George Floyd Act
- Firearm background check

These were the most notable failed bills that will affect Public Safety Departments, and there were other bills that failed in addition to these two listed.

Commissioner Gonzales commented she would like to invite Ms. Franco back to elaborate further on some of the public safety bills mentioned in her presentation, i.e. the Mental Health Leave for Public Safety workers and the Sexual Assault Victim bill and its impact on the future. Ms. Franco agreed to forward an email to the commissioners with more details on the recent bills passed that impact Public Safety departments.

Ms. Franco will be invited back to present at the October 2021 meeting.

c. Update on Initial Findings from Evaluation of Sexual Assault Investigation –Resolution #20190131-077 (sponsors: Commissioner Gonzales and Webber) 4:20pm -4:55pm

Speaker(s):

- Patricia Bourenane, Executive Assistant, ACM Rey Arellano, Public Safety
- Sarah Mostyn – PERF (Police Executive Research Forum)

Commissioner Gonzales welcomed the presenters and their update on the Sexual Assault Investigations. This is an item that we the Public Safety Commission and the Austin Women’s Commission were very involved in bringing this item forward. Patricia Bourenane began with a little bit of background on this resolution #20190131-077 and the directives stated in the resolution. **Sarah Mostyn** presented on some of the challenges the PERF (Police Executive Research Forum) team experienced in completing its research/study such as COVID-19, complex case review and

turnover in the Sex Crimes Unit. There was a change in the Scope of Work during the surveying and it was decided to include the 2019 and 2020 case files in the study/project with the final report being moved to May 2022.

Several commissioners expressed disappointment in the initial/preliminary updates/findings, and the cost of having to pay a consultant for the findings that has been completed thus far. There were questions concerning adding in new data/cases from 2019-2020 to the 2012-2018 scope of the project. This project only has access to APD data.

Request to Patricia Bourenane to provide an email with an outline of the recommendations in the preliminary items.

4. Future Agenda Items

Follow up with Chief Chacon on the PERF study
Percentage of Public Safety employees vaccinated
Update on WUI Code

a. Public Safety Organizations Quarterly Report – ATCEMS (Austin/Travis County Emergency Medical Services Department) (sponsors: Commissioner Hausenfluck and Gonzales)

Speaker(s):

-Jasper Brown, Interim Chief of ATCEMS

Interim Chief Brown provided the latest staffing report for EMS along with the most recent performance measures and information on future cadet classes. **Commissioner Webber** asked about the percentage of EMS staff vaccinated against COVID-19 and **Commissioner Hausenfluck** asked about a timeframe for an EMS Unit in the downtown area.

Authorized Strength

643 Sworn FTEs

528 Current Sworn FTEs

115 Current vacancies (7-23-21)*

☐ 2 Commander – Field

☐ 1 Captain – Field

☐ 61 Clinical Specialist Field

☐ 40 Medic – Field

☐ 4 Clinical Specialist – Communications

☐ 7 Medic – Communications

Adjourn @ 5:02pm – Ramirez moved to adjourn and Hausenfluck seconded

Vote: Unanimous

Yes: 8 (Commissioners Webber, Ramirez, Lewis, Bernhardt, Austin, Hausenfluck, Gonzales, Kiracofe)