



COMMISSION RECOMMENDATION

HUMAN RIGHTS COMMISSION

Recommendation Number: 20131028-004a

WHEREAS, police brutality and misconduct remains one of the most divisive issues in the City of Austin, and;

WHEREAS, African Americans continue to be victims of police shootings at a rate that is disproportionate to their population numbers in the city of Austin, and;

WHEREAS, in 2003 a grand jury issued a statement signed by all 12 jurors raising concerns about “a different brand of law enforcement in the city's minority neighborhoods of East Austin,” and the jurors observed that “young police officers with limited training and little life experience in interacting with those who look different than they look are often assigned to patrol in minority neighborhoods... it appears to us they are placing the officers with the fewest skills and least experience in situations they have not been prepared for. This is not fair to these officers or to our communities.” and; [1]

WHEREAS, the 2011 Police Monitor’s report indicates 55% of the combined supervisory inquiries and External Formal Allegations complaints related to use of force were associated with officers with zero to three years of experience in the field, and; [2]

WHEREAS, At the August 2013 meeting of the Human Rights Commission, Assistant Austin Police Chief Troy Gay indicated that new officers who have completed the 8 month police academy and 12 week shadowing of an experienced police officer are assigned to regions of Austin based upon an algorithm of need with the exception of the downtown entertainment district where only experienced officers are assigned, and;

WHEREAS, since the Austin Police Department is currently experiencing a staffing shortage due to a recently large volume of retirements according to Assistant Austin Police Chief Troy

Gay, one could conclude that placing only experienced officers in the downtown region inversely places inexperienced officers in areas of Austin that are high risk for police activity, and;

WHEREAS, the Austin Police Department training program does not include a specific curriculum on de-escalation and alternative tactics to use of force, use of deadly force, or alternatives to pursuit of a subject and instead relies on scenario based training, and;

WHEREAS, in the wake of the Department of Justice declining the Austin Police Department's invitation to review their policies and procedures, the Police Chief stated that an internal review would be conducted to see if any changes are needed;

NOW, THEREFORE, BE IT RESOLVED that the Austin Human Rights Commission recommends the Austin City Council should direct the City Manager to direct the Austin Police Department to adopt the following recommended changes to its policies and procedure:

- 1) The Austin Police Department should end the apparent double standard of assigning only experienced police officers to the downtown area leaving less experienced officers in other parts of Austin, and assign experienced police officers in all areas of Austin where critical incidents have occurred.

- 2) The Austin Police Department should develop and implement a specific training course curriculum for cadets and all sworn personnel of the Austin Police Department with increased focus on de-escalation, non-violent communication that teaches how to pause and refrain and expand options that are not seen in the moment--known as Restorative Circles, alternatives to use of force, deadly use of force, and pursuit of subjects beyond scenario based training. Additionally, all sworn Austin Police department personnel should be required to undergo and report annual continuing education hours in these areas of training.

- 3) The Austin Police Department should make public the results of its internal review of its policy and procedures and outline to the public and to the Austin City Council the changes it will be implementing that address use of force, use of deadly force, and pursuit.

- 4) The Austin Police Department's Office of Community Liaison should host quarterly community meetings in East Austin and should engage the East Austin Community to increasing participation in the community meetings.

[1] 2003 Grand Jury Report - <http://www.freerepublic.com/focus/f-news/1021576/posts>

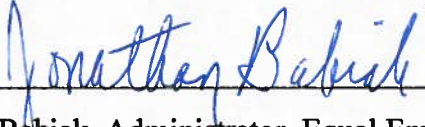
[2] Austin Police Monitor Report- 2011 -

http://austintexas.gov/sites/default/files/files/Police_Monitor/Reports/OPM_Annual_Report_2011_FINAL.pdf

Date of approval: October 28, 2013

Record of the vote: approved on a 5-1 vote. Commissioner Lofton motion, Commissioner Luu second. Commissioners Rhea, Brenner, Clark, Lofton, and Luu voted for approval. Commissioner Cortez voted against the resolution.

Attest: _____


Jonathan Babiak, Administrator, Equal Employment & Fair Housing Office & Liaison, Austin Human Rights Commission