



**PUBLIC SAFETY COMMISSION
MINUTES**

**REGULAR MEETING
Monday, April 4, 2016**

The Public Safety Commission convened a regular meeting on Monday, April 4, 2016 at City Hall, 301 West 2nd Street in Austin, Texas.

Chair Kim Rossmo called the Board Meeting to order at 4:00p.m.

Board Members in Attendance:

Dr. Kim Rossmo, Chair	Preston Tyree
Rebecca Webber, Vice Chair	William Worsham
Ed Scruggs	Daniela Nunez
Brian Haley	Emmanuel Loo
Michael Levy	Rebecca Gonzales

Board Members not in Attendance:

Sam Holt

Staff in Attendance:

Brian Manley, Chief of Staff, Austin Police Department
Jasper Brown, Assistant Chief, Austin/Travis County Emergency Medical Services
Brian Tanzola, Assistant Chief, Austin Fire Department

1. APPROVAL OF MINUTES

- The minutes for the regular meeting on 03/07/2016 were approved. The vote was 9 approved and 1 abstentions (by board member Preston Tyree).

2. CITIZEN COMMUNICATIONS –

- Paula Buls spoke on identification and reporting of transgender citizens
- Scott Johnson signed up to speak on Item #4 – Transportation Network Companies and checked his position as being neutral on the item

3. ELECTION OF OFFICERS FOR MAY 2016-2017

Chair Rossmo was not interested in serving another term as Chair and took up motions for a new Chair of the Public Safety Commission. Commissioner Levy nominated Vice Chair Webber for Chair and Commissioner Worsham seconded. Next nominations for Vice Chair were accepted and Commissioner Scruggs nominated Commissioner Nunez and Commissioner Webber second the nomination. Chair Rossmo asked if there were any other nominations and there were none. Both individuals win by a vote in **favor** from every board member that was present (Rossmo, Levy,

Nunez, Webber, Scruggs, Tyree, Haley, Worsham, Gonzales, and Loo). The terms begin May 1, 2016.

4. TRANSPORTATION NETWORK COMPANIES (Commissioner Haley and Worsham)

Commissioner Rossmo opened this item with a brief summary of the actions taken during the meeting last month. This item was on the agenda last month (March 2016) and there was a vote for a recommendation and we thought it passed. However given the numbers for the new quorum, the item did not pass. Today is an opportunity to make another motion given that what was concluded last month did not pass. Commissioner Worsham began the discussion and commented that the vote last month on the TNC recommendation was 4 favors 3 against and 2 abstentions. It was requested that the March minutes be edited to include this vote for the record per Commissioner Worsham. There was discussion to offer alternative language to support/favor the October 2014 ordinance of TNCs which carried some requirements relating to background checks. Commissioner Worsham offered a resolution and motioned for it to be acted/voted on. Commissioner Webber second the motion and requested a minute to review the resolution and have a discussion. The board continued in discussion and explored the public safety side of the issue; in addition to how each entity was comfortable with the current ordinance they were operating under. Commissioner Rossmo reminded the board they are there to stick with the public safety piece of the issue only. Points of concern and discussion:

- Issue of fairness with taxi/cab companies being fingerprinted and Uber & Lyft not being fingerprinted
- Government tends to be reactive rather than proactive but this time they are proactive
- Fingerprint checks you get a wrap around service (meaning if an employee commits a crime after the background check his/her employer will be notified. This won't happen with a name only background check.
- Need for a level playing field for both companies to operate under

Vote in favor of resolution Commissioner Worsham offered was:

For 1, Against 7 and Abstention 2

Commissioner Haley decided against offering a motion

Commissioner Levy offered a position/recommendation “ **There should be a level planning field with both sides having fingerprinting based on testimony from Austin Police Department**”. The motion was offered by Commissioner Levy and Commissioner Rossmo second. Prior to a vote Commissioner Scruggs asked for clarification from APD on whether fingerprint checks were all on a federal/national level. Chief Manley explained the fingerprint search being done a national level.

Vote on recommendation was: For - 7 (Rossmo, Levy, Scruggs, Nunez, Loo, Tyree, and Gonzales)
Against - 3 (Webber, Haley, Worsham)

Citizen Scott Johnson spoke at the end of discussion in favor of fingerprinting for TNC drivers

5. BUDGET PROCESS – (Ed Van Eenoo, Deputy Chief Financial Officer, City of Austin Budget)

Commissioner Rossmo requested this item to allow Public Safety Commission to learn about the budget process. This item is to help this commission fulfill our mandate. In the last seven years the Public Safety Commission has not had any input on the City of Austin budget. Ed Van Eenoo began the presentation by sharing the budget process overview:

- Important Dates
- Public Safety Commission's Role in the process
- How to have input at scheduled commission meetings during development cycle
- Questions/Comments were entertained from the Public Safety Commission board

Commissioner Webber motioned to create a working group to address Public Safety Commission being more informed on the budget process. The board is making an effort to make recommendation that has significant input on the 2017 budget. Commissioner Rossmo second her motion.

Commissioner Levy recommended Commissioner Rossmo be involved because of his experience, but Rossmo declined and offered to answer questions the group might have for him, but didn't think that would be possible due to the group having five members. The budget working group was formed with Commissioners Worsham, Scruggs, Tyree, Nunez and Haley.

6. POLICE MONITOR'S 2014 REPORT – Margo Frasier, Director, Office of Police Monitor and Brian Manley, Chief of Staff, Austin Police Department

Margo Frasier began her presentation with a little history of when the Police Monitor's Office was established in 2002 and discussed what data her office looks at annually.

- Who Files
- What types of complaints
- What is gender, racial and ethnic breakdown
- What is the most common complaint on officers; it is rudeness
- What is the age of officers
- What area are most complaints received from
-

There were four sections discussed, 2014 Serious Incident Review, Executive Summary, OPM Recommendations and End of Year Statistical Review. The questions from the board members:

- Has there been any Veil of Darkness studies completed in Austin?
- Comparison studies with other areas/cities or prior years in the City of Austin
- In terms of an audit is there some sort of working together to develop a protocol
- Benchmarking against other communities must be in the report

Chief Manley answered questions on the racial profiling data that was presented to the board. He shared with the board members there is in Texas a Racial Profiling Law, and that there must be a policy and process in place for citizens to report complaints. In addition Austin Police Department is required to file a report every year by a certain date to avoid breaking the law. Margo provided data on their key findings on searches, traffic stops, police sectors, ethnicity, age of officer and number of years on the force. A lot of numbers were discussed and at the end of the presentation there was a suggestion from Commissioner Levy for some benchmarking to go along with this data. In addition to that comment he thought overall the community is well served by Austin Police Association, Austin Police Department and Office of Police Monitor. The report is available to the public and Public Safety Commission suggested next year's report be vetted by a statistician. Commissioner Rossmo suggested Webber and Levy work on a recommendation to present at the next Public Safety Commission meeting. The recommendation should include finding funding for a Veil of Darkness study to be completed so that Austin is able to get a better idea of true level of racial bias and traffic stops.

7. FUTURE AGENDA ITEMS

- Final Report of Vision Zero - Commissioner Tyree
- Austin Transportation Department Briefing – Austin Transportation Dept.
- APD Gender Identification Reporting – Commissioner Nunez
- Body Camera Update - Commissioner Nunez

8. ADJOURNMENT

- Commissioner Haley motioned and Commissioner Gonzales seconded

