



**PUBLIC SAFETY COMMISSION
MINUTES**

**REGULAR MEETING
Tuesday, January 3, 2017**

The Public Safety Commission convened a regular meeting on Tuesday, January 3, 2017 at City Hall, 301 West 2nd Street in Austin, Texas.

Chair Rebecca Webber called the Board Meeting to order at 4:00p.m.

Board Members in Attendance:

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

Board Members not in Attendance:

Emmanuel Loo
Sam Holt

Staff in Attendance:

Troy Gay, Assistant Chief, Austin Police Department
Jasper Brown, Chief of Staff, Austin/Travis County Emergency Medical Services
Richard Davis, Assistant Chief, Austin Fire Department

1. APPROVAL OF MINUTES

- The minutes for the meeting on December 5, 2016 were approved. Commissioner Haley motioned for approval of the minutes and Commissioner Gonzales second. **The minutes were approved with a unanimous vote.**

2. CITIZEN COMMUNICATIONS – one speaker signed up to speak

- **Carlos Leon** – spoke on his personal incident with Capital Metro bus driver and Austin Police Department

3. Update on DNA Kit Backlog – Commissioner Nunez’s Item

- Troy Gay, Assistant Chief, Austin Police Department presented

Commissioner Nunez began the discussion by thanking Assistant Chief Gay for addressing ongoing concerns since we (the board) found out about the backlog. We would like to understand

where we are with the backlogs since the interlocal agreements with Dallas County/ SWIFS; and what is next in trying to decrease the backlog. Chief Gay followed up with a status report and there were questions and comments between board members and AC Gay.

- AC Gay confirmed SWIFS is accepting 20 cases per month from APD
- Currently APD is in the process of looking at other labs to possible contract with
- M&S as well as Signature Science would like to look at contracts for potentially doing DNA analysis for APD
- Multiple Different Options are being considered
- Impact from DANY grants has caused for every DNA lab to become inundated with requests
- Challenge with capacity of all labs throughout the United States as a result of the DANY grants
- Two new analysts hired to start doing serology testing
 - o Currently 2 analysts in DPS training
 - o Upon completing training DPS has agreed to have the 2 analysts working at their campus under DPS direction
- Sexual Assaults Kits going to DPS are the new cases coming in
- 193 cases have been submitted to DPS since APD lab is closed

There was continued discussion on what the future looks like for Austin Police Department lab with the main questions being:

- What is approximate date for lab to reopen after the consultant's study and report is received?
- Is it six months for the each report, a look forward and a look back?
- Could we be looking at two years before this lab situation is resolved?
- Where did APD come up with all of the administrative work for four analysts to complete?
- Where does City of Austin stand on the bidding and awarding the contract?
- Can we bring Travis County into the discussion?
- Is there any way for DPS to communicate a status report to victims of a sex crime on their rape kits? Maybe a text?
- Is APD exploring using the Medical Examiner's office/staff as a step-gap measure possibly while a solution to the lab is being addressed?
- Is there a way to get a balance as to what it is costing COA/APD to send out all of this DNA evidence for processing?

#4. Update on Expert review of Crime Lab – Commissioner Nunez's Item

The board continued discussing what when wrong with the APD lab and whether or not any investigations are being considered to identify who was/is responsible for the closure, what were the findings in previous audits, the importance of a look back by the consultants as well as the look forward, and what is number of cases in a backlog over the last ten years and what is the status of getting a copy of the letter from the 2015 audit findings. A future agenda item was offered concerning inviting a rep from the Texas Forensics Science Commission to speak at one of the future Public Safety Commission meetings. The overall consensus from the board was there needs to be a strong sense of urgency in addressing the conditions of moving forward on the challenges of getting

the DNA lab operating again. A recommendation was offered by Commissioner Levy and Commissioner Rossmo second. The recommendation passed with a **unanimous vote (see below)**.

BOARD/COMMISSION RECOMMENDATION

Public Safety Commission

Recommendation Number: 20170103-004 Recommendation to City Council Regarding the Analysis of DNA Evidence

WHEREAS a two or even three-year delay is an unacceptable amount of time for Austin to wait to begin testing DNA evidence again,

WHEREAS the public is owed transparency about prospective solutions for the closure of the Austin Police Department DNA lab, and

WHEREAS the public is owed transparency about retrospective analysis of what went wrong at the Austin Police Department DNA lab,

BE IT RESOLVED THAT the Austin Public Safety Commission recommends the following actions to Austin City Council regarding the analysis of crime-related DNA evidence:

The City Council and the Austin Police Department should urgently prioritize finding an interim solution within six months to the crime lab closure (even while a prospective and retrospective study is performed), including allocating necessary funds and staff.

Date of approval: January 3, 2017

Record of the vote: Unanimous (9 members present)

Absent:

Commissioner Sam Holt

Commissioner Emmanuel Loo

#5. Visitor Impact Task Force Update – Commissioner Webber’s Item

Commissioner Worsham attended the taskforce meetings as Public Safety Commission rep and gave a brief update on the Visitor’s Impact Task Force.

- City Council put together this Task Force last summer 2016
- Twenty people makeup the taskforce and one of the seats belongs to Public Safety Commission
- First meeting was held in December 2016
- Everyone on the taskforce seems to represent someone who currently receives funding from the hotel tax
- My role as a rep is to watch/lookout as Public Safety Agencies are being asked to absorb event related costs (fee waivers) as it relates to this funding source
- April/May2017 the taskforce is supposed to come up with a recommendation to Council
- Task Force will meet every two weeks until April 2017

Future Agenda Items –

- Pyramid statics request – Dr. Rossmo
- Information on the freezer
- DPS Backlog –What is the time log – Nunez
- Staffing of Sexual Assault unit w/ investigators and counselors – Webber
- Internal Investigations within Austin Police Department - Levy
- Future hear from outside consultant of DNA lab - Rossmo
- Diversity Working Group – March 2017
- Visitor’s Impact Report – March or April 2017 - Worsham
- Response from ASCLD (American Society of Crime Laboratories Directors) and a copy of the report - Scruggs
- Distracted Driving Ordinance Review/Revisit – Rebecca Webber - Citizen Scott Johnson
- Vehicles failing to stop for emergency vehicles – Rebecca Webber - Citizen Scott Johnson - Spring 2017
- One-on-One discussion with AC Gay on Firearms at City Hall – Scruggs – Spring 2017

Adjournment – 6pm