

EFFECTIVENESS OF CITIZEN POLICE OVERSIGHT

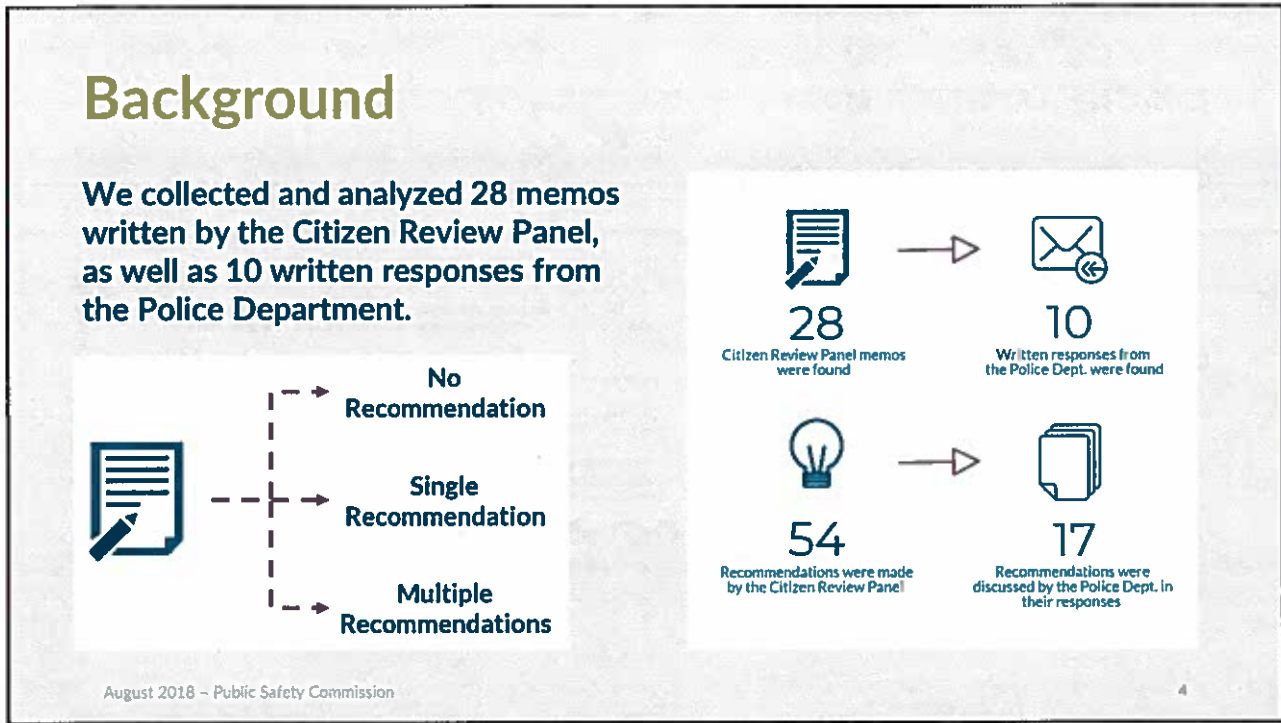
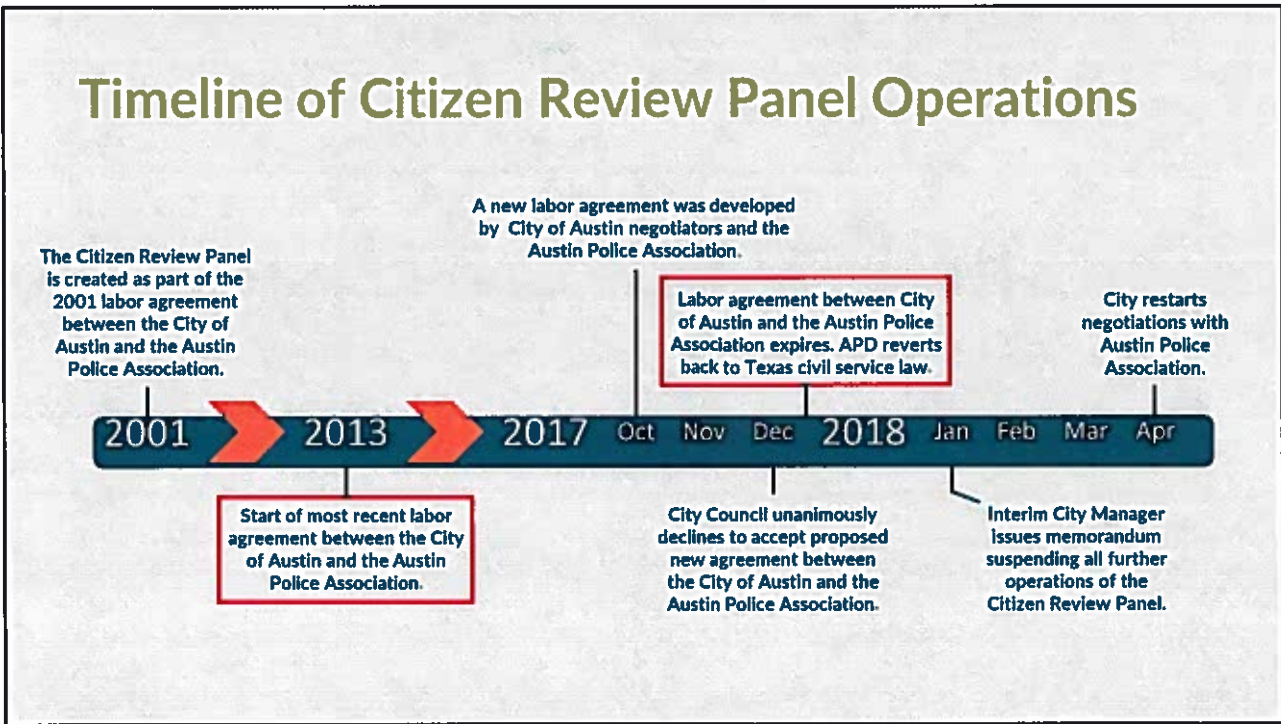
PRESENTATION TO THE PUBLIC SAFETY COMMISSION
AUGUST 6, 2018

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OFFICE OF THE CITY AUDITOR

Background

- The Citizen Review Panel (CRP) was a citizen oversight group established through the City's labor agreements with the Austin Police Association.
- The CRP could review certain police investigations and offer non-binding recommendations to the Chief of Police.
- Cases reviewed by the CRP include complaint investigations, as well as serious incidents such as officer-involved shootings.

5 b) The purpose of Citizen Oversight is:
6
7 (1) To assure timely, fair, impartial, and objective administrative review of complaints
8 against police officers, while protecting the individual rights of officers and citizens;
9
10 (2) To provide an independent and objective review of the policies and procedures of
11 the Austin Police Department; and
12
13 (3) To provide a primary, but not exclusive, location for accepting administrative
14 complaints of officer misconduct.
15
16 c) Except as otherwise provided by this AGREEMENT, the Chief of Police retains all
17 management rights and authority over the process of administrative investigation of alleged
18 misconduct by APD Officers that could result in disciplinary action
19



Finding 1

Citizen oversight did not create substantive change within the Austin Police Department.

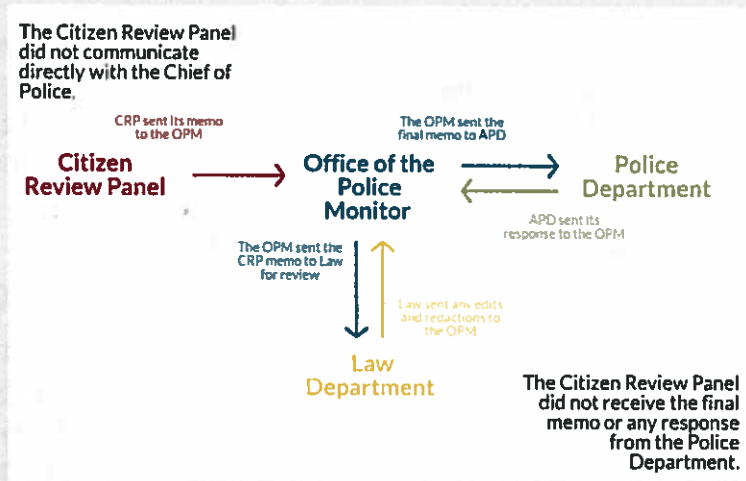
APD changed some aspect of its policies or administered discipline in response to **15%** (8/54) of the CRP's recommendations.

APD asserts that its current procedures comply with **54%** (29/54) of the CRP's recommendations, but noted that its procedures either haven't changed or changed for reasons unrelated to the CRP.

Finding 1 – Citizen oversight did not create substantive change within the Austin Police Department.

Causes (1/5)

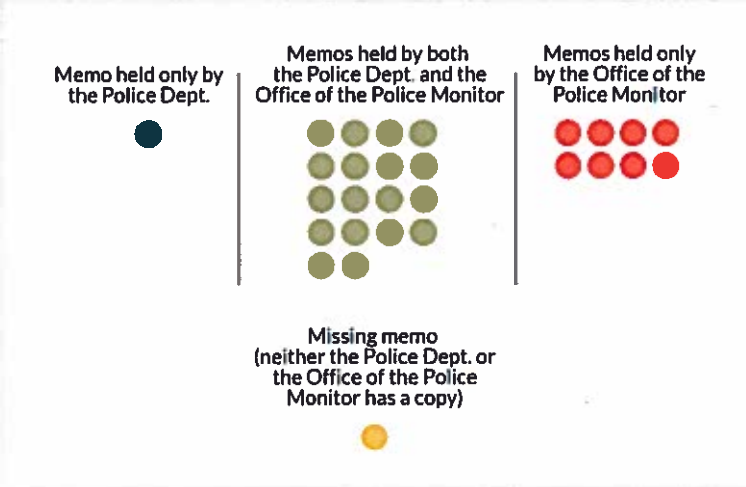
City policies prevented the CRP from communicating directly with the Chief of Police.



Finding 1 – Citizen oversight did not create substantive change within the Austin Police Department.

Causes (2/5)

The City did not establish clear responsibility for maintaining CRP records, leading to incomplete records and limiting the CRP's ability to identify patterns.



Finding 1 – Citizen oversight did not create substantive change within the Austin Police Department.

Causes (3/5)

Lengthy gaps between incident dates and APD presentations to the CRP limited the CRP's ability to issue effective, timely recommendations.

On average, **386** days elapsed from the date an incident occurred and the date the CRP issued a memo.

The CRP would have been able to recommend discipline in **28%** (5/18) of eligible cases, due to delays in when cases were presented to the CRP.

Finding 1 – Citizen oversight did not create substantive change within the Austin Police Department.

Causes (4/5)

Incomplete or unavailable information at CRP meetings may have affected the CRP's ability to understand incidents and issue effective recommendations.

All of the CRP panelists reported that video files were sometimes missing



and that APD could not always answer their questions about the investigation.

Finding 1 – Citizen oversight did not create substantive change within the Austin Police Department.

Causes (5/5)

The Chief of Police was not required to acknowledge or respond to CRP recommendations.

Without the Chief's feedback, the CRP issued repeat recommendations.

We found written responses to 31% (17/54) of the CRP recommendations.



Audit Final Comm. Hrr Aug 14th 10am Commissioner Weber

Finding 2

Information created by the Citizen Review Panel was not fully protected or retained.

The City did not provide adequate training or resources to CRP members.



CRP members used personal and work e-mail accounts to conduct CRP business.



Information normally protected by state law or the labor agreement is outside City control.

Recommendations

The City Manager should pursue opportunities for citizen oversight in the future, including:

1. Establishing clear responsibilities to ensure that records are maintained, cases are heard in a timely manner, and the Chief of Police responds to recommendations from a City-designated citizen oversight body;
2. Ensuring that administrative procedures governing the citizen oversight process align with labor agreement provisions;
3. Proactively releasing memos issued by a City-designated citizen oversight body as well as any responses produced by APD; and
4. Protecting City information by providing appropriate resources and training to members of a City-designated citizen oversight body.