



20           **WHEREAS**, the Council passed Resolution No. 20150507-027 to develop a  
21 tool for use in evaluating the policies and practices of each City department and  
22 their impact on equity, with a goal of informing the budgeting and policymaking  
23 processes to relieve racial and socioeconomic inequities; and

24           **WHEREAS**, the Council passed Resolution Nos. 20180614-073 and  
25 20180614-074, the “Freedom City” resolutions, to seek reporting on and to  
26 encourage the elimination of racial disparities in discretionary arrests and other law  
27 enforcement actions; and

28           **WHEREAS**, the Council passed Resolution No. 20191205-066 to evaluate  
29 and investigate contributing factors in reported patterns of bigotry and racial  
30 discrimination within Austin Police Department (“APD”); and

31           **WHEREAS**, the Council passed Resolution 20171214-060 developing  
32 evaluative metrics and goals for the municipal court to address racial and systemic  
33 inequities in the municipal judicial system; and

34           **WHEREAS**, the Council has considered and adopted numerous other  
35 policies to eliminate racial disparities and improve equity across our community,  
36 including Resolution Nos. 20200521-097, 20200409-081, 20200409-076,  
37 20200409-030, 20200123-059, 20191205-062 just in the last few months; and

38           **WHEREAS**, the Council adopted Strategic Direction 2023 (“SD23”) in  
39 March, 2018, as a strategic planning framework to guide City policymaking and

40 operations during the period 2018 to 2023 through indicators and metrics to track  
41 progress toward six outcomes and strategies to achieve them; and

42 **WHEREAS**, the Equity Office has developed a dashboard to disseminate  
43 information and track progress on the implementation of the Equity Assessment  
44 Tool created in response to Council Resolution No. 20150507-027, rolling out  
45 implementation across City departments in three phases; and

46 **WHEREAS**, the Office of Performance Management and other departments  
47 continue work toward making data transparent and accessible to City staff and the  
48 public, as well as tools useful to facilitate analysis and implementation of improved  
49 policies and practices; and

50 **WHEREAS**, in January, 2020, the Equity Office, the Innovation Office, and  
51 the Office of Police Oversight released a Joint Analysis of APD Racial Profiling  
52 Data, which compared the race of drivers involved in APD traffic stops compared  
53 to the racial composition of Austin, and found that Black and Latinx drivers are  
54 disproportionately more likely to be pulled over by an APD officer, and those  
55 drivers are more likely to face a citation, search, or arrest when stopped; and

56 **WHEREAS**, the Joint Analysis of APD Racial Profiling Data measures the  
57 same contributing factors as SD23 metric S.D.1.a. (difference between the  
58 percentage of citations, warnings, field observations, and arrests that result from  
59 motor vehicles stops involving individuals of a particular race compared to the

60 percentage of that race in the City of Austin) under indicator D. (the Fair  
61 Administration of Justice) in the Safety strategic outcome area, and may serve as a  
62 baseline analysis against which progress toward eliminating racial disparities can  
63 be measured; and

64 **WHEREAS**, an independent investigation of APD released in April, 2020,  
65 found reports of racist and sexist behavior, a “very high level of fear of retaliation”  
66 for making such reports, and a pervasive “quiet resistance” that poses a challenge  
67 to investigations of misconduct, and a degree of discretion in the application of  
68 internal policies that allowed for inconsistent accountability and disciplinary  
69 practices; and

70 **WHEREAS**, while progress toward reform was made in the Meet and  
71 Confer Agreement between the City of Austin and the Austin Police Association  
72 (“the police contract”) authorized in November, 2018, the police contract still  
73 imposes limits on accountability and oversight, including the “180-day rule,” under  
74 which APD officers subject to the Contract may not face disciplinary action or  
75 remedy resulting from civilian oversight more than 180 days after the date of the  
76 action or incident under review, consistent with the baseline established in Local  
77 Government Code Chapter 143; and

78           **WHEREAS**, studies have raised concerns about the frequency and severity  
79 of the use of force by Austin Police Department officers, and the racial disparities  
80 of use-of-force incidents; and

81           **WHEREAS**, every use-of-force incident and every officer-involved injury  
82 or death must be followed with appropriate investigation and reporting to  
83 understand how to prevent any such incidents from occurring again; and

84           **WHEREAS**, the Council commits to take action on the reports and analyses  
85 prepared by City staff, adopting applicable recommendations and reforming policy  
86 in pursuit of racial justice; **NOW, THEREFORE,**

87 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

88           The Council establishes the following racial justice-related policy goals for  
89 the Safety outcome of Strategic Direction 2023:

- 90           1. Zero racial disparity in motor vehicle stops;
- 91           2. Zero racial disparity in citations and arrests resulting from motor vehicle  
92           stops by 2023;
- 93           3. Zero use-of-force incidents per year by 2023; and
- 94           4. Zero deaths at the hands of APD officers per year by 2023.

95 **BE IT FURTHER RESOLVED:**

96           The Joint Analysis on APD Racial Profiling Data released by the Office of  
97 Police Oversight, the Equity Office, and the Innovation Office, in January 2020,

98 shall serve as a baseline measurement of metric S.D.1.a., against which the  
99 disparity between the percentage of citations, warnings, field observations, and  
100 arrests that result from motor vehicle stops involving individuals of a particular  
101 race compared to the percentage of that race will be measured.

102 Additional reports to be released by the Office of Police Oversight will serve  
103 as the baseline analysis against which the goals of zero use-of-force incidents and  
104 officer-involved deaths can be measured. Where these baseline analyses are not yet  
105 produced, the City Manager will work with the Office of Police Oversight to  
106 develop a baseline analysis or advise on the appropriate analysis to use as a  
107 benchmark.

108 **BE IT FURTHER RESOLVED:**

109 APD will work with the Office of Police Oversight on implementing  
110 remedial strategies consistent with SD23 to achieve these goals and will provide  
111 quarterly updates on the strategies implemented and progress expected and  
112 achieved to the relevant Council committee(s) and relevant community boards and  
113 commissions. Strategies employed should draw from best practices and campaigns  
114 designed to reduce and eliminate use-of-force incidents, such as 8 Can't Wait and  
115 Campaign Zero, which focus on developing use-of-force policies that require  
116 comprehensive reporting and alternatives to force, and reduce the use of military-  
117 grade equipment and tactics. Should this work require additional staffing or

118 resources for the Office of Police Oversight, the City Manager will return to  
119 Council with appropriate budget amendments in the current Fiscal Year and  
120 appropriate proposals in future Fiscal Year proposed budgets.

121 The Office of Police Oversight, the Equity Office, and the Innovation Office  
122 will provide recommendations to Council for additional metrics, data collection  
123 methods, or other analytical improvements to maintain the highest quality and  
124 accuracy of the analysis of progress toward this goal. Such recommendations may  
125 include, but are not limited to, self-reporting of race by those with whom APD  
126 officers interact, templates for regular data reporting, and any needed collaboration  
127 or training to improve data collection.

128 **BE IT FURTHER RESOLVED:**

129 The City Manager will hold APD and other relevant departments  
130 accountable to the goals set in this resolution by making information transparently  
131 available about progress toward achieving these goals. This information shall be  
132 used in performance evaluations of certain personnel, including the Chief of Police  
133 and the Assistant City Manager over the Safety outcome area.

134 The Council may also use this information during budget discussions,  
135 performance reviews of the City Manager, and future negotiations of the police  
136 contract. To facilitate these considerations, the City Manager will provide quarterly  
137 written updates on this progress as back-up documentation for any Council agenda

138 item related to a performance review of the City Manager, for the ordinance  
139 adopting the City's annual budget, on APD budget amendments, and on any  
140 agenda items related to the police contract.

141 **BE IT FURTHER RESOLVED:**

142 All changes to General Orders must be reported back to the Council and  
143 relevant Council committees as they are implemented.

144 **BE IT FURTHER RESOLVED:**

145 The Council seeks to set similar goals of zero racial disparity and increased  
146 racial justice related to other metrics in the Safety outcome of SD23, as well as the  
147 Health and Environment, Culture and Lifelong Learning, Economic Opportunity  
148 and Affordability, Mobility, and Government that Works for All strategic  
149 outcomes.

150 The City Manager shall work with the Equity Office, the Innovation Office,  
151 and other staff as appropriate, to assess SD23 indicators and metrics with respect to  
152 racial justice and develop benchmarks or baseline analyses against which SD23  
153 strategies can be measured and appropriate goals developed. The lead offices will  
154 coordinate with the Office of Performance Management to incorporate the results  
155 of the assessment. Staff may seek to partner with external analysts and experts  
156 where appropriate.



157 Baseline measures and benchmarks should focus on outcomes, indicators,  
158 and metrics that can inform both departmental-level decisions about improving  
159 service to Austin residents and improving the quality of life for City of Austin  
160 employees and contractors, as well as policy decisions to protect and support  
161 historically marginalized communities, and communities of color in particular.

162 This work should include recommendations to better capture the impact of  
163 systemic racism and recommendations to mitigate racial disparities in particular  
164 areas of concern, including health outcomes like maternal mortality and life  
165 expectancy, food access, interactions with law enforcement and the criminal justice  
166 system, and economic opportunity, homelessness, housing, displacement,  
167 economic mobility among others. Staff should consider the scope of data and  
168 analyses required, using data currently collected where appropriate, but also  
169 recommending improvements to data collection and analytical methods.

170 Consideration of both outcome-measurement data and broad-sample survey data  
171 will be given so a fuller picture of disparities and remedies may be realized.

172 The City Manager will update the Council on progress and interim  
173 recommendations by October 31, 2020, and full recommendations will be  
174 presented to the Council and incorporated into updates to the City's strategic  
175 direction following SD23.

176 **BE IT FURTHER RESOLVED:**

