



**LGBTQ QUALITY OF LIFE ADVISOR COMMISSION**  
**RECOMMENDATION 20200608-2C**

**Date** June 8, 2020

**Subject** BLACK LIVES MATTER:  
Urgent Steps to Reforming the Austin Police Department, Protecting the Rights of Peaceful Protestors, and Demilitarizing Public Safety

**Recommendation to Council**

*A. Commit to the Austin Justice Coalition's Six Requests of Austin City Council*

1. Demand the resignations of the failed public safety leadership: Chief Brian Manley, his Chief of Staff Troy Gay, and the civilian management lead Assistant City Manager Rey Arellano.
2. Direct the city manager to decrease the APD budget by \$100 million in the fiscal year that starts on October 1, 2020.
3. Pledge to continue to significantly decrease the police department's budget in subsequent years as Austin builds out robust and well-funded alternatives to policing.
4. Protect and expand current investments in non-police public health and safety strategies and direct assistance to those most in need due to the pandemic.
5. Pursue investments in community-led initiatives to prevent violence, instead of police.
6. Do everything in your power to compel APD and all law enforcement agencies to immediately cease enacting violence on community members and hold those that have engaged in violence accountable.

*B. Additional Recommendations*

1. Declare police brutality and policing disparities a public health crisis in Austin.
2. Issue an unanimously co-sponsored proclamation that Black Lives Matter.
3. Direct the city manager to send 120-days notice of renegotiation of the Agreement Between the City of Austin and the Austin Police Association per Article 21, Section 3. Require that the Austin Police Association appoint a negotiation team that reflects the racial, gender, and sexual orientation makeup of the Austin Police Department.



4. Direct the city manager to inventory and destroy all military equipment obtained by the Austin Police Department through the 1033 Program.
5. Immediately stop using the term “less lethal” to describe weapons and ammunition that have been proven to be lethal. Rubber bullets are still bullets.
6. Direct the city manager to create a Civil Rights Office to oversee all complaints about civil rights violations in Austin including, but not limited to, limits on free speech, free assembly, police brutality, housing discrimination, and employment discrimination.
7. Commit to the four actions of the My Brother’s Keeper Alliance to introduce common-sense limits on police use of force:

REVIEW your police use of force policies.

ENGAGE your communities by including a diverse range of input, experiences, and stories in your review.

REPORT the findings of your review to your community and seek feedback.

REFORM your community’s police use of force policies.

8. Delay all new APD cadet classes until the major shortcomings revealed by former police cadets of the Austin Police Academy and its training can be addressed.
9. Mandate an alternative to criminalization and incarceration of minors arrested during the protests.
10. Direct the city manager to immediately revise APD’s policies to ban shooting at moving vehicles.

## **Rationale**

1. Black Lives Matter. Black Trans Lives Matter. Black LGBTQIA+ Lives Matter.
2. Chief Brian Manley, Chief of Staff Troy Gay, and Assistant City Manager Rey Arellano have a demonstrated history of failing to serve and protect every member of the Austin community.
3. Racism, anti-blackness, and white supremacy are deeply embedded in the culture of Austin, much as we like to pride ourselves as a welcoming and progressive city.
4. Slave patrols called patrollers, patterrollers, pattyrollers, or paddy rollers, by the slaves, were organized groups of armed white men who monitored and enforced discipline upon black slaves in the antebellum U.S. southern states. The slave patrols' function was to police slaves, especially runaways and defiant slaves. They also formed river patrols to prevent escape by boat. Slave patrols were first established in South Carolina in 1704, and the idea spread throughout the colonies.

“Slave Patrol.” Wikipedia. Wikimedia Foundation, June 6, 2020.



[https://en.wikipedia.org/wiki/Slave\\_patrol](https://en.wikipedia.org/wiki/Slave_patrol)

5. Slave owners feared slave gatherings would allow them to trade or steal goods, and the potential for organizing a revolt or rebellion. South Carolina and Virginia selected patrols from state militias. State militia groups were also organized from among the cadets of the Southern military academies, of The Citadel and the Virginia Military Institute, which were founded to provide a military command structure and discipline within the slave patrols and to detect, encounter, and crush any organized slave meetings that might lead to revolt or rebellion.

“Slave Patrol.” Wikipedia. Wikimedia Foundation, June 6, 2020.

[https://en.wikipedia.org/wiki/Slave\\_patrol](https://en.wikipedia.org/wiki/Slave_patrol)

6. “The history of police work in the South grows out of this early fascination, by white patrollers, with what African American slaves were doing. Most law enforcement was, by definition, white patrolmen watching, catching, or beating black slaves.”

Hansen, Chelsea. “Slave Patrols: An Early Form of American Policing.” National Law Enforcement Museum, June 3, 2020.

<https://lawenforcementmuseum.org/2019/07/10/slave-patrols-an-early-form-of-american-policing/>

7. The Black Citizens Task Force was a grassroots political organization founded in Austin, Texas in 1972 by a group of concerned Austin citizens that included, Dr. John Warfield, former City Council member Charles Urdy, Velma Roberts, Larry Jackson, Charles Miles and others. The group, which existed primarily between the 1970s and early 2000s, formed in order to combat racism against the African American Community.

According to the BCTF brochure, they organized with the intent “to bring about fundamental political, economic and social change to people of African descent, through liberation from racism and capitalism.” In the beginning, BCTF’s mission dealt with equality in employment. It later expanded to encompass education, health, housing and other areas that afflicted the community, such as police brutality. Additionally, the group was a strong supporter of the anti-apartheid movement.

“Black Citizens Task Force Records An Inventory to the Collection.” University of Texas Libraries. Accessed June 6, 2020.

<https://legacy.lib.utexas.edu/taro/aushc/00391/ahc-00391.html>

8. Justice organizations including but not limited to NAACP, LULAC, Austin Area Justice League, Grassroots Leadership, Measure, Texas Civil Rights Project, Austin Justice Coalition, ACLU, Workers Defense Project, Austin’s Black Lives Matter, and Texas Criminal Justice Coalition have worked and continue the work of the Black Citizens Task Force of the 70s and their groundwork for racial equity and justice.
9. In a survey conducted in November 2018, officers expressed dissatisfaction with the department’s disciplinary and promotion process, its insufficient firearms training in



shoot-don't shoot scenarios, and the lack of understanding from the public about what it means to be a cop.

At the same time, 86 percent of those surveyed said they felt committed to policing as "it is a noble and honorable profession."

The survey had a 57 percent response rate, which was well above the national average.

"APD Survey Shows Police Officers Are Proud but Frustrated." Austin Monitor, January 10, 2020.

<https://www.austinmonitor.com/stories/2020/01/apd-survey-shows-police-officers-are-proud-but-frustrated/>

10. "We just represent the beginning of the conversation. In so many places, it seems to me, once you've appointed a diversity officer, people think that's the end of the story. 'We have the person who's supposed to take care of that, and now we can just keep doing what we want to do, because we really do have it covered.' You do not have it covered, and what happens is, it seems to me, that actually in certain respects it's just a placeholder, just like the language of diversity and inclusion in mission statements. The intent was never to put forward an action plan that was going to get us from A to B." - Evelyn Hammonds, Harvard's Barbara Gutmann Rosenkrantz Professor of the History of Science and a professor of African and African American studies

Siliezar, Juan. "Harvard Panel on George Floyd and Racial Injustice." Harvard Gazette. Harvard Gazette, June 5, 2020.

<https://news.harvard.edu/gazette/story/2020/06/harvard-panel-on-george-floyd-and-racial-injustice/>

11. Austin Police treated the first Austin bombing victim as a suspect before two new explosions proved them wrong.

"We can't rule out that Mr. House didn't construct this himself and accidentally detonate it," APD Assistant Chief Joseph Chacon told reporters at the time.

He added that there was no continuing threat to the public. "I do not believe that we have someone going around leaving packages like this," he said.

Asked whether it was a mistake to treat House as a suspect, or whether House had been definitively cleared of wrongdoing, Adler declined to answer, citing the ongoing nature of the investigation.

Harp, Seth. "Police Treated First Austin Bombing Victim as a Suspect Before Two New Explosions Proved Them Wrong." The Daily Beast. The Daily Beast Company, March 13, 2018.

<https://www.thedailybeast.com/police-treated-first-austin-bombing-victim-as-a-suspect-before-two-new-explosions-proved-them-wrong>



12. Researchers have spent 50 years studying the way crowds of protesters and crowds of police behave—and what happens when the two interact. One thing they will tell you is that when the police respond by escalating force—wearing riot gear from the start or using tear gas on protesters—it doesn't work. In fact, disproportionate police force is one of the things that can make a peaceful protest not so peaceful. But if we know that (and have known that for decades), why are police still doing it?

Koerth, Maggie, and Jamiles Lartey. "Why So Many Police Are Handling the Protests Wrong." The Marshall Project. The Marshall Project, June 1, 2020.

<https://www.themarshallproject.org/2020/06/01/why-so-many-police-are-handling-the-protests-wrong>

13. "Overall, we had a total of 53 incidents that involved emergency medical services. Of those 53 cases, there were 10 cases in which the patient refused any sort of care or treatment. And then we had 19 cases where there was no patient found at all, that we could care for. Of that, we had 29 cases that we actually transported to the hospital. And 11 of those 29 we know had injuries that were caused from the less than lethal weapons. Some of those chief complaints that we received -- so when someone calls 911, they give us a description of what is going on with them and we record that as a chief complaint. And that's to give the medics who are responding a little bit of information about what they're about to see and they can prepare for it. So in this case, we had things like abdominal injuries, falls, several reported as gunshot wounds and I'll give you details on those. Bleeding, respiratory, seizures, we had a whole assortment of cases. The highest were from injuries and gunshot injuries.

"So now I want to give you a little bit of a description of the types of injuries EMS -- that EMS actually treated and transported to the hospital. You've already heard stories yesterday about some of the injuries and they were pretty severe. We had others. So we saw significant injuries from the protests that were caused by the less than lethal weapons. And these are, like I said, in addition to the cases that you've heard of before. We had one patient that suffered an open skull fracture with their related soft tissue injury. That's a dangerous injury because it exposes the inside of the skull to the potential of infection. There's a lot of potential for brain injury in that type of a situation from bone fragments, and anything that touches and moves the skull can cause further injury. We had another injury who received a fracture to their lower jaw with their penetrating soft tissue injury that went through the cheek. And we found that individual with the beanbag embedded in the oral cavity. That's a dangerous injury from the bleeding, from the ability to control the airway and from the potential of a blockage to the airway. We were able to resolve that and transport that individual quickly to the hospital. We had a person who took an impact from a less than lethal weapon to the temple and that caused a severe hematoma underneath the skull, between the brain and the skull. Those are very dangerous as well because they can build up pressure that squeezes the brain and causes damage. Although we can't see that image, the victim of that did show signs of increasing pressure in the skull. And so we feel that that's probably a hematoma that's developing. We took that patient very quickly to the hospital as well.

We had another injury that resulted in open chest injury, with what we call a sucking



chest wound. That's a very traumatic injury. That person has broken ribs and a hole in their chest. The problem with that is when they attempt to breathe, the air enters the body through that chest wound instead of through the mouth and nose as usual. Which means that air never reaches the inside of the lungs where it needs to go. So that can be a very severe and rapidly progressive injury. We were able to treat that very quickly and manage that patient's injury and transport them to the hospital. All of these injuries are potentially lethal injuries.

Recovery from these injuries could involve significant medical care, including surgical interventions. Physical recovery from these could take years. Psychological, mental, and emotional recovery even longer. So these are very significant. EMS also transported two DPS troopers who were assaulted. They were assaulted by approximately 10 or 12 protesters and also one pd officer who was experiencing heat and stress related conditions. And we picked him up at APD main and transported him quickly to the hospital as well. Many more APD officers were also injured, as previously discussed by chief Manley. Most of them received treatment but were not transported by ems, although they may have gone to the hospital on their own or by different means later. And that's pretty much a summary, to give you an idea of the quantity and type of injuries that we saw. Of course ems did not see all of the injuries that occurred during the event. Many people who may have been hit or who fell or who had other types of injuries did not use EMS. So we don't know the total quantity of injuries that could have involved -- could have been the result of this protest event."

Ernesto Rodriguez, Chief of Emergency Medical Services (EMS), testimony on June 5, 2020 City of Austin Meeting.

14. "We knew that we were about to be tear gassed. However, there were families there. There were kids there. There was a 10-year-old that got tear-gassed in front of us. We had to treat her for being tear gassed. I understand their necessity to do that – to get people off of I-35. I get that part," she said. "But they knew families were there. They knew children were there. They should've made a better attempt to get the children out before they did what they did."

KUT, Andrew Weber | "They Shot All Of Us': An Austin Medic Recalls A Weekend Of Police Violence Amid Peaceful Protests." KUT. Accessed June 7, 2020.  
<https://www.kut.org/post/they-shot-all-us-austin-medic-recalls-weekend-police-violence-amid-peaceful-protests>

15. Nearly all the people arrested during protests over the weekend — and looting sprees that occurred nearby — were in their 20s or teens, according to booking records reviewed by KXAN.

Barer, David. "Most Protest-Related Arrests Were in Their 20s and Teens." KXAN.com. KXAN.com, June 2, 2020.  
<https://www.kxan.com/investigations/most-protest-related-arrests-were-in-their-20s-and-teens/>



16. The rational part of a teen’s brain isn’t fully developed and won’t be until age 25 or so. In fact, recent research has found that adult and teen brains work differently. Adults think with the prefrontal cortex, the brain’s rational part. This is the part of the brain that responds to situations with good judgment and an awareness of long-term consequences. Teens process information with the amygdala. This is the emotional part.

“Understanding the Teen Brain .” Understanding the Teen Brain - Health Encyclopedia - University of Rochester Medical Center. Accessed June 6, 2020.  
<https://www.urmc.rochester.edu/encyclopedia/content.aspx?ContentTypeID=1&ContentID=3051>

17. In a unanimous vote December 5, 2019, Austin City Council directed city manager Spencer Cronk to initiate a widespread, independent investigation into the culture and practices of the Austin Police Department following an anonymous whistleblower complaint that an assistant chief had regularly used racist and homophobic language throughout his career at the department.

Freer, Emma. “Austin City Council Authorizes APD Investigation after Assistant Chief Accused of Racist and Homophobic Slurs.” impact. impact, December 3, 2019.  
<https://communityimpact.com/austin/central-austin/public-safety/2019/12/03/austin-city-council-will-consider-apd-investigation-after-assistant-chief-accused-of-racist-and-homophobic-slurs/>

18. The 46-page report of investigator Lisa Tatum’s findings documents a pattern of racism and sexism that has permeated the department for years, and that APD staffers did not expect to change.

“We listened to many anecdotes illustrating inappropriate comments over the years through which APD personnel expressed concern about racist behavior, but also sexist behavior, and dissimilar treatment in the handling of officer discipline and those who may be served by APD chaplain services with the denial of marital services to same sex couples,” page 44 of the report reads. “There are some real cultural issues that are in need of attention.”

Tatum’s entire report highlights the difficulty she had tracking down information due to mismanagement of records, fear of retaliation from personnel, and what she describes as “quiet resistance” from some interview subjects, in the form of “evasiveness, misdirection and deflection.”

More troubling is the general lack of faith expressed to Tatum that Council, APD leaders, or the City Manager’s office would actually do anything to change the culture within the department.

Tatum also highlights the limitations on APD accountability imposed by the “180-day rule” in the Meet and Confer agreement between the city and the police union, which essentially prohibits disciplinary action against officers once six months has passed from the time of the improper conduct – even if an investigation is launched



immediately. This has been a provision of the city's police contracts for several decades, and Tatum thinks little of it. "When used inappropriately, a violation of policy may be overlooked, left unattended, or disregarded until 180 days have passed, [thus] barring the more strict consequences from consideration," the report reads. "Inappropriate use of discretion and the time limitation can lead to a complete avoidance of ... consequences for misconduct."

Casaday remains firm in his commitment to keeping the 180-day rule in the contract – unless it could be used as a bargaining chip, he told us, saying the rule could be changed "when our police department is properly staffed and officers are not working 60 hours a week."

What happens now at APD is largely up to City Manager Spencer Cronk.

Sanders, Austin. "Tatum Report Depicts Bleak Conditions for Accountability at APD." Is meaningful reform to address bias, bigotry "aspirational at best"? - News - The Austin Chronicle. Accessed June 7, 2020.

<https://www.austinchronicle.com/daily/news/2020-04-22/tatum-report-depicts-bleak-conditions-for-accountability-at-apd/>

19. From 2015 to 2018, Black and Hispanic drivers in Austin were stopped and arrested by the Austin Police Department at rates greater than their share of the city's population, while white and Asian drivers were stopped and arrested at rates beneath their share of the population.

The disparities in arrests stemming from those traffic stops are even worse. In those interactions, the report finds, Black people are overrepresented by a staggering 17%, and Hispanics overrepresented by 12%. In 2018, white drivers were arrested after a traffic stop at a rate 23% lower than their share of the city's population – a rate that declined over the four-year study period.

Conversely, in both stops and arrests, Black and Hispanic Austinites grew more overrepresented over that four-year period. For Black drivers, the difference in stops vs. population share started at 4% in 2015, but grew to a difference of 7 percentage points in 2018. For Hispanic drivers, there was no difference between population share and stops in 2015, but by 2018 the difference had grown to 2%.

Sanders, Austin. "Racial Disparities Persist and Worsen in APD Traffic Stops." Going nowhere fast - News - The Austin Chronicle. Accessed June 7, 2020.

<https://www.austinchronicle.com/news/2020-02-07/racial-disparities-persist-and-worsen-in-apd-traffic-stops/>

20. On the evening of April 24, 2020, Austin Police Officer Mitchell Pieper, just three months out of the police academy, shot Mike Ramos with a "less than lethal" bean bag round while his hands were in the air. After being hit, Ramos dove into his car and began slowly driving away from the officers. Still, Officer Christopher Taylor, a 10-year veteran, shot and killed him with a rifle. Ramos did not have a gun on him or in his





vehicle.

21. Officer Christopher Taylor had previously killed another person while on duty, without any apparent consequences. On July 31, 2019, Taylor and another officer, Karl Krycia, shot and killed Dr. Mauris DeSilva, who was undergoing a mental health crisis when he encountered the officers at his Downtown high-rise.

Sanders, Austin. "A Month After Mike Ramos Died, Some Hesitant Steps Toward Accountability." Justice comes slowly - News - The Austin Chronicle. Accessed June 7, 2020.

<https://www.austinchronicle.com/news/2020-06-05/a-month-after-mike-ramos-died-some-hesitant-steps-toward-accountability/>

22. Ten former cadets have sued the department alleging they were treated abusively and taught to use abusive tactics.

Interim Police Chief Brian Manley says he stands behind the training and that the former cadets' recollections are not accurate. Yes, he says, instructors are sometimes confrontational and may curse. Yes, he says, they may at times create an atmosphere more like boot camp than college. But he said they still promote some of the most important values of being a police officer.

Instructor Michael Burgeson later said, "We're talking down to them because that's what happens on the street all the time. People constantly test your patience, so you have to be able to maintain yourself. Whatever they give you, you have to maintain your professionalism."

Manley said that training is designed to ensure officers respond appropriately to citizens and supervisors alike.

"Policing is still a paramilitary organization, and it still has a rank-and-file structure," he said. "There is an intent behind it."

Plohetski, Tony. "Is Austin Training Police to Be Too Aggressive? 10 Ex-Cadets Say Yes." Statesman. Austin American-Statesman, September 26, 2018.

<https://www.statesman.com/news/20180427/is-austin-training-police-to-be-too-aggressive-10-ex-cadets-say-yes/>

23. In 2012, reported the Austin Statesman, then-Chief Art Acevedo changed APD policy to forbid officers from shooting at fleeing vehicles unless they were part of a unit specifically trained to perform that function, or the person fleeing had allegedly inflicted serious injury or death (not the case here). After becoming chief, with little fanfare and zero public discussion, Brian Manley changed that policy to fully authorize such shootings by any officer, anytime.

The fact that Officer Pieper, a rookie three months out of the academy was the first to fire on Ramos - even if using a bean bag round - instead of engaging de-escalation



tactics, speaks to another major departmental failure under Manley: Failure to reform the department's cadet training practices.

Finally, after state law in 2017 mandated police officers receive deescalation training, Austin PD chose to separate deescalation discussions from its "use of force" module in academy classes. Rather than teaching de-escalation as a way to minimize harm from use-of-force tactics, which is how national experts view it, it's taught separately in a "communications module."

"Top Ten Failures of Austin Police Chief Brian Manley: A Compendium." Top Ten Failures of Austin Police Chief Brian Manley: A Compendium. Accessed June 7, 2020. <https://gritsforbreakfast.blogspot.com/2020/05/after-more-than-two-dozen-community.html>

24. Manley fails to listen to, test, and protect sexual assault survivors.

APD has been inflating closure rates for rape cases and has failed to prosecute in sexual assault cases.

Crime lab failures related to untested rape kits turned out to be the tip of a very large iceberg, when a whistleblower came forward in 2018 to explain why APD's case closure rates for rape cases had skyrocketed in recent years. Cases were being "exceptionally closed" rather than solved and sent to the DA. An audit by DPS found in 2018 that many cases had been wrongfully closed. They were fabricating the numbers. Sexual assault survivors sued the city and the county over failures to appropriately investigate and prosecute sexual assault, and have specifically asked APD to address a long history of failures to test evidence, listen and believe what women say and connect them to the investigation process. City Council ultimately had to fund and direct the department to test a huge backlog of rape kits over a two year period.

Rakhi. "14 Reasons Why You Should Be Asking for the Chief of APD to Step Down." Medium. Medium, June 4, 2020. [https://medium.com/@rak\\_hi/14-reasons-why-you-should-be-asking-for-the-chief-of-apd-to-step-down-31581aa9781](https://medium.com/@rak_hi/14-reasons-why-you-should-be-asking-for-the-chief-of-apd-to-step-down-31581aa9781)

25. There has been no justice for multiple murders of BIPOC (Black, indigenous, and People of Color) by police under Manley.

Under Manley's leadership, at least three unarmed men of color have been killed, with none of those officers being fired, arrested, or in any way disciplined for murder.

Mike Ramos' death marks the second death of an unarmed man (#EnriqueQuiroz) at the hands of an Austin police officer in April 2020 and the third (#HugoAlvarez) under Manley's leadership, along with three deaths of people carrying knives, two of them suicide situations (#MorganRankin, #MaurisDeSilva, #LeslieSalazar).



Rakhi. "14 Reasons Why You Should Be Asking for the Chief of APD to Step Down." Medium. Medium, June 4, 2020.

[https://medium.com/@rak\\_hi/14-reasons-why-you-should-be-asking-for-the-chief-of-apd-to-step-down-31581aa9781](https://medium.com/@rak_hi/14-reasons-why-you-should-be-asking-for-the-chief-of-apd-to-step-down-31581aa9781)

26. Over 40k signatures calling for firing of Chief Manley as of June 6, 2020.

<https://www.change.org/p/we-demand-the-termination-of-austin-police-chiebrian-manley-for-instigation-of-police-violence-during-peaceful-protests>

27. Structural racism and modern-day policing impacts marginalized communities, particularly people of color, immigrants, people experiencing houselessness, people with disabilities, the LGBTQ community, individuals with mental illness, people who use drugs, and sex workers.

28. Research has demonstrated that minority communities are disproportionately subject to police force. Specifically, according to an analysis of FBI statistics, African Americans account for 31 percent of police-involved shootings, but comprise 13 percent of the U.S. population. African American males are particularly at risk. According to another analysis, African American males are three times more likely to be killed by police than non-Hispanic white males.

"Police Brutality Must Stop." American Medical Association, May 29, 2020.

<https://www.ama-assn.org/about/leadership/police-brutality-must-stop>

29. These concerns also affect transgender people. Half of transgender people report they are uncomfortable seeking police assistance. More than one-fifth (22%) of transgender people who had interacted with police reported police harassment, and 6% of transgender individuals reported that they experienced bias-motivated assault by officers. Black transgender people reported much higher rates of biased harassment and assault (38% and 15%).

Transgender people who have done sex work or participated in underground economies often report elevated levels of police violence—this includes 16% of all trans people, 34% of Latino/a trans people, and 53% of Black trans people. Trans people who have done street economy work are more than twice as likely to report physical assaults by police officers and four times as likely to report sexual assault by police.

"Injustice at Every Turn: A Report of the National Transgender Discrimination Survey." National LGBTQ Task Force, July 11, 2019.

<https://www.thetaskforce.org/injustice-every-turn-report-national-transgender-discrimination-survey/>

30. The President's Task Force on 21st Century Policing recommended establishing LGBT inclusive anti-profiling and anti-bias policies and training for police departments, and



LGBT inclusive research on the public's contacts with police. (2015)

Gorenberg, Hayley. "Comments on the Final Report of President Obama's Task Force on 21st Century Policing." Lambda Legal. Accessed June 8, 2020.

[https://www.lambdalegal.org/blog/20150519\\_task-force-21st-century-policing](https://www.lambdalegal.org/blog/20150519_task-force-21st-century-policing)

31. Manley and his administration still have not followed City Council directives on competency training involving Austin's LGBTQIA+ community or implementing a victim-neutral affidavit policy, more than four years later.

[Recommendation 20190211-4b: Victim Neutral Affidavits](#)  
[Council Resolution 20160505-027](#)

32. Research has also shown a correlation between policing and other health outcomes. In particular, a recent study found that police killings of unarmed African Americans were associated with 1.7 days of poor mental health annually among African Americans. The findings were seen regardless of whether the individual affected had a personal relationship with the victim or whether the incident was experienced vicariously. In addition, the number of police stops, coupled with the level of invasiveness during police encounters, is associated with increased levels of stress and anxiety. African American men report more anxiety and post-traumatic stress disorder and more morbidity from these psychiatric conditions than Caucasian men.

"Police Brutality Must Stop." American Medical Association, May 29, 2020.

<https://www.ama-assn.org/about/leadership/police-brutality-must-stop>

33. Corporeal and psychological violence at the hands of police is a derogatory device of enforcement, which is a philosophy the AMA cannot abide. Police brutality in the midst of public health crises is not crime-preventive—it creates demoralized conditions in an already strained time. It exacerbates psychological harms and has a clear impact on bystanders. Over time, this violence manifests as an erosion of communal trust in police and a "weathering" of people whose bodies are historically "over-policed". The history of over-policing marginalized and minoritized communities in America is well-ingrained within our culture, but not inextricably so. The ultimate defense against police violence in times of public health crisis, and beyond, is centering equity and ensuring accountability as a public health measure.

"Police Brutality Must Stop." American Medical Association, May 29, 2020.

<https://www.ama-assn.org/about/leadership/police-brutality-must-stop>

34. Inappropriate stops by law enforcement are one form of psychological violence with serious implications for public health. Even in the absence of physical violence, several studies have shown that stops perceived as unfair, discriminatory, or intrusive



are associated with adverse mental health outcomes, including symptoms of anxiety, depression, and posttraumatic stress disorder. In addition, one study revealed that neighborhood-level frisks and use of force were linked to elevated levels of psychological distress among men living in these neighborhoods. In two large surveys, Black individuals were more likely than White individuals to report stress as a result of encounters with police—a concern given evidence of an association between stress due to perceived racial discrimination and risk factors for chronic disease and early mortality. A nationally representative study showed an association between deaths among Black individuals due to legal intervention and subsequent poor mental health among Black adults living in the same state.

“Addressing Law Enforcement Violence as a Public Health Issue.”  
AMERICAN PUBLIC HEALTH ASSOCIATION. Accessed June 6, 2020.  
<https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/29/law-enforcement-violence>

35. The impacts of physical violence likewise extend beyond injuries and death, affecting individuals’ and communities’ ability to achieve positive health outcomes in the short and long term and compounding extant health inequities. For example, one study revealed that residents of neighborhoods with high rates of law enforcement use of force were at increased risk for diabetes and obesity. Among youths, exposure to violence from school-based law enforcement officers has been linked to “denial of educational and social growth”—both key determinants of health—and ethnographic research indicates that current policing practices alter key developmental processes among Black male adolescents. In summary, aggressive policing is “a threat to physical and mental health” that may be exacerbated among marginalized populations.

“Addressing Law Enforcement Violence as a Public Health Issue.”  
AMERICAN PUBLIC HEALTH ASSOCIATION. Accessed June 6, 2020.  
<https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/29/law-enforcement-violence>

36. Marginalized populations are inevitably affected by law enforcement action and violence. People of color accounted for more than 50% of years of life lost due to legal intervention in 2016 but account for just under 40% of the U.S. population. Native Americans have been killed by law enforcement at a higher per capita rate than any other group in the United States (3.5 times higher than White Americans), with these mortality data likely to be an undercount. In 2016, Black and Native American individuals were more than two and three times (respectively) as likely to be killed by law enforcement as White individuals. Stratification by gender and age showed that male Blacks and Native Americans 15 to 34 years of age were nine and six times (respectively) more likely to be killed than other Americans in their age group. Similarly, Black women are disproportionately represented among women killed by



police. Black and Latino individuals are more likely to be stopped and arrested and to experience nonfatal violence by law enforcement. Of the 4,400 individuals shot by officers from the 50 largest police departments from 2010 to 2016, 55% were Black, more than double the proportion of the Black population in these departments' jurisdictions. In 2012, Black and Native American individuals were admitted to emergency departments for injuries due to legal intervention at proportions three and six times (respectively) their representation in the general population, and in a nationally representative sample of emergency departments during 2001 to 2014, Black individuals 15 to 34 years old were treated for legal intervention injuries at almost five times the rate of their White counterparts. Students most at risk for violence by school-based law enforcement officers include children with disabilities, students of color, and poor students.

“Addressing Law Enforcement Violence as a Public Health Issue.”  
AMERICAN PUBLIC HEALTH ASSOCIATION. Accessed June 6, 2020.  
<https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/29/law-enforcement-violence>

37. Among recorded U.S. deaths attributed to law enforcement in 2015, an estimated 27% involved individuals with mental illness. Other groups highly affected by law enforcement violence include people who identify as transgender, lesbian, gay, and/or bisexual; individuals experiencing houselessness; low-income individuals; sex workers; and people who use drugs. Women also experience sexual violence by police officers, particularly women of color. The disproportionate impact of policing on these communities has been documented since at least the 1960s.

“Addressing Law Enforcement Violence as a Public Health Issue.”  
AMERICAN PUBLIC HEALTH ASSOCIATION. Accessed June 6, 2020.  
<https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/29/law-enforcement-violence>

38. Research on predictors of police force size has indicated that the system of law enforcement upholds existing racial and class hierarchies by targeting socially marginalized groups, often low-income communities of color. Key predictors maintaining an association with police force size after control for crime rates include the size and growth of populations of color, racial economic inequality, and poverty. Such findings suggest that these populations are perceived as a threat to the social order and that policing is used as a mechanism of control. Upholding social hierarchies perpetuates and exacerbates adverse health outcomes among those who are already disproportionately affected by inequities in key social determinants of health, or those underlying factors that “affect a wide range of health, functioning, and quality-of-life outcomes and risks” and are widely understood in the field of public health to be the primary contributors to persistent health inequities. These factors include access to education and economic opportunities, perceptions of public safety



and exposure to violence, quality of housing and transportation, social norms and attitudes (e.g., discrimination, racism, and distrust of government), and availability of community-based resources.

“Addressing Law Enforcement Violence as a Public Health Issue.”  
AMERICAN PUBLIC HEALTH ASSOCIATION. Accessed June 6, 2020.  
<https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/29/law-enforcement-violence>

39. The social, environmental, economic, and cultural determinants of health are the terrain on which structural inequities produce health inequities. These multiple determinants are the conditions in which people live, including access to good food, water, and housing; the quality of schools, workplaces, and neighborhoods; and the composition of social networks and nature of social relations.

Though inequities may occur on the basis of socioeconomic status, gender, and other factors, we illustrate these points through the lens of racism, in part because disparities based on race and ethnicity remain the most persistent and difficult to address. Racial factors play an important role in structuring socioeconomic disparities; therefore, addressing socioeconomic factors without addressing racism is unlikely to remedy these inequities

Racism is an umbrella concept that encompasses specific mechanisms that operate at the intrapersonal, interpersonal, institutional, and systemic levels of a socioecological framework.

Sciences, National Academies of, Engineering, and Medicine. “The Root Causes of Health Inequity.” *Communities in Action: Pathways to Health Equity*. U.S. National Library of Medicine, January 11, 2017.  
<https://www.ncbi.nlm.nih.gov/books/NBK425845/>

40. Overall, African-Americans, who make up 8.9 percent of Travis County’s population, have the highest mortality for cancer, heart disease, stroke and diabetes.

Roser, Ann. “Austin Health Leaders Call Racism a Root Cause of Ill Health.” *Statesman*. Austin American-Statesman, September 25, 2018.  
<https://www.statesman.com/NEWS/20160903/Austin-health-leaders-call-racism-a-root-cause-of-ill-health>

41. Twenty-nine (29%) of Black or African American children and Hispanic children live below the federal poverty level in Travis County, compared to 7% of Asian children and 5% of White children.

“Community Advancement Network.” CAN. Accessed June 8, 2020.  
<http://canatx.org/dashboard/our-basic-needs-are-met/poverty/>



42. 'Racism is a public health issue and a social determinant of health that creates toxic stress and impacts health. Children will not be able to reach their full potential until we prevent and counteract these experiences for all children—in medicine and everyday life. The AAPVT Chapter condemns violence, especially when perpetrated by authorities, and calls for a deep examination of how to improve the role of policing. Systemic violence requires systemic response.'

Rebecca Bell, MD, President of the American Academy of Pediatrics Vermont Chapter

43. In the midst of widespread police violence and the arrest of more than 9000 protestors nationwide, local and state governments are pushing to recognize racism itself as a public health issue. The country's leading medical organizations—including the American Medical Association, the American College of Physicians, and the American Academy of Pediatrics—have released statements highlighting this fact.

The state of Ohio, the city of Cleveland, San Bernardino County in California, and other jurisdictions in the country are all at some stage of formally declaring racism a public health issue in their regions.

Eschner, Kat. "Racism Is Undeniably a Public Health Issue." Popular Science. Popular Science, June 4, 2020.

<https://www.popsoci.com/story/health/racism-public-health/>

44. NAMI Texas states in a call to action on June 3rd 2020, "As we reflect upon and learn from these recent tragedies, let us make no mistake about it - racism is a public health crisis. Racism is detrimental to mental health. As NAMI posted on Facebook and Twitter today: #blacklivesmatter. We must aggressively confront racism and its impact on mental health."

NAMI Texas Statement and Call-To-Action. Accessed June 8, 2020.

<https://namitexas.dm.networkforgood.com/emails/nami-texas-statement-and-call-to-action>





**Vote**

Date of Approval: June 8, 2020

Motioned By: Commissioner Gonzales

Seconded By: Commissioner Doughty

For:

1. Chavez
2. Currence
3. Curry
4. Doughty
5. Dowling
6. Gonzales
7. Gonzalez
8. Kirby
9. Martinez
10. Wollerson

Against: None

Abstain:

1. Baeza (For reasons relating to the unknown long-term impact of Recommendation A2 on officers who are Black, Indigenous, or People of Color and newly hired by APD.)
2. Hines (For reasons relating to not having sufficient background information on how the Austin Justice Coalition came to their six requests of City Council.)

Absent:

1. Taylor (Due to technical difficulties with internet connection and videoconferencing.)

Attest:

Kathryn Gonzales, Vice Chair