

23 alternatives to prevent serious injury or death, or all reasonable
24 alternatives have been exhausted;

- 25 • Use of force shall incorporate de-escalation tactics in all
26 circumstances and the response shall be proportionate to the
27 seriousness of the offense and the threat of harm presented; and
- 28 • Austin Police Department General Orders requiring officers to
29 intervene to stop improper or excessive uses of force by their
30 fellow officers should be appropriately enforced. The City
31 Manager shall annually report to Council aggregate data reflecting:
32 (1) the number of investigations into officers' alleged violation of
33 the Austin Police Department's General Orders relating to use of
34 force; and (2) the number of investigations into officers' alleged
35 violation of Austin Police Department General Orders creating a
36 duty to intervene to stop excessive force. In connection with this
37 report, the City Manager, along with the Office of Police
38 Oversight, shall provide appropriate recommendations to Council.

39 The City Manager shall direct the Office of Police Oversight to
40 research and issue recommendations for amendments to the General
41 Orders on how to better define what constitutes "resistance" and
42 alternative tactics and tools that can be used by officers to prevent the
43 need for lethal or less lethal munitions, including a review of police
44 techniques used in countries that use unarmed patrol forces.

45 Review and revision of the General Orders to implement this
46 policy directive shall be conducted in an open process that is facilitated
47 by the Office of Police Oversight and include feedback from community

48 groups. The City Manager shall ensure that revisions to such General
49 Orders incorporate comprehensive reporting of uses of force and use of
50 force threats. The Office of Police Oversight should be allocated the
51 necessary funding to facilitate this process.

- 52 3. Chokehold Use: It is the stated policy of the City that the use of
53 chokeholds and strangleholds -- broadly defined to include all maneuvers
54 that involve choking, holding the neck, or cutting off blood flow in the
55 neck -- is strictly prohibited as a policing tactic.
- 56 4. Military Equipment: It is the stated policy of the City that the use,
57 stockpile, and purchase of military equipment shall be reduced to the
58 greatest extent possible. Equipment described by their manufacturer or
59 owner as “military-grade,” “military surplus,” “military tested,” or any
60 similar language indicating such equipment is intended for military
61 use shall not be purchased or accepted by the City without prior approval,
62 either on a case-by-case basis or as an approval for a particular type of
63 equipment in general. Any contract that includes military equipment must
64 clearly state that it includes such equipment in the posting language of
65 the item brought to council. The Council directs the City Manager to
66 inventory all existing military equipment and report to council with
67 recommendations for items that can be properly disposed or returned if
68 required. This policy applies to any and all equipment acquired by APD
69 through the U.S. Department of Defense’s Law Enforcement Support
70 Office (known as the 1033 Program), or any similar program.
- 71 5. No-Knock Warrants: It is the stated policy of the City that the use of no-
72 knock warrants should be restricted, that a sufficient deadly threat or

73 threat of serious bodily injury must exist and no reasonable alternatives
74 exist to justify any such warrant being sought and executed, and that a
75 process be in place for the reporting of the execution of such warrants. In
76 reviewing the General Orders relevant to no-knock warrants, the City
77 Manager is directed to evaluate policies restricting no-knock warrants
78 that have been adopted by other large cities that exemplify the City’s
79 policy as stated in this Resolution, and any City policy should include
80 comprehensive reporting on any and all raids including the reasoning for
81 and result of each.

82 6. Facial Recognition: It is the stated policy of the City that neither facial
83 recognition technology designed or used to identify members of the
84 public, nor information obtained from such facial recognition technology,
85 shall be used by the City for criminal investigation purposes, law
86 enforcement, or surveillance purposes nor shall such technology be
87 allowed to be used by private corporations on City property—such a
88 policy applies across City operations. If such information is obtained by
89 the City inadvertently, or if APD determines that the gathering of such
90 information or use of such technology is necessary due to imminent
91 threat or danger, it must be approved by the City Manager and promptly
92 reported to the Council and public with full details about the purpose of
93 such use, how long information will be retained, who information is
94 shared with, and protections for the public. Purchases of such technology
95 must be approved by the Council. As this policy relates to the Austin
96 Airport, the City should comply with all federal rules and requirements,
97 but the City should minimize and eliminate discretionary use of facial
98 recognition technology to the greatest extent possible under those rules

99 and requirements, and update any policies, plans, or procedures to meet
100 this intent to the greatest extent possible.

101 All changes to the General Orders made pursuant to this Resolution must be
102 reported back to the Council and relevant Council committees for feedback before
103 they are implemented.

104 **BE IT FURTHER RESOLVED:**

105 The City Manager is directed to delay the cadet class for APD currently
106 scheduled to start in July 2020 until the majority of the Council agrees that the
107 curriculum for future cadet classes meets the goals of Resolution No. 20191205-
108 066 and allows the class to be conducted.

109

110 **ADOPTED:** _____, 2020 **ATTEST:** _____
111 Jannette S. Goodall
112 City Clerk