

**RESOLUTION NO.**

**WHEREAS, Black Lives Matter; NOW, THEREFORE,**

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

The Council directs the City Manager to ensure the City's policies and policing policies conform to the policy directives and goals of the Council as stated in this Resolution, with an acknowledgement that this is not an exhaustive list and will require future additions:

1. Use of Tear Gas and Impact Munitions: It is the stated policy of the City that use of tear gas, ~~or~~ impact munitions, or similar weapons against persons exercising their First Amendment rights is strictly prohibited.

2. Use of Deadly Force: It is the stated policy of the City that:

- Use of deadly force against individuals, including persons fleeing (in vehicle or on foot), shall be limited to situations where necessary for self-defense or defense of others against an imminent deadly threat, or threat of serious bodily injury;
- Deadly force shall not be used unless all reasonable alternatives have been exhausted; and
- Use of force by APD shall incorporate de-escalation tactics in all circumstances.

Review and revision to the General Orders to implement this policy directive shall be conducted in an open process that includes community

groups and the Office of Police Oversight, and the City Manager shall ensure that revisions to such General Orders incorporate comprehensive reporting of uses of force and use of force threats.

3. Chokehold Use: It is the stated policy of the City that the use of chokeholds and strangleholds is strictly prohibited as a policing tactic.
4. Military-grade Equipment: It is the stated policy of the City that the use, stockpile, and purchase of military-grade equipment shall be reduced to the greatest extent possible. Munitions and weaponry described by their manufacturer or owner as “military-grade” shall not be purchased or accepted by the City without prior approval of the Council. This policy applies to any and all equipment acquired by APD through the U.S. Department of Defense’s Law Enforcement Support Office (known as the 1033 Program), or any similar program.
5. No-Knock Warrants: It is the stated policy of the City that the use of no-knock warrants should be restricted, that a sufficient deadly threat or threat of serious bodily injury must exist and no reasonable alternatives exist to justify any such warrant being sought and executed, and that a process be in place for the reporting of the execution of such warrants. In reviewing the General Orders relevant to no-knock warrants, the City Manager is directed to evaluate policies restricting no-knock warrants that have been adopted by other large cities, such as Cincinnati and Houston, that exemplify the City’s policy as stated in this Resolution, and any City policy should include comprehensive reporting on any and all raids including the reasoning for and result of each.

46 6. Facial Recognition: It is the stated policy of the City that neither facial  
47 recognition technology designed or used to identify members of the  
48 public, nor information obtained from such facial recognition technology,  
49 shall be used by the City for criminal investigation purposes, law  
50 enforcement, or surveillance purposes—such a policy applies citywide  
51 including at the Austin Airport. If such information is obtained by the  
52 City inadvertently, or if APD determines that the gathering of such  
53 information or use of such technology is necessary due to imminent  
54 threat or danger, it must be approved by the City Manager and promptly  
55 reported to the City Council and public with full details about the purpose  
56 of such use, how long information will be retained, who information is  
57 shared with, and protections for the public. Purchases of such technology  
58 must be approved by City Council.

59 All changes to the General Orders made pursuant to this Resolution must be  
60 sent to the Office of Police Oversight and reported back to the Council and  
61 relevant Council committees ~~as they are implemented~~ within 48 hours of  
62 implementation.

63 **BE IT FURTHER RESOLVED:**

64 The City Manager is directed to delay the cadet class for APD currently  
65 scheduled to start in July 2020 until the majority of the community members  
66 assigned to the ongoing training review process established in Resolution No.  
67 20191205-066 agree that their work has been fairly considered and appropriately  
68 incorporated into the curriculum for future cadet classes.

70 **ADOPTED:** \_\_\_\_\_, 2020 **ATTEST:** \_\_\_\_\_

71 Jannette S. Goodall

72 City Clerk

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