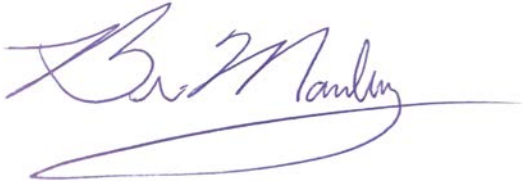




AUSTIN POLICE DEPARTMENT

MEMORANDUM

TO: Mayor and Council Members
Public Safety Commission

FROM: Brian Manley, Chief of Police 

DATE: July 1, 2020

SUBJECT: Quarterly Gun Crime Report – 1st Quarter 2020

On August 22, 2019, City Council passed Resolution No. [20190822-069](#). In addition to creating a Gun Violence Task Force, the resolution stipulated:

The City Council directs the City Manager to provide the Council and the Public Safety Commission a quarterly report on incidents of gun violence that occur within the City. The report shall include geographic information concerning the location of those incidents, demographic information on the individuals involved, incidents of domestic violence involving a firearm, trends across reporting history, incidents of gun violence committed by individuals having a history or an association to hate groups, and any other details determined to be appropriate by City staff. The report should respect all appropriate and relevant privacy laws and best practices.

In the summer of 2019, the Austin Police Department's Crime Analysis Unit produced a [comprehensive report](#) on gun crime in the city from 2014–2018. The inaugural quarterly report complements that initial analysis and focuses on gun crime from 2019 through the first quarter of 2020, while providing similar data for the previous five years for a more complete understanding of gun violence trends in Austin. The report also offers additional context to the data and analyses included in the [Joint Report: Analysis of APD Racial Profiling Data, 2018 Officer-Involved Shooting Report](#), and [Mayor's Task Force on Institutional Racism and Systemic Inequities](#).

CC: Spencer Cronk, City Manager
Rey Arellano, Assistant City Manager

Attachment: Analysis of Gun Crime in Austin - First Quarter 2020

Austin Police Department

Analysis of Gun Crime in Austin, Texas

First Quarter 2020

Quarterly Report to Austin City Council
& Public Safety Commission
RESOLUTION NO. 20190822-069



Prepared by the Austin Police Department
Crime Analysis Unit
June 25, 2020



Introduction

On August 22, 2019, The Austin City Council passed Resolution No. 20190822-069. In addition to creating the Gun Violence Task Force, the resolution requires a quarterly report from Austin Police Department on gun crime. “The City Council directs the City Manager to provide the Council and the Public Safety Commission a quarterly report on incidents of gun violence that occur within the City. The report shall include geographic information concerning the location of those incidents, demographic information on the individuals involved, incidents of domestic violence involving a firearm, trends across reporting history, incidents of gun violence committed by individuals having a history or an association to hate groups, and any other details determined to be appropriate by City staff. The report should respect all appropriate and relevant privacy laws and best practices.”

Austin PD produced an initial in-depth report on gun crime in the summer of 2019 that covered the time period of 2014 – 2018. This is the first quarterly report for the City Council. It focuses on gun crime from 2019 through the first quarter of 2020. This report puts 2020 gun crime into the context of the previous five years for a more complete understanding of trends. Since the initial analysis was completed, APD crime analysts have continued to explore this topic and look for ways to improve the analysis. Differences between the numbers in this report and the original report reflect the constantly changing nature of the records and improved methodology.

About the Information & Data

AUSTIN POLICE DEPARTMENT DATA DISCLAIMER

Understanding the following conditions about crime information tallied from the Versadex mainframe database will allow you to get the most value out of the data provided:

- Due to methodological differences in data collection, different data sources or reports may produce different statistics.
- The data is continuously being updated. The data provided represents a particular point in time and does not reflect the dynamic nature of the Versadex mainframe database.
- The data here may not reflect official Texas DPS, FBI UCR or NIBRS numbers.
- If the information provided here is used outside the department, then the following disclaimer applies-

“The Austin Police Department cannot assume any liability for any decision made or action taken or not taken by the recipient in reliance upon any information or data provided.”

FIRST AMENDMENT ACKNOWLEDGEMENT

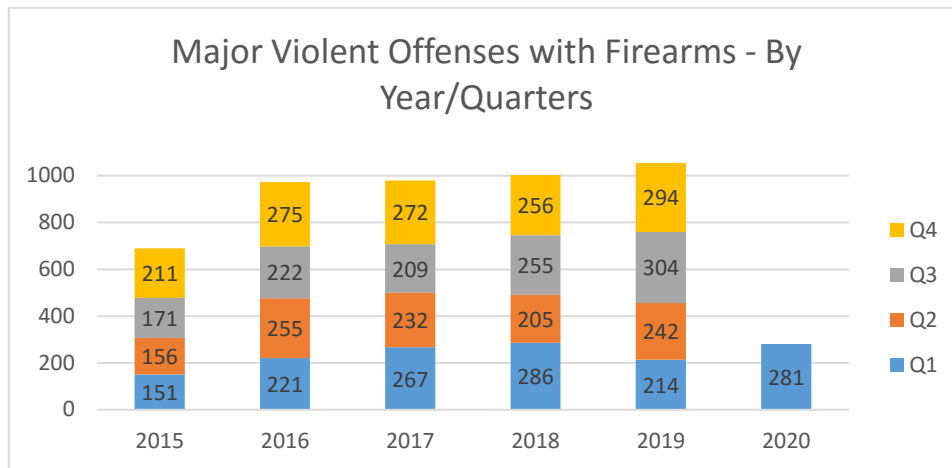
Austin Police Department and the Austin Regional Intelligence Center (ARIC) recognize that U.S. citizens have constitutionally protected rights to assemble, speak, and petition. The ARIC safeguards these First Amendment rights, and reports on only those activities where the potential use of incitement rhetoric could be used to instigate an act of violence or a threat to the public or critical infrastructure. Additionally, potential criminal activity conducted by certain member(s) of a group does not negate the constitutional rights of the group itself or its law-abiding participants to exercise their First Amendment rights under the U.S. Constitution.

Trends across Reporting History

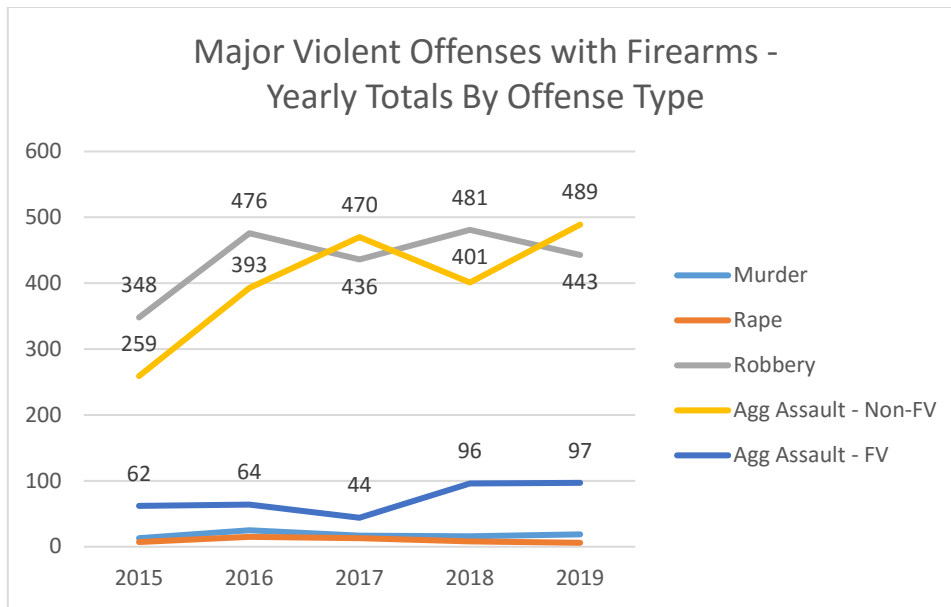
The goal of this report was to continue the analysis of gun offenses that began with APD's initial gun crime report that was published in the summer of 2019. Specifically, the focus was to pick up where the earlier report stopped and analyze 2019 and the first quarter of 2020 to determine gun offense trends. Gun crime was explored using several categories – major violent offenses, gun specific type crimes (Unlawful Carrying of a Gun, Possession of Firearm by Felon, and Disorderly Conduct – Gun offenses), and stolen/lost and seized/recovered firearms.

First we look at the trends for major violent offenses (murder, rape, robbery and aggravated assault) involving guns from 2015 through the end of the first quarter 2020. We start with a big picture view of the numbers and then drill down into the specific types of offenses. Major violent offenses involving guns increased slightly in 2019. The first quarter of 2020 was higher than the same period in 2019 but nearly the same as the first quarter of 2018.

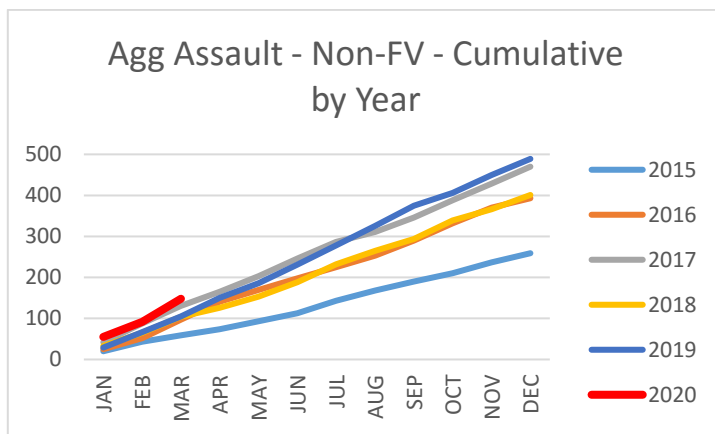
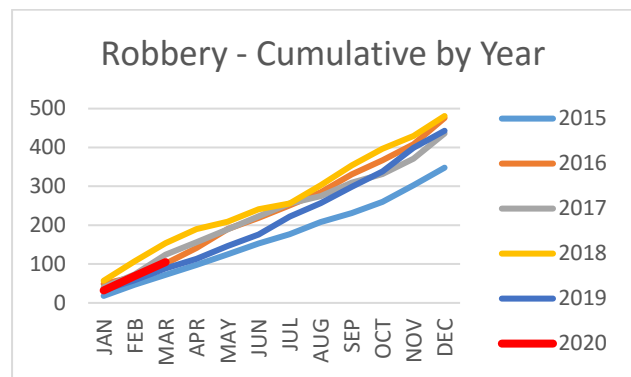
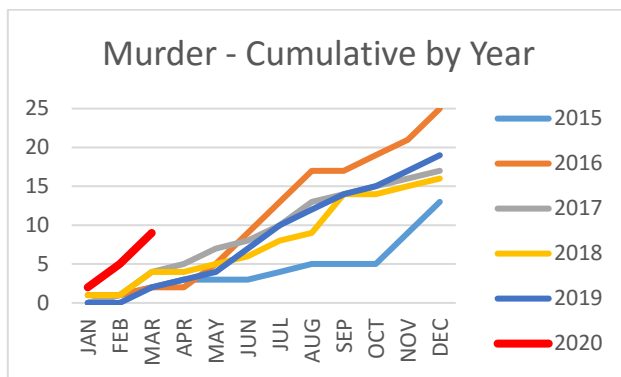
	2015	2016	2017	2018	2019	2020 Q1
Grand Total	689	973	980	1002	1054	281



Analyzing each offense type individually showed very little change in 2019 from 2017 or 2018. Robbery and Aggravated Assault Non-Family Violence (a sub-set of all Aggravated Assaults in which family violence was not a component) continued as the offenses with the highest numbers.

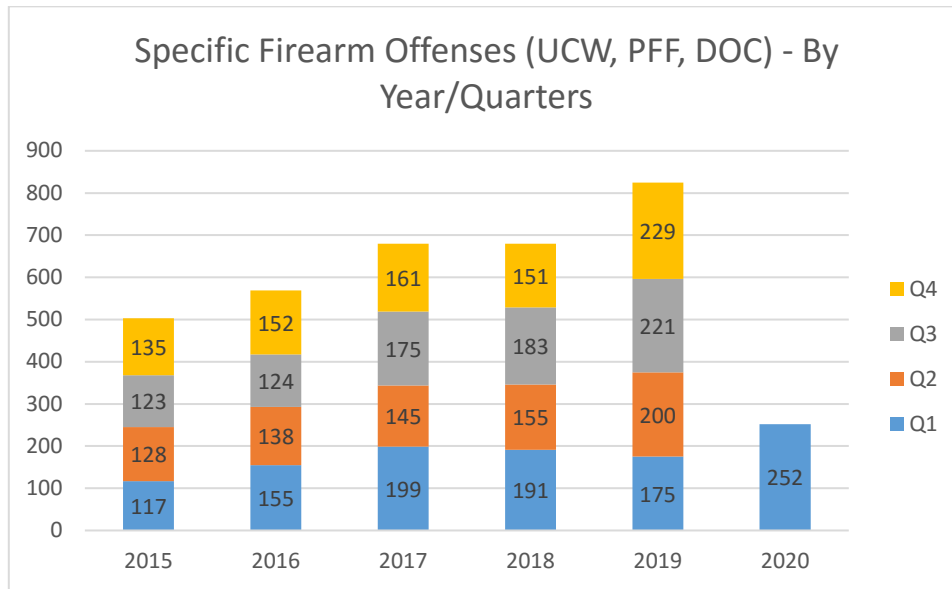


When viewing 2020 Quarter 1 numbers for Murder, Robbery and Aggravated Assault Non-Family Violence against prior years, Murder started the year out higher than the past five years and continued that way throughout the first quarter. Robbery numbers were slightly higher than the same time period in 2019 but lower than 2018. Aggravated Assault Non-Family Violence numbers were slightly higher than all previous five years.



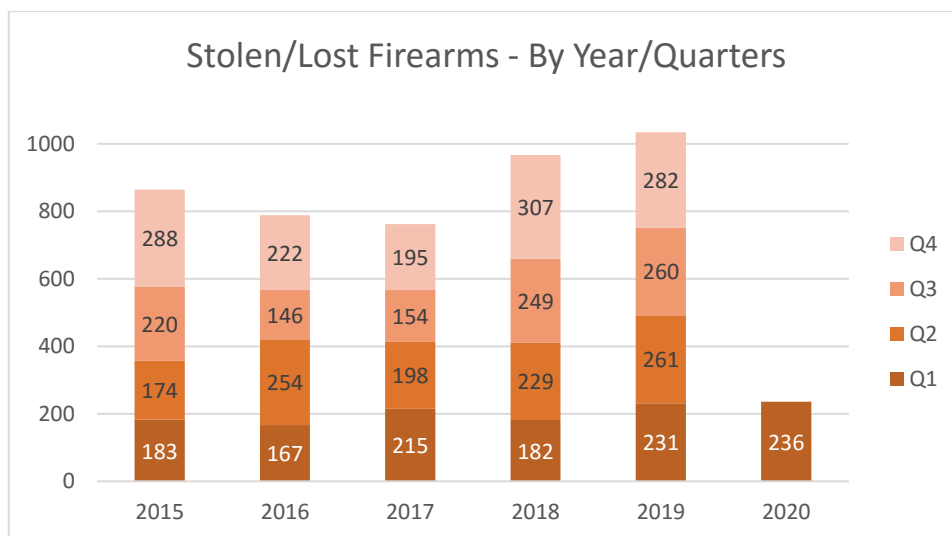
Now we transition to look at specific gun offenses. The offenses analyzed include Unlawful Carrying of a Gun (UCW), Possession of Firearm by Felon (PFF), and Disorderly Conduct – Gun offenses (DOC). In 2019, we saw an increase in the number of these offenses as compared to the prior years. The first quarter of 2020 was higher than any of the previous years.

	2015	2016	2017	2018	2019	2020 Q1
Grand Total	503	569	680	680	825	252



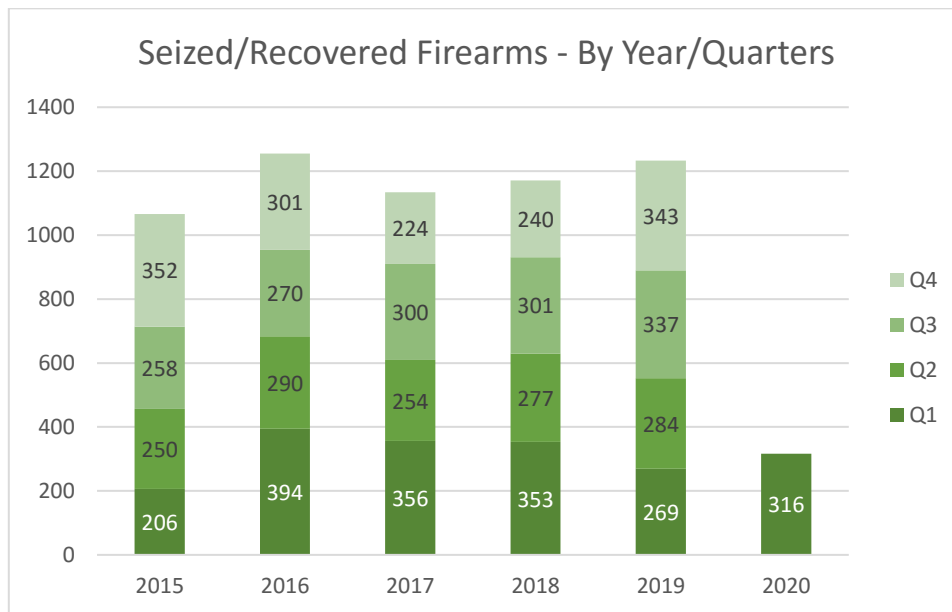
To understand how criminals may get guns, we now look at the data for stolen/lost firearms. The number of firearms stolen or lost continued to increase in 2019. The first quarter of 2020 was comparable to the first quarter of 2019.

	2015	2016	2017	2018	2019	2020 Q1
Grand Total	865	789	762	967	1034	236



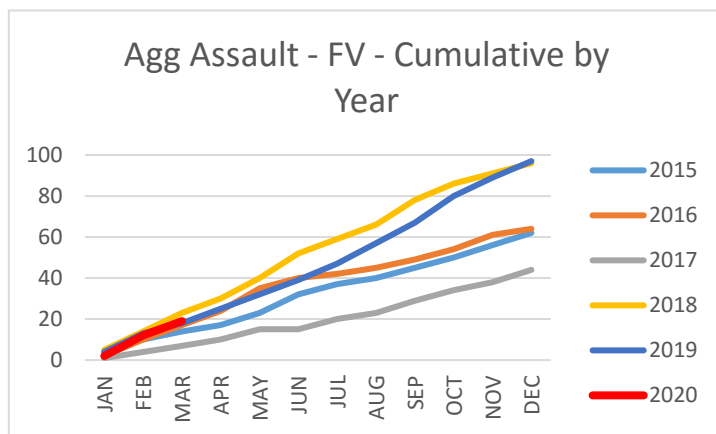
We also looked at the number of seized/recovered firearms. Not all seized/recovered guns are stolen, but at least for a while, these guns were not on the street to be used in violent ways. The overall number of seized/recovered firearms increased in 2019 as compared to 2018. The first quarter of 2020 was higher than 2019 but lower than the same time period in 2016, 2017 and 2018.

	2015	2016	2017	2018	2019	2020 Q1
Grand Total	1066	1255	1134	1171	1233	316



Incidents of Domestic Violence Involving a Firearm

The number of instances of domestic violence involving firearms is much lower than the numbers for Robbery and Aggravated Assault Non-Family Violence but still concerning. The first quarter of 2020 was very similar to the same period in 2019 and slightly lower than the first quarter of 2018.

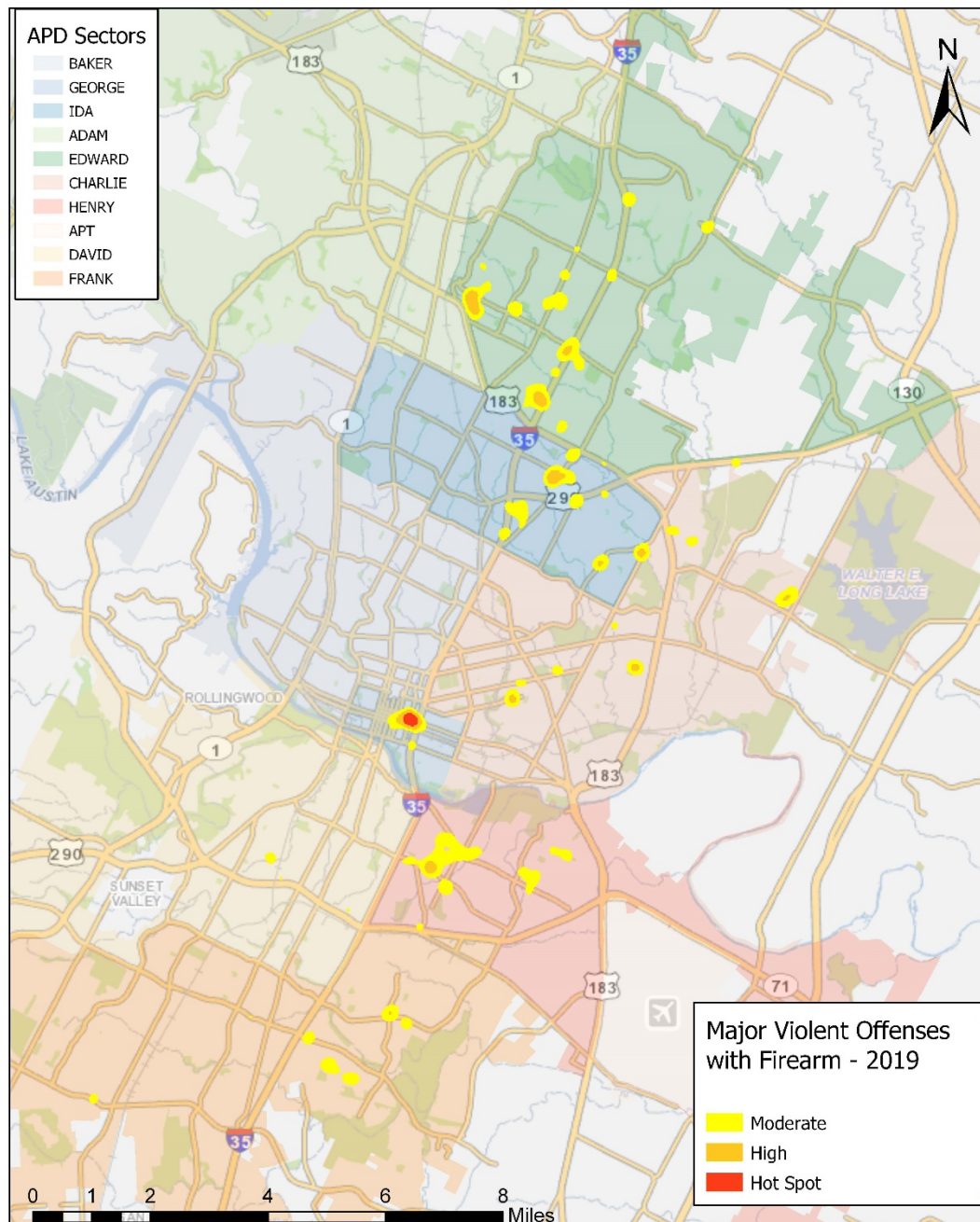


Cumulative		2015	2016	2017	2018	2019	2020
JAN		4	2	1	5	4	2
FEB		10	10	4	14	13	12
MAR		14	17	7	23	18	19
APR		17	24	10	30	25	
MAY		23	35	15	40	32	
JUN		32	40	15	52	39	
JUL		37	42	20	59	47	
AUG		40	45	23	66	57	
SEP		45	49	29	78	67	
OCT		50	54	34	86	80	
NOV		56	61	38	91	89	
DEC		62	64	44	96	97	

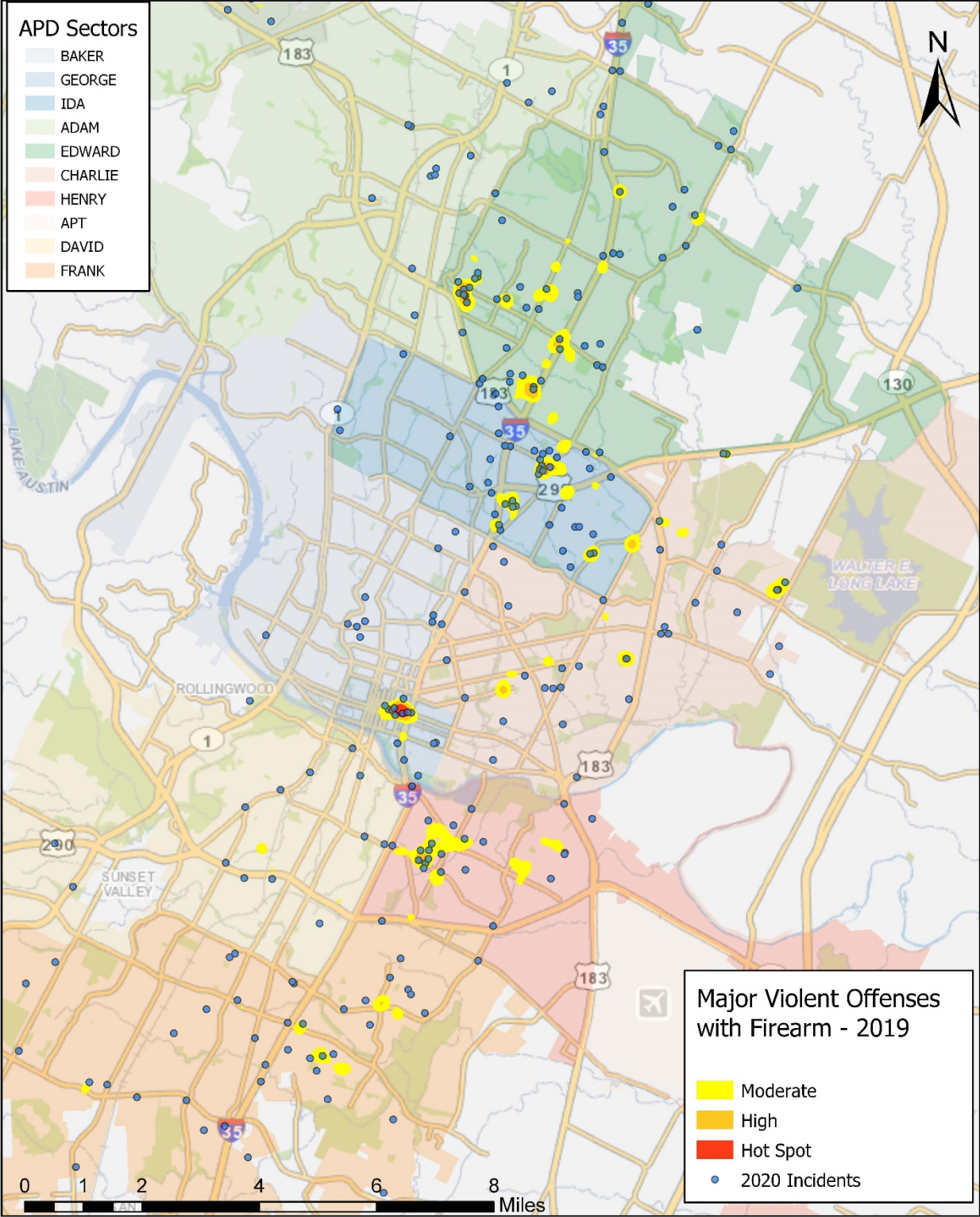
Geographic Information Concerning the Location of Incidents

Geographic analysis of the major violent crime involving firearms for 2019 indicated several areas of crime concentration. The most concentrated areas were depicted by red with slightly less concentrated areas depicted by orange. Many of the concentrated areas for 2019 are long-standing high crime areas. The offenses for the first quarter of 2020 were then mapped on top of the 2019 hot spots and showed similar areas of concentration.

Major Violent Offenses Involving Firearms - 2019 Hot Spots



Major Violent Offenses Involving Firearms - 2019 Hot Spots and 2020 Incidents

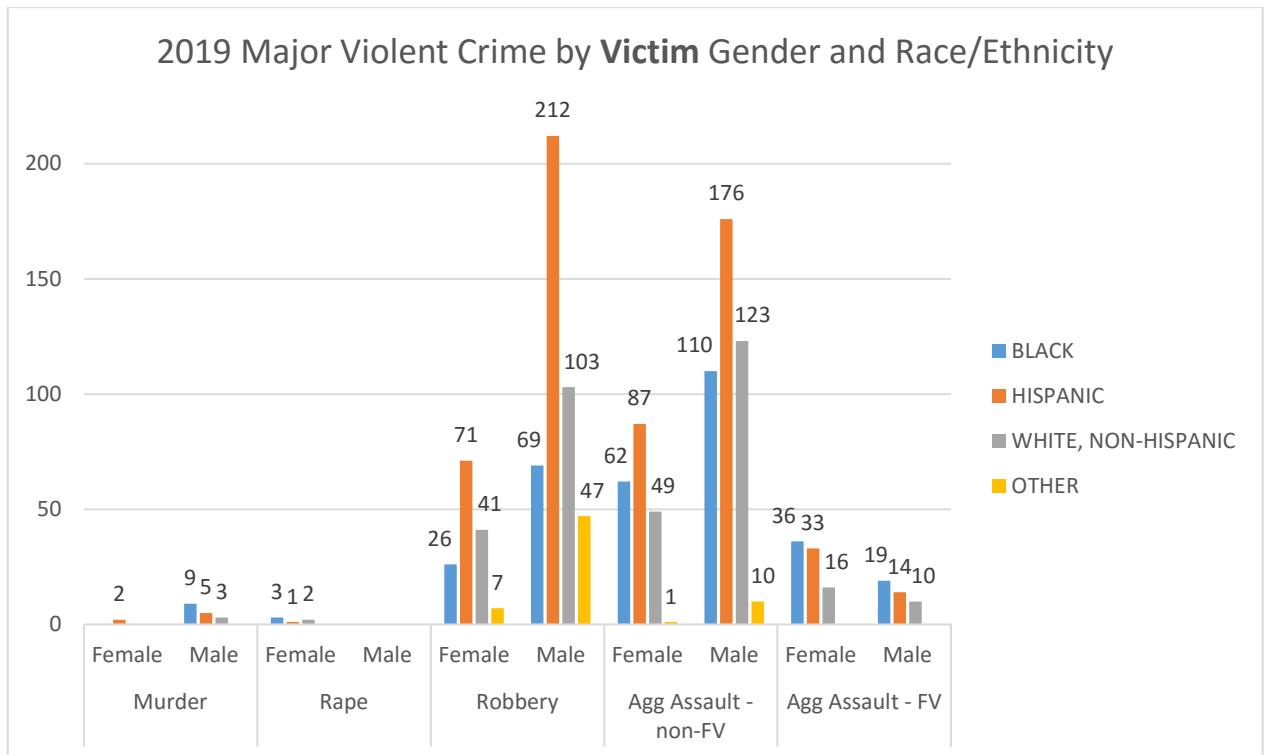


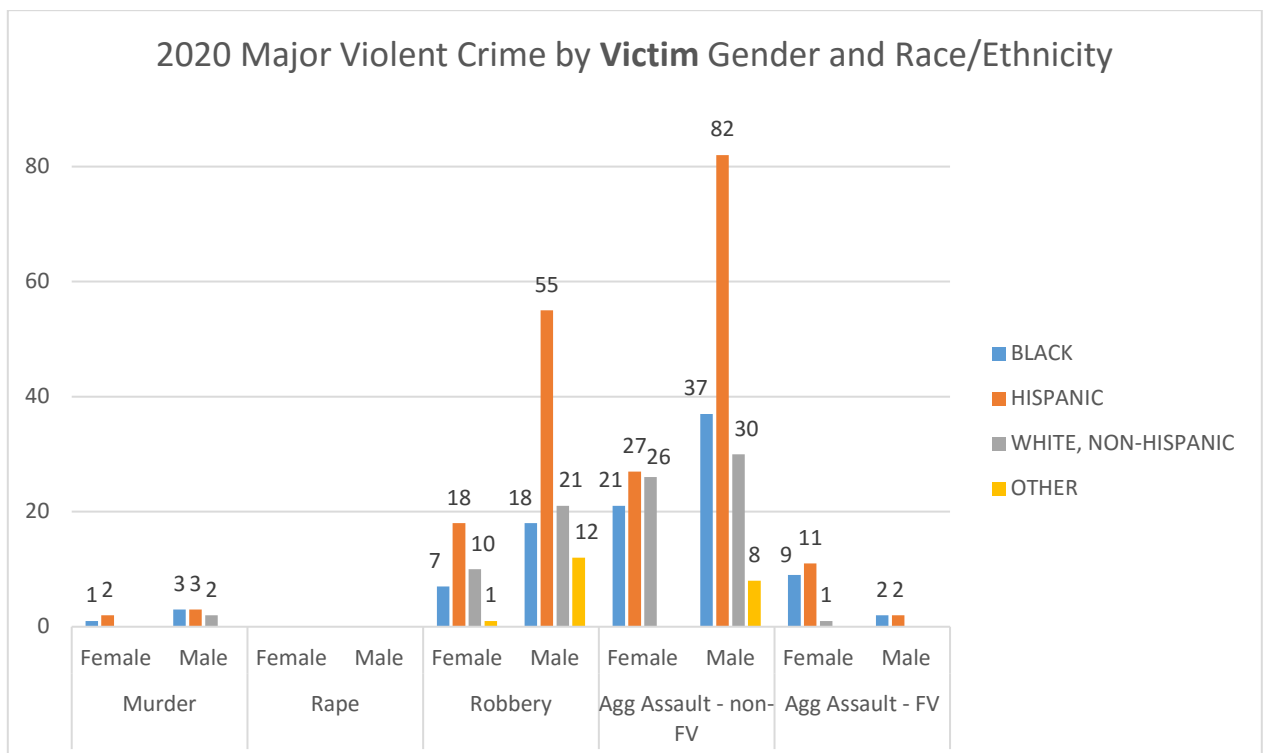
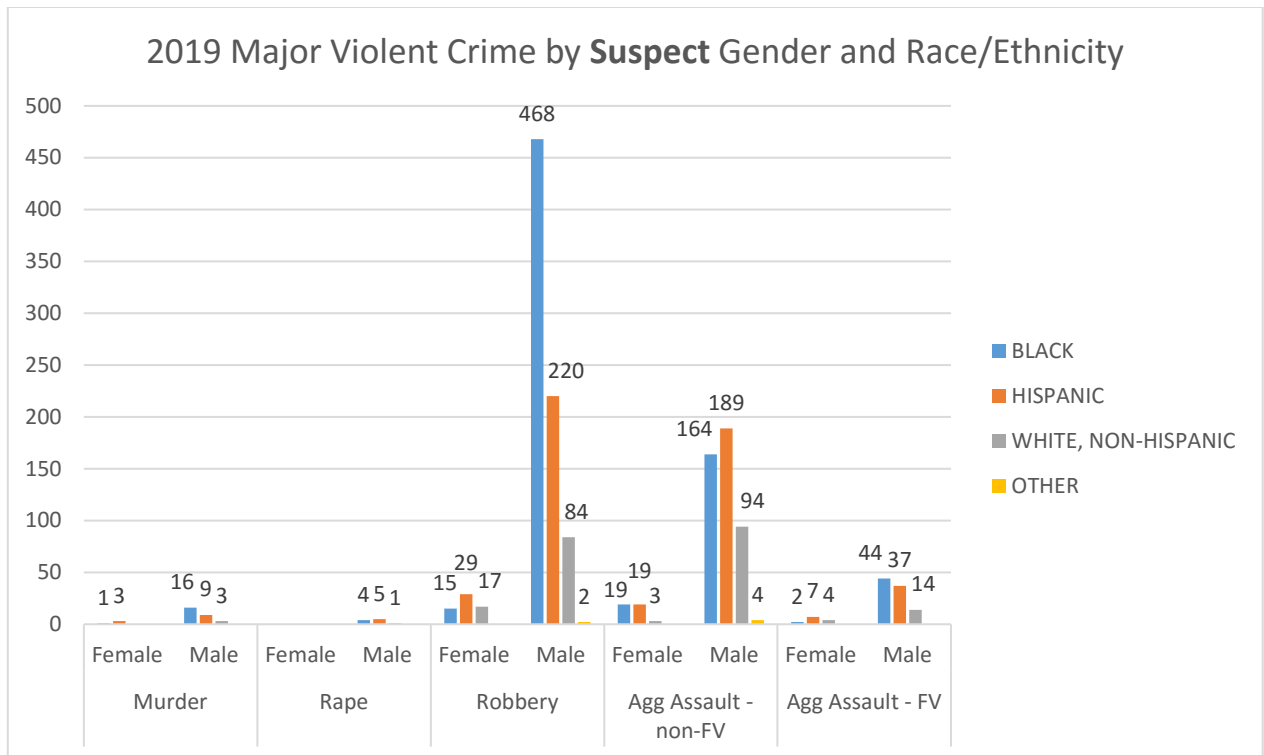
Demographic Information on Individuals Involved

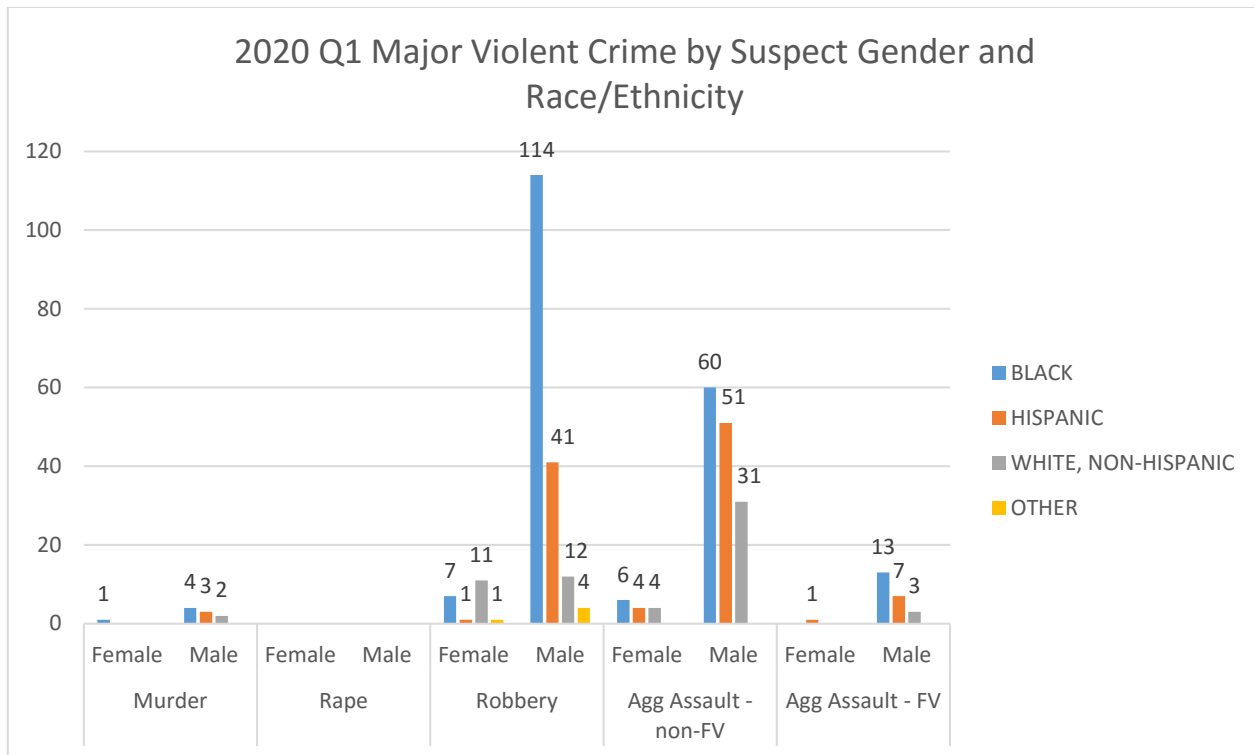
The following charts show the gender and race/ethnicity of the victims and suspects or arrestees of the major violent offenses involving firearms. The graphs were broken out by year (2019 and 2020) and by person role (victim or suspect/arrestee). Only those individuals in which gender and race/ethnicity was provided were included in the graphs for simplicity.

Although the totals were different for each time period, the victim breakdown by gender and race/ethnicity in 2019 and 2020 indicated similar trends when compared to 2018 (results in APD's original gun crime report). The most obvious trend was that Hispanic males were much more likely to be the victims of Robbery and Aggravated Assault Non-Family Violence (no family violence component).

When looking at the demographics for suspects/arrestees, the trend for Robbery for 2019 and the first quarter of 2020 was similar to 2018 with Black males more often being the suspect. For Aggravated Assault Non-Family Violence, 2019 showed similar results as 2018 with Hispanic males more often being the suspect, but for the first quarter of 2020, Black males were more often the suspects, slightly higher than Hispanic males.







Incidents of Gun Violence Committed by Individuals Having a History or an Association to Hate Groups

In the United States, hate speech enjoys substantial protection under the First Amendment. Under current First Amendment jurisprudence, hate speech can only be criminalized when it directly incites imminent criminal activity or consists of specific threats of violence targeted against a person or group. **Brandenburg v Ohio** (1969) is considered an iconic ruling in that it established the standard for hate speech and “imminent lawless action.”¹

There is not one comprehensive definition of “hate group”, but several organizations such as ADL and Southern Poverty Law Center have working definitions. The Southern Poverty Law Center defines a hate group as an organization that – based on its official statements or principles, the statements of its leaders, or its activities – has beliefs or practices that attack or malign an entire class of people, typically for their immutable characteristics.²

Federal regulation 28 CFR Part 23 states under its “Operating Principles” that: A project shall not collect or maintain criminal intelligence information about the political, religious or social views, associations, or activities of any individual or any group, association, corporation, business, partnership, or other organization unless such information directly relates to criminal conduct or activity and there is reasonable suspicion that the subject of the information is or may be involved in criminal conduct or activity.³

¹ Justia US Supreme Court, <https://supreme.justia.com/cases/federal/us/395/444/>, accessed June 19, 2020

² Southern Poverty Law Center, <https://www.splcenter.org/20200318/frequently-asked-questions-about-hate-groups#hate%20group>, accessed June 17, 2020

³ Office of Justice Programs, https://it.ojp.gov/documents/28cfr_part_23.pdf, accessed July 19, 2020

Texas state law does require law enforcement agencies to track intelligence related to criminal street gangs and the membership of such gangs. Although not necessarily considered hate groups, the “signature” of some criminal street gangs may include beliefs and/or practices that attack or malign minorities or other classes of people. The APD Gang Suppression Unit is responsible for all criminal investigations involving gang members and maintaining the Record Management System, which also includes entering a gang member’s information into the statewide database, TXGang.

A hate crime is a traditional offense like murder, arson, or vandalism with an added element of bias. The FBI has defined a hate crime as a “criminal offense against a person or property motivated in whole or in part by an offender’s bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.”⁴

Due to the protected status of hate speech and statutes prohibiting the collection of intelligence information about hate groups, Austin PD does not document or track people whose only actions are to voice beliefs or opinions that might be considered hate speech by others or who are members of groups that might be considered hate groups. But once a hate crime has been committed, APD investigates it as we would any other type of crime.

Since we do not track membership in hate groups, we do not have a way to determine how many gun violence offenders are also members of such a group. Therefore, it is not possible to provide the number of incidents of gun violence committed by individuals affiliated with these groups. As an alternative, we can provide the number of incidents of gun violence committed by members of criminal street gangs.

⁴ Federal Bureau of Investigation, <https://www.fbi.gov/investigate/civil-rights/hate-crimes>, accessed June 17, 2020