

## Interim Report of Independent Evaluator: APD Training Academy

October 14, 2021

Prepared for

**City of Austin, Office of Police Oversight / City Manager's Office**

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Status

**Interim Report**

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# 1 INTRODUCTION

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*“The ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior and the ability of the police to secure and maintain public respect.” —Sir Robert Peel*

On November 12, 2020, the City of Austin, through the Office of Police Oversight (OPO) in consultation with the City Manager’s Office (CMO), retained Kroll Associates, Inc. (Kroll) to review and evaluate the Austin Police Department (APD) on the extent to which forms of racism, bigotry, and discrimination are present in the protocols, practices, and behaviors of the APD. The initial phase of Kroll’s review called for an assessment of the APD Training Academy (Academy) – specifically, the Academy’s ability and readiness to prepare cadets for policing in a multi-ethnic urban population consistent with best practices.<sup>1</sup>

Kroll presented its preliminary findings and recommendations to Austin City Council on March 2, 2021. On March 25, 2021, the City Council approved Resolution 37, the Reimagined APD Training Academy Blueprint, which, consistent with Kroll’s preliminary recommendations, called for enhanced community involvement, a culture of adult learning, and transformative change at the Academy. Resolution 37 acknowledged that police training practices historically have impacted officers’ preparedness and relationships with the community.

Kroll submitted its final report on April 23, 2021 (“Kroll Assessment Report”),<sup>2</sup> which included 18 short-term and 16 long-term recommendations. APD leadership agreed to implement the short-term recommendations as part of the 144<sup>th</sup> cadet class and the long-term recommendations by the start of the 145<sup>th</sup> cadet class.

On May 7, 2021, the City appointed Kroll as the Independent Evaluator of the 144<sup>th</sup> cadet class. Kroll’s role as Independent Evaluator is to verify APD’s implementation of the Kroll recommendations and assess whether APD is developing a transformational police academy that openly and honestly addresses issues of racial and gender equity, emphasizes de-escalation tactics that minimize the use of force, incorporates diverse perspectives through community partnerships, and develops into a dynamic learning academy that promotes resilient officers through effective and inclusive adult learning instruction.

Our independent evaluation of the Academy started in early June 2021 and has to date included many hours observing Academy training, both in-person and remotely through an installed camera system in the Academy classroom. We also have consulted with the Academy Commander, Division Manager, supervisors, and instructors; reviewed updated lesson plans, PowerPoints, and classroom handouts relevant to the courses evaluated; talked with current and former cadets, community participants, and city officials; and reviewed Academy staff reports and documentation concerning injuries, resignations, test results, and disciplinary measures.

Kroll’s preliminary findings and observations from the first four months of the 144<sup>th</sup> cadet class are summarized in this Interim Report. As the Academy’s reform efforts are a work in progress, Kroll will continue to monitor progress and developments in the second half of the training schedule. Kroll’s final report will be issued in March 2022.

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<sup>1</sup> Kroll’s retention is pursuant to contract MA 4400 PA210000018.

<sup>2</sup> <https://www.austintexas.gov/edims/document.cfm?id=359317>

## 2 SUMMARY ASSESSMENT

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Based on our review of course content, staff reports, reported data, and hundreds of hours of in-person or virtual class observations, as well as conversations with Academy staff, APD leadership, cadets, and others during the first four months of Academy training, Kroll makes the following preliminary observations:

**Setting the Tone.** From the start of the 144th cadet class, Chief Joseph Chacon and APD's executive leadership team have appropriately emphasized that the mission of the Academy is training future APD officers to serve the community and treat everyone with dignity and respect while emphasizing sensitivity to community concerns, cultural competency, critical thinking, and adult learning. According to the recently administered cadet survey, most cadets (91.4%) believe their instructors have positively emphasized community engagement and community policing.

**Community Connect.** APD successfully implemented a pilot two-week Community Connect program, which provided cadets with valuable perspectives from key community members and organizations, prioritized community concerns, and encouraged cadets to embrace their role as guardians by meaningfully engaging with members of the Austin community.

**Increased Community Engagement.** The Academy has added 30 hours of community engagement and lived experience programming to the training schedule (in addition to Community Connect). The training schedule includes more than a dozen sessions devoted to community-focused content led by community leaders and activists from a wide variety of organizations. The purpose of the programming is to reinforce the importance of empathy when interacting with the diverse communities that cadets, as sworn officers, will eventually serve.

**Racial Equity Training.** This is the first cadet class to include anti-racism training of staff and cadets in the form of a two-day "Groundwater Analysis of Racial Inequities" workshop led by Joyce James Consulting LLC (JJC). The workshop sessions included meaningful discussions and exercises for cadets to better understand important issues regarding racial equity. Based on cadet and staff feedback, Kroll finds that the workshops were impactful, requiring cadets and staff to ponder tough and sometimes uncomfortable questions, while allowing for honest conversations with each other and participating community members.

**Health and Wellness.** The training schedule has more than doubled the amount of physical fitness training, which has helped many cadets improve their confidence and physical health. In addition, the Academy includes several classes on mindfulness and resiliency (led by Victims Services), which teaches cadets strategies to cope with stress, anxiety, and the pressures of a demanding job.

**Increased Cultural Competency and DEI Training.** The 144<sup>th</sup> cadet class includes increased attention to diversity, equity, and inclusion (DEI) training. One important addition was an eight-hour course on the History of Police and Race in America taught by the Chair of the African and African Diaspora Studies Department at the University of Texas at Austin. The course addresses the historical forces in Austin and elsewhere that impact modern perceptions of the police among communities of color and why people develop different perspectives of law enforcement. Academy training has also included valuable instruction on multiculturalism, policing issues related to the transgender and LGBTQ+ communities, procedural justice, and interacting with Spanish-speaking populations, among other important courses.

**Use of External Content Experts.** While some courses, including the History of Police and Race, Interacting with Individuals who are Deaf or Hard of Hearing, and Victims of Crime are or will be taught or co-taught by outside subject matter experts, we believe more classes should be co-taught by external subject-matter experts, particularly DEI-related and cultural competency training. Some instructors remain

reluctant to embrace a co-facilitated teaching model in courses where such a model would be helpful. This remains an area needed for improvement.

**Adult Learning Teaching Methods.** Instructors are making a good faith effort to utilize a variety of instructional techniques, including lectures, visual aids and handouts, class discussion, case studies, and role plays. The classroom culture is disciplined and orderly, but most instructors encourage questions and class participation. Although some verbatim reading of APD policies or legal code still occurs, there is less reliance on verbatim reading of materials than in years past.

**Academy Culture.** The Academy is making positive strides in shifting to a more balanced, resilience-based training model. Overall, however, a military-style culture still prevails at the Academy with an emphasis on disciplinary measures and collective accountability. Acceptance by APD instructors of implemented reforms appears to be mixed. In the cadet survey, for example, more than half of cadets (54.2%) reported that instructors have occasionally ridiculed the concept of a “reimagined police academy”, although most cadets (91.4%) agree the staff places a positive emphasis on community engagement and community policing. While we cannot realistically expect complete culture change in the first fifteen weeks of the Academy, Kroll will continue to monitor these developments in the second half of Academy training.

**De-Escalation Training.** Academy instruction includes a significant emphasis on de-escalation training and tactics, including ICAT (Integrating Communications, Assessment, and Tactics), an evidence-based best practice designed by the Police Executive Research Forum, and verbal communications as a de-escalation tactic. The instructors have demonstrated a solid grasp of the material and exhibited a positive attitude toward the subject matter. Kroll will continue to monitor other related training, including how the Academy teaches force options, which is scheduled in mid-October.

**Defensive Tactics and Stress-Induced Training.** Team-Building Exercises (TBX), which replaced the stress-reaction training that raised concerns in past cadet classes, was well-planned and executed, creating a physically and mentally stressful environment through exercise and problem solving that emphasized the importance of teamwork and leadership in a positive and controlled environment. Similarly, the self-defense exercise during Skills Week (weeks 13-16) that replaced “Will-to-Win” (previously known as “Fight Day”) as recommended in the Kroll Assessment Report, was well run and occurred after cadets were properly trained on defensive tactics. During these and other stress-inducing and physically demanding drills, instructors acted professionally, displayed highly competent self-defense skills, and effectively conveyed pertinent information to cadets, all of whom successfully completed the training.

**Physical Training Assessment Standards.** Two cadets dropped out in week one because they failed part of the Physical Training Assessment. One cadet was in excellent physical condition but could not pass the rowing portion of the required assessment. Academy staff has begun to evaluate historic data on applicants and cadets to establish the extent to which physical fitness testing in recruiting predicts successful Academy completion and how the fitness standards used within the Academy relate to the job requirements of an officer in the department. An initial recommended improvement was implemented by APD on September 28, 2021.

**Role and Responsibilities of Division Manager.** The Division Manager position was filled on March 15, 2021 with the hiring of Dr. Anne Kringen, who has worked with instructors to update lesson plans, incorporate adult learning methods into teaching, and ensure progress on the Kroll recommendations. However, as noted in Section 5.4, more clarity and continued reinforcement is needed concerning the precise role, responsibilities, and authority of the Division Manager to enhance the long-term sustainability of implemented reforms.

**Role of Training Supervisor.** The Training Supervisor position was filled in early August 2021 with the hiring of Phil Axelrod, an Army veteran and former high school teacher with a master's degree in curriculum, who is providing valuable assistance with instructor and curriculum development and standardization of lesson plans and course materials.

**Course Evaluations.** To date, Kroll has observed, either in-person or through a remote camera system, approximately 220 hours of Academy training. In addition to use-of-force, de-escalation, and certain tactical and physical training sessions, we have observed all course content related to cultural competency training, professional and ethical policing, and other courses that impact police-community relations. A summary of Kroll's course assessments that relate to these areas are included in Sections 6, 8, and 9 of this report.

**Increased Community Input.** Establishing the Academy Curriculum Review Committee (Committee) and re-formulating the Community Video Review Panel (Panel) have increased transparency into Academy training and allowed meaningful dialogue with local community and academic participants to better ensure that racial equity and procedural justice are paramount considerations in all aspects of cadet training.

- **Academy Curriculum Review Committee.** Kroll has observed good dialogue and discussion among Committee members and Academy staff. The process for Committee members to provide feedback and suggested revisions to Academy curriculum has been robust and collaborative. Over time, we expect the Committee will continue to contribute valuable insight and perspectives into Academy training that can lead to collaborative changes to Academy instruction and enhance the Academy's emphasis on procedural justice, empathy, acknowledgement of racial trauma, the need for de-escalation, and sensitivity to community concerns.
- **Community Video Review Panel.** Although the Panel was re-constituted shortly before the start of the 144<sup>th</sup> cadet class, some process issues and logistical considerations have prevented the Panel from reviewing and commenting on a large number of videos. Partly due to decisions made earlier this year by prior APD leadership, Academy instructors are teaching many courses without instructional videos, a gap identified by a large number of cadets, who feel that their training has been negatively impacted. Although Kroll has observed positive dialogue between Panel members and Academy staff, the purpose and mission of the Panel needs to be clarified. In Kroll's view, the Panel is an opportunity for the community to offer valuable input and perspectives in an advisory capacity regarding the use of videos as instructional tools. That said, it is unworkable for the Panel to effectively possess veto power over the Academy's ability to use instructional videos, especially in courses that have traditionally relied on such videos for key instructional topics.

**Cadet Injuries, Academic Failures, and Separations.** As of October 8, 2021, 19 cadets had separated from the 144<sup>th</sup> cadet class due to injuries, academic failures, Covid-19, and other reasons. This constitutes a 19% attrition rate, which is in line with past cadet classes (assuming few additional separations). As described in Section 11, cadet separations as of October 8<sup>th</sup> have slightly impacted the overall diversity of the 144<sup>th</sup> cadet class. Although Black cadets represented 17% of the initial cadet class, they represent 26% of the exits to date. Likewise, female cadets represented 18% of the initial cadet class but represent 32% of exits to date. As a result, the percentage of Black cadets declined from 17% to 15% of the cadet class and the percentage of female cadets declined from 18% to 15% of the cadet class. Another issue of recent concern has been the Academy's lack of accommodations for cadets who test positive for Covid-19. In response, APD is currently working on ways to retain cadets who are unable to continue due to injury or illness. Kroll will continue to closely monitor cadet separations throughout the remainder of this cadet class.

### 3 IMPLEMENTATION OF RECOMMENDATIONS

On April 23, 2021, Kroll shared with the City and APD the Kroll Assessment Report, which included findings and recommendations concerning our assessment of the APD Training Academy. Kroll's recommendations included a set of short-term recommendations to be implemented as part of the 144<sup>th</sup> cadet class and long-term recommendations to be completed by the 145<sup>th</sup> cadet class.

APD leadership agreed to implement all of Kroll's recommendations. For the short-term recommendations, this required substantial re-working of the course schedule for the 144<sup>th</sup> cadet class. The 34-week training program began on June 7, 2021 with a pilot two-week community orientation program to be followed by 32 weeks of Academy training. As part of Kroll's recommendations, training for the 144<sup>th</sup> cadet class has included or will include, among other reform measures: (1) approximately 30 additional hours of community engagement programming (for a total of 37 hours), (2) a two-week community orientation program, (3) Groundwater Analysis Racial Equity training for both Academy staff and cadets, (4) a newly designed 8-hour course on the history of police and race in the United States (with a focus on Austin) taught by a prominent University of Texas professor, (5) expanded physical fitness training, and (6) a formalized process of community and academic civilian input into training content and techniques to ensure that issues of racial equity and procedural justice are paramount considerations in all aspects of cadet training. Many of the implemented measures were accomplished with the help of the Academy Division Manager, who worked diligently with staff to include adult learning teaching methods in Academy instruction, revise lesson plans and course content, and increase transparency and collaboration with community representatives.

The below chart summarizes our assessment as of October 2021 of APD's implementation of the Kroll recommendations.

#	Short-Term Recommendations	APD Responses / Action Plan
1.	Provide the new Division Manager with sufficient authority and the backing of APD leadership to implement and incorporate adult and active learning models into Academy instruction and to implement recommendations on pages 10-11 of Dr. Villanueva's Review Analysis and Strategic Plan.	<i>Completed/Verified (with qualification).</i> On March 15, 2021, APD onboarded Dr. Anne Kringen as the Division Manager with the civilian equivalent rank of Commander. The Division Manager's role was affirmed by Chief Joseph Chacon and Assistant Chief James Mason on March 30, 2021 at a meeting with Academy staff. Dr. Kringen has worked closely with Academy instructors to update and revise curriculum to include active learning strategies and content. However, a lack of clarity persists among APD staff concerning the specific responsibilities of the Division Manager and her ability to direct staff to modify course content and respond to directives. Chief Chacon has attempted to address the issue verbally and in writing, but further clarity is needed in the form of a written directive from leadership as to the authority of the Division Manager position (see Section 5.4).
2.	Hire a Training Supervisor to assist the Division Manager in updating and standardizing curriculum according to the adult and active learning models.	<i>Completed/Verified.</i> On August 2, 2021, Phil Axelrod was onboarded as the Training Supervisor for the Academy, working under the direction of the Division Manager. He is currently assisting the Division Manager in updating and standardizing curriculum, implementing recommended revisions from the



		Academy Curriculum Review Committee, and completing other important organizational tasks.
3.	Procure and implement an automated Learning Management System (LMS) by the start of the 145 <sup>th</sup> cadet class.	<i>In Progress/Verified.</i> A vendor has been selected for the LMS purchase, and a contract is currently under review by the city. The contract will require city council approval, which is planned for October or November 2021. The implementation timeline is subject to change but currently suggests the system will be implemented in Q1 2022 with testing and training scheduled for Q2 2022. Although full implementation is unlikely by the start of the 145 <sup>th</sup> cadet class, it should be completed in time for use at some point during the 145 <sup>th</sup> cadet class.
4.	<p>Create an internal curriculum review committee to evaluate current syllabi and curriculum for each class.</p> <p>a. Evaluate for ways to incorporate DEI content into all aspects of training.</p> <p>b. Ensure that messaging throughout Academy training consistently emphasizes the ethical responsibilities of policing and a sensitivity to community concerns.</p>	<i>Completed/Verified.</i> The Academy successfully established an Academy Curriculum Review Committee that consists of local academic experts, community representatives (including two members of the Community Video Review Panel), Victim Services staff, and Academy staff. The Committee meets twice a month, reviewing and commenting on lesson plans and course materials for approximately 2-3 courses each session (the sessions are divided into working groups and plenary sessions). Academy instructors meet with the Committee when requested to explain how and why certain content is included and how the courses are taught. The Division Manager works with instructors to make appropriate revisions to curriculum that are recommended by the Committee. At present, the process and mission of the Committee is being reduced to writing, and the committee will meet in early October to review and provide comments.
5.	Establish and formalize a process to continue the work of the Community Video Review Panel (Panel) to allow for regular community review and input into police training videos that were not reviewed previously.	<i>Completed/Verified (with qualification).</i> As of May 2021, the Academy reformulated the Community Video Review Panel, which includes several community representatives and select Academy staff. The Panel meets every two weeks to consider and comment on instructional videos for upcoming classes (when possible). Academy instructors meet with the Panel to explain how and in what context videos are intended and to answer the Panel's questions. The process for review and the overall mission of the Panel is currently being clarified and reduced to writing (see Section 7.4).
6.	<p>Replace "Will-to-Win" with a "Self-Defense" exercise near the end of Academy training.</p> <p>a. Institute a defensive tactics program early in the Academy that teaches cadets proper defensive tactics before they are tested in aggressive fight scenarios.</p> <p>b. Testing and challenges should occur after Physical Training when recruits are warmed up and stretched out to reduce injuries.</p>	<i>Completed/Verification in Progress.</i> The Academy replaced "Will-to-Win" with a "Self Defense" exercise in Weeks 13-16 after cadets received training in defensive tactics. A Defensive Tactics final exam is scheduled near the end of Academy training. Meanwhile, cadets are being trained in all aspects of defensive tactics, as well as verbal communications, de-escalation, and community engagement.



7.	Modify or eliminate sandpit and sandbag exercises and other military bootcamp-style accountability measures.	<i>Completed/Verified.</i> This practice was formally eliminated as of Feb. 1, 2021, per instruction of APD leadership. Kroll has confirmed these practices were eliminated from Academy training.
8.	Expand physical fitness training to a daily regimen and ensure that physical fitness, team building exercises, and other physically and psychologically stressful exercises are completely separated from academic, classroom-based training.	<i>Partially Completed/Verified (not full compliance).</i> Academy staff has separated academic training from physical fitness, team building, and other planned physically and psychologically stressful training exercises. Daily PT (and/or Defensive Tactics) was expanded and scheduled for the first 12 weeks of Academy training, with approximately three PT sessions scheduled each week for the remainder of training. However, performance accountability sessions have frequently interfered with scheduled classroom time.
9.	Proactively reach out to community leaders, activists, and critics who are willing to work productively with APD to present genuine community perspectives and concerns about public safety as part of Academy training and community engagement programming.	<i>In Progress/Verified.</i> Academy staff has scheduled presentations from over a dozen community partners in an effort to fill 37 hours of community engagement programming scheduled for the 144 <sup>th</sup> cadet class. As of this report, the Academy has held six community engagement sessions covering approximately 11 hours of programming. An additional 6-8 sessions covering 18 hours are scheduled for the second half of the Academy, with an additional eight hours of scheduled but as of yet unspecified programming (see Section 7.1).
10.	Ensure “The History of Police and Race in America” course covers the content outlined in the OPO-approved curriculum, and that this and other DEI-related content is reinforced throughout the Academy.	<i>Completed/Verified.</i> The “History of Police and Race in America” was added to the curriculum and taught in weeks 2 and 4 of the Academy by Dr. Kevin Foster, Associate Professor of Anthropology and Associate Chair of the African and African Diaspora Studies Department at the University of Texas at Austin, with some assistance from Felicia Williams, Adjunct Professor of Criminal Justice at Austin Community College and a former police officer. The class covered eight hours of Academy instruction and was a valuable addition to cadet training.
11.	Implement additional community outreach and immersion strategies.	<i>Completed/Verified.</i> APD has scheduled an additional 30 hours of class time to community engagement programming, including outside speakers from more than a dozen community organizations. APD also successfully added and completed a two-week Community Connect program that involved community speakers, field events with community organizations, panel discussions with community leaders and activists, and a two-day Groundwater Analysis (anti-racism) workshop with Joyce James Consulting. An additional seven-hour Groundwater Analysis feedback session is scheduled in week 18.
12.	Thoroughly review all other DEI-related courses to determine which courses can be effectively co-taught by an outside civilian or academic content expert with an APD instructor.	<i>In Progress/Not Completed.</i> Several courses, including History of Police and Race in America, Victims of Crime, Data Integrity, Mindfulness and Resiliency, and Fair and Impartial Policing have been (or will be) taught by external content experts. Courses related to Transgender and LGBTQ issues

		are currently taught by APD officers with specialized knowledge and experience. However, several other DEI-related courses could benefit from collaboration with outside content experts. Other courses could benefit from including community members with relevant lived experiences for added context and perspective.
13.	Use existing officer base to temporarily assign diverse officers of exceptional skills to assist with Academy instruction to increase diversity of Academy staff.	<i>Completed/Verified.</i> The Academy has reached out to different affinity groups to help recruit qualified and diverse officers to fill the vacant positions as they occur. The Academy has established a process to invite interested diverse officers to experience the Academy via “trainer ride-alongs” to increase interest in working at the Academy among this group. This will be an on-going process to increase diversity in Academy positions that are filled as they become vacant. APD has also authorized using adjunct instructors to increase the diversity of instructors, and the Learned Skills Unit is currently making effective use of a diverse group of adjunct instructors.
14.	Incorporate anti-racism and cultural diversity training and workshops into the Academy curriculum.	<i>Completed/Verified.</i> Joyce James Consulting LLC led several Groundwater Analysis anti-racism workshops for all cadets and Academy staff prior to the start of formal Academy training. APD cadets and officers who participated will receive TCOLE credit for Cultural Awareness. An additional seven-hour feedback and discussion session for the cadets is scheduled for week 18.
15.	Reinstitute practice of following-up with a cadet who leaves the Academy for any reason.	<i>Partially Completed/Verification in Progress.</i> APD has recently adopted a process in which all cadets separating from the Academy meet with a supervisor for an interview attended by the Division Manager or the Training Supervisor (this process was not yet established during the first three months of the 144 <sup>th</sup> cadet class). Separating cadets are informed about the issue(s) warranting the separation and offered the opportunity to resign in lieu of termination. Cadets are then asked about interest in being recycled into a future class (if eligible). Cadets are advised that the final recycling decision lies with the Academy Commander. Cadets are asked about positive and negative perceptions of the Academy and separation paperwork is completed. However, it is not clear what Recruiting or other members of Academy staff do to follow-up with separated cadets to check on their well-being and explore their interest in recycling through a subsequent Academy class.
16.	Develop a mentorship program for all cadets, especially recruits of color.	<i>Partially Completed/Verified (with qualification).</i> A Women’s Mentoring Group currently includes 15 mentors and 12 female cadets. The program was first established in 2018 and has helped provide female cadets with additional support through Academy training. In addition, the Texas Peace Officers Association (TPOA) has a mentorship program for Black cadets, which matches Black cadets with TPOA board members. However, Academy staff does not have much insight into these existing programs and Kroll has observed little or no effort to

		expand the mentorship programs to other cadets who could potentially benefit from having an assigned mentor.
17.	Revise the lesson plans and course content addressed in our review and recommendations of courses related to cultural competency training on pages 55 to 66 of this report, as well as the related Level I and II suggestions contained in Dr. Ferguson's curriculum review report of April 5, 2021.	<i>Completed/Verified.</i> The Division Manager worked with instructors to update Academy curriculum to include Kroll's recommendations before the start of the 144th cadet class. Additional updates and revisions are occurring for each course until taught. Several courses have been or will be evaluated by the Academy Curriculum Review Committee with the majority of its recommendations incorporated into the lessons plans for each of those courses.
18.	Require an ongoing, independent review of the Academy by an outside evaluator once the 144th cadet class begins to ensure implementation of the short-term recommendations	<i>Completed/Verification in Progress.</i> On May 7, 2021, the City of Austin appointed Kroll as the Independent Evaluator of the 144th cadet class. Kroll is in the process of independently verifying that APD has effectively implemented the Kroll recommendations. This report details our evaluation as of October 1, 2021.
#	Long-Term Recommendations	APD Responses / Action Plan
1.	Consider hiring a renowned national leader in "media literacy" to help develop effective teaching videos that have positive effects on knowledge, behavioral beliefs, attitudes, self-efficacy, and behavior.	<i>Partially Completed/Verified.</i> The Academy has hired a community engagement specialist part time whose role includes establishing relationships with consultants and university partners that specialize in media literacy. The community engagement specialist has reached out to Dr. Renee Hobbs, a renowned media literacy specialist at the University of Rhode Island, to begin conversations about consulting services. In addition, Texas State University, St. Edwards University, and Austin Community College have been contacted to engage media departments for possible partnerships. The Academy plans to hire a full-time content designer to work with any outside specialists or consultants once services have been contracted.
2.	Develop an intentional strategy to further enhance the long-term diversity of Academy staff, including at the Instructor level.	<i>Partially Completed/Verified (with qualification).</i> As noted in short-term recommendation #13, the Academy has instituted several measures, including reaching out to affinity groups to help recruit qualified and diverse officers to fill full-time positions as they become available. However, the Academy's efforts and progress on this issue needs to be set forth in writing to better ensure sustainability and more permanent diversity improvements.
3.	Revise Academy class schedules by eliminating 40-hour blocks of dry but legally important course content for such things as Penal Code, Transportation Code, and Arrest Search and Seizure, as these courses should be spread out over the length of the Academy (no more than two to four hours per day, three days a week).	<i>Partially Completed/Verified.</i> APD revised the schedules for Penal Code and Transportation Code in the 144th cadet class so that those courses are taught over two weeks instead of one. At this time, the instructors do not believe that Arrest Search and Seizure should be divided as they are concerned the divide might affect test scores. APD has closely monitored test scores to ensure that cadets are effectively retaining their knowledge of Penal Code and Transportation Code. Test results for these two

		courses resulted in failure rates consistent with previous years.
4.	Further analyze the relationships between pre-Academy, Academy, and post-Academy physical fitness standards to ensure they are consistent with successful job performance.	<i>Partially Completed/Verified.</i> APD has begun the process of evaluating the current physical fitness standards used in hiring and training. The department has formed a team to review available data on applicant and cadet performance as well as consider any issues such as potential impact on specific groups of applicants or cadets. The team includes Lt. Jay Swann and Officer Eric Cortez from Recruiting, Lt. Robert Miljenovich from Cadet Training, Kelly Sears, the department's Fitness Specialist, and Dr. Jonathan Kringen, the department's Chief Data Officer. The team has analyzed data and made initial recommendations about aligning physical fitness standards. The first recommendation was implemented on September 28, 2021. On September 30 <sup>th</sup> , 34 individuals took part in the new PT standard during which APD moved five applicants forward that would have failed under the old PT standard.
5.	Consider developing a properly credentialed and supervised program to allow for all cadets, as part of a two-week orientation program prior to the Academy, to immerse themselves into community programs and organizations as "neighborhood liaison officers" for APD district representatives.	<i>Completed/Verified.</i> APD successfully incorporated the pilot two-week Community Connect program from June 7-19, 2021. The program involved community speakers, field events with community organizations, panel discussions with community leaders and activists, and a two-day Groundwater Analysis (anti-racism) workshop. A Groundwater Analysis feedback session is scheduled in week 18.
6.	Require ICAT or other effective de-escalation training as part of mandatory in-service "refresher" training every two years.  a. Reinforce training through use-of-force policy, ensure support of field supervisors, and include as a component of use-of-force reviews.  b. Modify the videos shown in ICAT training to be consistent with Community Video Review Panel recommendations.	<i>Completed/Verified.</i> APD considers de-escalation an essential component of Academy training. Although this item has been completed, it will continue to be a focus area of all future curricula reviews. The department has also implemented de-escalation training as part of mandatory in-service training. In addition, the department was recently awarded a COPS grant to acquire technology to develop custom-tailored ICAT training videos and simulations. The Academy Division Manager is identified as the Program Manager. Finally, APD is currently formulating a comprehensive de-escalation training strategy involving cadet training, in-service training, field training officer refreshers, and field supervisors to be implemented during Q1 2022.
7.	Build recovery time into the intervening period between cadet classes to promote instructor wellness and avoid burnout, low morale, and reduced job performance.	<i>Under Consideration.</i> We understand the department has scheduled the 145 <sup>th</sup> Academy to commence on February 14, 2022, approximately two weeks following the end of the 144 <sup>th</sup> cadet class on January 28, 2022. However, especially for the Learned Skills Unit, given the physical demands of their job and their many non-Academy related responsibilities, instructors in that unit will essentially have no downtime before gearing up for the 145 <sup>th</sup> cadet class. In addition, the current schedule may provide insufficient time for staff to consider Kroll's final report and other input from various stakeholders before the 145 <sup>th</sup> cadet class. Kroll understands that, moving

		forward, each training unit has been tasked with assessing instructors' non-teaching responsibilities so that staff may determine how to balance instructor work hours with additional duties considering the need for recovery time. Each unit is responsible for submitting a unit-specific plan by Q1 2022.
8.	Develop additional content to further emphasize the importance of procedural justice in Academy training; consider developing either a separate course or adopting one already proven successful, like the course developed by the Chicago Police Department.	<i>Partially Completed/Verified (with qualification).</i> Through the History of Police and Race in America, the Academy covers the past actions of police that have undermined public legitimacy (which is part of the Chicago procedural justice course). APD is currently reviewing and revising the Fair and Impartial Policing course scheduled to be taught in December (by a civilian subject-matter expert) to include concepts of procedural justice.
9.	Build additional collaborations with outside mental health advocacy and treatment organizations beyond CIT training, and consider placing a greater emphasis on reducing stigma of mental health among officers either through CIT training or additional courses.	<i>Partially Completed/Verified.</i> APD has reached out to various stakeholders to emphasize mental health advocacy beyond CIT training. Mental health has been adopted as a key component of the Community Connect Program.
10.	Continue research into effective peer intervention training programs like Ethical Policing is Courageous (EPIC) and Project ABLE, and consider adopting these or similar programs.	<i>Under consideration.</i> Currently, some of the basic information related to peer intervention is part of APD's General Orders on Duty to Intervene. However, APD understands from research into ABLE that the duty to intervene may not cover how officers can intervene. In the short term, APD engaged instructors in Proactive Alliance training in June 2021, which includes a component of bystander training to address this issue. Given the commitment to the 10 ABLE Standards and the need for restrict class instruction to 25 individuals or less, APD is continuing its research into the feasibility of this training for the department.
11.	Continue to research ways in which cognitive decision-making, emotional intelligence and regulation, and effective social interaction skills can be covered in Academy curriculum.	<i>Under consideration.</i> APD conducts and participates in leadership training that uses concepts of emotional intelligence, and command staff is regularly engaged in activities to enhance psychological safety within the organization and emphasize the importance of effective social interaction skills. APD is currently exploring opportunities to incorporate these concepts more broadly including in the Academy. In addition, social interaction skills have been enhanced in several Academy classes including communications.
12.	Consider ways to incorporate current Academy instructors into the Field Training Officer (FTO) program for new officers.	<i>On-going.</i> FTOs are required to attend annual refresher training at the Academy to remain current and up to date with respect to what is being taught in the Academy. The Academy has an FTO Liaison who works directly with FTO's in the field. Instructors are required to ride out in the field once a quarter to ensure that Academy training is in line with patrol operations and the FTO program.
13.	Provide additional incentives for participation as an FTO to encourage the best candidates.	<i>Under consideration.</i> A memorandum was sent to Executive Staff outlining short- and long-term incentive goals. Long-term goals include pay increases and promotional points toward the corporal/detective exam. Short-term goals include

		compensation time for each week an FTO trains a PPO, priority sign-up training, and an FTO allotment increase. Executive Staff has relayed the suggestion to APA for next contract negotiations.
14.	Amend FTO Standard Operating Procedures to require the FTO Coordinator and Academy staff to conduct focus groups with randomly selected trainee officers midway through the field-training cycle, upon completion of field training, and six months after completion to determine the extent to which the Academy prepares new officers for their duties.	<i>Under consideration.</i> A survey and focus group framework are currently under review. This includes conducting surveys after Phases 1, 2, and 3. Phase 1 and 2 survey analysis would be conducted by the Field Training Coordinator and Assistant Coordinator to address immediate concerns. After Phase 3, a Field Training Committee Meeting (FTCM) consisting of the Field Training Director (Lieutenant), Field Training Coordinator (Sergeant), Assistant Coordinator, Training Division Supervisor, two Cadet Unit instructors, and one Learned Skills instructor, would then convene to collect, analyze, and forward findings to the Academy Commander and Division Manager. Two focus groups would convene within 15 days after completion of Phase 3, as well as six months into solo status. The Division Manager would select the Focus Group Coordinator and 5–8 probationary police officers would be randomly selected across the city to participate in the group.
15.	Review the results of the above-noted focus group sessions with the Training Division Commander, the FTO Program Coordinator, and the affected Deputy Chief to ensure consistency between lessons from the Academy and lessons learned in the FTO program; document results and provide information to the Chief of Police.	<i>Under consideration.</i> Current plans are for a Training Review Committee consisting of the Assistant Chief over the Training Command, the Academy Commander, Division Manager, Field Training Director (Lieutenant), Field Training Coordinator (Sergeant), and Cadet Unit Sergeant, who would convene to analyze results, coordinate potential changes to the FTP or Cadet Training, and forward findings to the Chief of Police for final approval.
16.	Develop a protocol for psychological debriefings of APD combat veterans returning from military deployments to help reintegrate them back into law enforcement duties; assess recently discharged individuals' mental health suitability for police employment and assist military veteran recruits' transition from military deployment to civilian law enforcement.	<i>Completed/Verified (with qualification).</i> APD already has a clearly defined Standing Operating Procedure outlining the Return to Officer Program, which includes psychological debriefs for all officers returning from military deployment. At the present time, although this policy exists under the Continuing Education Unit SOP, coordination is occurring with Risk Management to move this procedure under General Orders.

Kroll is continuing to monitor the Academy's implementation of the above recommendations. Kroll previously recommended that all short- and long-term recommendations be implemented or completed before the start of the 145<sup>th</sup> cadet class. We caution, however, that current plans for a February cadet class may make this difficult. It will also preclude the City from considering, and the Academy from implementing, any recommendations from Kroll's final report prior to the start of a February cadet class.



## 4 SETTING THE TONE / PRE-ACADEMY MESSAGING

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*“Building trust and nurturing legitimacy on both sides of the police/citizen divide is the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve.” – The President’s Task Force on 21<sup>st</sup> Century Policing*

The culture and expectations of an organization are established, primarily, from the messages sent, examples displayed, and policies emphasized by the organization’s leadership. In the case of the 144<sup>th</sup> cadet class, expectations were established by APD and Academy leadership during the pre-Academy orientation, through the pilot Community Connect program and Groundwater Analysis racial equity training, and by the opening remarks of Chief Joseph Chacon<sup>3</sup> at the start of Academy training.

### 4.1 Pre-Academy Orientation

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On May 24, 2021, 77 cadets and their family members attended the pre-Academy orientation session.<sup>4</sup> Commander Catherine Johnson introduced her staff and said that policing is “a calling.” She explained that APD’s training program will emphasize “community engagement” and “focus on critical thinking in our curriculum.” She urged cadets to maintain an open dialogue with Academy instructors, noting that success requires “a collaborative effort. “We are a family, and families take care of each other.” Ultimately, she emphasized that the job of the Academy is to prepare cadets “to be the best police officers in a challenging career.”

Commander Johnson then introduced Chief Chacon, who told the cadets that they “are going to be the next generation of police officers,” whose job it is “to keep people safe and be your brother’s keeper.” He noted that the Academy has undergone transformative changes and that cadets are going to “learn in a new way.” “This will be an adult learning environment, a college-type environment, which is something new for us.” Austin is a vibrant city, an “amazing place to live” and work, and “the main reason you’re here today is because you want to serve. We want [APD] to be guardians of the community – that is my mandate.” To do so, he explained, requires “good communication skills, good de-escalation skills,” and the job of the Academy is to “give you the tools to be successful.”

Chief Chacon emphasized that successfully completing Academy training is “not a cake-walk, it is hard” but policing is “a noble career” and the effort in the end is well worth it. The mission of APD officers is “to be trusted and respected by all and to collaborate with our community to make Austin the safest city in America.” It is important to understand, said Chief Chacon, that “we don’t ‘police’ our community – we’re trying to work with our community and deliver services to the community. That’s where your heart should be.” Procedural justice and “treat[ing] people with dignity and respect” is “an expectation” that applies “every single day” and starts with the department treating “all of you with dignity and respect.” Cadets may occasionally be yelled out, he conceded, but it is never to humiliate or degrade and is done for a reason.

Chief Chacon affirmed the department’s zero tolerance for racism and discrimination and urged cadets to “call it out” if they ever witnessed or experienced it. He remarked that the 144<sup>th</sup> cadet class represents the most diverse class in APD history, a necessary prerequisite to building trust and legitimacy between the

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<sup>3</sup> Chief Chacon was officially Interim Chief at the time he made the remarks referenced in this section.

<sup>4</sup> At the time of the orientation session, the 144<sup>th</sup> cadet class consisted of 77 cadets, all of whom attended the orientation session. An additional 23 cadets were admitted into the program prior to the start of Academy training on June 21, 2021, for a total cadet class of 100 cadets.



police and the community. He highlighted Community Connect, the Academy's first ever community orientation program, and the addition of "The History of Police and Race" to Academy curriculum, which is designed to help cadets understand how different parts of the city perceive police and why "certain people feel about police the way they do."

"Integrity above all else is the cornerstone of policing," said Chief Chacon. "The moment your integrity is broken, you're broken," and there is no way to regain the trust that the department and the community places in each officer. Chief Chacon ended by telling the cadets how proud he was that "you have decided to enter this noble profession at a time when it is tough to be a police officer." The Academy is going to ask a lot of the cadets, he stressed, and "you need to do your part," but in the end there is no better way to serve the community and fulfill a career.

After these initial remarks, the cadets left their family members and went to an Academy classroom, where the orientation program continued with discussions about expectations, requirements, safety, and preparation. During this session, Chief Chacon again addressed the cadet class. He noted initially that, while APD expects cadets to stand at attention on certain occasions to "build discipline," in the classroom "we want to build your minds" and teach you to "be inquisitive." He again spoke of the Academy's newly placed emphasis on "adult learning" so that "you understand why we are teaching you what we are."

Chief Chacon stressed that although the Academy is demanding—mentally, physically, and academically—the department wants "each and every one of you to graduate." He emphasized teamwork as an essential component of Academy training and reiterated the importance of procedural justice when dealing with members of the public – i.e., treating people with dignity and respect, giving them a voice in the outcome of a police-citizen encounter, and respectfully explaining to people why certain actions are taken ("not because I said so"). Equally important, said Chief Chacon, is the need for internal procedural justice--to treat every employee, including all cadets, with dignity and respect. Moreover, he stressed a culture of openness through respect, as "[cadets] will have the opportunity to voice opinions and to ask why," so long as they do so "respectfully".

Cadets were told that they can expect to experience stress and pressure during their training, which are necessary to prepare for the pressures and stresses of policing "so on the street will not be the first time." Chief Chacon made clear that safety is paramount and that the Academy's instructors are among the finest in the country. The instructors may "push you and stress you and sometimes yell at you," he said, "but there is a reason we do what we do." Although nothing will ever be done to degrade or humiliate a cadet, an expectation of accountability must start at the Academy. "We want you to excel" and to become the "best officers in the country."

Chief Chacon reiterated the department's zero-tolerance policy for racism and discrimination. He noted that law enforcement is changing not only in Austin but around the country. At APD, "we are leaning into it" because that is what the "community expects and deserves". "Professionalism, integrity, and ethics" must define "everything we do as police officers. It's what we have always professed but haven't always done [well]." "Policing is a calling," he said, and "with hard work and effort, you are at the start of a challenging and rewarding career."

## 4.2 Community Connect Project

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Pursuant to the recommendations in the Kroll Report, APD developed and implemented a two-week community immersion orientation program for the 144<sup>th</sup> cadet class. The pilot program was intended to provide cadets with valuable perspectives from key community members and organizations, prioritize

empathy and community service at the beginning of the training process, and allow cadets to embrace their role as guardians by meaningfully engaging with members of the Austin community.

With the assistance of the Recruiting Unit, APD reached out to a wide variety of community leaders and activists who were willing to work productively with the department to present genuine community perspectives and concerns about policing. While the program could not accommodate every organization contacted, over twenty local organizations participated. The following is a list and brief description of many of the participating organizations:

- **Mobile Loaves and Fishes—Community First Village Program (MLF)** provides affordable housing and a supportive community for men and women coming out of homelessness.
- **The Other Ones Foundation (TOOF)** works “to find innovative solutions to Austin’s Downtown Homeless crisis”<sup>5</sup> by offering low-barrier work opportunities and humanitarian aid to people experiencing homelessness.
- **Casa Marianella** provides shelter and support services to displaced immigrants.
- **Dove Springs Proud** provides scholarships, medical and rental expenses, and fresh food to residents in a predominantly Hispanic community in Southeast Austin (78744 zip code).
- **National Association for the Advancement of Colored People (NAACP)** is “the nation’s oldest, largest, and most widely-recognized grassroots-based civil rights organization.”<sup>6</sup>
- **Lyons Gardens Assisted Living Center** is a 54-unit senior housing facility that provides affordable housing for seniors in a community where they can thrive.
- **Housing Authority of the City of Austin (HACA)** provides affordable housing opportunities for low-income families.
  - **AROW** is a neighborhood watch program led by HACA community council.
  - **iDADS** is a program to help strengthen families in the HACA communities.
- **The Sobering Center** provides sobering services and brief interventions to the Austin community.
- **Go Austin / Vamos Austin (GAVA)** works to reduce health barriers and eliminate stereotypical health outcomes based on race /ethnicity and social class by promoting healthy eating and active living.
- **The Adventurers Academy of Lifelong Learning** helps adults with intellectual/developmental disabilities (adventurers) in Austin.
- **Mary Lee Foundation** serves adults with special needs to help them develop a sense of dignity, self-worth, and the skills necessary to socially integrate with and contribute to the community in which they live.
- **McBeth Recreational Center** “provides social opportunities through quality programs that challenge, support and teach leisure skills for the citizens of Austin with differing abilities.”<sup>7</sup>
- **Central Texas Veterans Health Care System—Safe Haven Program** provides outreach and engagement to Veterans experiencing homelessness.
- **Positive Coaching Alliance** provides training and resources for coaches, parents, athletes, and leaders to ensure a positive youth development experience for youth in all communities.
- **Police Activities League (PAL)** puts law enforcement officers and the youth of the community together through sports, activities, and education.

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<sup>5</sup> <https://toofound.org/our-story/>

<sup>6</sup> <http://www.naacpaustin.com/>

<sup>7</sup> <http://www.austintexas.gov/department/danny-g-mcbeth-recreation-center>

- **Boys and Girls Club of America (BGCA)** provides a safe, positive, and inclusive environment for all youth and teens.
- **SAFE Alliance (Stop Abuse for Everyone)** provides support for survivors of child abuse, sexual assault and exploitation, and domestic violence.
- **OutYouth** provides services that support the mental, emotional, and social development of the LGBTQIA+ community.
- **Mexicana Consulate** implements preventive protection and communication strategies to promote respect for the rights of Mexican nationals and provides services regardless of immigration status.
- **Asian American Communities Civic Coalition (AACCC)** engages, informs, and motivates the Asian American community to become more civically engaged.
- **The Trail Foundation** is focused on protecting the Ann and Roy Butler Hike-and-Bike Trail at Lady Bird Lake.
- **Citizens Police Academy** is a 14-week program that members of the public complete to gain a better understanding of the police department.

In addition, the program included a panel discussion hosted by community leaders and activists who provided a holistic view of the Austin community and issues they have faced with policing. The panelists chosen were Nelson Linder of the NAACP, Carmen Pulido of GAVA, Gary Schumann of the LGBTQ Chamber of Commerce, Noel Landuyt of the University of Texas, Jared Slack of TOOF, and Sumit DasGupta of AACCC.



Community Panel, June 10, 2021



Cadets Addressing Community Panel

The Community Connect Project combined presentations, Q&A discussions, and community engagement activities into a comprehensive two-week program. The first week consisted of an introduction of the project's objectives, presentations from several organizations on and off campus, 15 hours of community engagement activities outside the classroom, a discussion with the panel, and a debrief for the week. The second week consisted of presentations and activities with the remaining organizations, as well as a project reflection.





Field Day at MacBeth Recreational Center  
June 14, 2021



Cadets at Lyons Gardens Assisted Living  
June 14, 2021

Based on Kroll's first-person observations and feedback from cadets and community participants, the pilot Community Connect Project was a success. Although it is important to continuously update and revise the programming based on careful review of feedback, we are encouraged by the results and commend all participants for overcoming the logistical challenges to build a meaningful and informative program.

### Highlights and Takeaways

Throughout the program, cadets and community leaders engaged in thoughtful discussions and valuable community-building activities. While community leaders were stern advocates for Austin citizens and often bluntly described their community's concerns about public safety, they were cooperative, hopeful, and respectful towards cadets. Likewise, cadets took the programming seriously, joyfully engaged in many service-oriented activities, and asked thoughtful and sincere questions of the organizations' representatives. We are hopeful that the cadets received and grappled with valuable perspectives from a broad sample of community representatives, and that they learned from and humanized the communities they will eventually serve.



Cadets at AACCC, June 9, 2021



Cadets at Community First Village, June 15, 2021

Most of the program's presentations were informative and thought-provoking. Among other valuable conversations, the presentation from the Sobering Center, represented by Victoria Garcia, Christine Hassel,

and Hillary Harris, emphasized the importance of redirecting intoxicated individuals to the Center rather than incarcerating them, as incarceration makes substance abuse recovery considerably harder. From SAFE Alliance, Yvette Mendoza Rouen and Coni Stogner talked about how officers can help identify signs of child abuse when they respond to 911 calls. And from Safe Haven, Molly Batcheler and others described the issues faced by persons experiencing homelessness and provided strategies for officers interacting with homeless individuals in stressful situations. Cadets also learned about interacting respectfully with elderly, deaf, LGBTQ+, immigrants, and disabled individuals, discussed ways in which APD could better serve Black and brown people, and received nuanced perspectives on the community's perception of officers in Austin. The presentations allowed cadets to learn about and empathize with the citizens they will serve and provided cadets with valuable suggestions for effectively serving diverse communities.

In general, while organizations were not afraid to constructively criticize the troubled history between their communities and APD, their tone was respectful and hopeful. Rather than place blame, organization leaders looked to build meaningful connections and establish a better relationship with future officers. For instance, while Ricardo Zavala of Dove Springs Proud was stern about his expectations for officers, he was quick to mention that he did not believe all cops were bad and genuinely wanted to build connections between the police and his community. Likewise, the iDADS's presenters did not judge or stereotype police officers and did not hold cadets accountable for the mistakes of past actors in the department. However, the community representatives were often blunt and straightforward about expecting more from future officers. Overall, the presenters emphasized their messages while showing cadets ample respect to genuinely engage in productive dialogue.

Throughout the two-week program, cadets asked many meaningful and incisive questions about sensitive topics, including the following:

- How should we respectfully ask people what their preferred pronouns are?
- How can we support organizations in combatting racial stereotypes?
- How can we identify signs of sex trafficking and abuse during a 911 call?
- How should we show support to our Black friends and colleagues when it comes to racism?
- Are there any ceremonial traditions or holidays that APD should pay attention to?
- How can we destigmatize the idea that APD will deport immigrants if they call 911?
- How do we push marginalized communities to join law enforcement?

For many of the presentations, cadets were eager to ask questions and learn more, and the presenters were appreciative and informative in response.

In addition to presentations from specific organizations, cadets also heard from a panel of diverse and qualified voices at the end of the first week, allowing them to learn and ask about broader community issues. For the cadets not from Austin, the panel provided important information about the citizens and culture of the city. Cadets asked thoughtful questions and engaged genuinely with the panelists.

While the presentations and discussions provided valuable insights, Kroll found that the program was an excellent opportunity for cadets to engage in community-building activities outside the classroom, allowing them to further humanize those they will serve and help normalize positive interactions between police and the community. The program included a variety of activities: cadets played kickball with kids from the BGCA and residents from the Mary Lee Foundation and Adventurers Academy, worked with City employees to remove graffiti at House park, and served food and performed landscaping at TOOF and MLF.

Kroll found that Community Connect provided a valuable opportunity for cadets to experience first-hand the importance of making meaningful connections with citizens, and we are hopeful that the program will propel cadets to positively engage with members of the community as their time in the department progresses.<sup>8</sup>

### **Community Feedback**

Following the program's completion, Kroll reached out to participating community leaders to collect their honest feedback on the project. Approximately twelve organizations (more than half who participated) provided feedback. Agency representatives were asked about their experiences speaking to the cadet class, their perceptions of the cadet's reaction to their presentations, and any suggestions for future programming.

Overall, community members were highly supportive of the program and provided positive feedback. Most community representatives enjoyed the experience, describing it as "gratifying" and worthwhile. Others described the program as "hopeful," with one community leader remarking he was encouraged by the experience and believed that offering cadets honest community perspectives is crucial for improving police and community relations.

Likewise, community participants lauded the cadets for their openness and willingness to engage in productive conversations. For example, Coni Stogner of SAFE Alliance believed that cadets were engaged and cared deeply about the issues presented, while Davis Bryant of iDADS commended cadets for asking thoughtful questions. Kelli Garrett of the Central Texas Veterans Health Care System (Safe Haven Program) was "impressed with the thoughtful questions and comments cadets had and with their openness to discuss their own experiences or experiences of family/friends who are veterans and have struggled with things like mental health, employment, [and] readjustment." Similarly, Victoria Garcia of The Sobering Center commented that the "cadets were one of the most receptive and engaged audiences that we have encountered. We felt very welcomed, valued, and appreciated as speakers." She also believed that the cadets were "genuine and curious" about what they had to say. "We appreciated that they asked for clarification and more information regarding substance use disorder" and "how they shared their own opinions and their direct and indirect experiences . . . allowing us to share our knowledge as we built the conversations together."

Participants offered many thoughtful recommendations, including that they would have liked more time for interactive and informal dialogues. As Joshua Banks of iDADS explained, "Having [cadets] hear from us is effective but having them discuss how they see themselves in relation to the information would be helpful. Change requires difficult conversations, and I believe that in order to make an impact, cadets will need more active participation than just observation." Some participants recommended that presenters be allowed to introduce cadets to additional members and sectors of the community, and that each session or program allow time for more questions and dialogue.

### **Cadet Feedback**

Cadets also provided positive feedback over the course of the program. Many cadets enjoyed the community engagement activities, with many wanting to spend more time connecting with community

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<sup>8</sup> As one example of the positive impact this program had on the cadets, in Week 4 of the Academy, during the second session of The History of Police and Race in Austin, one cadet commented about a story APD Officer Cole-Winston told during Community Connect that involved the protests in Summer 2020. The story demonstrated that, when a little effort on the officer's part was put into meaningful dialogue, a peaceful solution could be found. Officer Cole-Winston, along with many other officers, were trying to get protesters off the highway and onto the street for their protection. As one protester screamed in Officer Cole-Winston's face, asking why the officers were pushing them, the officer calmly told the protester, "Sir, I have no problem with your right to protest, I would just like for you to move onto the street, where it's safer for you." The protester stopped yelling and said, "Well, why didn't y'all just say that?" and calmly moved onto the street. That the cadet remembered this story weeks later and tied it into another course at the Academy suggests that the program had a positive impact on the cadets' mindset.



members and suggesting additional activities for the future. As one cadet described, “Working with the community has been great... it opened my eyes to a side of Austin I haven’t seen.” Another claimed, “I really liked the community engagement. We talked to one guy and he told us his whole life story [and] how he felt we could do better.”

While the vast majority of cadets expressed appreciation for the presenters and panelists, many cadets wished they had more time to ask questions and mingle with the presenters. Criticism was the exception, although one cadet believed speakers did not give the department enough credit for its recent improvements and another found some of the presentations confusing. Other cadets offered suggestions for future years, including splitting up into smaller groups for the activities, having a more open format for interacting with community members and panelists, and shifting the community work to after Academy training has been completed.



Cadets at Austin Boys and Girls Club, June 8, 2021

During an in-person feedback session with a group of approximately 20 cadets on September 23, 2021, several cadets expressed that Community Connect would be further enhanced by holding some or all of the program later in Academy training, rather than as an orientation, to provide cadets with more context and experience when interacting with community members.

Kroll notes that many Academy instructors agree with this suggestion, though the instructors primary concern was that, because Community Connect occurred before any Academy training occurred, staff had no opportunity to establish expectations regarding cadet conduct. Consequently, according to the instructors, cadet conduct on Academy grounds during the program was undisciplined and relaxed in a manner that did not comport with Academy expectations. Having 1-2 weeks of formal training before Community Connect would allow instructors to establish expectations regarding cadet conduct before community programming started.

After extensive discussion and consideration, Kroll agrees that some adjustment to the timing of Community Connect would benefit Academy training. Starting Community Connect after 1-2 weeks of formal training would allow instructors to appropriately establish ground rules and expectations for cadet conduct, while still effectively highlighting the importance of community service and community trust, which must remain at the core of Academy training. Consideration should also be given to scheduling the second week of Community Connect later in the training schedule, thus reinforcing the importance of community trust and respect closer to graduation.



## Recommended Improvements

Kroll finds that the pilot Community Connect program was successful and will hopefully play a role in ushering in newly sworn officers that will have received not only enhanced community engagement, but also improved DEI training, an emphasis on de-escalation in responding to incidents, and trauma informed Crisis Intervention Training to enhance officer and community safety. However, we also recognize the importance of continuously assessing and improving these programs for future years. In response to feedback and based on our own observations, we offer the following suggestions:

- Allow longer time for Q&A during each presentation – this is where some of the most meaningful dialogue and interaction occurs. Placing time limits on the initial presentations to allow more time for Q&A may help achieve this.
- Include organizations representing additional and more diverse religious groups to better reflect the mosaic of faiths and cultures that make up the Austin community.
- Allow more time for cadets to interact one-on-one with community members, asking and answering questions.
- If possible, schedule Groundwater Analysis training so that it does not overlap directly with Community Connect. While the cadets were positive about the benefits of Groundwater Analysis, many were frustrated that they had to miss two days of Community Connect when they attended the workshops.
- Recalibrate the timing of Community Connect by starting the program approximately 1-2 weeks into formal Academy training and consider scheduling the second week later in the training cycle.

## 4.3 Groundwater Analysis Training

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Consistent with the recommendations in the Kroll Report, APD entered into a multi-year contract with Joyce James Consulting LLC (JJC) to lead a two-day “Groundwater Analysis of Racial Inequities” workshop for all Academy instructors and cadets, and up to 350 officers per year. Kroll confirmed with Ms. James that all cadets and instructors completed the training prior to the start of the 144<sup>th</sup> cadet class.

Groundwater Analysis is an interactive workshop created by JJC that is designed to help organizations proactively understand and address racism, both in their organization and in the community in which they’re working. At workshop sessions, the leaders of the activities facilitated meaningful discussions and exercises for cadets to better understand important issues regarding racial equity. Based on the feedback received to date, Kroll finds that the workshops were impactful, as they required cadets to ponder tough and sometimes uncomfortable questions, while still allowing for open and genuine conversations.

The workshops were limited to 30 participants for each two-day session and included community members along with the APD contingent. The workshops were designed to address issues of race and society, including issues of systemic and institutional racism. Police departments across the country struggle with accepting that their enforcement actions disparately impact communities of color. While individual officers who are ethical and moral believe they would never intentionally discriminate or racially profile a subject, getting officers to understand how long-standing systems of policing and society disparately impact communities of color can help establish a foundation to change police culture and positively impact community-police relationships. James noted that the workshop is designed not to dictate what types of changes need to be made, but to “facilitate the discussion and ways to think about things” so that people can “develop changes on their own.”

The workshops also help participants understand how perceived stigmas attach to certain people based on their race or ethnicity, or how they dress or look, and that everyone is impacted through normal socialization processes. We get our messages from institutions, the media, and many other societal factors. Thus, APD does not have to train cadets to be afraid of certain communities because the socialization process does it for everyone (i.e., to fear certain communities more than others). This is true of all cadets regardless of race or ethnicity.

Cadets had opportunities during and after the workshop to provide anonymous feedback about their experiences. The feedback was overwhelmingly positive, with many cadets praising the program and its presenters.<sup>9</sup> In open-ended comments, several cadets mentioned that the workshop was more effective than others they had taken before, as it went into greater depth and allowed participants to offer their genuine thoughts and feelings. In addition, while many claimed to have been initially skeptical of the course, they believed it was “educational” and “eye-opening”, with some wishing they could “get more of this” and others hoping that all police departments would institute Groundwater Analysis Training. Asked to give a one-word summary of the two days, the most common answers were “informative”, “eye-opening”, “insightful”, and “enlightening”.

In addition, a cadet survey was administered by Academy staff. On a scale of “Strongly Agree-5,” “Agree-4,” “N/A Unsure-3,” “Disagree-2,” and “Strongly Disagree-1” the cadets rated each of the below statements, on average, as follows:

- The presentation was well organized (4.8)
- The presenter communicated information effectively (4.8)
- The presenter was helpful and generally engaging to students (4.8)
- I feel that the presentation was valuable to the Community Engagement Project as a whole (4.7)
- I feel that the presentation was valuable to me as a future Austin Police Officer (4.7)

Additionally, on a scale of “Excellent-5”, “Very Good-4”, “Satisfactory-3”, “Unsatisfactory-2”, and “Very Unsatisfactory-1”, the cadets rated the below statements, on average, as follows:

- Overall, the presenter was... (4.7)
- Overall, the presentation was... (4.6)

While most feedback was positive, a small number of cadets believed the information “was not relevant to law enforcement” and that parts of the presentation were “pushing a narrative”.

The majority of reviews provided by Academy instructors also were positive, although their feedback was mixed, as some felt that dissenting views were not tolerated and their role as officers not sufficiently understood. Others expressed that certain high-profile events reported in the news and some statistical studies were misunderstood or presented as fact without understanding the full context. Also, some Asian, mixed-race, and Latino/a instructors felt that there was no acknowledgment of other “isms” beyond racism that impacts Black individuals as opposed to other persons of color and ethnic backgrounds. They believed that some acknowledgment that certain non-Black participants have experienced and understand discrimination on a personal level would be helpful.

While most feedback from cadets and instructors was positive, James noted that there has been more resistance and pushback from some senior APD officers, who have questioned the data and concepts. This is to be expected. The JJC team has learned that people enter the workshops from different places in life

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<sup>9</sup> Joyce James Consulting, “A Groundwater Analysis’ of Racial Inequities Report: 144<sup>th</sup> APD Academy of Cadets” (2021)

and that growth specific to this topic is a process. James has learned that the workshops have been a topic of discussion at Austin Police Association meetings, where some have attributed the workshops to false notions of “critical race theory” and said they “don’t believe in it.” James suggested that resistance among senior officers should be monitored to ensure it does not negatively impact the intent and impact of the program. One problem that should be corrected in the future is to ensure that commanding officers are not in the same workshop as their subordinates, as this can stifle meaningful participation.

James was impressed with the diversity and quality of the cadets who make up the 144<sup>th</sup> cadet class. She noted that, given the diversity and openness of this cadet class, it is important to monitor how well these cadets progress on their journey through the Academy. She also stressed the importance of tracking retention rates by race, gender, and ethnicity.

James reported to OPO that the level of engagement by APD and the Academy demonstrates “that APD is moving towards making systemic change as evidenced by their willingness to be intentional, deliberate, transparent, and vulnerable in recognizing the long history of racism in all helping systems and by inviting the community to engage in every step of the process.” Additionally, the visibility and involvement of APD leadership in Groundwater Analysis workshops have “provided credibility to the effort to engage APD officers, staff, and community in new and different dialogues essential for addressing racial inequities.” APD officers who have participated in the sessions “overwhelmingly conveyed appreciation for the community members’ stories and perspectives. The mutual respect shown between officers and the community was an indication that it is possible to bridge the communication gap and strengthen relationships between the community and APD.” This has helped community participants engage with APD “in a new and different conversation about institutional and structural racism” that has “resulted in some extremely positive and mutually respectful interactions and dialogues. As a result, many APD and community participants voiced a commitment at the end of the workshops to continue to engage.”<sup>10</sup>

The workshops with cadets will be followed-up with a debriefing session in October that addresses institutional barriers that sometimes interfere with equity and examines “fences that need to be removed.”

#### 4.4 Chief’s Message – Day One

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On the morning of June 21, 2021, the first official day of Academy training, Chief Chacon addressed all 100 cadets at 7:00 am. The Chief began by asking rhetorically, “Why did we do Community Connect?” He explained that the program was intended to teach each cadet what it means to be a “servant leader” responsible for “taking care of the people you lead.” While the last two weeks were to learn about and connect with the community – “the people you serve when you get out there” – it is now time to learn about the “what” and the “how” of policing.

The Chief explained that the 144<sup>th</sup> cadet class was “a pilot Academy” and that instruction will “look different” than in the past and be “more interactive.” But “some things will remain the same,” including the expectation that cadets are respectful and “on time,” that discipline is instilled, and the chain of command is followed and understood. “There will be times when instructors will yell at you,” but it is “not to be mean” and “not to degrade” anyone; “everything has a purpose.” Ultimately, “we will not graduate officers who are not ready.” As a police officer, “95% of the time you are the Guardian, but we need to prepare you for the 5%” when an officer is confronted with a volatile or stressful circumstance.

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<sup>10</sup> *Ibid.*

As he did throughout the orientation sessions, Chief Chacon reiterated that procedural justice – the need to “treat everybody with dignity and respect,” to “display impartiality” and “give people a voice,” and to “demonstrate you are worthy of citizens’ trust” – is the “foundation of everything we do.”

He highlighted that APD is a community policing organization and cadets must learn and implement the foundations of community policing. First, while the police and community should share mutual respect for each other, respect from the community is earned and not given. Second, police officers must develop a collaborative partnership with the community. Third, officers must at all times engage in fair and impartial policing, regardless of one’s skin color, religion, or other personal trait. “We do not tolerate racism, discrimination, or retaliation at APD – if we see it, you will be removed.”

The Chief urged cadets to “hold one another accountable; you are a team now. If one fails, you all fail.” He noted that Academy training will be among the most difficult things many cadets have ever done. “If anyone finds themselves struggling physically, mentally, or academically, we will work with you. But everyone must do the work and make the effort to succeed.”

Finally, Chief Chacon concluded his remarks by again linking the two-week Community Connect program to the training the cadets were about to undertake. “The last two weeks have been . . . to teach you the ‘why’. Now, we are going to teach you the ‘what’ and the ‘how’.”

## 5 ACADEMY CULTURE

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The culture of a police training academy reflects the culture of a department and impacts the mindset and approach to policing that newly sworn officers adopt upon graduation. How cadets are treated, how they are expected to act, what explicit and implicit messages are communicated to cadets – all of these things impact the type of police officer a training academy is trying to mold prior to sending officers out into the community. While not everything about policing can be taught at the Academy, the training and instruction provided there are primarily responsible for shaping the knowledge, attitudes, and approaches of each cadet before becoming a sworn officer.

The 144<sup>th</sup> cadet class started with the two-week Community Connect program (June 7-19, 2021), followed by the 32-week formal training program that commenced on June 21, 2021. Cadet training consists of a combination of physical training, academics, and skills training, and cadets are taught through a combination of classroom-based learning, hands-on physical and partner training, and scenario-based and role play instruction. The Training Unit, which is responsible for all cadet training, is divided into three separate sub-units: Cadet Training, Learned Skills, and Continuing Education.

Based on our review of course content, staff reports, and reported data, as well as hundreds of hours of in-person or virtual class observations and conversations with Academy staff, APD leadership, cadets, and others during the first four months of Academy training, Kroll makes the following preliminary findings and observations concerning the areas highlighted below:

### 5.1 Emphasis on Community Service / Dignity and Respect

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APD leadership (Chief and Assistant Chiefs) and certain members of Academy leadership and supervisory staff have appropriately emphasized that the mission of APD officers is to serve the community and to treat everyone at all times with dignity and respect. This messaging started with the successful implementation of the Community Connect program (see Section 4) and with the strong emphasis placed on community service, cultural competency, critical thinking, and adult learning by Chief Chacon during his initial remarks to the cadet class.

This messaging has been reinforced by scheduled community engagement sessions (totaling approximately a dozen hours to date) in which cadets have listened to presentations from and interacted with community leaders and organizations representing a broad cross-section of the Austin community (see Section 7). Additionally, this is the first cadet class to include anti-racism training of staff and cadets in the form of Groundwater Analysis workshops led by Joyce James Consulting (see Section 4).

The training has also included classes on mindfulness, resiliency, and emotional literacy (led by Victims Services) that teaches cadets strategies to cope with stress and enhance their health and wellness (see Section 10).

Several additional classes, including Policing in the Transgender Community, Victims of Crime, the History of Police and Race in America, Interacting with Individuals who are Deaf or Hard of Hearing, and Fair and Impartial Policing are or will be taught or co-taught by outside subject matter experts. Although we would like to see more classes co-taught by outside subject-matter experts, particularly DEI-related and cultural competency training, the Academy appears to be making slow but steady progress in this direction.

## 5.2 Adult Learning Environment

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Under the guidance of the Academy Division Manager and frequently in consultation with the Academy Curriculum Review Committee, Academy instructors have been updating course content to minimize reliance on rote learning, the verbatim reading in class of source materials, and other lecture and listen teaching techniques that have proven ineffective as long-term learning tools. Instructors are also working to ensure that each lesson plan includes DEI content and, whenever possible, interactive discussions, role plays, Q&A, and/or critical thinking exercises.

Kroll's observations of dozens of Academy classes during the 144<sup>th</sup> cadet class confirms that instructors are making a good faith effort in most classes to utilize a variety of instructional techniques, including lecture, visual aids and handouts, class discussion, case studies, and role plays. The classroom culture is disciplined and orderly, but most instructors encourage questions and class participation. Although some verbatim reading of APD policies or legal codes still occurs, there appears to be less reliance on verbatim reading of materials than in years past.

## 5.3 Modified Disciplinary Practices / Paramilitary Culture

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Nevertheless, the many positive changes to Academy culture noted above have been partially countered by other components of training and resistance to change from some Academy instructors and staff. Overall, a military-style culture still prevails at the Academy with some emphasis on disciplinary measures in the form of behavioral modification/performance accountability sessions.

Although the Academy has officially changed the term "Behavioral Modifications" to "Performance Accountability" to appropriately emphasize the importance of police accountability and to reinforce the notion that one officer's mistakes reflect negatively on all police officers, it does not appear that the new terminology has caught on, as instructors and cadets have continued to refer to these sessions as "Behavioral Modifications." Moreover, the essential purpose and practice of these exercises has remained the same – to impose a form of collective accountability on the cadet class for the sometimes-minor mistakes of one or more cadets. While individual cadets are not typically singled out for humiliation, and while yelling from instructors is directed at the entire cadet class (an improvement over reported abuses in prior cadet classes), it is difficult to measure the necessity and effectiveness of many performance accountability sessions.

As of September 24, 2021, Academy staff documented approximately 16 performance accountability measures implemented since the start of training. Some are for relatively minor infractions or perceived complacency. Many of the disciplinary sessions have occurred at the scheduled start of classes or prior to the lunch break, thus cutting time from morning class sessions. The performance accountability measures require the entire cadet class, in uniform, to sprint from the classroom to Mt. Mideris (a hill area behind the main Academy building), where they engage in approximately 15-20 minutes of intense physical exercise in an attempt to collectively address and correct one or more cadet's mistakes (e.g., in a few cases, a cadet provided an illegible signature on a sign-in sheet or signed in colored ink; on another occasion, a cadet was missing a button on their uniform). Two former cadets reported to Kroll that they and others looked at these drills as attempts by staff to break them down, which for some cadets has reduced their desire to be a police officer. These sessions have also caused more than 20 injuries or other ailments, including exhaustion, dizziness, vomiting, dehydration, anxiety attacks, and even some major injuries to the ankle, hamstring, knee, and Achilles' tendon. Of the five injuries that have forced cadets to resign, three were caused or aggravated by performance accountability sessions (see Section 11 for a discussion of injuries and resignations).



Equally troubling, based on the results of an anonymous cadet survey administered by Kroll and the Division Manager, more than half of the cadets (54.2%) reported that instructors have in some cases allegedly ridiculed the concept of a “reimagined police academy” during the disciplinary sessions. This was further confirmed in Kroll’s discussions with separated cadets, who commented that, in some cases, staff comments during the performance accountability sessions caused some cadets to question APD’s commitment to a “reimagined” emphasis on community service. Some instructors have allegedly made known that “the cameras are off” as an indirect reference to Kroll’s practice of observing many of the classroom-based instruction remotely through the installed camera-system in the Academy’s main classroom.

Although some pushback from Academy staff is not surprising in a proud and established organization like APD, Kroll would be concerned if this reflected an insufficient desire for positive change at the Academy. Despite some pockets of resistance, however, the Academy is moving in the right direction. According to the survey results, most cadets (91.4%) believe that, overall, the staff is committed to, and places a positive emphasis on, community engagement and community policing.

We cannot realistically expect complete culture change in the first fifteen weeks of the Academy. Traditionally, changing police culture is a slow and steady process. Kroll will continue to monitor these developments in the second half of Academy training.



144<sup>th</sup> Cadet Class – June 23, 2021 (Inspections during first week of training)





Outdoor drills – first week of training

As noted in the Kroll Assessment Report, while Kroll agrees it is necessary and important to: (1) train officers to be prepared for real-world threats, (2) at times elevate a cadet's heart rate and induce the physical effects of being placed in fear and under stress, (3) impose individual and collective discipline and accountability, and (4) teach the importance of the APD chain of command in the organization, none of this should be done at the expense of deflating the desire and ability of future officers to be trained as community-oriented guardians at their core.

We note that several Academy instructors and supervisors have suggested that instructors have been reluctant to admonish cadets individually for observed infractions and mistakes for fear that they will be reprimanded. If accurate, this may reflect poor communication by Academy leadership and supervisory staff for failing to clearly delineate between appropriate and necessary reprimands of individual cadets—which should occur immediately after an observed infraction to correct any problematic behavior or competency issues—from abusive, degrading, and humiliating treatment of cadets.

As we noted in the Kroll Assessment Report, degrading, abusive, and humiliating treatment of cadets is not appropriate in a modern, community-oriented police academy committed to principles of procedural justice. But it is entirely appropriate for Academy instructors to use stern and forceful reprimands and lectures to correct misbehavior, errors in judgment, attitudinal issues, or other infractions. Moreover, collective accountability measures (in addition to individual reprimands) are acceptable in appropriate circumstances. Kroll's primary concern with the manner in which the 144<sup>th</sup> Academy is implementing performance accountability has to do with (1) timing, as several sessions have cut into valuable classroom time, and (2) cadet injuries, as imposing high-intensity exercises without the proper dress or warm-up time has led to several injuries and some cadet separations from the Academy. For that reason, our suggestion is to limit performance accountability sessions to serious mistakes and errors that reflect a lack of preparedness on the part of the cadet class, and implement needed performance accountability sessions in combination with physical training

## 5.4 Roles of Division Manager and Training Supervisor

The Division Manager position was filled as of March 15, 2021 with the hiring of Dr. Anne Kringen, who has performed superbly in this role. Indeed, but for Dr. Kringen's ability to multi-task and work incredibly long hours, it is unlikely the Academy would have been ready to start the new cadet class as early as June 2021. By all accounts, Dr. Kringen is well-liked and respected by staff, and she has made substantial inroads in

working with instructors to update lesson plans, incorporate active learning and adult learning methods into teaching, and ensuring implementation and progress on the Kroll recommendations.

The Training Supervisor position was filled in early August 2021 with the hiring of Phil Axelrod, an Army veteran and former high school teacher with a master's degree in curriculum and instruction and substantial experience training and managing people in the military. His job description includes instructor development, curriculum development, and standardization of lesson plans and course materials. He has immediately proved an excellent choice for this role. Mr. Axelrod is helping instructors develop curriculum and continuity of instruction so the curriculum will remain consistent and usable whenever an instructor moves on and someone else takes over. This is an important role at the Academy and recognizes that instructors are police officers first, not professional teachers, so helping them professionalize their curriculum and standardizing the product for sustainability is crucial.

Nevertheless, despite these positive developments, there remains some confusion over the level of authority delegated to the Division Manager position. Although the authority granted to the Division Manager is the civilian equivalent of Commander, APD personnel (including the APA President) have on several occasions noted that, pursuant to state law, sworn officers cannot take orders from a civilian. Accordingly, Kroll's first short-term recommendation stated that it was "imperative that the new Division Manager have a clearly articulated mandate to lead Academy instructors in (a) incorporating adult/active learning models throughout the Academy . . . and (b) implementing the recommendations of Dr. [Sara] Villanueva's Review Analysis and Strategic Plan report of May 2020, pages 10-11" (Kroll Report, p. 93). We added that "APD leadership needs to make clear that Dr. Kringen speaks on behalf of leadership."

Kroll has learned that, while Academy instructors mostly work cooperatively with the Division Manager, requests for information directed to some supervisory staff (often in response to requests for information from the Interim Chief or Assistant Chiefs) and recommended revisions to lesson plans, among other things, have in some cases not received timely responses or have been ignored. This has occasionally prevented or delayed the Division Manager from providing needed information to APD and City leaders or ensuring that needed training reforms are implemented.

On June 25, 2021, Kroll brought this matter to the attention of Chief Chacon and Assistant Chief Mason and suggested that a directive from APD leadership was needed to clarify any lingering confusion over the Division Manager's authority. On July 21, 2021, Chief Chacon sent an email to Academy staff that addressed the respect and courtesy all instructors and staff are expected to provide to the Division Manager. In relevant part, the email stated as follows:

*. . . As everyone knows Dr. Anne Kringen is the Training Academy Division Manager. She shares with you the responsibility to make the 144<sup>th</sup> class a success. Her role is extremely important to the training division and the future of additional academy classes. I realize no sworn officer reports directly to Dr. Kringen. Having said that, it is incredibly important and my expectation that you show her the same respect and courtesy that you do all the staff at the Academy, including up to and including the Commander over training. The importance of her work is the main reason I have her reporting directly to the Assistant Chief over the Training/Recruiting division. She will never give you a direct order as that would come from your chain of command. However, I need each of you to respond to any request she may have with urgency and complete it in a timely manner. We are under incredibly tight timelines to achieve all the standards required for training, and it is so important that you respond to her with any requested information as quickly as possible. Believe me when I tell you that Dr. Kringen is fully committed and only has the best interest in the success of the Academy class at heart.*

*Please let me and your chain of command know if you have any questions about this message.*

*. . .*

The email from the Chief was temporarily helpful but did not sufficiently address or resolve the essential issue of the Division Manager's authority. Subsequent to the above email from Chief Chacon, there occurred additional instances when requests for information, suggested revisions to lesson plans, and other requests from the Division Manager were essentially ignored by Academy supervisory staff. The issue was again recently addressed by APD leadership when Assistant Chief Gay came out to the Academy and spoke directly with Academy leadership.

Although we hope the immediate issue is sufficiently resolved, a clear written directive is needed to further clarify the roles, responsibilities, and authority of the Division Manager. Accordingly, we recommend formalizing the Division Manager's authority within the Academy staff to enhance the long-term sustainability of progress in the Academy. Assistant Chief Gay's recent meeting with sworn Academy staff to clarify the Division Manager's authority demonstrates that the previous email written to clarify the issues was inadequate as a standing solution. This further suggests that the impact of this more recent verbal clarification will likely fade. Moreover, these prior attempts at clarifying the Division Manager's authority provide no sustainable foundation for the role of the Division Manager as sworn staff changes occur over time. Formalizing the authority vested in the position is necessary to provide a clear framework for new staff assuming roles in the Academy as staffing changes happen.

There are several key considerations related to formalizing the role and authority of the Division Manager position. APD is encouraged to consider these various concerns and possible remedies to clarify the role and authority of the position consistent with the department's needs.

### **Clarifying the role of the Division Manager**

Prior to establishing the mechanism for vesting authority in the Division Manager, APD must clarify the role of the position. Since conception, the position has been understood to relate to curriculum and instructional concerns. However, review of operations within the 144<sup>th</sup> Academy suggests that the operational role of the Division Manager extends beyond curriculum concerns. For example, the Division Manager has also assumed responsibilities related to other administrative concerns such as community engagement and reporting to executive staff, city council members, the City Manager's office, other department Directors, and Kroll. Should these additional responsibilities continue to be part of the Division Manager's job duties, it is imperative to clarify that the role extends beyond curriculum itself. Making this decision prior to addressing the authority issue is paramount.

If it is desired that the position fundamentally assume responsibility for curriculum only, then the authority vested in the position can be limited to content and instructional concerns only. However, it is important to note that the department would need to clearly articulate a plan for removing these responsibilities from the Division Manager's position and clarify that the Division Manager is functionally a "Curriculum Director".

In contrast, should the department desire that the Division Manager continue with all current responsibilities or assume additional duties, the plan for establishing the position's authority must be broad enough to provide authority in the areas beyond curriculum and the department must clarify that the Division Manager is functionally an "Academy Director."

### **Options for Clarifying Authority**

A concern raised by APA and other sworn staff forms the core of the authority issue. As noted elsewhere, perspectives situated against formalizing authority within the Division Manager position have focused on that state law prohibits civilian staff from issuing orders to sworn staff. While the statement about law is correct, application to the current circumstance requires substantial interpretation.

While it is inappropriate for civilian staff to issue orders that compel officers to exercise their law enforcement authorities, a clear distinction can be made between (1) law enforcement command authority (i.e., authority to compel law enforcement action) situated in rank and (2) administrative authority situated in policy. Administrative authority relates to the ability to set deadlines, requirements, or define operational processes under which sworn and non-sworn staff work. It is unreasonable to assert that a limitation on a civilian manager's ability to carry law enforcement command authority necessarily implies that he or she may not carry administrative authority within a law enforcement organization.

The administrative authority necessary for the Division Manager to efficiently function either as a "Curriculum Director" or as an "Academy Director" neither extends to nor resembles law enforcement command authority, and it cannot be derived from rank. Therefore, the key missing piece is a mechanism for defining the position's administrative authority. Three suggested alternatives follow. The department is encouraged to consider these as well as other possibilities that might best work within APD.

#### *1. Vesting Administrative Authority via Order*

One clear option is for the Chief of Police to issue an order requiring all Academy staff to comply with the administrative tasks assigned by the Division Manager. Failure to comply with these requests would therefore reflect a violation of the Chief's Order.

#### *2. Vesting Administrative Authority via Policy*

A second possibility includes vesting the authority in the Division Manager to establish operational processes via policy. This could include formalizing review processes and requiring all staff to adhere to the newly implemented processes. This could extend to review requirements, staff training and participation requirements, and eligibility requirements for working in roles at the Academy. While stopping short of specifying that the Division Manager can directly require any specific performance on an on-demand basis from sworn Academy staff, this type of option provides the Division Manager the ability to define tasks and directives assigned to staff working at the Academy given their specific role and function.

#### *3. Restructure the Academy Staff to Increase Civilian Presence and Reduce Sworn Supervision*

The current Academy structure includes sergeants and lieutenants who function in supervisory and managerial roles. Consideration should be given to restructuring the organization to reduce reliance on sworn managerial and supervisory presence for many of the administrative functions of the Academy.

## **5.5 Cadet Feedback**

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### **Survey**

On September 15, 2021, the Division Manager and Kroll administered to cadets a 53-question anonymous survey to assess their perception of various aspects of Academy training. Survey responses were provided by 82 of the 83 cadets remaining in the 144<sup>th</sup> cadet class. The survey recorded each cadet's response on a 7-point Likert scale measuring levels of agreement or disagreement with various statements. According to the survey results:

- Most cadets (79.5%) have found the academic component of the Academy to be difficult. Fewer cadets (19.3%) expressed concerns that their academic performance would hinder them from completing the Academy.
- Most cadets (60.2%) believe that Academy training staff supports them in their academic development.

- Most cadets (67.5%) have found the physical training to be difficult. Fewer cadets (27.7%) expressed concerns that physical performance would hinder them from completing the Academy.
- Most cadets (62.7%) believe that Academy staff provides them the support they need to be successful in physical training.
- Cadets were generally concerned that other cadets have separated from the Academy (54.2% agreed).
- More than half of the cadets (54.2%) reported that they had heard some Academy training staff make comments that mock or ridicule the reimagined training curriculum, yet most cadets (91.4%) believed that the staff is committed to, and places a positive emphasis on, community engagement and community policing.
- A few cadets (12%) considered the training to be out of step with reforms being promoted by the department, but almost all (95.2%) expressed that what they are learning is consistent with their moral and ethical values.
- Almost all cadets (96.4%) believe that Academy instructors respect people in the community.
- Almost all cadets (98.8%) believe that the staff encourages cadets to be empathetic and respectful towards all members of the community regardless of race, gender, sexual orientation, or economic status.
- The substantial majority of cadets (92.8%) feel that the Academy is welcoming to all cadets regardless of race, ethnicity, gender, or sexual orientation.
- Only 14.5% of cadets disagreed with the idea that all cadets experience equal treatment.
- Cadets largely believe that behavioral modification or performance accountability drills are needed to instill discipline and correct cadet mistakes and infractions (89.2%). However, approximately half of cadets (48.2%) believe that some behavioral modification sessions are counter-productive or unnecessary.
- Few cadets (9.6%) expressed concerns that instructors humiliate cadets with no good reason, and no cadets reported feeling personally impacted when corrected by instructors for a mistake.
- Most cadets found instructors easy to talk to (85.5%) and expressed comfort discussing concerns or troubles with instructors (56.6%). Cadets also generally believe that their instructors care about them (80.7%), feel a sense of commitment to them (71.1%), and want cadets to succeed (97.6%).
- Cadets largely expressed mutual respect between themselves and their instructors (73.5% agreement), and almost all cadets reported working hard in response to instructors' advice (98.8%).
- Most cadets felt that they could get help from instructors when needed (69.9%), and more (91.6%) felt they could get help from other cadets. Still, 7.2% of cadets expressed disagreement with the idea that they belong at the Academy.
- Few cadets expressed dissatisfaction with their training experience (7.2%), and almost all (98.8%) believe that their training experience will help them become good officers.
- Few cadets (13.3%) expressed concerns that the Academy does not adequately prepare cadets for the challenges of modern policing.



- A small group of cadets (7.2%) expressed discomfort with things they are asked to do at the Academy. Most cadets (81.9%) agreed that instructors engage in activities that help them unlock their potential.

### **Comments**

At the end of the survey, cadets were asked if they had any additional comments, questions, or concerns. There were 47 substantive responses that included a variety of praises, concerns, and criticisms (57% of the class). For example, some cadets praised their overall experience and the Academy's commitment to reimagined policing. Some also praised the instructors and their commitment to the success of the cadets.

The two most common criticisms concerned the Academy's COVID-19 policies and the lack of instructional videos. In particular, cadets criticized the lack of accommodations offered to those who have to quarantine due to positive COVID-19 tests or close contacts.<sup>11</sup> Examples concerning the COVID protocols include the following:

- "If the cadets are being mandated to wear a mask, why not let them wear medical masks designed to prevent disease instead of a neck gator designed to regulate body temperature?"
- "The COVID policies in this academy are not well thought out. It's causing friction between cadets and the idea that the academy staff has our best interest at heart. There should be a way to telework (which was done in the last academy) from home."
- "Not having COVID days built into the schedule during a pandemic was more than irresponsible. Two cadets' careers ended before they even started, due to this short sightedness."
- "COVID testing during skills week is like being thrown into a pit of snakes and saying, 'Don't get bit'."
- "We have had instructors say they get sick time and get to come back if they get COVID and we don't, so we better just 'not get it'."
- "I find the way the COVID issue is being handled to be completely unsatisfactory. I take all necessary precautions and do nothing to risk contracting it in my personal life, so if I test positive, it will be because I acquired it at work. Despite this, we're told that if we contract it, we're out."

Cadets were also frustrated that, in many of their courses, instructional videos that would normally have been used were absent:

- "Not sure why they are not allowed to show us videos. They help us have a better understanding of the topics."
- "Having visual real-world examples to apply what we're learning can engage all types of learners as well as create more dynamic lectures. Pedagogy generally encourages incorporating a multitude of media to reiterate key material. Without real examples, many students lose the impact and importance of certain material."
- "I feel like more videos in our training would help drastically to have examples and demonstrations of what subject is at hand. I feel like we are missing out on so much without having videos."
- "The reimagined program should NOT take away great learning example[s] (such as videos). They do not cause hatred in cadets. They teach us WHAT NOT TO DO or what to do in similar situations."

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<sup>11</sup> After receiving the survey results, APD Executive Staff had the Wellness Center deliver 6,000 N-95 masks to the academy to be distributed to cadet training and academy staff.

Most of the cadets are visual learners and taking that tool away has made learning extremely difficult.”

As discussed in Section 7.4, the lack of videos concerns the decision by APD leadership earlier this year to not authorize the use of instructional videos that have not first been reviewed and commented on by the Community Video Review Panel. Additionally, delays in re-establishing the Panel and a slow start, combined with the Panel's concerns about needing a facilitator and some confusion over the Panel's role (advisory vs. oversight), have further interfered with the use of instructional videos. Since, in some instances, cadets have tied the lack of instructional videos to the “reimagined” process, it is important to improve and formalize the video review process. The Panel is currently working with APD to clarify and formalize the Panel's mission and process (see section 7.4).

Other cadet comments reflected the following additional issues and concerns:

- “Instructors should understand that not all cadets have the same physical fitness level.”
- “I have yet to ask a question in the classroom setting because of the strict rules surrounding addressing instructors. I understand completely the need to demonstrate respect for instructors and there are plenty of opportunities for that throughout the day outside of the classroom. However, in the classroom, it is completely counterproductive.”
- “I think the lack of protective head gear for learning DT and sparring are hazardous and a lawsuit waiting to happen.”<sup>12</sup>
- “Some of the behavior protocols and behavior modification drills cause more harm than good.”
- “The instructors are great police officers but not always great teachers with certain subjects.”
- “I really think this re-imagined class is a detriment to the department. It feels purely political because of last year. It's obvious that the instructors can offer more practical training to us cadets if the muzzle of the re-imagined academy wasn't holding them back.”
- “I understand the importance of training and being physically [prepared] for the role of a peace officer. However, physical demands of the academy can be challenging in a way that results in physical injury. Especially when we have been sitting in class most of the day and unexpectedly engage in physical workouts due to behavioral issues.”
- “I feel like academically this Academy is not designed in favor for minorities. Exams are very tough, and you can only fail four out of the 22. If a cadet was not raised in a good School district with amazing study habits, then this Academy will be very tough on them.”
- “I feel that the behavioral modifications are a double-edged sword. On one hand, instilling a sense of group accountability for mistakes is realistic in the grand scope of policing. Chauvin's mistake was paid for by both officers and citizens at the protests here in Austin, so that needs to be understood by the cadets. On the other hand, we're told that we have been ‘reimagined’ in a dismissive tone, and that we're being trained in an adult learning environment only to have corporal punishment for mistakes, which runs contrary to both the concept of an adult learning environment and the five universal truths which are repeated to us.”

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<sup>12</sup> After reading this comment, LSU instructors were asked about the head gear and they provided articles supporting the reason behind not utilizing head gear (decreased vision and awareness and false sense of security). Kroll was made aware of the research supporting this decision when they visited to watch Defensive Tactics training in September.



## 6 DIVERSITY, EQUITY, AND INCLUSION TRAINING

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To date, Kroll has observed, either in-person or through a remote camera system, approximately 220 hours of Academy training. In addition to use-of-force and de-escalation training and certain tactical and physical training sessions, we have observed all course content related to cultural competency training, professional and ethical policing, and other courses that impact police-community relations. A summary of Kroll's course assessments that relate to diversity, equity, and inclusion (DEI), cultural competency training, and the ethics and professionalism of APD is included in this section of the report. Kroll's assessments of selected physical and skills training, de-escalation, and use-of-force training are addressed in Sections 8 and 9.



Members of the 144<sup>th</sup> Cadet Class

### 6.1 Cultural Competency Training

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Kroll observed in person or virtually all Academy courses to date that, broadly speaking, address DEI issues, cultural competency, and police-community relations. Accordingly, we provide below a brief description and assessment of the following courses:<sup>13</sup>

1. The History of Police and Race in America (newly added course)
2. Multiculturalism and Human Relations
3. Interacting with Transgender Individuals
4. Law Enforcement and the LGBTQ+ Community
5. Basic Spanish and Role Plays
6. Victims of Crime

#### **The History of Police and Race in America**

In an effort to provide historical context to community perceptions of APD and policing generally, the Office of Police Oversight collaborated with the University of Texas School of Law to develop *The History of Police and Race in America*, an eight-hour course that was newly added to the Academy curriculum for the 144<sup>th</sup>

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<sup>13</sup> Kroll will assess the following additional courses in the second half of training: Interactions with Individuals who are Deaf or Hard of Hearing, Civilian Interaction Training, and Victims Services.

cadet class. The course was taught by Dr. Kevin Foster, Associate Professor of Anthropology and Associate Chair of the African and African Diaspora Studies Department at the University of Texas at Austin. Additional comments and instruction were provided by Felicia Williams, Adjunct Professor of Criminal Justice at Austin Community College and a former police officer, and APD Sergeant Michael Monroe.



Professor Felicia Williams speaking with cadet class



Dr. Kevin Foster speaks with cadets during break

The course traced the history of policing from the 1840's to modern times and illustrated how police agencies have historically subjugated racial and ethnic minorities in the United States. The course curriculum was designed to inform cadets about the historical forces in Austin and elsewhere that impact modern perceptions of the police among communities of color and why people develop different perspectives of law enforcement. The curriculum is also designed to help cadets better understand and empathize with the diverse communities they are called to serve. As Dr. Foster explained, the course is designed to help cadets better understand how Austin's cultural and social history connect to what happens today and to enhance cadets' toolkits as they interact with people in the community. By understanding why certain people are distrustful of the police, or feel animosity towards the police, and how historical encounters involving the police affect community memory and family memory, cadets will hopefully develop into better, more informed, and more empathetic officers.

Dr. Foster is a dynamic and experienced educator and was an excellent choice to teach this course. He engaged freely and openly with the cadets, who actively participated by commenting and asking questions in response to questions and comments posed by Dr. Foster. The course allowed cadets to critically reflect on how their lived experiences and personal interactions with the police have shaped their own views of policing, and how another person's more negative experiences might shape his or her views. The course materials highlighted key historical events and other historical realities in Austin that have influenced how some community members continue to perceive the police today. The course involved a healthy combination of lecture, discussion, Q&A, role plays, and course materials (PowerPoint, handouts). Additionally, the cadets participated in discussion groups and exercises and actively engaged with specific flash points that have created tensions between APD and the Austin community.

The course as taught fully embraced adult learning methods and served as a valuable and important addition to the Academy's curriculum, which should help counter the perception that law enforcement is reluctant to address difficult and troubling facts about its past. By understanding the history that impacts

community perceptions, these cadets will be better prepared to deal with the complex realities of policing in a diverse urban environment, while better understanding how their presence and authority are sometimes perceived. As Dr. Foster noted, the professional calling of policing should be “not to ignore the past, but to fully acknowledge the past and be committed to making things better.”

### **Multiculturalism and Human Relations**

This eight-hour course provided an overview of the multiple cultures and population subgroups that exist in the city of Austin and addressed strategies for policing a multi-cultural and diverse society. The general training objectives were to: define key concepts and increase awareness of the role of multiculturalism in law enforcement; discuss the impact of multiculturalism on law enforcement; highlight cultural differences that may impact communication; recommend communication strategies to mitigate cultural differences and limit misunderstandings; differentiate between prejudice, types of bias, and discrimination; analyze the consequences of bias in law enforcement; and highlight APD policy related to discrimination and hate crimes.

The training also touched on the following:

- Politics must be kept out of the workplace
- Certain words can be offensive or imply different things to different people/groups
- Peace officers are here to serve and protect the community
- Law enforcement encounters can and should be a win-win (“We all come to work together, and we all go home together”)
- Fellow officers must be held accountable for their actions (e.g., give a fellow officer a ticket if he/she violated a traffic law)
- How to build trust with the community in today’s law enforcement environment
- Understand situations that create anger and learn how to manage that anger

The instructors did an excellent job teaching the cadets to manage these important issues, which should be specifically added to the curriculum in future cadet classes.

The APD instructors who taught this course were warm, friendly, inclusive, and exhibited an appropriate sense of humor. They also were open-minded and encouraged input.

Although the class involved some role play scenarios and discussion, much of the course was in lecture format with PowerPoints and other materials. The instructors provided thought-provoking questions and the cadets seemed engaged, but it was difficult to discern if the teaching methods employed were sufficient to ensure that cadets absorbed and understood the content. In the future, consideration should be given to utilizing more role-play scenarios where cadets act them out, followed by class discussions. This is particularly important for this topic area, which is, at times, abstract and addresses a gray area of policing – the use and application of “discretion.” Although instructors emphasized that, while law enforcement must be objective and unbiased, it frequently allows for the exercise of discretion based upon the situation. However, the class did not provide enough instruction concerning when, *in real time*, an officer may use discretion, and it failed to directly address situations where discretion would be inappropriate, unwise, or dangerous.

Similarly, when the instructors attempted to address the differences between prejudice and bias, it proved a difficult distinction for the cadets to make. In the future, it might be more effective to distinguish between strictly implicit vs. external (positive and negative) bias, as it is easier to distinguish between the two and to provide more direct guidance in addressing each form of bias.

Although several officers of different cultures/races/genders presented views of their own experiences to the class, they were quick overviews and one-way presentations of individual officers' viewpoints. Additional research and discussion may have been helpful, as would inviting participation of diverse community members. Learning may also be enhanced if, guided by instructors, cadets performed one-on-one role playing, watched and reacted to video scenarios, and discussed issues directly with community members.

Finally, this course lends itself well to co-facilitation with an outside subject matter expert. There is a great deal of social science taught in this class that would be better taught by social scientists who have access to many scenarios, data, and videos that address social behaviors relevant to this class. Team instruction with social scientists, police officers, community members and/or diversity/multi-culturalism experts would improve the overall instruction and effectiveness of the course.

### **Interacting with Transgender Individuals**

This course provided a solid introduction to issues involved with policing in the transgender community. It addressed APD's policy on community policing and police interactions with members of the transgender community, covered when an attack on a transgender person may constitute a hate crime, and addressed statistics on current discrimination practices and suicide rates among transgender individuals. The class was immediately followed by a 1.5-hour presentation from Dr. Wayne Maines, a parent of a transgender child, who spoke of the difficulties and challenges faced by transgender individuals and their families. This was a good supplement to the Transgender class and worked essentially as a co-facilitation.

Although this course is usually taught by Officer Greg Abbink, an openly transgender police officer (and subject matter expert on this topic), because he was unavailable, it was taught instead by a female officer who is openly gay but not transgender. While not as well-versed on transgender issues as Officer Abbink, she demonstrated a mastery of the materials and a credible recognition of key concepts and facts. She emphasized the importance of respectfulness to the transgender community and the fact that APD policy on interacting with transgender individuals supersedes individual beliefs or biases on the subject. The material was clearly and effectively presented and provided a solid introduction to the key issues and concepts that cadets need to know in this area.

The instructor made excellent use of the PowerPoint slides, which were well organized and involved a good mix of graphics, statistics, and key concepts (and policy). There was a strong emphasis on the importance of community policing and respectfulness in interacting with members of the transgender community. Overall, the course was an effective and valuable training module.

### **Law Enforcement and the LGBTQ+ Community**

This course is an introductory course intended to increase understanding of the LGBTQ+ community for future patrol officers. It was taught in a two-hour time slot during the four weeks in September/October when the cadets were split into four groups. The class observed by Kroll was co-taught by Sergeant Michael Crumrine, President of the Lesbian and Gay Peace Officers Association and a nationally renowned advocate for the LGBTQ+ community within law enforcement, and a female instructor who also is a subject-matter expert on LGBTQ issues and active in the LGBTQ community. Both instructors are knowledgeable of the subject matter and presented the material in an understandable and straightforward manner.

The course addressed current terminology relevant to discussions of LGBTQ issues, key historical events (including Supreme Court rulings) that have impacted the LGBTQ community's struggle for civil rights in the United States, past police abuses in LGBTQ communities that have created a lack of trust in law enforcement, and issues surrounding intimate partner violence in the LGBTQ community. Although the lesson plan also contained significant material on hate crime laws and important APD General Orders, a

lack of time caused the instructors to rush through and skip most of that content (the instructors subsequently provided the materials to the cadets). This course was originally designed to be taught over three hours, but it was reduced to two hours (for scheduling purposes) for the 144<sup>th</sup> cadet class.

The course provided a good introduction to issues involved with policing in the LGBTQ community and nicely supplemented the transgender course noted above. The instructors used a good mix of lecture, Power Point slides, class participation, and a role play scenario to present a broad array of important topics and concepts. However, APD should go back to making this a three-hour course in future cadet classes to ensure that all planned content is covered in an appropriate fashion. The importance of the LGBTQ+ community to Austin is too significant for this and similar classes to be cut short or rushed.

### **Basic Spanish Training and Role Plays**

From September 20 – 24, 2021, the Academy hosted eight community members with expertise in Spanish language pedagogy to observe one week of Academy Spanish training which reflects the full curriculum delivered to one quarter of the cohort (the week-long training is repeated in four subsequent weeks to train all of the cadets in the cohort). The community members included:

- Diana Young, a native Spanish speaker and language instructor who holds a MA in Spanish from Texas State University.
- Leslie Garza, a native Spanish speaker and Doctoral Teaching Assistant in Criminal Justice at Texas State University.
- Cecelia McMahon, a native Spanish speaker and professional translator who holds a MA in Spanish from Texas State University.
- Stephanie Ruiz, a native Spanish speaker who works with Safe Alliance providing translation services to clients.
- Elena Hernandez Melendez, a native Spanish speaker and language instructor who holds a MA in Spanish from Texas State University.
- Adam Rech, a native Spanish speaker and graduate student in Spanish at Texas State University who works in language instruction at Centro Cultural.
- Elizabeth Bustamante, a native Spanish speaker and undergraduate student in Criminal Justice at Texas State University.
- Lupita Tovar, a native Spanish speaker and language translator.

These community members observed the training, including the active learning components and final role plays. They also engaged with instructors and cadets to provide instructional support. Additionally, the group has formed a committee to provide a report to the department outlining performance and providing recommendations for future development.

Committee members have expressed positive reviews of the curriculum, instructional methods, cadets, and instructors. For example, Diana Young said, “I just got back from my second day of observation, and it has been quite an experience. I sure have a lot of admiration and respect for the terrific job done by the instructors and the cadets.” Cecelia McMahon added, “It was very interesting. Everyone at the Academy was very nice and polite, especially the police officers/actors who participated in the role-play scenarios. They were so helpful and willing to answer my questions.”



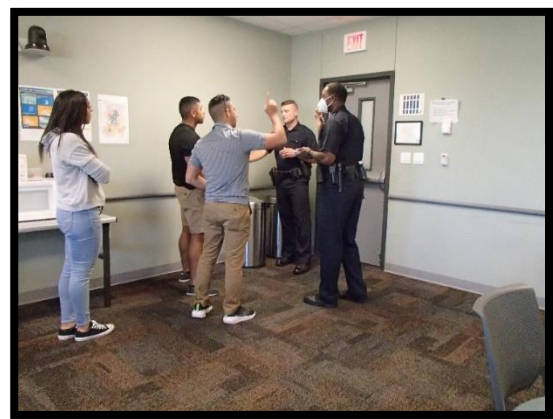
The committee members will be writing their report and delivering it to the department prior to the completion of the 144th cadet class. This report will be reviewed by Academy staff, who will incorporate its recommendations into the curriculum for the 145th cadet class.

#### Spanish Classroom Sessions and Role Play

Kroll observed some of the classroom activity during the Spanish language skills assessment, as well as numerous role play scenarios. The classroom portion featured lessons and refreshers for cadets to help identify core phrases useful to law enforcement. Cadets also engaged in activities that included asking a fellow cadet for their vehicle registration and proof of insurance. Throughout the training, the instructors exhibited a congenial manner and used levity to reinforce the lessons and phrasings.



Spanish Classroom Activity



Spanish Role Play Scenario

A typical role play scenario involved two cadets responding to a complaint of excessive noise emanating from a residence. The cadets simulated their response to the scene under observation by an instructor, approaching a classroom occupied by three persons with a loud radio playing in the background. The cadets announced their presence in Spanish, identified themselves as Austin Police Officers, and asked for the radio's volume to be lowered. As the conversation with the three occupants continued, the cadets were informed that one of the persons was assaulted earlier that week. This development complicated the original complaint and necessitated further questioning by the cadets.

After each role play, cadets were debriefed by the instructors, who identified strengths and shortcomings. The following concepts and comments were provided verbally to cadets during their debriefs:

- Distinguish between cover officer (safety / overwatch) and contact officer (interacts with persons on scene).
- Only the contact officer should take notes and engage in conversation.
- Reminder of language cues for rapid improvement for clarity, directness, and simplification.
- A Spanish-speaking officer can be requested for more robust questioning related to serious criminal incidents.
- Subject descriptions should be limited to simple identifiers, such as age, skin color, facial hair, height and weight, last contact, and direction of flight.

## **Victims of Crime**

This was a ten-hour course taught by Victims Services counselors and staff. All instructors have master's degrees in a mental health-oriented field, such as social work or counseling. The goal of the course was to help cadets identify the psychological, social, cultural, and economic impact of crime on victims and communities and how to intervene without causing additional harm. The course was divided into seven units that were designed to help cadets:

- Understand what a "victim" is and how to talk about victims, trauma, and support.
- Learn about the key neurobiological processes in play with trauma and how those processes can affect the victim.
- Identify the ways in which basic communication can be challenging and how traumatization and biases can create communication barriers.
- Learn about the different entities involved in responding to victims reporting a crime to law enforcement and what their rights and responsibilities are.
- Learn how to plan for and address the ripple effects of trauma and vicarious trauma.
- Learn about and begin to feel comfortable with the proper way of conducting a death notification.
- Review materials from the course and discuss key takeaways.

Questions were encouraged throughout the presentation and cadets were asked to share their personal observations and experiences. Active learning exercises included small group breakout sessions that discussed real-world scenarios and role plays that involved working with victims of crime. APD instructors participated by occasionally offering their personal law enforcement experiences and assisting in role playing.

The cadets remained highly engaged throughout this course, offering frequent comments and questions. They seemed to genuinely want to handle victims with care without adding to their traumatic experiences. The Victims Services counselors and staff were extremely knowledgeable and provided a sound mixture of personal experiences and hard data for content. When cadets expressed different or potentially misguided opinions, they gracefully allowed cadets to express themselves without telling them they were wrong, while offering a more informed approach.

The class involved a good balance between lecture and hands-on activities. Even when lecturing, the counselors told personal anecdotes that kept cadets engaged. During the role-playing scenarios, all cadets remained engaged whether involved in the scenario or not.<sup>14</sup>

Kroll believes that this course will provide immense benefit to cadets through enhanced knowledge about crisis and trauma reactions, which can be invaluable to the responding patrol officer in terms of providing victim sensitive services, using appropriate questioning techniques to elicit quality responses, and keeping everyone safe, including victims, witnesses, suspects, and officers. In addition, awareness of civilian support services, specifically Crisis Team services, enables officers to respond more effectively to the needs of victims, witnesses, and the community in general.

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<sup>14</sup> During one activity that required cadets to identify the victim, many cadets seemed to identify a victim based on their own judgments rather than what the law deems a victim. Accordingly, it may be beneficial for Academy trainers to review this aspect again with cadets prior to graduation.

## 6.2 Ethical Policing

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Kroll also observed in person or virtually Academy courses related to professionalism, procedural justice, ethics, racial profiling, the need for fairness and impartiality, and other important aspects of policing. Accordingly, we provide below a brief description and assessment of the following courses:<sup>15</sup>

1. Professionalism and Ethics
2. Racial Profiling (Biased-Based Policing)
3. Professional Policing
4. U.S. and Texas Constitutions
5. Sexual Harassment
6. Traumatic and Acquired Brain Injuries

### **Professionalism and Ethics**

This is a ten-hour, TCOLE-mandated course spread over two days of training designed to help cadets (1) assess ethical dilemmas in policing, (2) understand APD policy on an officer's duties to intercede and report unethical conduct, and (3) discuss the impact of law enforcement cultures on values and ethics. The lesson plan and course materials were reviewed and evaluated by the Academy Curriculum Review Committee (ACRC) prior to it being taught in the classroom and, as a result, many positive revisions were made to the curriculum, including a discussion about how society is harmed when agents of the government exhibit unethical behavior, the loss of legitimacy associated with citizens' experiences with unethical police behavior, and the impact of unethical behavior on the institution of policing. Certain limitations of the TCOLE materials were also identified.<sup>16</sup>

The course was taught by two APD instructors who exhibited a good understanding of the material and a positive attitude toward the subject matter. Although the majority of the course was taught through lecture format, with a 104-slide PowerPoint presentation and a 29-page student handout, it incorporated a variety of teaching strategies, including class discussion, Q&A, and interactive problem-solving and scenario-based exercises. For example, the instructors incorporated interactive discussion points on such topics as an officer receiving free coffee and its negative implications, an officer's duty to intervene in cases of unnecessary or excessive force, and examples of unethical criminal behavior. The instructors also addressed scenarios impacting professionalism and procedural justice. The cadets engaged in a good discussion during the second day of training on issues of transparency, including issues surrounding the release of body-worn camera video footage to the public.

As recommended in Kroll's report of April 23, 2021, the instructors incorporated references to relevant APD policies concerning the duty to intercede (which applies to sworn officers) and report violations of law or policy (which applies to all employees). On the second day of training, cadets were divided into nine groups for scenario-based exercises that required students to identify the relevant APD policy violated. The exercises covered procedural justice, investigating a friend, impartiality, and societal norms that impact police ethics. Also addressed were the implications of an officer violating *Brady v. Maryland* (i.e., the government's duty to disclose exculpatory evidence to criminal defendants) and certain provisions of federal and state law concerning an officer's behavior.

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<sup>15</sup> Kroll will assess Fair and Impartial Policing in the second half of Academy training.

<sup>16</sup> For this class, the Division Manager worked with the instructors to incorporate most of the ACRC's recommended changes. A system is now in place for instructors and Academy staff to further facilitate collaboration between the Academy and the ACRC by identifying the recommendations that were and were not incorporated into the lesson plan and providing feedback to the ACRC in a revisions folder established on a Google docs drive.

For the 145<sup>th</sup> cadet class, Kroll recommends that instruction on APD General Orders, Chapter 9, General Conduct and Responsibilities precede Professionalism & Ethics so the relevant APD policies can be more effectively assessed by cadets in the scenario-based role play exercises. Because this class began on the first official day of Academy training (with the second part of the course held on the fourth day), the cadets had not received any prior training or instruction on the provisions of these APD General Orders (governing APD's expectations of an officer's conduct on-and-off duty), so the class was not prepared to note which APD policy was violated in the scenario-based exercises. While the intent of the scenario-based exercises was good, and they should be included, these exercises would be more effective when cadets are already knowledgeable of the relevant APD General Orders.<sup>17</sup>

Finally, this course could benefit from some appropriate instructional videos; however, videos were not included in the teaching of this course due to insufficient time for relevant video content to be reviewed and commented on by the Community Video Review Panel, combined with APD leadership's decision to not use videos unless reviewed and approved by the community panel.

### **Racial Profiling (Bias-based Policing)**

This course is intended to help cadets understand APD policies, state and federal laws, and court cases that provide guidance on identifying and preventing racial profiling. Cadets are specifically trained on APD *General Order 328: Racial or Biased Based Profiling Policy*, which prohibits law enforcement actions based on "an individual's race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group rather than upon the individual's behavior" or other information that the individual is engaged in criminal activity.

The four instructors (all APD personnel) who taught this course relied primarily on lecture and PowerPoint slides. Overall, this class was a missed opportunity. The material—and its presentation—were flat, and the response from cadets was underwhelming.<sup>18</sup> The opportunities for cadet participation during this particular class were limited and many of the discussions and class activities were not well-facilitated. Throughout the course, several instructors were unable to satisfactorily answer cadets' questions.

The classroom activities also were not well developed. The instructions accompanying in-classroom activities were vague and ineffectively communicated (e.g., discuss "what can we do about profiling?"). The reports back from the sub-groups did not generate additional discussion, and instructors frequently responded, "Okay, what else?" During one activity, an instructor asked the class to raise their hands if they thought they could legally do each item on Slide 36. However, no discussion followed the raising of hands, and no information was provided regarding the right answer.

The material presented on court cases—Fourth Amendment search and seizure—was especially problematic as the cadets had not yet covered the introductory legal material (e.g., Arrest Search and Seizure was taught four weeks later). As a result, cadets had many questions about basic concepts (e.g., reasonable suspicion vs. probable cause, when they could stop someone, etc.). The instructors even noted: "I really wish this class was at a different part of the Academy because this would make a lot more sense to you." The instructors told the cadets to "write down questions you have, and we will address those later

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<sup>17</sup> Kroll brought this recommendation to the attention of the Division Manager on June 24, 2021, following the second day of Professionalism and Ethics.

<sup>18</sup> During the first break (after an hour of instruction), the cadets' sluggish demeanor and body language were addressed by an APD Sergeant, who asked: "Is this boring to you?" He noted their poor posture, body language, and participation, and said they needed to turn it around.

in the Academy.” At one point, an instructor grew frustrated with trying to explain the information and said, “This will all be explained later [in academy training]”.

The instructors eventually fell behind in the lesson plan due to all of the questions (especially regarding cadets’ confusion around case law), which in turn required the instructors to rush through material in the remaining sections, acknowledging they had to breeze through important concepts to get back on track (e.g., “I know we burned through this, but we had to make-up some time”). To make up time, the cadets were not given a break for the last two hours. As a result, the cadets became less attentive and lost focus toward the end, with a few cadets leaving, presumably to use the restrooms during the instruction period.

Moreover, a negative emphasis was placed on the collection of traffic and pedestrian stop data. For example, instructors made comments such as: “any stop you make, data is collected on it and we can figure out if you’re treating groups of people differently”; “the government tracks all this information”; “officers lying on forms are caught”; “they can find out if you’re profiling”; “if your numbers aren’t right, the government will find out”; “people can massage the data any way they want”; “the use of statistics is mixed at best”; and “defense attorneys look at your historical information and use it against you”. Cadets likely were left with many misimpressions about how data is used, which potentially sets in motion negative impressions and suspicion of collecting data that continues into the field and has become a mainstay in policing culture.

A discussion about the legislative mandates and APD policy prohibiting racial profiling was non-existent. Cadets were told to read the legislative requirements and APD Policy and to look up additional information in their books. The instructor asked, “Any questions?” Group response: NO; “Any issues with that?” Group response: NO; “Any confusion?” Group response: NO. A definition of “racial profiling” was not provided until more than three hours into the class, and the definition was read in less than 20 seconds with no discussion or follow-up.

Overall, the class came across as uninspired, “check-the-box” training, with no real discussion of the relevant issues. The class would be enhanced if someone with lived experience described the impact that a negative police encounter had on them. This is a natural fit for community involvement or even a fellow Black officer who has been stopped under questionable circumstances.

On a positive note, there was a solid description of the history of racial profiling. There was also an effective presentation of the concepts of “Are you investigating a crime? Or are you investigating a person to find a crime?” with a strong indication that APD Officers should be doing the former. During one Q&A period, a cadet responded with a comment/example that suggested otherwise and was quickly and unequivocally corrected by the instructor.

Although most of the content of the class was well-covered, the specific details on search/seizure cases and the ordering of the material within the class – coupled with the lack of prerequisite information regarding the legal requirements for traffic/pedestrian stops – seemed to challenge the instructors. For the 145<sup>th</sup> cadet class, Kroll recommends that this course be reordered in the overall curriculum with some of the material reworked for a more effective presentation.<sup>19</sup>

### **Professional Policing**

This course describes significant historical events that have influenced policing in the United States, including the historical development and effectiveness of police service models and styles, and how policing has evolved in Texas. It also discusses the importance of community policing, the different aspects of

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<sup>19</sup> We note that this course has been reviewed by the Academy Curriculum Review Committee, which provided substantial feedback and recommended improvements. The Academy is working to revise this course consistent with those recommendations for the 145<sup>th</sup> cadet class.



community policing, and how community policing differs from community relations. The objective of the course is to help cadets understand different models and philosophies of policing and the strengths and weaknesses of each. The course covered six hours and was taught primarily through lecture and PowerPoint format, as the nature of the material did not lend itself naturally to scenarios or role play exercises.

The course placed a strong emphasis on the tenets of community policing, which according to General Order 105, serves as the basis for APD's mission and guiding principles. The purpose of community policing is to build mutual respect and collaborative police-community partnerships while also practicing fair and impartial policing and procedurally-just behavior with the community and citizens of Austin. The philosophy is predicated on the belief that achieving these goals requires police departments to develop meaningful relationships with the communities that APD serves. This approach provides citizens a greater voice in setting local police priorities to improve the overall quality of life in their neighborhoods. It shifts the focus of police work from handling random calls to solving community problems.

While the course provided a basic foundation of the history and development of different police models and their strengths and weaknesses, it did not robustly address the issues of racial and social equity that impact policing in urban environments today. However, the addition of The History of Police and Race in America, which was taught after this course, made up for this deficiency by supplementing the study and history of policing from a more equitable historical lens.

### **U.S. and Texas Constitutions**

This is a state-mandated, ten-hour course that provides a basic history on the foundations of the U.S. and Texas constitutions, Texas criminal procedure, the Bill of Rights, and the criminal justice system. The general training objectives were for cadets to gain a basic understanding of the court system, its function, and how policing intersects with this process. Cadets learned about the three branches of government and the separation of powers, with a special emphasis on individual freedoms and liberties.

The course was taught in lecture format with the aid of over 150 PowerPoint slides and a six-page handout on constitutional rights. Class discussion and Q&A were encouraged. Although the lesson plan and course materials needed substantial revision and improvement, the instructor demonstrated an understanding of the material, exhibited a positive attitude toward the subject matter, and appeared to enjoy providing this training. He valued different points of view, was respectful to the cadets and the community, and demonstrated a high degree of cultural competency.

Kroll notes that the instructor appeared before the Academy Curriculum Review Committee after presenting this course and explained how the course was taught and answered questions about some of the course content. The Committee took issue with one of the sources cited in the lesson plan that appeared to be linked to a politically controversial individual and was unnecessary to the training. The instructor, who had not originally developed the lesson plan or included the controversial source, acknowledged the problematic source, explained the basic principle that was discussed at that point in the course (for which there are many, better and less controversial sources), and agreed to replace the source with a more appropriate citation for use in future classes.<sup>20</sup>

Although several active learning scenarios were noted throughout the course lesson plan, some were not used during the instruction because on the first day of the class, cadets were taken outside for a

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<sup>20</sup> The Committee recommended substantial revisions and changes to the lesson plan. Because it is unclear how many of the recommendations were specifically implemented in this class, Kroll recommends that staff work closely with the Division Manager and Training Supervisor to ensure that a thorough review and analysis of the lesson plan for this course occur before the 145<sup>th</sup> cadet class.

performance accountability drill that delayed the start of class by approximately 45 minutes, and on the second day, the History of Policing and Race in America ran over its allotted time and truncated this class by an additional 30 minutes.

Nevertheless, the course encouraged critical thinking skills that should benefit cadets when they are on active duty in the field. Additional constitutional principles and concepts are threaded throughout the Academy (e.g., Arrest Search and Seizure, Use of Force), which should reinforce key concepts.

Kroll recommends that Academy staff and instructors work to ensure that future scheduling conflicts and time limitations not interfere with the course in the future, as several sections of the course were somewhat rushed to enable all the content to be covered.

### **Sexual Harassment**

This course was taught by a male-female team of APD officers who demonstrated a basic level of mastery of the subject matter. Overall, the instructors covered the basic content, including the essence of City and APD anti-harassment policies, including the prohibition on sexual harassment, what conduct is prohibited, how to recognize it, and what to do if it occurs. However, in some cases, an instructor read verbatim from the policy instead of using PowerPoint slides or handouts to provide clear examples of prohibited conduct. Use of hypothetical scenarios for discussion purposes might have been more effective in underscoring the key points and concepts. The PowerPoint slides that were used provided clear definitions and some good examples of sexually harassing behavior, but for the sections on Retaliation/Responsibilities and Reporting, the slides or handouts could have been used more effectively.

There was too much emphasis placed on “you have to be careful because you might offend someone” with your comments and actions (i.e., even if you don’t think you did or said anything wrong) and that “you could get in trouble.” It would be better to emphasize that all forms of harassment and retaliation are strictly prohibited because this sort of conduct is wrong and cannot be tolerated.

The section on reporting allegations of harassment was covered superficially and did not come across clearly; this is an important piece that needs to be more effectively presented because cadets who believe they have been harassed or discriminated against need to know how to report such concerns and to whom. While this information is set forth in the lesson plans and was addressed in one of the slides, it was not as clear as it should have been.

The instructors had an accessible and effective tone and style – they were interactive and made a good effort at incorporating adult learning methods, encouraged Q&A, mixed in examples, and asked cadets to offer their own examples. For the most part, the PowerPoint slides and lesson plan incorporated the key concepts and provided some good examples, but this did not always come through while listening to and watching the presentation.

This course could benefit from use of an outside subject matter expert (e.g., EEOC trainer, City HR or Legal representative with expertise on this issue, local Title IX official at a college or university who trains on sexual harassment) and could more effectively be taught by someone who regularly trains others on these matters or who regularly investigates and resolves allegations of the various forms of discrimination and harassment.

Kroll recommends a more comprehensive course of instruction to include role playing scenarios on how to report when the abuser is your supervisor and what actions the department should take to eliminate the circumstances surrounding a potentially hostile work environment while an investigation is being conducted. Changing APD culture begins at the Academy. This course should include a 4-hour block of instruction that

also encompasses the policies and reporting requirements covering other types of workplace discrimination in addition to sexual harassment.<sup>21</sup>

### **Traumatic and Acquired Brain Injury**

This is a state-mandated, two-hour course that addresses how to assess and identify trauma from brain injuries that impact a person's cognitive ability. The course explains what a traumatic brain injury is, its signs and symptoms, and how such injuries are incurred. It also addresses how traumatic brain injuries differ from non-traumatic brain injuries, the various health issues associated with traumatic brain injuries that first responders come in contact with, effective communication techniques, the resources that are available for officers when confronting someone with a traumatic brain injury, and the impact of police officer interactions with the public.

The course was taught by an APD officer with the aid of a 59-slide PowerPoint presentation and a 19-page student handout. The instructor demonstrated a good grasp of the material and appropriately emphasized the importance of considering the totality of the circumstances whenever assessing what action to take so as not to escalate a situation unnecessarily. The instructor familiarized cadets with the various cognitive behaviors that may arise from trauma associated with brain injuries (such as may result from car accidents or other serious injury inducing incident). Throughout the course, the instructor emphasized the importance of assessing each incident by slowing things down and not escalating the situation, which provided the cadets with positive de-escalation reinforcement in this short block of training. The instructor also provided an overview of services that are available to assist officers when interacting with persons that may have experienced a traumatic brain injury.

The instructor provided several active learning scenarios that generated good class discussions (e.g., one scenario involved how an officer incorrectly assessed an incident and brought charges that ended up being dismissed because the officer was not aware of the accused's traumatic brain injury). Overall, the course provided meaningful instruction on how to de-escalate situations by slowing things down in the assessment phase (critical thinking) and by providing options in handling situations involving a person in crisis from a traumatic brain injury.

To enhance future classes, the Academy may wish to consider bringing in an outside expert for a portion of the class to further explain technical medical concepts and the resources and services available to help with these situations.

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<sup>21</sup> Kroll has discussed our concerns about this course with the Division Manager and we understand that the Academy is currently revising and modifying the course for the 145<sup>th</sup> cadet class.

## 7 COMMUNITY ENGAGEMENT AND PARTICIPATION

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*“Community policing requires the active building of positive relationships with members of the community.” – The President’s Task Force on 21<sup>st</sup> Century Policing*

As noted in Sections 4 and 5.1, APD has placed increased emphasis on community engagement and community concerns throughout the training schedule for the 144<sup>th</sup> cadet class. As addressed below, while the Academy’s community engagement programming has been excellent, and while there is significantly improved community input and transparency with respect to the training curriculum and content, there remain areas in need of improvement and better communication with community stakeholders.

### 7.1 Community Engagement Programming

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To begin addressing community concerns and developing well-rounded cadets with a holistic view of policing, the Academy added approximately 30 hours of community engagement and lived experience programming to the training schedule. This is in addition to the two-week Community Connect program discussed in Section 4. Accordingly, the 144<sup>th</sup> cadet class schedule includes more than a dozen sessions devoted to community-focused content led by community leaders and activists from a wide variety of organizations.

For example, on the fourth day of Academy training, the cadets heard from Sherwin Patton of **Life Anew**, which serves the Austin community by working to produce a sense of well-being and belonging by cultivating opportunities for “radical inclusiveness.” Patton spoke about the need to build relationships, develop empathy, and understand one another. “Sometimes you are going to confront people who get angry at you.” An officer’s ability to look at someone and understand why they feel as they do will go a long way to preventing conflict and de-escalating encounters. “The more we know of who someone is, the better we can engage them – but you need to ask and listen and remove the invisible barriers of assumptions.” By developing the skills of empathy and creating empathetic environments, Patton explained, officers are better able to place themselves in other people’s shoes.

Patton also explained the concept of restorative justice and emphasized the need for officers to take a relational approach when interacting with people, which will make everyone safer and avoid provoking those who might react negatively to a more aggressive, transactional approach. He asked, “As an officer, how would you want people to see you? As relational? Or as someone here just to do a job?” Patton affirmed the importance of policing in the community. “But we need to know how to treat one another” and to “create a caring community.” “Everybody wants to feel they’re part of the human family.”

Additional community engagement sessions have reinforced the importance of empathy and building meaningful relationships with the people and communities that cadets, as sworn officers, will interact with. In addition to Life Anew, the Academy has sponsored the following additional community engagement sessions as of October 1, 2021:

**Dr. Wayne Maines** – The father of a transgender child, Dr. Maines spoke personally of the fears, threats, and challenges faced by transgender individuals and their families, including high rates of suicide and assault that underscore the need for compassion and understanding. Dr. Maines told the cadets that, as members of the “young generation of police officers,” they are part of the solution. “You’re going to make a difference so that everyone in Austin gets to be who they want to be.”

**Refugee Services of Texas (RST)** – RST is a social-services agency dedicated to assisting refugees and other displaced persons fleeing persecution based on race, religion, nationality, political opinion, or membership in a particular social group. Joanna Mendez, a community wellness manager, spoke with the cadets about the journeys experienced by refugees when fleeing their home countries in coming to the United States and the dangers they face with human traffickers. Ms. Mendez explained the importance of officers approaching refugees with a trauma-informed care approach so as not to re-traumatize them. She explained everything in an accessible manner and engaged in a robust Q&A session with the cadets, who appeared to enjoy and value the presentation. She explained that it was not an officer's job to act as a refugee expert, but that her agency is there to help officers whenever necessary.

**Jail to Jobs** – Jail to Jobs is an Austin-based non-profit that has developed a program to include employment-based mentoring for incarcerated youth, which helps them find purpose through personal growth and achievement. Most of the Jail to Jobs staff are ex-felons with past experiences that allow them to relate to the youth they serve while positively influencing them. The speakers emphasized how important it is for officers to be partners with youth in vulnerable communities to encourage relationships in hopes that they will see APD as allies and not enemies. The cadets were encouraged to interact and build relationships with kids, even when they are not in trouble. Although the cadets had limited time to interact with the speakers, they seemed to appreciate the work they did and understood the value of creating relationships with young people.

**Mothers Against Drunk Driving (MADD)** – MADD is a national organization with a presence in Austin that works to end drunk and drug-impaired driving, prevent underage drinking, and support victims. This was a virtual presentation, with the speaker appearing on a large screen as the cadets observed from the classroom. The speaker noted that Travis County ranked fifth in Texas for the number of drunk driving accidents in 2020. She explained MADD's community outreach efforts, underage drinking prevention programs, law enforcement outreach, and victim services. She gave emotionally charged testimony about how she lost her husband (and father of her young son) to drinking and driving in 1999, an experience that continues to cause extreme anguish and pain. She emphasized that the choices and actions we make affect everyone in our lives and she encouraged cadets to use MADD as a valuable community resource.

**Aging Services Council of Central Texas** – Aging Services Council is a network of individuals and organizations who work to ensure that older adults and caregivers have the information and services they need to support themselves and family members as they age. The Council helps to identify and address challenges in the larger systems that impact seniors while also working to address the needs of the aging population, identify and fill service gaps, share information about available services, and serve as an advocate for senior issues. The presenter discussed elderly demographics in Travis County and explained that seniors often dial 911 because they are lonely and want to interact with someone, and that falls are one of the biggest risks to senior health. She went over the things to look for when communicating with elderly people and outlined how cadets can help older adults with dementia. She also discussed the mission of the Aging Services Council and its services and initiatives. She asked the cadets what to look for during a wellness check of a senior citizen and received a variety of thoughtful and informed answers.

**Measure Austin / Data Integrity** – Measure Austin was founded in 2015 by Jameila "Meme" Styles when she challenged APD to "show me the numbers" used to report the results of agency performance measures. Perceiving a disconnect between the department's big data reporting and the community, Ms. Styles was prompted to create a methodology to measure community policing. Today, the organization addresses community policing along with health, education, and economic disparities. This session was co-led by Ms. Styles and Dr. Jonathan Kringen, APD's Chief Data Officer. Ms. Styles talked about her organization, how data is important to addressing issues of police accountability, and how evidence-based policing has become an important social movement in community policing initiatives. Dr. Jonathan Kringen explained



how technology has impacted policing and described the different types of evidence-based policing and importance of “data integrity.” Together, they explored with the cadets the many contemporary issues facing policing today and how data collection and evidence-based policing can help bridge the gaps in police-community divisions. Both presenters did an excellent job at conveying how data positively impacts police-community relations and improvements in day-to-day policing.

### **Additional Planned Content**

A total of 37 hours of community engagement programming is scheduled to be completed by the end of Academy training, including a seven-hour Groundwater Analysis feedback session on October 22, 2021, and planned community engagement sessions with the National Alliance on Mental Illness, Settlement Home, Texas Association for the Deaf, Just Liberty, Citizen Led Austin Safety Partnership, and eight hours of scheduled but as yet unspecified programming.

## **7.2 Use of Outside Experts**

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The Kroll Assessment Report (p. 96) recommended that Academy staff thoroughly review all DEI-related courses and determine which may benefit from an outside, more academically or community-oriented content expert. We expressed that many DEI courses can be taught more effectively pursuant to a co-facilitation model in which courses are co-taught by APD instructors in cooperation with appropriate subject matter experts or community allies who can provide direct community perspectives to certain course content. This latter point was reinforced during the cadet feedback session on September 23, 2021, when a cadet suggested that a course such as Multiculturalism and Human Relations would be enhanced by hearing directly from community members of diverse backgrounds and lived experiences. As noted in our assessment report, it is important that whoever teaches and presents in DEI-related courses have credibility with both the community and law enforcement.

From our discussions with the Division Manager and other members of Academy staff, there remains a reluctance among many instructors to embrace the concept of a co-facilitated teaching model in most courses. Nonetheless, outside content experts have been or are being utilized in the 144<sup>th</sup> cadet class in such courses as The History of Police and Race in America, Victims of Crime, and Spanish role plays (during skills week). Additionally, Interacting with Transgender Individuals was combined with an outside guest who spoke of the challenges of raising transgender children, and Law Enforcement and the LGBTQ+ Community is taught by an openly gay police officer with appropriate subject-matter expertise. Courses scheduled to be taught or co-taught with an external subject-matter expert in the second half of Academy training include Interacting with Individuals who are Deaf or Hard of Hearing and Fair and Impartial Policing.

The Division Manager is continuing to examine courses that may be enhanced by a co-teaching model and she is working with instructors on being more open to a co-facilitation teaching model. Moreover, it is Kroll’s hope that the newly formed Academy Curriculum Review Committee, in addition to examining course content, will identify and recommend specific resources and subject-matter experts who may be willing to co-teach certain Academy courses.

## **7.3 Academy Curriculum Review Committee**

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The Academy Curriculum Review Committee (ACRC or “Committee”) appears to be working relatively well, with good dialogue and discussion among Committee members and assigned Academy staff. The process for Committee members to provide feedback and suggested revisions to Academy curriculum has been robust and collaborative. Given time constraints, the Committee has prioritized certain modules that were

scheduled early in the 32-week Academy, along with other courses on the Committee's priority list. Unfortunately, time limitations in the preliminary stages limited the Academy's ability (through the Division Manager or relevant instructors) to provide feedback regarding the Committee's proposed modifications in some of the initial courses reviewed.

Committee members have informed Kroll that, ideally, more time is needed to properly process and review course content in order to propose recommended revisions while allowing time for feedback and comments from Academy staff. The Committee believes that, while a review of curriculum and content is important, it is equally important to understand how the curriculum is taught in the classroom, and how each course fits into overall Academy instruction. The Committee would like an opportunity to examine the final, revised curriculum before it is taught, as well as an opportunity to debrief instructors *after* the course has been taught.

The committee is particularly interested to learn what Academy instructors take from the Committee's recommendations and whether the Committee's proposed revisions and modifications to the curriculum are incorporated into the final course content (and if not, why not). For example, the Committee provided many substantive recommendations for the Professionalism and Ethics course, as well as for the course on Multiculturalism. And yet, those courses were taught before the Committee learned whether the recommendations were implemented. Kroll confirmed, however, that the Division Manager worked with the course instructors to incorporate the revisions into the course curriculum prior to the classes being taught. The Division Manager subsequently reported back to the Committee indicating the actions taken to the Committee's recommendations.

Starting with the Committee's working session on July 28, 2021—which addressed courses on the U.S. Constitution, Arrest Search and Seizure, and Victims of Crime—instructors with responsibility for those courses were present to explain how the courses were taught and to answer questions from Committee members. Kroll observed a healthy and productive dialogue between the instructors (two APD officers from the Academy and two from Victim Services) and the Committee, which led to recommended improvements moving forward that the instructors agreed to implement. For example, Committee members expressed concerns about a source citation in the U.S. Constitution lesson plan and whether the course might be presenting a politically motivated (right-wing) perspective. The instructor, who had a good understanding of the course content and how it is presented in class, helped alleviate concerns while acknowledging that the particular source citation at issue could be perceived as problematic (even if insignificant to the overall content of the course) and agreed to remove and replace the source with a more objective, non-political source citation. In Kroll's judgment, this session provided an excellent example of precisely how this Committee should function.<sup>22</sup>

Another important concern of the Committee is that some TCOLE-mandated material is outdated and potentially harmful. The Committee understands that the Academy does not have the authority to change or substantially modify TCOLE-mandated content. Nevertheless, the Committee has indicated that it will attempt to document instances in which they believe TCOLE curriculum is not consistent with best practices.

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<sup>22</sup> Kroll notes, however, that the day after this session a negative article appeared in a widely read blog on local issues that unfairly attacked the police academy for presenting a politically skewed perspective to cadets. The blog suggested that APD was presenting a politically conservative view of constitutional law without acknowledging the magnanimity with which the instructor handled the committee's criticism of the problematic source citation and agreed to replace it with a more politically neutral citation. This unfortunate incident, while later addressed in a subsequent committee meeting, had the potential to undermine the mutual trust and dialogue this committee needs to function as intended. It is imperative that discussion and dialogue at committee meetings between Academy staff and committee members be encouraged by maintaining a collaborative space within the framework of those meetings.

To date, Kroll has observed that, while the Committee does not always trust that its guidance and recommendations will be sufficiently addressed by APD, Academy staff appears to be making a good faith effort to adopt and incorporate most of the Committee's recommendations. In the short term, the Division Manager is primarily responsible for ensuring that the Committee's guidance is considered and adopted whenever appropriate. While as a practical matter this was the most efficient and productive solution to addressing the Committee's concerns in the first few months of the Committee's work, it will become increasingly important in the long term to provide the Division Manager with the support needed to remain responsive to the Committee while ensuring accountability and buy-in from Academy staff.

Ultimately, the Committee believes it is important to take a holistic review of Academy training. Kroll agrees wholeheartedly. We suggest, however, that despite some early frustrations due to time constraints, the Committee and the Academy take a long view on the workings of the ACRC. The process implemented now will allow, over time, the Committee to function as intended – to provide valuable insight and perspective into Academy training that will lead to collaborative changes to Academy instruction and enhance the Academy's emphasis on procedural justice, empathy, acknowledgement of racial trauma, the need for de-escalation, and sensitivity to community concerns.

Moreover, while it is essential that outside academic and community perspectives be provided to Academy curriculum, the implementation and incorporation of those recommendations – and a final decision on which of the Committee's recommendations can and should be adopted – should rest with the Division Manager in consultation with Academy leadership.

## 7.4 Community Video Review Panel

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Although the Community Video Review Panel (CVRP or "Panel") was re-constituted shortly before the start of the 144<sup>th</sup> cadet class, process issues and logistical considerations have so far prevented the Panel from reviewing and commenting on a large number of videos. Nevertheless, despite some recent delays, when meetings have occurred, Kroll has observed positive dialogue between community and Academy participants. Early dysfunction in the workings of the Panel was caused in part by miscommunications from APD and Academy leadership.<sup>23</sup> For example, although the original Panel had indicated its approval of 17 videos during its first 7-month review (which ended in January 2021), there remained a misunderstanding among Academy staff as to whether instructors could use any videos until reviewed and commented on by the current Panel. Kroll clarified from the Panel that any videos previously approved did not need to be re-reviewed, as the Panel was concerned only that APD not use videos for which the Panel had previously expressed reservations without first allowing the Panel to review modified or replacement videos.

Regardless, the slowness of the process in obtaining "approval" of videos and the difficulty of finding appropriate replacement videos has negatively impacted the effectiveness of classroom training. For example, in the Racial Profiling course, the only video that was used in the class was a description of the personal experiences of a biracial male as he described his fear of police. While the message presented was a valuable addition to the course presentation, it may not have translated to cadets because it concerned Canadian law enforcement and was several years old (it referenced the "recent" incident in Ferguson, Missouri). More relevant and timely videos are currently available that provide valuable perspectives of minorities and people of color during their interactions with police that could be used

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<sup>23</sup> Kroll notes that the current Chief and the Assistant Chief and Commander over the Academy, as well as several of the Lieutenants, entered their positions during preparations for the 144<sup>th</sup> cadet class. In that these officials were not party to the previous committee and Academy work, there was a substantial communication breakdown and loss of institutional knowledge. Kroll has further observed that many Academy practices function under an informal information system and need improved documentation.

instead, but for this and several courses in the 144<sup>th</sup> cadet class, the timing of the video review process has been problematic.

The lack of videos currently being used in Academy training is a result of APD leadership's decision earlier this year to not use instructional videos unless first reviewed and commented on by the CVRP. The lack of instructional videos in the 144<sup>th</sup> cadet class was a major topic of concern in the anonymous cadet survey (see section 5.5). Many cadets expressed concern that their learning is being hampered by instructors' inability to use instructional videos, which can be an important tool of active learning methodology. As one cadet noted, it is important to see "what not to do" in some cases to help cadets understand the consequences of tactical mistakes and judgement errors.

Kroll believes, therefore, that the Panel needs further clarification regarding its purpose and mission. In Kroll's view, the CVRP is an opportunity for select community representatives to offer meaningful input and community perspectives regarding significant aspects of Academy instruction, i.e., the use of videos as instructional tools. It is important that there be a process in place to ensure that Academy instructional videos are subject to some form of community input and that the Academy makes appropriate changes and adjustments in response to the Panel's expressed concerns.

That said, the Panel was initiated to fulfill an advisory role and it is unworkable for the Panel to effectively possess veto power over the Academy's ability to use instructional videos in certain courses, especially those that have traditionally relied on videos for key instructional topics. To function properly, the Panel's community and Academy participants should engage in meaningful dialogue over (1) the manner in which citizens are portrayed in videos, (2) the manner in which officers treat citizens in the videos, (3) the need for balanced representation in the videos of negative (and positive) police-citizen encounters, (4) the need for overall racial, ethnic, and gender diversity among the officers and citizens portrayed in the videos, and (5) the explicit and implicit messages that the videos send to cadets, such as whether a video promotes an "us versus them" mentality or excessively heightens the danger imperative of policing while appropriately addressing issues of proper tactics and officer and community safety. However, these items can be effectively addressed only with a full understanding of the context in which a particular video is used during a course and the instructional messaging that accompanies the video.

In sessions observed by Kroll in August, Panel members and Academy staff engaged in positive and open dialogue that allowed the Panel to address four questions concerning each video reviewed: (1) Does the video accomplish its intended goals (as explained by the instructor)? (2) Are there any equity concerns? (3) Are there any negative patterns that are being reinforced by the video? (4) Are there any recommendations to improve or replace the video?

Academy staff, led by Lt. Chris Davis, has proposed a revised video review process that will include a worksheet to document video reviews, identify additional sources of video content suitable for use in Academy courses, and help instructors (current and future) incorporate community perspectives and lived experiences into video reviews.

Finalization of a standard review form and internal review process is expected to be completed by the end of October. Post-analysis course reviews will then be conducted with the associated instructors and the Panel beginning in November. Feedback received during these sessions will be used to make appropriate changes to the review process as needed. This is anticipated to continue through December.

Academy staff has expressed that, if the revised process is agreed to by the Panel, it will better enable the Panel to recommend how videos should be reviewed and analyzed by Academy instructors when deciding which videos to use in a particular course. This revised process will essentially place ultimate responsibility on instructors and supervisors to adjust instructional videos according to community input and guidance,

as opposed to having the Panel painstakingly evaluate individual videos, a process that has proven to be ineffective. Moreover, developing a system for staff to collect aggregate data about the videos currently in the Academy's video library will help document characteristics such as (1) the nature of the video content, (2) whether the police-citizen interactions depicted are positive, neutral or negative, and (3) the demographics of the individuals depicted, among other factors.

For this to work, however, it is imperative that Academy staff thoroughly review the videos currently being used, catalogue the relevant information on the video review worksheets, and review the aggregated video information for each course and make appropriate adjustments to the videos based on community concerns. To ensure that community concerns and feedback are appropriately considered, select courses and the videos to be used in them should be addressed during scheduled Panel meetings where the course instructor can provide contextual details and receive feedback directly from the Panel.

Finally, recommendations from the Panel regarding additional sources of suitable videos for inclusion in Academy courses will help the Academy update and expand the video library. With the proper effort from Academy instructors and staff, this process will provide the Academy with direct input regarding various community lenses through which training videos can be seen, as well as the lived experiences of community Panel members and how instructional videos are used in Academy training.

Although the details should be worked out between the Panel and APD, Kroll agrees with the intent of the revised process – i.e., to allow APD to address many of the Panel's previously expressed concerns by internally focusing on how videos are framed in the context of each course, how balanced are the videos, do the videos avoid an "us vs. them" depiction of policing, and similar concerns. Meanwhile, this broader process should allow the Panel more efficiently to review the Academy's existing video library pool and provide comments and recommendations. With this valuable input and data analysis, Kroll believes that the revised process will be more efficient and help improve and expand the current video library.<sup>24</sup>

Kroll will continue to monitor the progress and effectiveness of the CVRP in the second half of the 144<sup>th</sup> cadet class.

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<sup>24</sup> Currently, there appears to be confusion over the need for an external facilitator to assist with dialogue between APD and Panel members. The Panel feels strongly that a facilitator is needed and, although Sherwyn Patton of Life Anew initially acted as facilitator, that is no longer the case. We understand that APD is currently looking for a new 3<sup>rd</sup>-party facilitator that will be acceptable to the Panel to replace Mr. Patton.



## 8 PHYSICAL AND TACTICAL SKILLS TRAINING

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Kroll has conducted in-person observations of a significant cross-section of physical and tactical skills training. Most of the tactical training is led by the Learned Skills Unit, while the daily physical fitness training is led by the Cadet Training Unit.

Kroll has not observed, overheard, or been informed of any unprofessional or discourteous behavior exhibited by the instructors toward the cadets during these training sessions. The attitude and tone of the Academy training staff has been consistently direct, engaging, candid, informative, and empowering. Moreover, we have noticed several instructors and supervisors who have consistently had positive interactions with cadets, both collectively and individually. In particular, the Learned Skills instructors have exhibited commendable rapport and evenhandedness in conveying necessary skill and techniques, as well as offering insight and lessons that provide conceptual understanding.

### 8.1 Physical Fitness

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As recommended in the Kroll Assessment Report, the Academy has increased physical fitness training from approximately 40 hours to 96 hours for the 144<sup>th</sup> cadet class, including several sessions of Physical Training (PT) that were combined with Defensive Tactics (DT) training. PT was scheduled on a near daily basis for the first 12 weeks of Academy training, with PT scheduled less frequently (typically 2-3 times per week) in the remainder of training. As of this report, most feedback provided to Kroll from cadets and instructors has been positive. Based on this feedback and Kroll's observations, PT is well managed and involves a combination of stretching, running, cross-fit, and physical exercises (outdoors and in the gym) that is helping cadets maintain better physical condition and, in some cases, lose excess weight. This should allow cadets who were not in superb physical shape at the start of the Academy develop more confidence and contribute to their health and wellness. Hopefully, this added training will also provide the tools for cadets, once they become sworn officers, to continue to develop a personal physical fitness program that will contribute to their well-being.

One concern noted, however, is the need for the Academy to re-assess and evaluate its PT standards and requirements for acceptance into and graduation from the Academy. Two cadets failed the PT Assessment on the third day of training, including one cadet who was a good runner in excellent physical shape, but who could not meet the required score on the rowing component of the assessment. Several instructors and supervisors commented that the PT Assessment standards do not always correspond to what is essential and necessary to developing into a good police officer. In our long-term recommendations, Kroll urged the need for a continued assessment of what is essential to become a police officer versus how additional emphasis on PT in the Academy can improve the health, wellness, and overall physical fitness of the cadets who are to become officers.

We note that APD has begun the process of evaluating the current physical fitness standards used in hiring and training. The department has formed a team to review available data on applicant and cadet performance as well as consider any issues such as potential impact on specific groups of applicants or cadets. The team includes Lt. Jay Swann and Officer Eric Cortez from Recruiting, Lt. Robert Miljenovich from Cadet Training, Kelly Sears, the department's Fitness Specialist, and Dr. Jonathan Kringen, the department's Chief Data Officer. The team has analyzed data and made initial recommendations about aligning physical fitness standards. The first recommendation was implemented on September 28, 2021.

The team has begun evaluating historic data on applicants and cadets to establish the extent to which physical fitness testing in recruiting predicts successful Academy completion. The team has also begun to explore how the fitness standards used within the Academy relate to working as an officer in the department. This process includes evaluation of fitness data previously collected on APD officers as well as a review of fitness standards for current officers that relate to specific specialized assignments for officers. Currently there are three specialized assignments within the department that require fitness evaluation: SWAT, Lake Patrol, and Cadet Training.

The team has made initial recommendations to executive staff, and the first recommendation, aligning recruit physical fitness standards with existing physical fitness standards for specialized assignments within the department, was officially adopted on September 28, 2021. The change qualified five applicants that would have been disqualified under the previous rules in subsequent applicant testing. APD Recruiting will be contacting any previously tested applicants that were disqualified under the previous rules but who may qualify under the revised rules, to extend offers to continue their applications with the department.

In addition, the team is currently developing a project to evaluate the relationship between physical fitness testing standards and the ability to perform Bona Fide Occupational Qualifications (BFOQ) job duties using data to be collected from current officers. They also are exploring alternate physical fitness testing processes, including batteries of tests scored, so that no specific activity can serve as a disqualifier on its own. The team is currently analyzing the Validated Physical Ability Test (VPAT-S) as utilized by the Los Angeles Sheriff's Office as one example of this type of approach.

## 8.2 Team-Building Exercises

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As noted in Kroll's April 2021 report, starting with the 142<sup>nd</sup> cadet class, the Academy replaced Stress Reaction Training (SRT)—a military boot-camp form of training involving a series of intense physical exercises that pushed cadets to their physical and psychological limits and resulted in excessive injuries and allegations of hazing and abuse—with Team Building Exercises (TBX). According to the lesson plan, the goal of TBX is “to create a physically and mentally stressful environment through exercise and problem solving,” which “will serve as an important introduction to the importance of teamwork and the need for strong leadership in law enforcement” consistent with the “philosophy, values, vision, and mission of the Austin Police Department.”

Kroll observed TBX instruction on July 2, 2021, during the second week of training. The exercises commenced at approximately 7:30 a.m. and concluded at 12:00 p.m. As observed by Kroll, TBX was comprised of six physically challenging exercise-based drills that required collaboration among cadets to finish within the time constraints of each segment.

Cadets were taxed at high levels of physical exertion throughout each drill under the supervision and direction of APD instructors. Weather conditions were warm and mostly sunny, with temperatures in the low 90s. Cadets were closely monitored for indications of heat exhaustion and related concerns. Austin Travis County Emergency Medical Technicians (EMTs) were on scene for each of the drills. A handful of cadets required low level attention for heat-related conditions, but all cadets completed the TBX. At approximately 11:00 am, the EMTs directed the instructors to have each cadet submerge their forearms in coolers filled with ice and water as an advance treatment against the morning's high heat.

The TBX drills were regimented and highly demanding, but at no time during Kroll's presence were cadets berated or demeaned. The instructors provided encouraging comments, such as, “Work together, don't be afraid to take charge, and give 100% effort the entire time” and an emphasis on “communication,” “leadership,” and “motivation.”

One cadet reportedly experienced rhabdomyolysis, which is typically caused by over-exertion and results in the breakdown of skeletal muscle fibers with leakage of muscle contents into the circulation. The cadet was admitted to the hospital on July 2<sup>nd</sup> and released two days later.

In addition to the instructors leading each cadet group, senior APD leadership was present for TBX, including the Commander and the Lieutenant over Cadet Training. The below photographs show portions of the TBX session:



Cadets cooling forearms during high heat



Cadets scaling obstacle



Cadet team building

Based on Kroll's observations, TBX was well-planned and executed, effectively creating a physically and mentally stressful environment through exercise and problem solving that emphasized the importance of teamwork and leadership in a positive and controlled manner.

## 8.3 Learned Skills Unit and Defensive Tactics Training

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The Learned Skills Unit (LSU) instructors at the Academy are divided into two units – Defensive Tactics and Firearms – with six instructors assigned to Defensive Tactics and nine instructors to Firearms. The instructors possess different skills and backgrounds, but all have received substantial training at the federal and state levels, as well as in special operations.

In addition to teaching cadets at the Academy, LSU staff review body camera and in-vehicle camera footage of all APD incidents that occur each week so they can assess what techniques are effective and not effective from an officer and community safety perspective. This allows them to constantly evaluate training effectiveness and implement needed adjustments. LSU also handles APD's in-service training and firearms certifications, including less-lethal qualifications, Taser updates, and armory duties. Although most in-service training occurs at the Academy (1–2 day training sessions), many of the shorter refresher trainings occur in the field, with LSU instructors traveling to the various sub-stations or commands throughout APD districts. These refresher training courses are highly beneficial to APD as it keeps officers current and up to date in their training and skill levels.

Kroll has observed various aspects of the training Academy that are led by LSU. Our observations to date are noted below.

- **Basic 8 / Striking Fundamentals**

In Kroll's report of April 23, 2021, we recommended that the Academy design a defensive tactics program where cadets worked with instructors and each other to learn proper defensive tactics before they were tested near the end of training. We believed this would assist in team building and allow cadets to learn and build the skills to succeed.

Kroll observed the inaugural session of Basic 8 / Striking Fundamentals on July 6, 2021.<sup>25</sup> The course commenced at 7:30 a.m. and concluded at 4:20 p.m. Basic 8 is intended to convey to cadets the fundamentals of striking, falling safely, and grappling with a violent adversary. The cadets exhibited a broad range of skillsets, from some with obvious proficiency to others who were inexperienced and lacking familiarity with defensive tactics.

Cadets were informed of each drill and provided demonstration of proper form and application, from basic stance and combination punches to clinching, sprawling and break falls. Particular emphasis was placed on body positioning for weapon protection and other self-protective measures (not leading with the head, shielding jaw / chin with shoulder, proper fist and arm positioning).

Cadets were additionally informed that the day's lesson plan was based upon beginner's tools and tactics, and that they were being taught to "crawl, walk, run." Concepts of stance, position, posture and what to observe in a potential adversary were reinforced frequently.

The average ratio of cadets to instructors was 35 to 3. The instructor cadre was supplemented with adjunct instructors, experienced APD officers who volunteered to assist for the Basic 8 course. The instructors and adjuncts had a medical plan prepared, in the event of injury, to include a trauma response team, communications to summon EMS, and additional support including First Aid and Austin Emergency Department resources.

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<sup>25</sup> Video footage of defensive tactics instruction can be found on the APD Recruiting Facebook page: <https://www.facebook.com/JoinAPD/videos/10158583195814611>



The instructors exhibited expertise in their coaching and individual and group communication with cadets. Although the pacing of the day's drill was strenuous and challenging, at no time were instructors or adjuncts demeaning or overbearing towards cadets.

Senior leadership was present throughout the day, including Dr. Kringen, Commander Johnson, Assistant Chief Mason, as well as uniformed command staff.<sup>26</sup>



Instruction on upper cut drills

- **Defensive Tactics for Physical Training**

Kroll observed several LSU training sessions that focused on inducing stress as a result of physical exertion. The objective of the training was to “catch shortcomings now to avoid it on the street.” During the training, the instructors emphasized the importance of avoiding overreaction so as not to unnecessarily escalate a situation. The instructor delivered the training in a modest, supportive manner, using his technique demonstrations to impart confidence, clarity and expertise.

In one session, after a calisthenic warm-up, cadets were coached through a series of controlled falls and stand-up drills, referred to as “Technical Stand Up.” This technique instructed cadets on how to regain their feet while minimizing vulnerability from an adversary, including blading their body to shield their sidearm.

For much of the session, instructors observed the cadets’ skill levels and invested effort. Drills intended to cause exertion included bear crawls, lateral bear crawls, light sparring, core burners with weighted medicine balls, and various techniques associated with Brazilian Jiu-Jitsu (see photograph below).

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<sup>26</sup> Kroll recommends that protective padding be affixed to the walls of the Academy gymnasium to minimize potential injury and allow for additional drills utilizing corners and blind spot scenarios during future similar courses.



Kroll was informed that the instructors were pushing the cadets gradually harder by increasing hand-to-hand intensity, per the lesson plan, in advance of September's Skills Week sessions.



A separate DT session was conducted outdoors due to conflicted scheduling of the gymnasium, which is a frequent administrative issue at the Academy. In this session, the cadets were self-led in their early warm-ups, and then directed to commence the following routines on the Academy's 400 meter outdoor running track:

- Run / walk combination – one lap
- Run / jog combination – one lap
- Run – 4 x 50 meter segments
- Sprint – 4 x 50 (x 3 laps)

The final drill featured 400 meters of walking lunges. The temperature was in the high 90s. One cadet experienced a hamstring injury, which was attended to with guided stretching, limited movement, and rest. Cadets were encouraged to compete in the sprints, and good-natured humor was utilized to distract from the high heat conditions.



Another DT session was observed two days later that repeated the above drills. Weather conditions were hot, with no breeze or cloud cover. At the conclusion of the session, the cadets were acknowledged for

their effort, evaluated for an “injury check” and told to “embrace the heat.” Each of the above DT sessions were led by multiple instructors with the supervision of two sergeants and one lieutenant.

### **Arrest and Control – Skills Week**

For four weeks of training in September and early October, the cadets are divided into four groups and assigned to different aspects of training. During the week of September 20-24, 2021, Kroll observed significant portions of Arrest and Control Defensive Tactics, which constitutes one week of skills training led by LSU instructors. We describe below some important components of this training.

#### *FIST Suit Exercise*

On September 23, 2021, Kroll observed one instructor and two adjunct instructors utilize FIST suits (padded gear and helmets designed to absorb impact without injury) while cadets were issued padded batons and required to engage instructors in one-on-one exercises. Cadets were cautioned to not strike the head or neck and were reminded that, in the field, such strikes are warranted only in instances of justified deadly force.



FIST Suit Exercise

The exercise allows cadets to utilize their striking skills at full force while issuing verbal commands, creating space, closing the distance for direct contact, adjusting angles of approach, and maintaining composure during elevated exertion and stress.

#### *Defensive Tactics Ring Exercise*

At the start of the week, Kroll observed the Defensive Tactics ring exercise, which replaced what was formerly called “Will to Win” or “Fight Day.” As recommended in the Kroll Assessment Report, in previous weeks, cadets were trained with the building blocks for defensive tactics. Cadets were first provided an opportunity to warm up and stretch. They then gathered into groups of three, jogged two laps around the running track, performed a set of air squats and a set of burpees before punching a heavy bag for two minutes before entering a ring with an instructor.

Upon entering the ring, each cadet assumed a push-up position and was given the following instructions:

- Stand up in a defensive stance.
- Upon hearing a whistle, actively engage in Defensive Tactics with the instructor.
- Deliver punches and defend against the instructor’s punches.
- Blows to the head are prohibited.

The drill is intended to place cadets in a stressful setting to determine if they can follow instructions and maintain composure while engaging against a threat for at least a two-minute duration. Three Instructors were assigned to each cadet. One instructor engaged the cadet physically in the ring while two Instructors watched to ensure compliance with safety protocols.

If the cadet engaged for the full two minutes, the training evolution was successfully completed. Cadets who swung wildly, threw punches to the head, or who gave up and stopped defending themselves were stopped and required to repeat the training.

Throughout this exercise, instructors maintained professionalism, displayed highly competent self-defense skills, and effectively conveyed pertinent information to cadets. Although several cadets became winded due to physical exertion, and while others received body blows from the instructors and appeared to lose their stamina, all cadets successfully completed the training.

Kroll observed four cadets who paused during the training or appeared overwhelmed. These cadets repeated the training cycle, during which the pre-ring physical activity was lessened by half. Three of these cadets successfully completed the training during the second evolution. The fourth cadet needed to repeat the training a third time.

The training placed cadets under stress and succeeded in taxing them physically. The instructors were measured in delivering their punches and attempted to keep each cadet actively engaged in the drill. The instructors were alert and attentive to all indications of a cadet becoming overwhelmed or failing to maintain a high level of engagement. The instructors' messaging to cadets throughout the exercise was to not give up and to manage stress levels by controlling breathing.

Following the ring training, the instructors continued to provide information to the cadets concerning defensive tactics. Cadets continued to perform repetitions of the training, gaining muscle memory of the tactics and the utilization of the less lethal tools on their duty belts. Each day throughout the week, the cadets combined training segments and were tested under pressure to exhibit proficiency under stress.

#### Water Pit Drill

On the final day of Skills Week, the cadets were refreshed on all of the training and allowed several rotations to complete evolutions of the training to further enhance their skills. The training culminated with a Team Building Exercise in which 10 cadets were taken outside and required to perform numerous training repetitions of all the skills learned during the week. This training occurred in an outside area designed to simulate real life encounters. It occurred in a large puddle, where the cadets were sprayed with water to increase stress levels. The location provided soft ground for takedowns, thus limiting the risk of injury. The cadets became soaking wet during the exercise and covered with mud, further enhancing the reality of the training and increasing the stress levels. For cadet safety, an instructor donned boots and walked each inch of the training area to ensure that no hard objects were present that could injure a cadet.



Kroll observed that the exercise was intense and stressful for some cadets. A portion of the class experienced diminished skills on their self-defense proficiency during heightened stress. With additional coaching and instruction, all cadets successfully completed the training, which tested five key self-defense concepts: Counter Front Headlock, Counter Side Headlock, Counter Rear Choke, Counter to Bear Hug – Arms Trapped, and Counter to Bear Hug – Arms Free.



A large presence of instructors and supervisors observed the exercise, including the LSU corporal and lieutenant and Assistant Chief Mason.

Kroll found the training to be an effective Team Building Exercise that placed cadets under appropriate levels of stress and tested their skills. The instructor messaging was consistent with training a resilient police officer, emphasizing that cadets needed to train and improve their self-defense skills while under acute stress, as well as manage that stress to ensure their safety and the safety of those they are interacting with. Emphasis was placed on the need to control breathing during a crisis to utilize the muscle memory achieved in training.

At the completion of the training evolution, Kroll interviewed three cadets, including one female cadet, regarding the training week. They all reported the instruction to be informative and well-presented and felt the training was conducted in a safe manner. Kroll inquired if the female cadet had any concerns with modesty issues during the outside training in the water, and she reported having no issues or concerns. The cadets viewed the training as an effective team building exercise that enhanced the classroom learning. They identified the messaging by the instructors that they owed it to themselves and the community to master self-defense tactics and manage stress levels during encounters.



### Memorialized Statements from Skills Week

Throughout Skills Week, Kroll overheard instructors offering guidance, reminders, and admonitions intended to support and guide the cadets through the training, such as the following:

- “Breathe and relax.” “Always create space.” “Your footwork is paramount.”
- “There’s no money on the mats. Keep your eyes up and off the floor.”
- “This is the physical part of de-escalation, when words are not enough. What have you learned?”
- “We must be professional in all things. When one of us fails, we all fail. This job expects imperfect people to be perfect every time.”



Skills Week Day 1 Debrief



Handcuffing Demonstration

LSU's Defensive Tactics instructors informed Kroll that, while injuries do occur during tactical training throughout the Academy, most injuries occur during cadet-on-cadet exercises. Because LSU staff are highly physical and extremely well trained, they are more controlled when engaging directly with cadets during tactical instruction. Everything that occurs during stressful environments is highly controlled. The purpose of putting cadets through (controlled) stressful scenarios is to ensure that cadets are properly prepared for stressful environments when they leave the Academy and begin patrolling.

Kroll confirmed that LSU staff is working to include DEI-content in some of the tactical courses, including incorporating Spanish into certain DT exercises, addressing search and frisk techniques involving transgender individuals, addressing special concerns with hearing-impaired individuals, and incorporating cultural competency issues and sensitivities when interacting with particular ethnic groups in the city.

### **LSU Staffing and Facilities Needs**

Within the past two years, LSU has been developing an adjunct instructor base so that experienced officers can supplement the limited LSU staff and help train on certain skill sets. LSU has been attempting to schedule Instructor Development Days to allow for more training of the adjuncts, but resources are currently limited.

One issue highlighted by LSU's DT team is the need for additional instructors. With only six DT instructors, the DT team is often spread thin and has little room to absorb injuries (as instructors occasionally get injured themselves). Kroll observed that LSU supervisors have limited direct involvement with cadets and do not frequently participate or assist with the actual instruction. This is a shortcoming that needs to be addressed. Academy supervisors should be experienced at teaching cadets and hands-on participants in the training of cadets (as well as supervising instructors).



The current Academy facility is another spot of contention for the LSU team, which constantly struggles to schedule gym time and make do with substandard facilities (e.g., insufficient outdoor space, subpar turf that contributes to ankle sprains and other injuries, lack of adequate showers and bathrooms) that are shared with two sister public service agencies (EMS and Fire). This is an issue that should be further studied and addressed.

Better coordination is needed between LSU and Cadet Training in scheduling. It is important that certain courses precede others and without the proper coordination and supervisors speaking with instructors and each unit speaking to the other, scheduling mishaps will occur. This has happened with several courses in the 144<sup>th</sup> cadet class for which there is no justifiable excuse.

Based on our observations and discussions with LSU staff and supervisors, Kroll recommends that APD consider the following:

- LSU and Cadet Training must more directly coordinate and cooperate, along with Academy leadership, to ensure that the Academy schedule teaches courses in the required and most logical sequence. Better forecasting of training is also needed so LSU instructors have sufficient time to prepare, train, provide in-service and firearms training, and rest before leading the intensive cadet training sessions for which they are responsible.
- Additional funding should be provided for APD to hire additional LSU instructors to assist the current LSU staff at the Academy. LSU instructors are not only responsible for cadet skills training but also for all in-service skills training, reviewing use-of-force reports and other after-action items, and training adjunct instructors, among other responsibilities.
- FTO and in-service training should be expanded to the nine commands within APD. This will require additional full-time staff and expanded use in some cases of adjunct instructors. While the training should be centrally managed at the Academy, the training should be implemented at each of the Area Commands and/or sub-stations, with a sergeant and corporal taking responsibility for mandatory in-service training at each location.
- More opportunities for professional development and physical training should be provided to LSU instructors. This is a recognition of the extreme physical demands placed on LSU instructors, who would benefit from more development opportunities, as well as the opportunity to share training techniques and notes with sister agencies.
- Academy facilities improvements should be studied and addressed.
- APD should explore the possibility of partnering with the Austin Community College campus in Kyle, Texas, to assist with FTO and in-service training. Through its criminal justice program, the college has TCOLE-certified instructors and facilities that could help supplement the available training resources within APD.
- APD should employ civilians (e.g., retired police officers) as safety officers at the Academy firearms range. Currently, Academy staff (i.e., the nine members of the Firearms Unit within LSU) expends valuable time filling this role at the Firearms range, which diverts needed resources that could be better utilized for instruction.

## 8.4 Other Skills Training

Kroll also observed courses taught by Cadet Training in the 8-Step Approach Traffic Stop and by LSU in First-Responder Trauma Care. Both courses are discussed below.

- **8-Step Traffic Stop**

Cadet Training taught the 8-step approach to traffic stops. Following the classroom portion, numerous instructors assisted in field exercises. The lead instructor guided cadets through the following pointers in advance of the field exercises. His tone was supportive, informative, calm, and confident.

- Communication is a survival skill
- Learn to slow down the pace of the event
- Maximize tactical advantage through positioning, observation, and movement
- Always assess in advance the most significant threat
- Video evidence is paramount
- Prioritize radio communication by location, vehicle description and identifiers
- Position the patrol car to offset the traffic dangers of passing vehicles

The class was directed to six stations, each featuring a different scenario under the guidance of an instructor. The stations were spread across the Academy campus to feature roadways and environmental settings. Cadets conducted simulated traffic stops, dismounted vehicle approaches (included raised vehicles with poor sightlines to driver and passenger), arrest and detention drills, verbal role play, and radio communications.

Each station conducted debriefs to highlight positives from each interaction and acknowledge aspects for improvement. Cadets were coached on body positioning in relation to vehicle and driver, spoken commands, radio traffic clarity, and situational awareness.

Kroll observed activity at each of the six stations as instructors guided cadets through the scenarios and provided direct feedback in a positive and educational manner, often referencing their own learning curve and their preferred practices and mannerisms developed over years of service.

A debrief was conducted by the lead instructor in the classroom upon conclusion of the station scenarios. A common point raised by cadets was that additional time for the scenarios and classroom portion would be highly beneficial.





- **First Responder Trauma Care**

Police officers are routinely placed in situations where they are the first to come in contact with the victims of violent crimes and other seriously injured persons. Accordingly, this course is designed to help cadets understand the basic trauma care they need to know as first responders. Cadets are taught the different phases of tactical emergency casualty care, how to quickly assess the nature and severity of a person's injuries and determine the appropriate course of action, how to use their individually issued first aid kits, and the role of police officers in applying trauma care.

In addition to lecture and PowerPoint instruction, cadets broke into small groups for hands-on practice sessions. Cadets practiced the BATH (Breathing, Airway, Tension, and Hypothermia) assessment on each other and provided feedback on areas that their fellow cadets missed or could have done better. The instructors appropriately emphasized the importance and lifesaving implications of a full coverage assessment as opposed to a speedy assessment. At one point, the instructors took the class outside and used visual presentations (e.g., imitation blood) to demonstrate what dangerous levels of blood loss look like and to allow cadets to practice applying a tourniquet on a classmate and on themselves. Although the course lesson plan included 16 active learning scenarios, due to time limitations, the instructors focused primarily on the hands-on scenarios that involved the BATH assessment and application of a tourniquet.

The instructors were experienced and knowledgeable and did a good job of covering the curriculum. The hands-on instruction was particularly effective, with excellent feedback provided by the cadets to each other. The instructors encouraged discussion and Q&A, did a good job of answering cadets' questions, demonstrated cultural competency, and taught the class in a manner respectful of community concerns.

## 9 DE-ESCALATION / USE-OF-FORCE TRAINING

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Few issues are as important in police training today as de-escalation and use of force (i.e., when application of force is justified and necessary and how to avoid and de-escalate force whenever possible). While not all of the relevant training in this area has been completed, Kroll's observations and assessments of the relevant course content to date is discussed in this section.

### 9.1 ICAT Training

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ICAT (Integrating Communications, Assessment, and Tactics) is an evidence-based best practice designed by the Police Executive Research Forum (PERF) to help police officers "safely and professionally resolve critical incidents involving subjects who may pose a danger to themselves or others but who are not armed with firearms." (<https://www.policeforum.org/assets/icattrainingguide.pdf>). ICAT training is focused on de-escalation tactics and critical thinking skills for the management of potentially volatile police-citizen encounters, encouraging the integration of crisis recognition and intervention, communication skills, and operational tactics in police responses. This training is designed for patrol officers responding to circumstances involving persons in crisis – that is, individuals that may be behaving erratically due to mental health concerns, substance use, situational stress, or intellectual/developmental disabilities.

The ICAT training was scheduled in two parts: (1) 7.0 classroom hours of ICAT curriculum, and (2) 4.0 hours of Hasty React Team exhibition/practical application. The first 2.0 hours of Hasty React training occurred in the classroom. The training was divided into two days.

#### **Day 1**

Instruction included a variety of teaching techniques, including lecture, class participation and discussion, critical thinking exercises, videos, and scenario-based training. It was accompanied by a 143-page training guide, a 46-slide PowerPoint presentation, and several relevant instructional videos that were used for scenario-based training, case studies, and exploring other options (e.g., tactical, operational, additional resources, etc.) in given scenarios. Instructors emphasized the importance of debriefing (after action) during and after critical incidents, and included the following principles during the training session:

- The Critical Decision-Making Model
- Crisis Recognition
- Tactical Communications
- Suicide by Cop
- Operational Tactics (including Tactical Pause).

Each principle was supported by videos of police footage showing actual encounters, as instructors engaged the class on other options available to the officers and discussed the positives and negatives of each situation. The training also included case studies of various incidents that facilitated robust class participation, discussion and Q&A. Also emphasized and discussed were the "5 Cs":

- Contain
- Control
- Communicate
- Call for Resources
- Create a plan

ICAT effectively teaches the de-escalation principle that Distance + Cover = Time. The goal is to achieve voluntary compliance with no force used.

Day 1 also included a discussion of the Safety Priority Scale - (1) innocent civilians and victims, (2) first responders, and (3) suspect(s) - in which the safety of hostages, innocent persons and officers typically take priority over the safety of individuals engaged in criminal or suicidal behavior. Instructors emphasized PERF Guiding Principle #1: that the sanctity of human life should be at the heart of everything an agency does. Agency mission statements, policies, and training curricula should emphasize the sanctity of all human life – the public, police officers, and criminal suspects – and the importance of treating all persons with dignity and respect.

## **Day 2**

Day 2 included APD's Hasty React Training, which has been made a part of the ICAT/de-escalation training.<sup>27</sup> This included 4.0 hours of training, including 2.0 hours of hands-on training, role play scenarios (forming teams), and defining of roles and responsibilities (less lethal, lethal, and communicator/hands free officer focusing on tactical operations & de-escalation). Videos were also effectively used in this training, which facilitated class participation and learning.

The goal of Day 2 training was to help cadets understand the practical application of how, when, and where to deploy a Hasty React Team safely. The principles of cover and concealment, tactical advantage and pause, and continuous assessment (components of ICAT) were integrated and reemphasized throughout this instruction, as were the importance of the "5 Cs". Critical thinking exercises and questions were also effectively used in this training, which further facilitated class discussion.

**ICAT Refresher Training:** Kroll notes that APD offers ICAT refresher training as an elective so that, upon graduation from the Academy, any cadet can register to receive additional refresher training, which we highly recommend.

**Updates to ICAT Training Guide:** APD used the PERF ICAT Training Guide dated February 2021. PERF released an update to the ICAT Training Guide in June 2021, after the beginning of the 144th cadet class. The training guide is a flexible training program that is subject to change as new issues and concepts are integrated. The ICAT Training Guide can be taught as a standalone training or incorporated into an agency's existing de-escalation training, as deemed appropriate, to reduce overlap and any redundancy.

Kroll requested a plan of action from APD Academy Command on how and when the 144th cadet class will receive the updated version of ICAT training, as well as when the updated ICAT Training Guide will be ready for the 145th cadet class and become available as needed for field personnel as part of mandatory in-service or refresher training. The Commander has informed us that the Continuing Education Unit (CEU) will teach the updated ICAT curriculum to the 144th cadet class on January 26, 2022. The instruction will include the updated module 5 (suicide by cop) information in its entirety. Moving forward, the Academy will provide the 145th and future cadet classes with the June 2021 material, unless new updates become available prior to the date of instruction. If that occurs, the material will be extrapolated at the time of the update and distributed to the current cadet class.

**Point of Clarification:** Kroll notes that PERF's ICAT Training Guide does not require a 16-hour course of instruction, although the materials can be used to facilitate up to 16 hours of de-escalation training depending on the size of the class. The PERF ICAT Training Guide is generally designed for approximately 8 to 9 hours of classroom instruction. For the 144th cadet class, APD scheduled 11.0 hours of ICAT de-

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<sup>27</sup> This is the first time APD has integrated a component of the Hasty React training into the ICAT de-escalation Training Guide.



escalation/Hasty React Team classroom training. However, Kroll observed a total of 10.5 hours of classroom de-escalation training.<sup>28</sup> Although Day 1 included the scheduled seven hours of ICAT classroom training, the beginning of class on Day 2 was interrupted for 30 minutes due to implementation of a Performance Accountability measure, allegedly due to unsatisfactory cadet behavioral issues.<sup>29</sup> Due to this delay, the Hasty React instructor had to rush through the classroom instruction to cover all the material. This delay reduced the time allotted for practicing the Hasty React Team concept outside the classroom.

Due to the importance of de-escalation training, Kroll recommends that no other training, including performance accountability measures, be allowed to interfere with and shorten the time allocated for this course of instruction.<sup>30</sup>

## 9.2 Crisis Intervention Team (CIT) Training

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This training is scheduled from October 25 - 29, 2021, and will be addressed in Kroll's final report.

## 9.3 Verbal Communication and Public Interaction

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Verbal Communication and Public Interaction, a 16-hour de-escalation course that was held during the sixth week of training, is a state-mandated course pursuant to BPOC, Chapter 25. The course teaches cadets communication skills that are intended to de-escalate encounters with members of the public in an effort to avoid using force and to defuse situations whenever possible. The course includes the crucial components of paralinguistics, kinesics, and empathy. The general training objectives are to teach cadets techniques that utilize effective verbal communication skills during interactions with the public.

Consistent with the lesson plan, the course included numerous active learning scenarios that were used throughout the training to encourage class participation and discussion.

The course effectively covered relevant APD General Orders (GO), including GO 300 (Responsibility to the Community), 301.3 (Customer Service and Community Relations), 301.2 (Impartial Attitude and Courtesy), and APD Policy 200.2.1 (Assessment and De-escalation), all of which reinforce agency expectations to utilize de-escalation techniques in lieu of force whenever possible.

Throughout the training, instructors discussed ICAT principals (see Section 9.1 above), including tactical repositioning and the use of time and resources to slow down officer responses and think through situations so as not to escalate a response during a crisis. The instructors also discussed the concepts of reactionary gap and gaining voluntary compliance, and cadets were introduced to the ICAT Critical Decision-Making Model (CDMM), which prompted meaningful class participation.

The instructors at various times shared life and work experiences that demonstrated empathy, emotional intelligence (EQ), and not dwelling on mistakes. Discussions on "lessons learned" also prompted excellent class participation, with several cadets speaking openly and honestly about their own EQ failures.

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<sup>28</sup> The ICAT classroom training consisted of a total of 9.5 hours of classroom training, which is consistent with the intent of PERF's Training Guide.

<sup>29</sup> The performance accountability measure involved approximately eleven minutes of combined running, isometric exercises (squat and push-up positions and holds), before cadets returned to the classroom to start the Hasty React training.

<sup>30</sup> As noted in Section 3 (long-term recommendation 6), APD has been awarded a COPS grant to acquire technology to develop custom-tailored ICAT training videos and simulations. The Academy Division Manager is identified as the Program Manager. The department will formulate a comprehensive de-escalation training strategy involving cadet training, in-service training, field training officer refreshers, and field supervisors during Q1 2022.

The importance of critical thinking was emphasized during discussions of the 5-step model for assessing a situation (collect information, assess threats and risks, consider police powers and agency policy, identify options, and act/review and re-assess).

Although the course utilized three active learning role play scenarios that were developed by Academy staff, all the scenarios were utilized during the last four-hour segment of the course. While these role plays helped reinforce information that was learned during the training, Kroll recommends using one or two additional role play scenarios earlier in the course for a more balanced and diverse learning approach.

Kroll notes that, during the first day of training, class was delayed by approximately 45 minutes for Academy staff to address several performance accountability issues involving cadets. The second day of class was delayed over an hour and fifteen minutes due to a surprise inspection. These delays, which totaled a little over two hours, caused the instructors to skim over some material toward the end of class. It also caused a shortened break time and extended class time on the last day to ensure that the training material was sufficiently covered. Nevertheless, despite these delays, the instructors appeared to cover all the material outlined in the course presentation materials and handouts. The instructors demonstrated a solid grasp of the material, exhibited a positive attitude toward the subject matter, and appeared to enjoy providing this training.

## 9.4 Use-of-Force Training

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Although Use-of-Force training is scheduled for the week of October 11-15, 2021 (and will be addressed in Kroll's final report), other force related courses have been observed by Kroll, as summarized below.

- **Less Lethal Shotgun**

This course is designed to familiarize cadets with the APD's designated less lethal shotgun, the bean bag sock, the distinguishing color of the firearms stock, and firearm safety. The goal of this class is to introduce, train, and certify students in the use of APD-authorized Kinetic Energy Projectiles and delivery systems, including the Less Lethal 12-gauge shotgun delivery system. The class also addresses the capabilities of the CTS Model 2581 Super-Sock Bean Bag round and its properly targeted zones when deployed.

In an effort to reduce and minimize altercation-related injuries to officers, the public and subjects, APD authorizes the use of kinetic energy projectiles in an attempt to control violent or potentially violent subjects. It is anticipated that the use of the kinetic energy projectiles will generally result in fewer altercation-related injuries to officers and subjects. When a decision has been made to control, restrain, or arrest a violent, threatening, or escaping subject, the approved kinetic energy projectile may only be used when its use appears objectively reasonable under the circumstances. When deployed properly and with appropriate discretion and judgment, these approved munitions can help de-escalate a potentially deadly situation with a reduced potential for death or serious physical injury.

Classroom instruction included a 30-slide PowerPoint presentation and videos that demonstrated the power of kinetic energy and the importance of officer communications/commands and communications with subjects prior to deploying less lethal rounds. Instructors emphasized the importance of justifying each deployment of the bean bag less lethal round by continually assessing its effectiveness after each deployment.

Hands-on training was then provided and completed at the Academy range, where the instructors showed cadets how to properly handle, load, and fire the 12-gauge less lethal shotgun by dry firing exercises. After covering all firearm and range safety concerns, the cadets received live fire training. Safety on the range and in the field was continually emphasized. After all the training was completed, each cadet qualified with

the less lethal shotgun by firing two rounds from five and twenty yards to demonstrate the effective ranges of proper use. This class provided cadets with the same less lethal shotgun training that officers in the field receive annually.

APD Policy General Order 211.4 (officer responsibilities for all use-of-force incidents) was properly integrated into the instruction. The LSU instructors were passionate and knowledgeable of the training topics and condensed and covered a lot of material into an effective four-hour block of less lethal training.

- **Taser x7**

In August, cadets were taught how to operate a Taser device. The class was taught by a lead instructor for Taser techniques certified by Axon and focused primarily on the technical aspects of safely operating a Taser device. Six additional instructors supported the lead instructor during the voluntary exposure portions of the class.

The class commenced with a review of the Axon curriculum in PowerPoint format. Cadets were informed that a subsequent exam would be held to test their knowledge of the material. Concepts and information included Neuro Muscular Incapacitation (NMI), optimum probe spread (12 inches), and the 2,000-volt “let go” threshold.

During the training session, Kroll made the following observations:

- The lead instructor acknowledged the cadets’ apprehension to being Tased and was reassuring in his efforts to minimize their anxiety.
- An APD sergeant was the first to be Tased, demonstrating for the cadets that the effects were manageable and of short duration (five seconds).
- Cadets self-administered dry stuns from the Tasers to gauge the severity of contact with wires during arrest.
- Cadets were instructed to turn the Taser sideways to achieve improved targeting with the top-mounted cartridge at closer distances.
- EMS responded rapidly to a female cadet who experienced dizziness following her voluntary exposure.

Kroll observed that the cadets who spotted each other during the drills were not issued latex gloves for use when removing the probes or when applying gauze or band aids to the probe sites. Latex gloves were contained in the onsite supply wagon, but not utilized by cadets or instructors. The instructor subsequently acknowledged that this was an oversight.

The lead instructor formulated scenario-based settings to engage the cadets and illustrate foreseeable encounters with non-compliant individuals. Cadets simulated a seated vehicle operator, a resistant person prone under a house or car, individuals refusing commands to properly position themselves for apprehension and restraint, and individuals fighting on the ground. Use of the Taser was compared for effectiveness and suitability to baton and other resources.

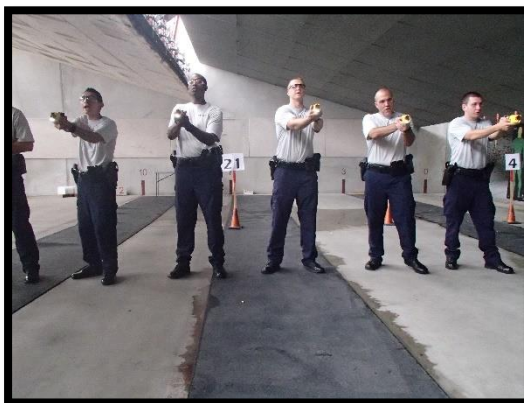
Each cadet was exposed to incapacitation by a Taser fired by an instructor, and each cadet practiced removing the probes with positive pressure and quick release from a fellow cadet.



The outdoor voluntary exposure portion of the Taser class took 78 minutes. A classroom debrief was convened to review the exercise and cadet responses.

Five days later, a follow-up Taser class was convened at the Academy's indoor shooting range. Four Axon Taser targets were suspended downrange for the cadets to practice deployment and discharging live Taser cartridges and probes. The targets were activated to confirm Taser probe effectiveness.

The class commenced with familiarization and refresher information. Each cadet received a holster and Taser device. In addition to technical operational details, cadets were instructed that they should utilize verbal commands as defined in APD policy and be certain that their commands and movements are recorded by the body-worn camera when on duty, which helps memorialize their actions and statements for post-incident reviews.



A concluding drill was staged for the cadets to compete in teams of 22. They were required to perform 10 burpees and sprint from the rear area of the range to the firing line and fire two Taser cartridges on target and then sprint back. The drill proved to be demanding, elevating heart rates and challenging an accurate shot. The drill additionally served as team building among the cadets and instructors.

## 10 OFFICER HEALTH AND WELLNESS

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*“The wellness and safety of law enforcement officers is critical not only to themselves, their colleagues, and their agencies but also to public safety.” –The President’s Task Force on 21<sup>st</sup> Century Policing*

The job of a police officer can be extremely stressful at times and officers do not have the luxury of choosing not to respond to calls for service wherever and whenever they occur. Police officers frequently interact with citizens in their worst moments and daily exposure to the negative aspects of society can have a long-term impact on an officer’s mental and physical wellbeing. Appropriately, the Academy has included course content and taken additional steps to address long-term career strategies for coping with stress and anxiety, as well as for coping with the stresses and pressures of a rigorous training program.

### 10.1 Mindfulness and Resiliency

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Scattered throughout Academy training are several sessions devoted to mindfulness, resiliency, and emotional literacy. The sessions are led by staff from the City of Austin’s Victim Services division and co-facilitated by a community subject matter expert and licensed professional counselor specializing in these practices.

Understanding that the cadets are participating in an intense training experience that involves physical, mental, and psychological stress and are preparing for a profession that will involve many stressful circumstances, trauma, and job pressures, the scheduled sessions are designed to provide cadets with intentional strategies to counter burnout and fatigue. This is especially important because the culture of policing can, for some officers, become toxic over time. Being exposed to the violent, degrading, and negative aspects of society on a prolonged basis can result in an epidemic of loneliness and depression, stress and anxiety, mental health issues, lack of sleep, hyper-vigilance, and post-traumatic stress disorders. Nationally, police officers as a group experience higher than average rates of alcoholism and suicide.

By learning mindfulness, the cadets are hopefully developing ways to become more centered, calm, and present in their day-to-day environments. The course sessions, through a combination of lectures, exercises, and breakout groups, teach the cadets the following techniques: (1) tactical breathing, (2) heart-focused breathing, (3) grounding, and (4) visualization. These and other strategies are designed to provide cadets with the strategies to reverse the impact of stress hormones in reactive scenarios, such as high-risk emergency calls.

The instructors noted that, through evidence-based practices and strategies, people who practice mindfulness regularly stimulate their brains to learn new things and to increase their focus and concentration. This leads to safer policing for both officers and the community by minimizing police over-reaction to stressful circumstances. Kroll commends the Academy for committing to this training and agrees with the instructors that long-term mindfulness can be a difference maker in the careers of police officers.

### 10.2 Mentorship Program

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The Academy developed a voluntary women’s mentorship program in 2018. Led by Commander Eve Stephens (formerly Lieutenant over Cadet Training), the mentorship program is offered to all cadets, although to date only female cadets have ever participated in the program. A few weeks before Academy training begins, all female cadets who are accepted into the Academy are invited to a luncheon, where they hear a talk about the history of women in policing and at APD and are introduced to a group of female APD



officers who have agreed to act as mentors. Mentees are matched with mentors based on mutual interests and backgrounds, and mentors/mentees are asked to commit to at least two hours per month to talk or meet in person.

Although participation in the program varies as time progresses, many cadets gain a lot from the experience and develop lasting relationships with their assigned mentors. Commander Stephens has developed a one-hour training program for all mentors. The program discusses such things as generational differences, learning differences, and other topics to help mentors effectively counsel their mentees. Feedback for the program is solicited through a survey at the end of the cadet class.

The 144<sup>th</sup> cadet class started with 18 female cadets, each of whom signed up for the mentorship program and was assigned a mentor. Currently, the number of female cadets is down to 12 (see Section 11). A total of 15 mentors—sworn officers who have agreed to serve as a mentor to one or more cadets—are currently serving the remaining 12 female cadets.

The Kroll Assessment Report had recommended that a mentorship program for all cadets be developed, especially for cadets of color, but ultimately for any cadet who believed he or she could benefit from being assigned to an experienced APD officer who had previously been through the training program and could provide added insight and perspective on being a sworn law enforcement officer. We understand that the Texas Peace Officers Association (TPOA) had previously established a mentorship program, although it was unclear how active that program has been. According to Senior Officer Michael Rone, 1<sup>st</sup> Vice President of the TPOA, for the 144<sup>th</sup> cadet class, there are currently ten TPOA members participating as mentors for the Black cadets in the current cadet class.

Officer Rone has suggested that every effort should be made to ensure mentors participate in the process and that cadets have access to mentors during the Academy. Moreover, mentors should be notified early in the process when challenges have been identified and counseling is necessary for cadets. The mentorship program should be introduced to cadets at the beginning of training and cadets should know that mentoring is recommended and supported by the Academy and the department. The TPOA mentorship program does not appear to be as developed or as advertised as the Women's Mentorship Program, as most Academy staff we spoke with were not aware of the TPOA program.

Additionally, the City has contracted with Joyce James Consulting LLC to develop a mentorship program for APD sworn officers of color, but that program has yet to be established. Although the Academy has informed cadets that anyone who wishes to participate in a mentoring program may do so, we are aware of no other established mentorship program that has been developed by Academy staff with the assistance of APD officers. Academy leadership should play a more proactive role in ensuring that a robust mentoring program exists for all cadets with the assistance of the various affinity groups. While not every cadet will want to participate in a mentoring program, for those cadets who do wish to do so, having an experienced officer assigned to them can provide valuable support as cadets progress through what is a challenging and stressful program.

## 11 CADET INJURIES / ACADEMIC FAILURES / RESIGNATIONS AND TERMINATIONS

In Kroll's report of April 23, 2021, we examined data on graduation rates and cadet injuries from 2015-2020. As part of our independent evaluation of the 144<sup>th</sup> cadet class, we are continuing to monitor the impact of injuries, academic failures, and other grounds for resignations or terminations on the Academy, with a focus on the impact of resignations and terminations on class diversity and success rates.

Each week, the Academy's unit supervisors discuss and log new cadet injuries, academic exam failures, and exits. These incidents are summarized in weekly reports that detail the reasons and timing of injuries and exits, the number of cadets who failed major tests and those with cumulative grades under 80%, and other general issues for the week. Below is our analysis of these reports from the first 15-16 weeks of the Academy as well as a review of demographic data related to cadet resignations and terminations.

### Class Diversity

The 144<sup>th</sup> cadet class began as the most diverse in APD history, with non-white cadets representing 59% of the class and females representing 18%.<sup>31</sup> At the start of the 144<sup>th</sup> cadet class, the Academy had enrolled 100 cadets with the following demographic breakdown according to race, ethnicity, and gender:

	Asian/Pacific Islander	Black	Hispanic	Other	White	Total
<b>Female</b>	0	4	5	0	9	<b>18</b>
<b>Male</b>	2	13	33	2	32	<b>82</b>
<b>Total</b>	<b>2</b>	<b>17</b>	<b>38</b>	<b>2</b>	<b>41</b>	<b>100</b>

As of October 8, 2021, there had been 19 exits in the 144<sup>th</sup> cadet class, including 18 resignations and one termination. We will discuss these in the next section. The following is the current demographic breakdown of the 144<sup>th</sup> cadet class after these exits:

	Asian/Pacific Islander	Black	Hispanic	Other	White	Total
<b>Female</b>	0	2	3	0	7	<b>12</b>
<b>Male</b>	2	10	28	2	27	<b>69</b>
<b>Total</b>	<b>2</b>	<b>12</b>	<b>31</b>	<b>2</b>	<b>34</b>	<b>81</b>

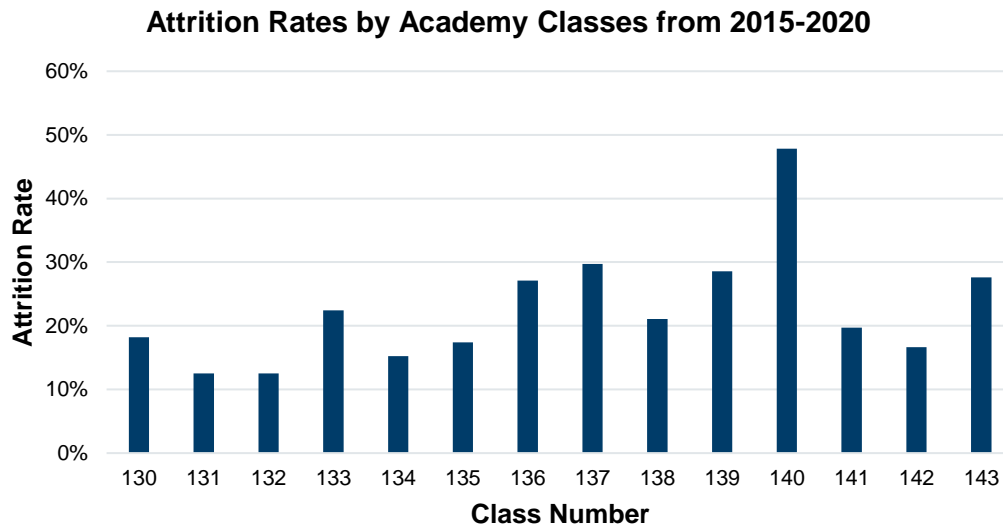
Although it is a small sample size, based on the numbers of cadet exits as of October 8<sup>th</sup>, the percentage of Black cadets declined from 17% to 15% of the cadet class, and the percentage of female cadets declined from 18% to 15% of the cadet class.

### Resignations and Terminations

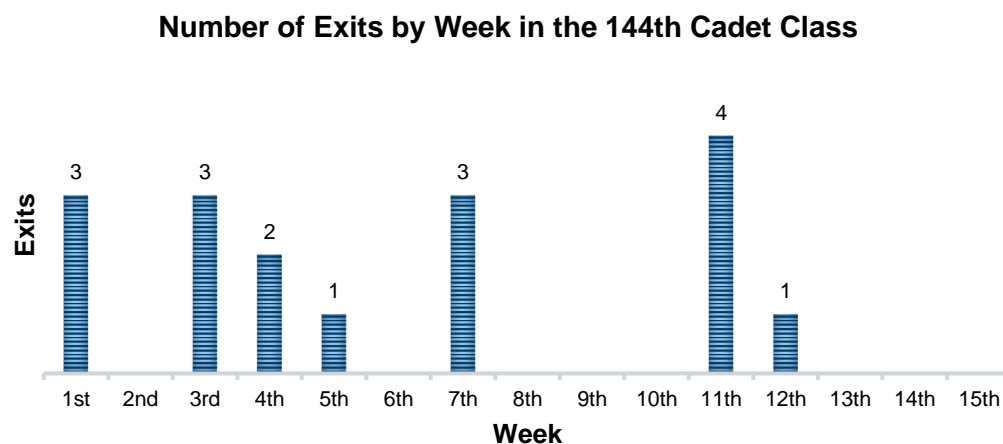
Based on data tracked by APD, since 2015, excluding the 144<sup>th</sup> cadet class, there have been 14 cadet classes with attrition rates (i.e., the percentage of cadets who resign or are terminated without graduating from the Academy after initially being appointed) ranging from just over 10% in the 131<sup>st</sup> and 132<sup>nd</sup> classes to almost 48% in the 140<sup>th</sup> class. Focusing on the larger cadet classes and excluding modified Academy

<sup>31</sup> At 18%, female representation remains low from an ideal standard, but according to historical data regarding female representation at the APD Academy, this year's class was higher than many previous cadet classes.

classes (which are of shorter duration and include cadets with prior law enforcement experience), a typical attrition rate is around 25% to 28%. Attrition rates for cadet classes from 2015 to 2020 are noted below:



With respect to the 144<sup>th</sup> cadet class, 17 cadets had resigned or been terminated as of October 1<sup>st</sup> (the first 15 weeks of the Academy). While many of these exits occurred in the first five weeks, they have continued to occur in later weeks as well. In the 11<sup>th</sup> week, for example, four cadets exited. The chart below shows when these cadet exits occurred:



Accounting for all cadet separations as of October 8, 2021, the 144<sup>th</sup> cadet class currently has a 19% attrition rate. Assuming cadet separations do not increase substantially during the latter part of the Academy, this rate would be relatively consistent with attrition rates in past years. However, we will continue to monitor additional separations throughout the remainder of this cadet class.

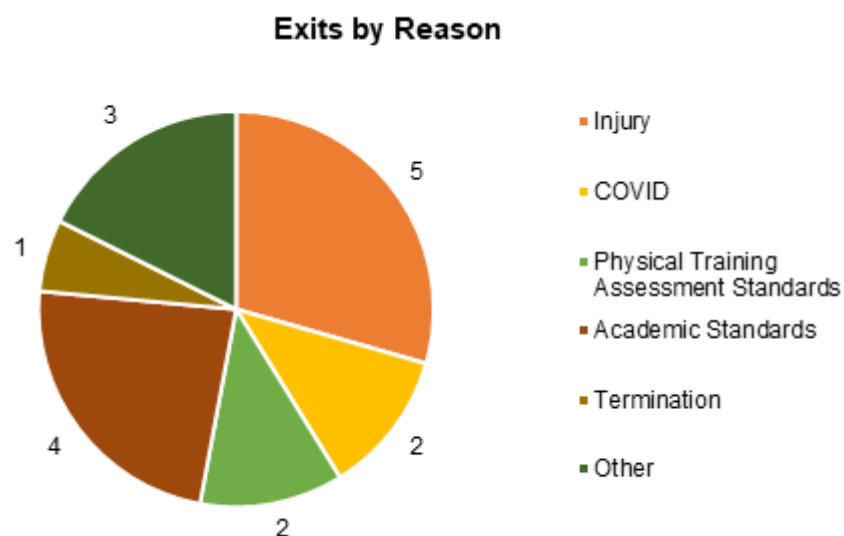
While the sample size is fairly small, the demographic breakdown shows that cadet exits as of October 8, 2021 have slightly impacted the overall diversity of the 144<sup>th</sup> cadet class. As shown in the below chart, although Black cadets represented 17% of the initial cadet class, they represented 26% of the exits as of October 8<sup>th</sup>. Likewise, female cadets represented 18% of the initial cadet class but represented 32% of exits as of October 8<sup>th</sup>. Conversely, white cadets, which represented 41% of the initial cadet class, made up 37% of resignations and terminations.

### % of Exits by Race, Ethnicity, and Sex

Race/Ethnicity	Total	% of Separations	% of Initial Class
Black	5	26	17
Latino	7	37	38
White	7	37	41

Sex	Total	% of Separations	% of Initial Class
Male	13	68	82
Female	6	32	18

Exits occurred for a variety of reasons, but most often were the result of injuries and illnesses, failure to meet academic testing standards (e.g., failing to achieve a passing score of at least 70% for four weekly tests), and failure to meet physical training assessment standards. The chart below displays the frequency of these reasons as of October 1, 2021:



Five cadets were forced to resign due to injuries or medical complications from over-exertion (one cadet reported medical problems with a pre-existing back injury). While we recognize that some injuries will likely occur during physical training, and as a result might force cadets to resign, we will continue to monitor the frequency of serious injuries and discuss what the Academy might do to reduce exits due to injury. Later, we will outline the reasons for, and timing of, all injuries logged during the 144<sup>th</sup> cadet class.

Concerning failures to meet academic testing standards, cadets are given weekly tests for which they must not fail more than three.<sup>32</sup> To date, four cadets have exited as a result of this requirement. In addition, in order to qualify for the final academic exam to graduate, cadets must average over 80% on the weekly exams. To date, 12 cadets have cumulative averages under 80%.

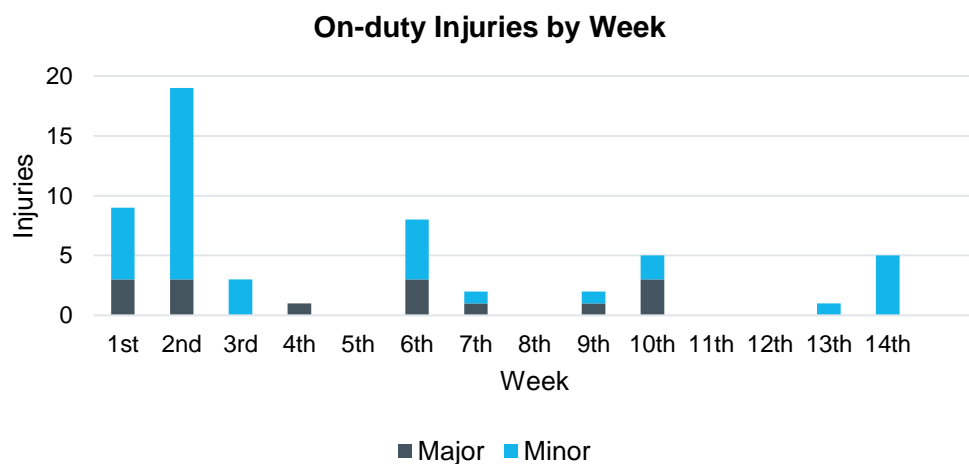
<sup>32</sup> In order to pass an exam, a cadet must receive a score of at least 70%.

The Academy has not yet developed accommodations for cadets who must quarantine and miss in-person instruction due to COVID-19 infections. As of October 1<sup>st</sup>, two cadets had left because of a COVID-19 diagnosis and quarantine requirements that forced them to miss a significant portion of instruction. As discussed in Section 5.5, several cadets have been critical of the Academy's COVID-19 protocols.

Two cadets were also disqualified on the first day of Academy for failing the minimum Physical Assessment Standard, while one cadet resigned because of a new job opportunity he wished to pursue, and one cadet was terminated for allegedly failing to disclose material information in his background investigation.

### **Injuries**

During the first 15 weeks of the Academy, 57 cadets have suffered on-duty injuries. Of those, 15 were major injuries, requiring hospitalization, temporary light duty, or resignation; the rest were minor. As discussed above, five injuries to date have led to cadet exits, though one of these resulted from an off-duty vehicle accident and another was the result of a reaggravated prior injury. On-duty injuries by week (through the first 14 weeks) are displayed below:<sup>33</sup>

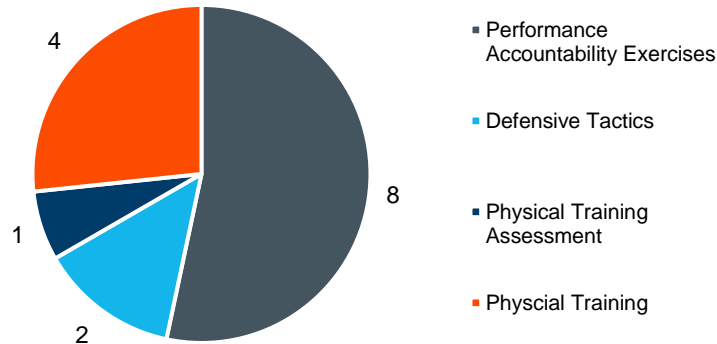


Major injuries included bruises, fractures, and sprains to the back and several lower body parts. In addition, one cadet was hospitalized after vomiting blood from over-exertion. Minor injuries included dizziness, vomiting, exhaustion, as well as swollen, bruised, and strained body parts. These injuries occurred during physical components of training such as defensive tactics training (DT), physical training (PT), and performance accountability sessions (PA). The following is a breakdown of what types of trainings precipitated major and minor injuries:

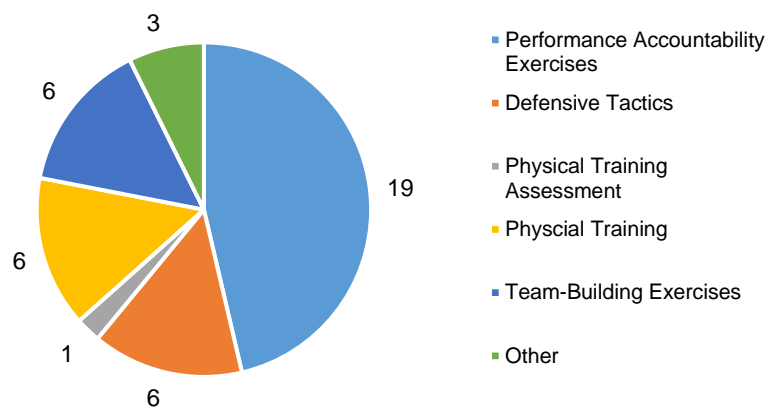
<sup>33</sup> One cadet incurred a ligament injury to his right thumb during Week 15 and is currently on light duty. The chart will be updated in the final report.



### Major On-duty Injuries by Trainings



### Minor On-Duty Injuries by Training



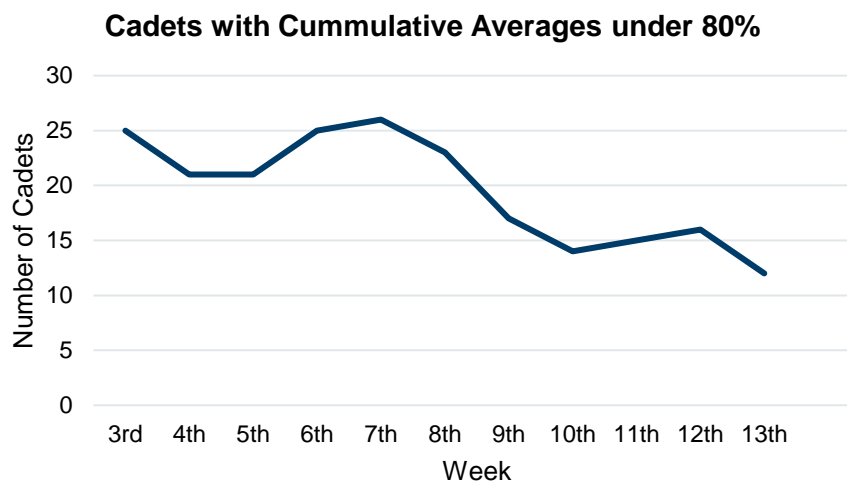
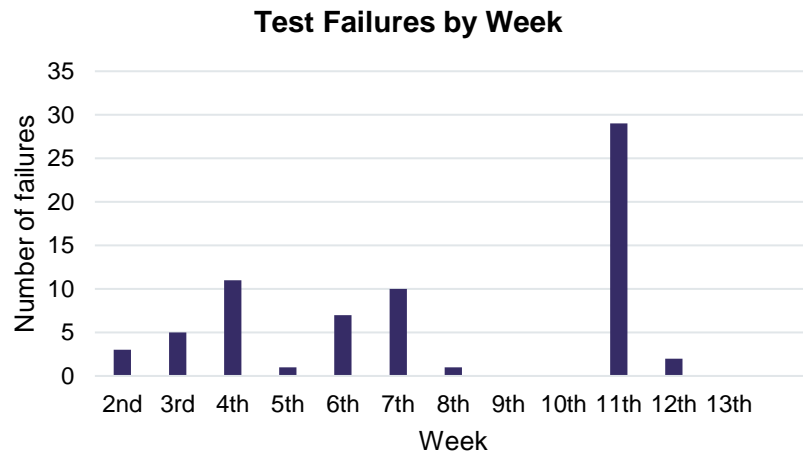
As noted above, both major and minor injuries were most likely to occur during performance accountability (behavioral modification) sessions. Some concerns regarding these sessions are addressed in Section 5.3 of this report.

### **Exam Failures**

Starting during the second week of training and continuing until the 13<sup>th</sup> week, cadets have been administered major exams or written tests to assess their knowledge of key concepts pertaining to their duties that were taught in the prior week of training. A cadet who scores less than 70% on an exam receives a failed grade and is required to pass a retest. When cadets fail their first major test, their Instructor Counselor (I/C) or testing coordinator counsels them. If cadets fail a second major test, they are again counselled by their I/C or testing coordinator, as well as their supervisor. If a cadet fails a third major exam, he or she is counselled by a lieutenant. Per the cadet manual, no cadet shall be permitted more than three academic retests during the Cadet Training Program. Thus, once a cadet fails four major exams, the cadet is recommended for termination from the program or recycling to another class. In addition, a cadet can only qualify to take the final exam if their cumulative average on the weekly exams is at least 80%.

Exam failures varied across weeks, with as many as 29 cadets failing tests in week 11, and no cadets failing the exams in weeks 9, 10, and 13. In addition, while the number of cadets with cumulative averages

below 80% has fallen and risen over the first 13 weeks, there has been a general decline, with 12 cadets under that mark as of October 1<sup>st</sup>. The following graphs display these numbers:



The week with the most test failures was week 11, which consisted of Transportation Code, Crash, and Traffic Incident Management System (TIMS). In the previous cadet class, about 30% failed this exam, while in this class, about 33% failed.

### **Exit Interviews / Process**

APD has developed standard forms that are to be completed when cadets are separated from service for any reason (i.e., resignation or termination). Termination guidelines are included in unit SOPs (page 19) and reasons for termination are outlined throughout the cadet manual; however, there are currently no written procedures for the forms or the overall process for completing them.

Additionally, cadets who resign or are terminated, as with all APD employees, are provided the option to complete exit surveys through APD Human Resources, but it is not required. Of the 17 cadets that resigned or were terminated as of October 1, 2021, only a handful completed the HR exit survey. For the first approximately three months of the 144<sup>th</sup> cadet class, plans for formal or informal exit interviews were under development and there were inconsistencies in the exit interview processes for different cadets. At this point, the Academy has developed a more standardized procedure where separating cadets are informally

interviewed by a sworn supervisor and the Division Manager or the Training Supervisor prior to separation. In these interviews, cadets are asked about positive as well as negative perceptions of the Academy.<sup>34</sup> Cadets are then asked about interest in being recycled into a future class (if applicable) and are advised that the final recycling decision lies with the Academy Commander. Separation paperwork is then completed, and the cadet's information updated in the status log and master register.

APD Recruiting has assumed the responsibility to follow-up with cadets to see how they are coping and to encourage them to recycle in the next class. While these processes are currently used in practice, additional documentation is in development.

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<sup>34</sup> For the 144<sup>th</sup> cadet class, exiting cadets are also asked for permission to provide their contact information to Kroll and Joyce James. If the cadet declines, contact information for Kroll and Joyce James is provided to the cadet so they are able to contact either group if they wish to do so.

## 12 PRELIMINARY RECOMMENDATIONS / SUGGESTED MODIFICATIONS

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*“People are more likely to obey the law when they believe that those who are enforcing it have the legitimate authority to tell them what to do. . . . The public confers legitimacy only on those they believe are acting in procedurally just ways.” – The President’s Task Force on 21<sup>st</sup> Century Policing*

Training police officers to become community-oriented, empathetic, compassionate, and resilient guardians of the public in a dynamic and diverse city, while promoting officer health and wellness, is a constantly evolving process. For this reason, police academies should be in a constant state of review and improvement.

Based on our observations and evaluations to date, we respectfully offer the following recommendations and suggested modifications to the current Academy training program:

1. **Use of Instructional Videos:** While it is important to receive continued community feedback on instructional videos and to constantly work to improve the video library that takes account of important community concerns, the process needs to be further modified so that APD is not precluded from using appropriate instructional videos, particularly in skills and tactical training courses where use of videos is traditionally an important segment of instruction.
2. **Administering Performance Accountability Measures:** The administering of Performance Accountability (Behavioral Modification) measures should be further modified to ensure they are used sparingly to address serious errors of judgment, lack of compliance with Academy policies and instructions, and other serious infractions. Moreover, when administered, the sessions should not take away from valuable classroom instruction or interfere with the academic training side of the Academy (particularly DEI-related, CIT and de-escalation training). Additionally, to further minimize injuries, Kroll recommends that Performance Accountability measures be administered along with Physical Training or Defensive Tactics training when cadets are loose and properly attired. This recommendation is not intended in any way to preclude Academy instructors from sternly and directly reprimanding individual cadets and cadets collectively to correct misbehavior, errors in judgment, attitudinal issues, or other infractions.
3. **Adjustments to Community Connect:** Consistent with Kroll’s recommended adjustments to Community Connect in Section 4, some adjustments to scheduling and timing of the program should be considered so that cadets first understand Academy expectations and requirements before starting Community Connect, while also ensuring that community concerns and engagement remain a core element of Academy training. More opportunities for direct interaction and dialogue with community members should also be provided.
4. **Cadet Ride-Outs:** Based on widespread feedback from cadets and Academy staff, a one- or two-week cadet ride-out program should be re-instituted as part of Academy training. For legal reasons, cadets should be treated as civilians during the entirety of the program and not be expected to assist officers in stops, arrests, or other official police actions. However, having a robust ride-out program embedded into the Academy training program (e.g., weeks 18 and 22, or whatever APD considers ideal) would offer cadets practical insight into the realities of patrolling the communities of Austin, help cadets observe first-hand how what they learn at the Academy is put into practice, and provide some needed breaks for instructors and cadets from the rigors of

the academic and physical requirements of training. While this recommendation will require adding one to two weeks to the length of the training program, we believe it will enhance the overall training experience.

5. **Authority of Division Manager:** APD should clarify the role, responsibilities, and authority of the Division Manager consistent with the options set forth in Section 5.4 of this report.
6. **Scheduling Coordination:** The Academy needs better coordination between LSU and Cadet Training when creating the course schedule for each cadet class. There is an inexcusable lack of communication and coordination between the respective units, supervisors and instructors, to ensure that certain course content precedes other content, as some courses require foundational courses. We have noted in this report a few areas where scheduling mistakes have occurred; however, there are several additional areas of scheduling where this is an issue that must be resolved for the 145<sup>th</sup> cadet class.
7. **LSU Staffing Needs:** The City should consider supplementing the staffing needs of the Learned Skills Unit as addressed in Section 8.3.
8. **Needed Improvements to Academy Facilities:** Currently, the Physical Training (PT) program, along with Defensive Tactics and other Learned Skills training, compete for time in the one gym that is utilized by the three public safety agencies sharing Academy facilities. Kroll has repeatedly expressed its belief that cadet PT should occur when cadets first report in the morning. Holding PT sessions in the morning would allow a cleaner break between PT and other stress-inducing sessions from the academic portion of Academy training and would help reduce injuries. It would further allow performance accountability sessions to be conducted in a safer environment by allowing cadets to properly stretch and warm-up before physically stressful sessions and drills. While staggering agency start times at the facility could assist in this effort, additional facility enhancements (more bathrooms and showers, more gym space, improved turf in the outdoor spaces) are needed to safely train the volume of public safety new hires and effectively provide continuing training to existing service members.



## 13 APPENDIX

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### 13.1 Kroll Project Team

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**John R. "Rick" Brown** is a former Lieutenant Colonel and Deputy Commissioner for Administration and Professional Responsibility of the Pennsylvania State Police (PSP). During his 29-year tenure, Brown oversaw the PSP's reform and accountability efforts in the areas of misconduct, sexual harassment, use of force, and early intervention/risk management initiatives. He developed the PSP's Equal Employment Opportunity Office's statewide liaison program and had oversight of citizen complaints that alleged discrimination or disparate treatment. Brown also oversaw the PSP's five-year Police-Citizen Contact Project, which utilized applied research techniques to assess the extent to which PSP officers engaged in racial or biased-based policing. Brown subsequently oversaw the implementation of proactive training and operational strategies to monitor and prevent racial profiling. In 2010, following a distinguished career in law enforcement, Brown created Transparency Matters, LLC, a certified Minority-owned Business Enterprise ("MBE") that focuses on building transparent policing policies and process change that provides organizational efficiencies, accountability, diversity, community education, training, and monitoring.



**Daniel Linskey**, former Superintendent-in-Chief of the Boston Police Department, is a nationally renowned expert in urban policing, training, and police-community relations. As Head of the BPD from 2009 to 2014, Chief Linskey developed and oversaw the BPD's social media, recruitment, community outreach, and engagement strategies, which have been cited as among the best practices in police management in the United States. Chief Linskey also changed the management and response of BPD to large-scale public disorder events. He oversaw the peaceful and successful management of the Boston Occupy movement and earned an international reputation at planning and overseeing major special events, and as the Incident Commander during the Boston Marathon Bombing Attack. Chief Linskey was part of a team sent to St. Louis County to assist the Department of Justice with an assessment of the St. Louis County Police Department and collaborative reform project following the events in Ferguson, Missouri in 2014. He is a frequent commentator on proper police tactics for national news organizations.



**Dr. Robin Engel**, a Professor of Criminal Justice at the University of Cincinnati ("UC") and Director of the UC Center for Police Research and Policy, is a nationally recognized expert on biased-based policing and one of the top-ranked female academics in the country. Dr. Engel has studied and written extensively on biased-based policing and worked with police departments throughout the United States to help them improve and reform. She has published over 60 peer-reviewed articles and book chapters and conducted research on such topics as biased-based policing, police-community relations, police use of force, police use of discretion / decision making, police legitimacy, violence reduction initiatives, reform efforts, and problem-oriented policing. Dr. Engel has conducted statistical analyses examining racial/ethnic disparities in policing outcomes for over a dozen jurisdictions.



**J. Larry Mayes** is serving as a Project Advisor on community engagement strategies and civilian input into police internal investigations. Mayes has worked with government officials and community leaders for more than two decades. From 2004 to 2010, Mayes served as the Cabinet Chief of Human Services for the City of Boston, where he led joint government/community-based initiatives to reduce crime and stabilize communities. Currently he serves as Vice President of Programs for Catholic Charities in Boston, where he leads the organization's statewide programs on adult education, immigration resettlement and legal services, childcare, and new poverty strategies. In 2014, Mayes was appointed to the Community Ombudsman Oversight Panel, which reviews the BPD's Internal Affairs citizen complaint cases.



**Dr. Cassi L. Fields** is an expert in the design, development, validation, and administration of large-scale public safety human capital projects, with special expertise in selection and promotional systems in organizations with a history of alleged employment discrimination. Dr. Fields has pioneered many of the nation's most successful human capital selection initiatives, promotion and training programs, and routinely teaches and writes about implicit bias. Since receiving her Ph.D. in 1989, Dr. Fields has dedicated her career to helping public safety agencies remove roadblocks for people of diverse backgrounds compete for promotions. She has developed hundreds of assessment centers for police, fire, and sheriff departments throughout the United States.



**A.J. Bingham** is serving as an advisor in multi-cultural community outreach in Austin, facilitating local community input into police-citizen interactions, and providing insight into Austin's business, civic, and non-profit communities. Bingham is Founder and CEO of The Bingham Group, LLC, a City of Austin-certified MBE, and full-service consulting firm that represents and advises clients on legislative and regulatory matters throughout Texas. An Austin native, Bingham is active in the community and serves on the boards of the Young Men's Business League of Austin, the Austin Trail of Lights Foundation, and the Long Center for the Performing Arts. A lawyer by background, Bingham received his B.A. in Political Science from Wake Forest University, and law degree from Washburn University School of Law.



**Mark Ehlers** is the Engagement Leader of Kroll's work with the City of Austin. Ehlers has 35 years of combined legal and investigative experience in the public and private sectors, specializing in government and university investigations, discrimination and harassment in the workplace, and alleged ethical violations. He is currently a managing director in Kroll's Philadelphia office. Prior to joining Kroll, Ehlers served for 18 years as an Assistant United States Attorney, first in the District of Columbia, where he served in the Homicide and Sex Offense Units, and later in the Eastern District of Pennsylvania, where he served on the Organized Crime Strike Force. Since joining Kroll, Ehlers has conducted numerous internal investigations and best practice reviews for a diverse array of public and private sector clients, including the University of Cincinnati Police Department (review and investigation of a UCPD officer's fatal shooting of an unarmed motorist) and North Carolina State Highway Patrol (review of hiring and selection practices, training and supervision following public reports of police misconduct), among others. Ehlers received a B.A., *magna cum laude*, from Wittenberg University, and a J.D., *with honors*, from George Washington University.



### **About Kroll**

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