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[10:57:04 AM]

>> Mayor Adler: Good morning. I'm going to convene the Austin city council meeting here today on Tuesday, January 25th, 2022. The time is 10:57 A.M. We're going to go ahead and go into executive session to take up three items. We're going to discuss legal issues related to items e2, Smith V. City, e3, nobles V. Egal and Johnson, and e1, lawsuits and claims related to APD. We're going to go into executive session on the items announced. The time is 10:57. And we're going to go into executive session. I anticipate we'll be back in and around 1:00, maybe a little bit earlier, for primarily the

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Kroll report and a quick discussion on committees. Thank you. >> Mayor, quick question. >> Mayor Adler: Yes. >> I had to sign off from the joint meeting, so I missed any discussion about what you were thinking about for lunch today. >> Mayor Adler: I think we can think about that in executive session. I don't know how long that will take us, but the Kroll report folks are not with us until 1:00 and we don't have any pulled items, so we'll handle the stuff on executive session. I would imagine at that point, have a break and then come back at 1:00. We need to touch base on committees quickly, but anybody can be on any committee they want to. So I don't think that's going to be very long discussions, since it's just committee membership today. >> Yeah, looked like pretty much everybody had laid out what they wanted to do for 2022 on the message boards, which is great. >> Mayor Adler: Okay. All right. We'll see you all later.

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>> Mayor Adler: We're coming back from executive session. In closed session we discussed legal issues related to items e1, e2 and e3. The time is 1:53. We're going to start with the Kroll presentation and when we're done with that we'll touch base briefly on committees. And then we'll -- I think there are Williamson two people who want to say something about some -- who want to say something about some agenda items. So we'll proceed that way. Manager, do you want to set us up for the Kroll presentation? >> Cronk: Sure. Mayor and council and good afternoon. Today's briefing in our work session is going to be given by our consultants Kroll and associates. This is part of their phased approach in looking at the APD's practices and policies. Today specifically will focus on phase B of their work with the city of Austin

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regarding APD's public interaction, use of force, recruitment and promotions. They have released a report and are here to give a presentation. Those materials have been given to you later last night and have been uploaded to backup. We have also issued a press release so that the public has access to this information as well. With that I'll turn it over to mark Ellers who will be kicking it off from Kroll and associates. Mark? >> Thank you very much. And it's great to be here. Before we begin, though, I just want to make sure Dr. Robin ingall has been allowed into the meeting. She's indicating she can't unmute or turn on her video for some reason and she's a pretty crucial part of our presentation. >> Cronk: We will do that shortly. Thank you, mark. >> Alter: And councilmember tovo may need to move over to her phone if that's possible.

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>> We're stilling to see if robin has been admitted. There we go, I think. >> Thank you, I'm on. >> Okay, great. Thank you very much. Thank you, mayor, thank you city manager, members of the council. It's a pleasure to be with you this morning or this afternoon, I should say, and we appreciate the opportunity to allow us to present our phase B findings to you. Before we begin, though, I want to just briefly introduce the other members of the Kroll team that are present today, two of which I think you're quite

familiar with, our two nationally renowned police experts. We have Rick brown with us. As you know, Mr. Brown spent 28 years with the Pennsylvania state police, ultimately serving as deputy commissioner. And she's an expert in use of force and diversity and

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inclusion and recruiting practices, among other things, and has served on a number of independent monitorships around the country in the last 10 or 12 years. And we also have Dan Lenski, an expert on community oriented policing and police administration. But I also want to introduce you today to Dr. Robin ingall who is with us and will be presenting large segments of this presentation. Dr. Ingall is a professor of criminal justice at the university of Cincinnati. She's the director of the uc center for police research and policy. She's a nationally recognized expert on bias-based policing and is one of the top-ranked academics in the country. She has studied and written extensively on topics such as bio space policing, police community relations, police use of force, police legitimacy, violence reduction initiatives and problem oriented policing.

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And much of her work has been analyses and looking at gender disparities in policing outcomes. So I see the report is up there. If it's possible to give Dr. Ingall the ability to share the report, we can probably expedite our presentation a little bit because we've tried to streamline the presentation. >> I don't have access yet to share. >> Sometimes it takes a second, I know. >> Thank you for that sharing now. >> And probably why don't we just kick it to slide 3 robin and I'll take it from there. So as you all know, the

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initial phase of Kroll's review, which was phase a, was completed on April 2021 and it involved assessing the APD training academy on its ability and readiness to prepare cadets for policing a multi-ethnic urban population consistent with best practices. We also are sort of continuing part 2 of phase a, which is our role as independent evaluator of the academy, which we -- and we expect to have another report to the city and council in mid February on that role. This particular phase of Kroll's evaluation we're calling phase B addresses four distinct areas. First, we look at APD use of force incidents from January 2017 to December 2020 or 48 month period of time frame. We then analyze or did a

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kind of qualitative review and analysis of approximately 1321 use of force incidents that occurred from June to November 2019. Third we looked at public interactions with civilians looking at things such as traffic stops, arrests, citations and searches for calendar year 2020, 12 month period. And finally, we looked at APD's recruitment, selection and promotion policies and practices. Now, in each of these areas we examine potential disparities involving race, ethnicity gender and other similar personal characteristic and examine the potential impact that APD's policies and practices have on historically underrepresented groups. And if we can go to slide four, this is essentially a report overview, so as you probably have seen the report is fairly lengthy. It's over 165 pages long. But it's essentially four reports combined into one.

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So it helps to take it a section at a time. Section one is a 10 page executive summary and section 2 we provide a summary of why Kroll was asked to perform this work, started with council resolution 66 back in 2019. Section 3 is the four year analysis of use of force data that examines whether gender disparity exists in that data. Section 4 takes a look in the six-month window of use of force cases in 2019 to assess whether force was appropriately applied in those cases. Whether APD officers unnecessarily escalated the encounters and whether there was supervisory use. Section 5 is traffic data from 2020 and also looks at four years of arrest data to

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examine potential ethnic racial disparities in that data. And section six we look at recruitment, selection and promotion processes and their potential on racial, ethnic and gender diversity. And section 7 we provide detailed recommendations on each of those areas as well as addressing ways to improve APD's data collection efforts. So with that let me now turn it over to Dr. Ingall, who will take us through the review and data analysis of APD use of force from 2017 to don't. -- To 2020. >> Great, thank you very much, mark. I want to confirm that folks can hear me okay? >> Yes. >> Great, then I will proceed. >> Alter: We can hear you, but is it possible to have the little window so we can see her as well? >> I'm sorry, how do I have to do that? >> Alter: You don't do that, our staff will do that. >> Thank you. >> Alter: Sorry. >> That's okay. While we're getting that set, I just want to send out

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a thank you to the Austin police department and their staff. They worked so hard to get us all of the dated that we used to conduct these analyses. As you all know there has been lots of series of issues and problems with police data. This is not unique to the Austin police department, but nonetheless, their staff really worked tirelessly to be able to provide us with the information we needed and we are

grateful. And also, just a couple of caveats, I am presenting this on behalf of the Kroll team. We do have a team of statisticians that worked on this with us. I'm happy to answer any questions at the end. And what I'm going to do in the interest of time is really streamline this presentation. We provided you of course with a comprehensive report, but also with detailed slides on information that you can share with your constituents but what I'll be doing today is picking out a few of the slides to

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go over and then can take questions on any of the remaining slides you have access to. So beginning first, I first want to start actually with some definitions. We'll be talking about things like disproportionality, disparity and bias. And I just want to confirm and make sure that when we talk about racial and ethnic disparity we're talking about differences between racial and ethnic groups, but those differences do not necessarily indicate bias or in this case police bias. The truth is that no statistical analysis can determine into the police are acting in a biased way, only if there is a disparity, a difference among groups. And those differences that be based on a whole host of factors, some of which we can measure and some of which we cannot. And that's why we can under no circumstances be able to tell you specifically whether or not there is racial bias by the Austin police department. So now having said that, then why even do these

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analysis? I don't do through? What we look for is patterns and trends and be able to identify places where we need additional training, policies, changes and the like, changes for practices. So when we find racial and ethnic disparities, the most important thing is to dig down and find out why are disparities so we can work on the common goal of reducing those ethnic and racial disparities. So with that I begin with our use of force analysis. The first thing I want to bring to your attention is the difference in trends in arrest versus use of force and that's what this particular slide shows here. You will see from 2017 to 2020 is the time period we analyzed for use of force data. What we see here is that arrests at the same time period declined 51%. That's a dramatic reduction in arrests. But use of force incidents actually increased during that same time to 58%. Now, there can be a lot of reasons for these differences and trends and

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analysis. We know, for example, that in 2020 the experience with use of force was different for the Austin police department in that we had more individuals who were unknown to the police in terms of crowd control situations and other things where force was applied. We also saw differences in the resistance shown to police in 2020, and so that really impacted that additional increase in the use of

force particularly in 2020. The majority of use of force cases that we analyzed in this four year period, 74% were male, 33% hispanic, 33% white, 31% black and less than two percent in the other category, which represents Asian and pacific islander and along with others. Thankfully the majority, vast majority of the use of force cases were of the least amount of force. 93% of the use of force

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cases were in the lowest two out of four categories in terms of the severity of force. We also saw that resistance was shown in nearly all of the use cases or was reported there, but we did recognize a difference in the resistance that was shown between unknown and known individuals. So if an individual is unknown that had force used against them, for instance in a crowd control situation or where the individual was just not identified thereafter, 56% of those unknown individuals engaged in aggressive or deadly resistance compared to only 27% of individuals that were known. We also see significant differences in impairment in terms of individuals that had force used against them. Here we use the term impairment to talk about the use of drugs or alcohol and/or mental health issues. Now, of course you can have both here, these are not mutually exclusive

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categories, but what we see here is 77% of the use of force individuals who had force used against them were impaired in some way. Only 23% of use of force incidents involved individuals what were not impaired. But we also see racial and ethnic differences within that impairment type so here we note that white individuals were more likely to be impaired when they had force used against them compared to black individuals. Insurance. We also noted a trend in repeat uses of force. Interestingly enough -- excuse me, over 30% of those who had force used against them were involved in more than one use of force event encounter within that four-year period. So these are our repeats. And this is not particularly unusual, but it's really important to document so that if you want to reduce the likelihood of use of force, focusing on those individuals would be a great place to start. Individuals with perceived impairments, whether that's drugs and alcohol or mental instability, were

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more likely to have multiple use of force encounters. And black individuals compared to white and hispanic were significantly more likely to have multiple use of force encounters over that four-year period. We also noted that use of force varied dramatically by sector. Within the Austin police department we note that the use of force varies dramatically against the sectors and in particular the George sector, which we understand represents our entertainment district, accounted for 23% of all use of force incidents during this four year period, so they were significantly an outlier here. And as you will

see later in the report, serve as an outlier for arrests as well. This next section I am going to go through quickly, but happy to answer any questions here. What this graph represents is we measured disparity ratios. A disparity ratio is a ratio that uses a benchmark

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analysis. Now, benchmarks are a proxy measure for an at risk population. So for example, if you say 20% of use of force were black individuals, for example, what does that mean? Well, it has to be 20% compared to something. And if that something is the population at risk and that's what social scientists refer to as benchmarks. Now, measuring that benchmark who is at risk for having force used against them, assuming no police bias? Those benchmarks can be measured in lots of different ways, but no benchmark can account for all of the risk factors. And also the results vary dramatically across benchmarks. Residential population is one of the most frequently used benchmark comparison, but unfortunately it is one of the most flawed benchmark comparisons. And in fact, most social scientists disregard its use entirely. Arrest population is also

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used by some to look at the use of force disparities, but this likely underestimates risk. So really we're looking for a benchmark that is somewhere in the middle here if you will, and what we have focused on is the use of reported suspect data. So criminal suspects that have been reported as part of the incident of crime reports if they have a suspect listed, the race or ethnicity of that suspect. We believe that this population is at greatest risk for police intervention or interaction that may result in the use of force. Of course, there are flaws with this benchmark comparison as well. But we do believe that it's like a stronger and better comparison than either the arrest data or the residential population data. But I present all of them to you so that you can understand the large variation that we experienced when we tried to measure this racial and ethnic disparity and that's what this chart does

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exactly. If you take a look here you have in this case five different benchmark populations, one is the residential population, we also look at all arrests, then we look at the most serious part 1 violent arrests. We look at all criminal suspects and then all suspects that were part 1 violent suspects. And disparity ratios of one indicate no racial or ethnic disparity and as you increase past one that suggests that there are disparities in. In this case it's black compared to the population here is white or hispanic compared to white and this is what this chart demonstrates to you. So you can see using the residential population there are very, very large racial and ethnic disparities, but when we change that population benchmark to something else, including arrestee benchmark or the suspect benchmark Bexar

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county, we see significant -- benchmark, we see significant reductions and no disparities in the use of force by the Austin police department. I should also note that there were some differences in these disparity ratios that were measured bisector. When we looked at the sector level, and in particular the George sector again had racial and ethnic disparities ratios that were higher than the other sectors. And this included even when we used the criminal suspect as the benchmark comparison. Another statistical technique that we used are multi-variant statistical analyses. This is a statistical model that essentially simultaneously controls for multiple factors that predict use of force. We cannot include all, unfortunately, of the possible variables, however, because they're not all measured by the Austin police department, but also

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by any police department quite honestly. So there are some limitations to these statistical analyses. Nonetheless, what we find here is that as expected, there are certain predictors of force within arrest, legal and incident characteristics that were the strongest. There were other things that we could not measure, for example, individuals resistance and severity, but overall when we did control for some of these factors, there were some small racial and ethnic disparities that remained in the use of force. Blacks were slightly more likely than whites to be in arrests that resulted in the use of force. And arrests within areas with higher violent crime rates had a greater likelihood of use of force and this also varied by race, in which case black individuals who were arrested in communities with a lower violent crime rate were slightly more likely to have force used against them compared to their white counterparts. So in summary on our quantitative use of force

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analysis, it has experienced while arrests have decreased. These trends can be explained by changes in the use of force reporting, increases in the use of alternatives to arrest, changes in the patterns of use of force experience, particularly in 2020. We also note that there are trends that are important when we're trying to reduce the use of force, the frequency and severity of force. For example, looking and focusing on impaired individuals, individuals experiencing mental and behavioral health crisis, our repeat individuals, changes in the severity of the resistance being shown by individuals towards our police officers, but I also note to you that we have consistent problems in data collection and really limitations in the data analyses that we can do with this particular dataset. Nonetheless, there were some racial and ethnic disparities that were found across statistical techniques. The majority of these disparities were

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substantively small. They could be the result of unmeasured factors. And finally, just noting again that there were differences particularly in George sector that need more examination. And so with that I'm going to now turn this over to mark and to Rick so they can talk to you about a qualitative use of force. It's great to talk about the quantitative information, but we know that we can only look at patterns and trends in that way so this qualitative analysis gives you a much more in-depth look at use of force cases. So I'll continue to control the powerpoint, but I'll have mark or Rick, I'm not sure who is presenting next, to go. >> Thank you, robin. We're going to have Rick brown will present section 4. Rick? >> Yes, thanks, mark. Next slide, please, robin. The qualitative use of actual incident reports and

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body cam -- dash cam footage was for a period of time a six-month window from June through November of 2019. We evaluated-- our team evaluated 1321 incidents involving 2,960 uses of force during that period. Ever those incidents, we identified 112 that had concern. 82 of the incidents involved inappropriate force or unnecessary -- what we thought was unnecessary escalation of the encounter. 30 of those cases involved the additional issues of concern and most of those were supervisory type issues which I'll elaborate on as I go through. The racial break down of the 88 individuals involved in those 82 inappropriate force or unnecessarily escalated cases, the percentage of black was 28.4%. White, 21-point of%. Hispanic, 27.7% and Asian

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other 2.3%. 47.7. Next slide, please. We'll talk about the stop and frisk without reasonable suspicion. Handcuffing -- before I get into that let me mention our team. Our team that reviewed these cases we divvied up hundreds of cases amongst our team to subject matter experts to review these cases and tried to identify patterns and trends that we feel as though should be brought to the attention of the stakeholders here. So anyway, the handcuffing involving stop and frisk appears to be aggressively employed by some officers in Austin. Most officers in their report state that their doing the stop and frisk, the physical detention of a person, for officer safety. And they're not really articulating reasonable suspicion that criminal activity is happening or is beginning to happen. Officers should be able to

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articulate that the suspect or subject is armed and dangerous, presenting a danger to officers and bystanders. Necessitating the limited pattern search of outer garments. Officer safety alone will not justify a frisk in a physical detention and not -- I keep thinking going hands on with someone without that is unnecessary. Officers will tell in some of the cases we reviewed will tell the subject you're not under arrest, you've done nothing wrong, so there was no identified criminal activity or suspicion of criminal activity, but right after that statement will tell the subject, turn around, put the handcuffs on you, we're going to check you for weapons. And when the subject asked why or displays uncertainty, braces or tenses up -- and that could be a reflex reaction, they're charged with resisting arrest, search or detention and there was no underlying charge for criminal activity that led to this encounter.

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APD officers in some of the cases we reviewed occasionally escalate the subject while being stopped or detained. They get caught aggressively putting the person in handcuffs and when the individual reacts they get arrested. One thing I do want to note in the 112 cases that we highlighted as the cases of concern, the arresting officer in one of these cases determined he didn't have probable cause to arrest the individual after the officer had used the force. He had already used the force and then was questioned did I have probable cause to do this, talked to the supervisor that came out to the scene and the supervisor agreed and the individual was released. That was the only case that I saw the supervisor in a case of concern agreed with the officer that hey, this was not appropriate. Also we had a number of supervisor issues that came up in our review. In the cases where there are

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unjustified uses of force, whether it be actively targeted with a firearm, failure to follow APD taser policy by giving warnings before using the taser, written support written by -- report written by officers or some something that should be reviewed by the supervisor analyzing the officer's use of force. In our dataset we identified nine of pointing of firearms or actively target cases that we considered problematic. Pointing of firearms occurred where the lethal use of force would not have been justified or officer safety was compromised under the circumstances. Neck restraint and choke holds, we identified five cases where neck restraints or choke holds were used and the use of lethal force would not have been authorized in these incidents. We identified two cases where head strikes were used including one with an impact weapon. In these cases of use of lethal force would not have

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been authorized also. Mental health, we identified 21 use of force cases of concern that involved the mental health component. Of these 21 incidents involving an individual with mental health issues, 19 of

them we determined that the use of force was inappropriate. Boyd worn cameras, Kroll identified 15 incidents in which officers failed to activate their body worn cameras or official reports conflicted with video footage. And lastly, we identified three incidents that involved field training officers that were in the process of training -- training recently graduated officers that escalated use of force encounters while they were training and mentoring a trainee. I found that -- it jumped right out at me seeing that. But I also want to note that for that time period in 2019, one of the things that we did look at was the

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policies that were in effect at that time. And also during this four-year window, and I think it's important to note that the search and seizure policy of the department states that a protective frisk is based upon reasonable suspicion, that's in the policy and that policy was out in 2017 is the earliest I have for the period under review. And also the response to resistance policy in 2017 required officers to deescalate potential force encounters. In 2018 the response to resistance inquiry where the officers are -- they're reporting and the ini didn'ti didn't remembers about use of force described active beyond the initial stiffening of a person and pulling away from officers encountered off during handcuffing. And lastly in 2019 the firearms policy was department says firearms

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should not be displayed in a threatening or intimidating fashion unless the situation may escalate to the point where deadly force would be authorized. Also in 2019, the frb, force review board during our review, was in effect. So what this told me was that the APD has policy guidance in place and some of these relevant national issues. But to me what we saw in our in camera review of these reports, a lot of times the policies are not being enforced. And with that I will turn it back over to mark. >> Actually, I think it comes back to me. My apologies, back to the statistician. Your eyes are going to start glazing over with all of these numbers but I'll try to make this brief and manageable for you all. What we'll be talking about here in section 5, we

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actually took a look at two different databases. Here we looked at vehicle stops so your stop database, and then all of your arrests. So the section 3 was really about your use of force data which we I am bidden within arrest -- embedded within arrests, but here we look at arrests separately. In section 5 the first thing to note is that the traffic stop database was really problematic. Now, in the interest of time I'm not going to go through all of the limitations here with you, but just suffice to say there was no way for us to be able to reliably use data that was collected prior to January 1st, 2020. There were multiple problems with the vehicle stop data prior to that time, and the 2020 data was only usable because of

the efforts of the Austin police department to clean up that data and to put it into a usable form. So my recommendation is that just moving as you move forward that you continue

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those new techniques, but also think through better data collection process so that you can have data that is accurate and reliable. But having said that we did do until cease on one year of photographic stop data that I will present to you the findings for that. Starting with just all stops, just to give you a breakdown here, 45% of the vehicle stops in 2020 were of white individuals compared to 35% hispanic, 15% black and five percent other. 74% of those stops were of male individuals. And three-quarters of the vehicle stops were for moving traffic violations. Now, this slide will indicate to you that I'm not -- we're not looking at racial and ethnic differences in who gets stopped based on the benchmark analysis. And the reason we're not using a benchmark analysis here is because there were problems with the data, there's limitations in the

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benchmark comparisons anyway, but most importantly we can't distinguish between officer initiated and dispatched stops. And so rather we took a look and used some of the multi-variant analyses and bivariate analyses that I'll be presenting to you today. So the first is there were racial and ethnic differences in the reason for the vehicle stop. So as you can see here, white individuals were more likely to be stopped for moving violations compared to black and hispanic individuals who were more likely to be stopped for other reasons, including violations of other traffic laws. And then just a small note here, most were not stopped based on preexisting knowledge, but for those who were, they were more likely to be black compared to white. In terms of the outcomes of a traffic stop, traffic stops can result in an outcome of a verbal warning, a written warning, a

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citation or an arrest. And we do see racial and ethnic differences in those outcomes. Now, this is not controlling for any other reason, it's just simply taking a look at how this information breaks out. And what we see here is that hispanics are significantly more likely to receive a citation compared to other racial and ethnic groups, and black and hispanics are more likely to be arrested as a result of a traffic stop compared to whites. Now, what we did do was we took a look at a multi-variant analysis where we controlled for some of the legal and incident characteristics. Of course, we could not control for everything and in fact, these analyses are particularly limited because of the limitations within the data and what information is collected. However, when we control for at least some of those characteristics,

we do see that some of these racial and ethnic disparities remain despite controlling for some of those, again, legal and incident

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characteristics. Characteristics. In particular for citations, hispanics were 1.5 times more likely than whites to be arrested. Blacks and hispanics were 1.7 and 1.5 times more likely to be arrested compared to white individuals. Taking a look at searches that occurred during the vehicle stop, searches were conducted in about -- almost 8% of the traffic stops that were conducted in 2020. The majority of these searches were for mandatory reasons, mandatory reason including incident to arrest, or as part of an inventory of a towed vehicle. So, 62% of those collectively. But 37% were due to probable cause reasons. And what we do see is, first, racial and ethnic differences in the percentage of individuals who were searched. So, 11% of blacks that were stopped for a traffic offense were searched compared to, for

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example, 5% white, and you see there 10% hispanics. So blacks and hispanics, significantly more likely to be searched. We also see that males were more likely to be searched during a vehicle stop. We also find racial and ethnic differences, and the reason for the stop. Importantly here, black and hispanic individuals were more likely than whites to be searched for -- based on probable cause. I said stopped, and I meant searched when I first talked about this, the racial and ethnic differences in searches during traffic stops. White individuals more likely than all other racial and ethnic groups to be searched incident to arrest. So we do see racial and ethnic differences in the reason for the search that was conducted. Also important, though, to take a look at contraband seizures during that search. Important to note here, about

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24% of the searches result in the seizure of contraband. It's really important to focus more specifically on discretionary searches in terms of their contraband seizures, mandatory searches, of course. We can take a look at that, of course the seizures there, but really we want to focus on officer decision-making, which is more involved in discretionary searches, and what the outcomes of those searches are. And so that's why we really focus on discretionary searches to be able to look and really understand about racial and ethnic disparities. And what you see in this chart here is that in terms of discretionary searches that were conducted, officers were more likely to find contraband during searches of black individuals who were searched for discretionary reasons, 32% of those searches resulted in the seizure of some type of contraband, compared to 24% of whites, and you see that hispanics lie in the middle there with 28%, in terms of contraband seizures.

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Vehicle stops, serious data limitations. No benchmark analyses were included. Three quarters of the vehicle stops were for moving violations and some racial and ethnic differences in the reason for the stop. Majority of these stops resulted in warnings. An arrest was very infrequent at 5% of the stops. There were still racial and ethnic differences that remained even after we were able to control for some legal and incident characteristics. And you see there that hispanics were significantly more likely to be issued citations and black and hispanic individuals more likely to be arrested during vehicle stops. When we take a look at searches that occurred during vehicle stops, we find that search occurs infrequently, only roughly 7.5% of all stops. Searches are most likely for mandatory reasons. We do find some racial and ethnic differences in the searches, where black and hispanic individuals with more likely to be searched. We also find differences in the

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reasons for search. With discretionary searches more likely for black and hispanic individuals. But when we take a look at this seizures, contraband seized during those discretionary searches, we find, in fact, that black and hispanic individuals were significantly more likely to have contraband found during those searches compared to whites. And that takes us then to the arrest database. Here, we're looking at four years of data, not just the one year of data. The traffic stop data was particularly limited. The arrest database did not have those same limitations. So these are four years of data, and as I already mentioned to you, the arrests had come down significantly during these four years, but we wanted to take a look at, was it coming down for racial and ethnic groups equally? And, in fact, there were no differences in racial and ethnic declines in the likelihood of arrest. We also see here just the breakdown of arrests where the majority of arrests were for

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hispanic individuals, 36% compared to 33% white and 27% hispanic. Males more likely to be arrested compared to females. Taking a look at the arrest rates across the sectors. Once again, we see that George is the significant outlier here. These are arrest rates per 10,000 residents. And just to note here, and of course, you folks are familiar with the entertainment district. But it's still important to note that in the George sector, it represents only 1.3% of your residential population. 7% of overall reported criminal offenses for the city. 6% of the reported violent crime in your city. But represents 12% of your arrests and 23% of your overall uses of force. And so what's happening in George sector is out of proportion based on not just residential population, but also reported crimes in those areas.

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Now, again, there might be a whole host of legitimate reasons for this, but nonetheless, if you're looking for and trying to understand racial and ethnic disparities and reducing those as well, this would be a good place to start. Taking a look at the arrests that include searches. Now, again, this four-year period. Of all of the arrests that were conducted, 80% of those arrests involve searches. You did have some arrests that did not result in search. This could be because those arrests were not custodial arrests. Typically, by policy, arrests would involve a search incident to arrest. But we do find in 20% of the arrests, that that was not the case. And so, here, of course, we have limitations, because we don't know if a search was conducted during arrest, because it's the reason for the arrest or it's the result of the arrest. So we don't know that temporal difference here. Nonetheless, we found no racial and ethnic differences in searches during arrest. That is 80% of black arrestees

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were searched compared to both 79% of both hispanic and white arrestees. So no differences there. Also to note here, 30% of the arrests that resulted in searches, of those searches -- I'm sorry, 30% of the searches resulted in a contraband seizure. And 8% of the time, that seizure was a weapon. Overall, the seizure arrest was highest for black arrestees. So 35% of the arrest -- of the searches during an arrest resulted in a contraband seizure for blacks compared to 29% of those searches for hispanics and 29% for white. So, to summarize all of those findings for you, in the arrest, we found declines in the arrest over the four-year period consistent across racial and ethnic groups. Three quarters of the arrests the individuals taken into

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custody. Black individuals slightly more likely to have noncustodial arrests. The arrest rates differed across APD sectors. And again, George sector was an outlier. When we take a look at searches that occurred during the arrest, again, we have series data limitations here, but nonetheless, 80% of the arrests involve a search. Of the searches conducted, 83% were incident to an arrest. Unlike traffic stops, there were no racial and ethnic differences in the searches during arrest. 30% of those searches resulted in contraband seizures. And black arrestees were more likely to have contraband seizures than other racial and ethnic groups. With that, I'm going to turn it over I think to mark; is that right? And I'll continue to share my screen while you speak? >> We can do it either way. >> I can stop sharing if that's easier. >> I think you may have to make

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me a presenter, though. >> Yes. >> If that's a problem, we can continue. >> I've got you. Just a moment. I'm still trying to make you a presenter. And I can't do -- >> Yep, it looks like it worked here. So, let me pull up -- I will start sharing. Hopefully people can see this in a second. Can everybody see that? >> Yes. >> All right. Well, thank you, robin, and I'll try to get through the last couple sections fairly quickly. In section 6, Carol reviewed

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practices to determine how they potentially impact historically underrepresented groups, such as women and people of color. We first looked at diversity within the department. And if you look at this slide, you'll see the dark blue bar shows the racial ethnic breakdown of APD personnel as of approximately March 2021. While the light blue bars show the city proportions based on recent residential census data. As you can see, the data suggests that proportionally, there are more white officers than representative of the population, and hispanic and Asian officers are underrepresented compared to the ethnic and racial makeup of Austin's population. The next slide shows the racial ethnic breakdown by rank within

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APD, and what you can see here is that at least among some of the upper ranks, black and hispanic officers are underrepresented compared to their representation in the department. Although women account for about half the Austin population, they account for a little over 10% of APD's officers. That's only slightly under the national average for women in police departments. Except at the commander level, their representation stays the same or improves through the upper ranks. Now, in looking at recruitment, Kroll found it reached a diverse group of candidates. The department does a good job of attending a variety of community events with a focus of military-related educational institutions and other events that are focused on historically underrepresented groups. And nearly 2/3 of those who expressed interest in applying to APD at a recruiting event were people of color.

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Now, however, and it's not reflected on this slide, but less than 10% of those who expressed interest at APD in a recruiting event actually applied. So, this may partly explain why the recruitment pool demonstrates greater racial and ethnic diversity, and our recommendations in section 7 attempt to address some ways that APD can improve its ability to better match the diverse pool of recruits with successful applicants. Now, overall, recruits who applied to APD were most likely to do so if they had

been recruited at job fairs or information sessions. However, we found that the recruiting data -- the recruiting unit has had some difficulty accurately matching the information gathered from prospective applicants at recruiting events with applications, and we addressed some data issues in our recommendations as well. We also looked at hiring and selection and found that APD's hiring process is consistent with standard police department

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hiring practices in the united States, and APD frequently modifies its selection practices to increase retention of qualified and diverse applicants. Our analysis in this area focused on 6,601 total applicants for cadet classes 1340 to 143. That included over 5,800 applicants who were eventually disqualified or dropped out at some point during the process and 711 applicants who ultimately became cadets at the academy. We found the current written or cognitive ability test for applicants contains some racial and ethnic disparities in scores, these disparities were smaller than with the previous written test. If you look at this graph, the left-hand side of the graph, it's essentially looking at the previous test, which was changed around 2018. That's the ndrt. And on the right-hand side is the npst, which is the current

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written test. You'll see the current test was marginally more difficult to pass for all applicants, but regardless of which written test was taken, white applicants were statistically less likely than applicants of other races and ethnicities to be disqualified due to their written test results. In contrast, black and hispanic applicants were significantly more likely than applicants of other races and ethnicities to be disqualified due to the written test. Now, we found no significant racial or ethnic differences in the physical ability test failures, and prior gender differences have been eliminated. That was when they -- APD removed the 2,000-meter rowing test from P.A.T. But looking at history-statement factors, we found that black applicants were disqualified more often due to outstanding debt and credit history requirements. On the other hand, white applicants were more likely to be disqualified due to the polygraph, medical and

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psychological exams, and they were also more likely to be disqualified due to drug usage compared to black and hispanic applicants. Ultimately, however, after disqualifications and other drop-off factors, nearly 2/3 of candidates hired at APD historically have been white, compared to the other racial ethnic groups, and as we mentioned before, hispanic applicants in particular, or hispanic officers in particular are still underrepresented at APD. Now, given that the recruitment pool is having success in creating such a diverse applicant pool, this finding suggests that more work and probably better data is needed

to continue to improve diversity within the department. And then finally, we took a look at the promotional process. APD does have a comprehensive promotion process. We found no significant gender differences in promotion outcomes from 2015 to 2020. However, we found that Asian and white promotion candidates were

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promoted at higher rates than black and hispanic candidates. Now, in particular, test scores across all ranks indicate that the promotional written test may have an adverse impact on candidates of color, and between younger and older candidates. However, this was partially offset by seniority bonus points which helped close the promotional score gaps to some extent for black and hispanic officers. We also looked at assessment center scores for the rank of sergeant, and we found that Asian and white candidates have significantly higher average raw scores than black and hispanic candidates, and that's at least for the rank of sergeant. The assessment center scores have had a statistically significant disparate impact on black and hispanic promotion candidates. And finally, in section 7, we provide comprehensive and detailed recommendations. I'm not going to address specifically what they are. Just in the interest of time. But they do address a number of

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areas. So we have a number of data collection recommendations that look at arrest data, use of force data, and traffic stop data. We also have use of force recommendations covering policy, training, and supervision. We look at -- we have some organizational recommendations that examine, among other things -- or encourage the examination of racial ethnic disparities and monitoring them over time, treating statistical findings as diagnostic tools, adopting a holistic approach to data analysis to understand the reasons behind existing disparities. And in the recruiting area, we suggest, among other things, that APD examine -- take a closer look at recruiting events, see what works and what doesn't, improve its data collection and its linking of data so they can better analyze what's working and what's not. And then among other things, reinstituting the explore

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program, expand internship programs, things of that nature, to further increase diversity. And for selection and promotions, we suggest among other things that APD continue to monitor its written test disparities. We suggest that they retain an independent consultant to do a validation study of physical fitness requirements, among other things. And then in the promotion area, we suggest that more affirmative support of mentorship programs and reconsidering promotional test components and the weighting of those components, among other things, would be helpful. So, with that, we're happy to

turn it over to questions, and thank you for the time to make that presentation. >> Thank you, mark and team. Really appreciate the thorough analysis that this report did. This is really providing the

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roadmap for the police department and executive management to ensure that we're creating a department in line with the values of our community. Before we turn it over to questions, I did want to give the chief an opportunity to respond. I know that he is in the process of reviewing this, looking at these recommendations and incorporating them into his action plans. And so, chief, if you're with us, any initial words before we turn it over for questions? Chief? >> Thank you, city manager cronk. Mayor, council members, thank you for taking the time to review this presentation today and for giving me an opportunity to just respond. Like many of you, I have just received this report. I think that the report represents some of the good things that we're doing at the Austin police department, and certainly represents some areas that we can improve. My staff will be reviewing all of the different sections and particularly the section on

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recommendations, on how we might be able to better -- we might be able to have better outcomes, essentially, than what this report represents. Just a couple of points I wanted to make, when it comes to the use of force piece. It was noted that while the number of arrests that we had made had decreased, the reported number of use of forces had actually increased. And just for perspective, wanted to note that in November of 2018, we added a fourth level of forced reporting to our system that actually significantly increased the actual number of uses of force, and so that -- you know, that is part of that equation as well. And then with regard to some of the other issues that were in there about, you know, some of the use of force that were

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concerning, in 2000, late 2020, and early 2021, we had -- began to note some of the same things in management, and what we did was we actually consolidated all of our forced review unit city-wide into one forced review place. Into the forced review unit. And so rather than having independent chains of command that were evaluating the force, they are now going to one centralized place to eliminate, hopefully to the greatest extent that we can, any kind of bias or, you know, anything within that review of force as it is done by people that are outside the chain of command of any particular officer using force. And then those are reported back to the chains of command for review as they find violations, and we think that this has greatly improved the process. So, apart from that, I want to

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thank the Kroll team for, you know, the engagement that we've had during this process. And I'm ready to answer any questions that council might have as well. Thank you. >> Mayor Adler: Thank you. Colleagues, also with the chief, we just got the report. I've had the chance to go through the PDF, but not to actually read the report. But do people have any questions with their quick first looks? Council member kitchen. >> Kitchen: Yes, I do. Maybe in the report -- the detail may be in the report. But I am curious about both the quantitative and the qualitative data that you all used in your findings related to use of force where there was a mental health-related issue, I guess

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might be the way to say it. So, I'm wanting to understand if you have the data that can parse that by what the call was about, I guess. In other words, were these incidents that were in response to a 911 call, or were they incidents that were in response to an officer coming across someone, you know, during their patrol, or some other kind of incident? I would be interested in understanding some more detail about those particular circumstances with regard to mental health. We are attempting to make -- not attempting, but we have made some significant advances with regard to responding to mental health calls in the 911 call center.

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The last two years, I guess, year and a half. Related to having clinicians in our call center. I would be particularly concerned if these were use of force instances involving mental health that had some relationship to a call that came through our 911 call center. They may not. They may be other kinds of responses. So I'd just like to understand that. Do you have that level of detail that we could drill down to? >> Thank you so much for that question. I'll take a stab at it first. So, we were unable to match the calls for service data, specifically to the use of force data. That's not to say that your analyst at APD couldn't do that. We were just -- we didn't have the unique identifiers to be able to match those two data sets. Having said that, when you're looking at 38% of your use of force involving someone a mental health issue, and that mental

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health issue was identified by the officer on the scene who was engaged in that use of force, I completely agree with you. You know, this is an area where there's been significant work across the country and actually Austin's leading some of that work. So it would be, I think, really beneficial to take a deeper dive, a drill-down into better understanding what those calls look like, those calls for service, who is responding to those calls, and if you're experiencing differential outcomes in terms of use of force based on who's responding to the calls and how they're being processed in your 911 center. >> Kitchen: Okay. In terms of the qualitative data, were y'all able to determine -- in your review of the qualitative data what those instances were in response to? >> Yes. It's a little bit of a combination of several things. There were some 911 calls for, like, check on the welfare.

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Might be a call to dispatch an officer to a person that was threatening suicide, those kind of things. So check on the welfare, threatening suicide, emergency detention. And then there was some self-initiated encounters where officers may have encountered someone having an episode while they're on patrol. I don't have those numbers, what they kind of shake out to be, but I could probably put something together on that, if you want me to follow up with that. I could do that. >> Kitchen: Yes, I would like the follow-up, because I would like a breakdown on, you know, the initiation of the -- you know, of the -- you know, what were the circumstances. Was it in response to a 911 call? Was it in response to, you know, something else. Just whatever it was. That breakdown would be helpful to understand. And can you remind me again the time period for the data that you all were looking at? >> Yes, for the qualitative, it

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was June 2019 through November 2019. And the four-year window was 2017-2020. >> Kitchen: I'm sorry, the quantitative was which? >> 2017 to 2020. >> Kitchen: Okay, got it. All right, yes, I would appreciate that kind of breakdown. And if you have the information -- and you may not -- about whether there are -- the training level of the officer involved. In other words, were any of our cit officers involved or not, that would be helpful to understand. >> Okay, I'll take a look at things. >> Kitchen: I think there's been a lot of progress made by APD with regard to their response, and like you mentioned a minute ago, robin, there's been a lot of cutting edge really Progressive work that APD has been doing with regard to

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response to mental health. It is in a pretty focused area. So, that's one reason I'd like to see this data to see if there's an indication of perhaps some additional work that might be helpful. >> Well, one of the things we can do with the quantitative data is take a look during that four-year period, identify those

individuals that did have a mental health issue that had force used against them and see what the trends look like over time, right? >> Kitchen: That would be helpful. >> We can separate that out, and anticipating that you might be seeing a difference as a result of the Progressive work that Austin police have been putting forth. >> Kitchen: Yeah. >> So we'll take a deeper dive on this and get back to you. >> Kitchen: Yeah, that would be helpful. And I'm curious, too, the 911 call center has a direct connection to a clinician. We don't -- we're working towards that with regard to other calls, but not as -- I'm

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not certain how much that is happening with regard to other calls. So that kind of breakdown would be helpful. >> Perfect. And also, while we're doing that, we can take a look at the impairment by alcohol and drugs. I understand you do have some alternatives to arrest. You know, some other things that you're doing there. So that might be also a good comparison look. >> Kitchen: Yeah, and I guess when I say mental health, I'm also including substance use. So I would include substance use issues as well. Thank you very much. >> Along that line, as part of your recommendations, you listed APD policy, training, and supervision as a way to reduce use of force. And so, I wanted to see if you could go over in just a little bit more detail how training can be used to reduce the use of force by those under the influence and/or having mental

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health issues. >> I'd be happy to take that on for my team, although I suspect the chief knows much of this work as well. There have been a lot of changes in training on police use of force, including, of course, de-escalation training, the cit training as well. My research team at the university of Cincinnati has been studying this extensively. We actually just put together a pretty detailed assessment of the field in terms of the research, what the research is showing for the best training techniques. I'd be happy to share that with this council, and with the police department as well. But sort of thinking through what those strategies look like, of course, icat training, which I think the chief has been involved with in some way, with the de-escalation training, and the cit officers. We've just recently been working with the bureau of justice assistance to update that cit

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training nationally. Those -- that new material will be available at the end of this year, and we're happy to provide that to the police department as well. >> Robin's being modest, because that training and the study of training -- because there's a lot of different training solutions that are put forward, and approaches, but that training is the one that's been peer reviewed by experts in academia to have actual results. So we saw that done in lieu whiz -- Louisville, right? And some training that's going on at the

academy now. Not having the loud sirens, timing and issues. The supervisory issues are making sure that supervisors are responding to each use of force and conducting a full and

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thorough investigation. Sometimes, you know, we think we got a full investigation, and sometimes legal issues get involved supervisors don't want to have a conversation with the subject because they feel like they've got a sixth amendment right to not talk to police about the crime they're charged with. Well, the supervisors aren't talking to them about the crime. The supervisors are getting their side of the story of what happened during the use of force encounter. And whether they -- sometimes will be quite honest with you that they were out of control, that they made a mistake, that they didn't realize it was a cop and punched before they knew what it was. Sometimes they will tell you a different side of the story, that they were minding their own business and resolved it. And also, independent witnesses that should be consulted. Once that happens, and this supervisor responds to use of force, cops hate paperwork, so if there's a process in place for them to fill out forms and paperwork and more data, you know, they will slow things down and take their deep breath, get their amygdala out of being

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hijacked by stress and adrenaline, and then go to their training where they can use the least level of force and hopefully not escalate it to the other. So, it seems like the policies that the chief had mentioned that have been in place later, have done that. Having the centralized look at all of these. So there's a standardized response to each use of force, not what one person thinks is okay, and another person thinks is out of bounds. It seems like it's on the way to being successful. >> And one last comment, I'll just note, sort of bragging about this police department, because they are stepping up and doing innovative things, particularly now in the training academy. They have brought icat training to the recruit officers, not just as an in-service training, but for the actual recruits, and have engaged in research of their own, where they're doing a pre-post examination of the impact of that training. That will be one of the first agencies in the country that will have that type of access of

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information about whether or not those trainings are effective and having an impact on officers as they enter their career and into the field. >> Another thing that's happened with the training academy with use of force. When there is a use of force conducted, an officer is injured, the actual instructors who do the training of the policy, of the procedures, review the video, review those cases from a training perspective to see if there's a training issue that they're not training people for. If people need some remedial help, training is excellent, but like anything, if you don't get your skill sets, especially a physical

skill set, and practice it, you lose that muscle memory. So the learned skills unit is tasked not only with training recruits, but while we were there, they're actually bringing officers off the street who are going through their jiu-jitsu and ground fighting and how to utilize force most effective manner. They're actually going out to police stations and doing training as well. They're the ones who so

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oftentimes flag, for example, domestic violence used to be the crimes where force was used more often than not. And now we're seeing encounters with people with mental health issues and who are transient, where they're seeing more use of force. So they've certainly got eyes on it and it seems like they're working towards a solution. >> Good deal. Thank you for that. It's great to hear that the recommendation of changing the way we do training as a strategy to reduce use of force is under already way and that we're seeing significant strides with our reformed cadet academy. Thrilled to hear that news. The other question I have is around the quantitative data that was presented. You had mentioned that residential population isn't a benchmark that should be considered. In fact, you said that it was flawed in that many scientists disregard it. And so I would like to learn more about why that is the case when we're looking at

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disparities. >> Absolutely. Well, we have -- the social science community, generally speaking, has really strayed away from using that as an appropriate benchmark, since quite frankly the early 2000s. So it's only recently that this has sort of been brought back up and has been put forward by some folks as an appropriate comparison. I will suggest to you that the residential population does not represent individuals at risk for a traffic stop. We know, for example, with traffic stops, your risk of being stopped for a traffic offense depends on where you drive, when you drive, how you drive, what you drive, and perhaps who you are. And so all of those things need to be taken into account. Residential population doesn't account for any of those factors. And the same is true, and particularly so for use of

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force. Your likelihood or your risk of having force used against you is highly determined by factors that are not taken into account with a residential population, including things like resis stance shown to the place, which is one of the strongest factors to predict the likelihood of use of force. So when we think about residential population, what it does is it just gives you sort of a baseline. What does this look like for our populations, particularly our populations of color. La did that look like here? But note that racial and ethnic disparities does not mean bias. And if we really want to reduce these disparities, we have to get past that notion that it automatically means bias, and better understand what those racial and

ethnic disparities are truly -- what's truly happening. And further, if you look at any negative outcome across our society, across disciplines, across our areas, we find that there are racial and ethnic

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disparities in poor health outcomes, educational outcomes, all of those things. And when we look at that and compare it to our residential population, we recognize there are problems. However, to drill down further to understand better why we have those racial and ethnic disparities, we need to step well beyond residential population and really look at the population at risk for those particular types of adverse outcomes. >> Thank you for that. I need to process that simply because so much of the information that I hear from unit -- from our community, is that Latinos make up 34% of the community, and yet we're disproportionately in the arrests, in the citations, so I will continue to process what that means. Thank you. >> Mayor Adler: The difficulty often comes because some of the

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factors that the professor was relating to are themselves related back to ethnicity or race, as the factors that were listed might be much more common in one race or ethnicity because of historic deprivations in healthcare or lack of family wealth. So it's not -- so those -- even if you don't use them for those reasons, or consider them you can't ignore the fact that even those factors are sometimes tied to race and ethnicity. Council member alter. >> Alter: Thank you. I appreciate the report and I'll look forward to reading it more carefully, and perhaps when you come back, if we have specific questions, we can either have a mechanism to provide those questions in advance of our next

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meeting or ask them since you're coming back for another presentation. I wanted to, though, a little bit better understand the cross-sector evidence that you are showing with the disparities. So, if you look at slide 13. See if I can find it now. Slide 13 looks across the sectors and has use of force by APD sector. But it's measuring use of force per 10,000 residents, and obviously, the George sector has fewer residents. So while it's tempting to think there's a whole lot more there, that's really the ratio per 10,000 residents. So, it would be interesting to see that just for knowledge here about, you know, how much of an

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outlier that area is, because that seemed to be one of the areas with the most disparities. It's also one of the areas with the most officers. And, you know, so I think there's some nuances there, that it would be helpful if we had a little bit more information across the sectors. We have another report from another group that is sort of suggesting that there may be too many officers in George relatively to Edward, or at the very least, that we need to put more officers in Edward and as we talk about these choices, I'd like to understand the sector variations better. So maybe if you could speak to that a little bit, because not having read the report, just looking here, I'm not sure what conclusions to be drawing. >> Well, we do drill down and look at the sector level on a variety of analyses. I've only presented one or two

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of those slides here to you today. But wherever we look, there are not only differences. As you note, this is -- the slide that you note is per 10,000 residents. We know that George sector has a smaller residential population, it is your entertainment district, and so just like when we talk about using residential population data to better measure racial and ethnic disparities, if that's problematic, this is the same here. Nonetheless, you do see that the share of use of force, 23% of the use of force citywide is concentrated in this particular sector. And you also see a higher percentage of the arrests that are concentrated in this area. And now there could be a lot of, again, legitimate crime-control reasons for that. But there also may be choices regarding deployment, how the officers are engaging in a

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proactive way, and whether or not your citizens want to be policed in that way in this particular district. All I'm doing is identifying and recognizing that there is something different going on in George sector, and then leave it to the police department to determine whether or not that's appropriate use of the resources, how they're deployed, et cetera. And of course, leave it to the community to determine whether or not that makes sense for your community. >> Alter: But if I wanted to really simply understand what's going on differently in George sector from the analysis, what would the takeaways be? >> I think if you look at -- I'm trying to identify the slide number here. I think your biggest takeaway is on slide -- I'm trying to determine here... Sorry. Slide 39 in your packet. Again, I didn't present all of the slides to you today, but if

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you take a look at slide 9, that is one of the sort of -- if you take a look, George represents 1.3% of your residential population, 7.2% of your reported crime, 6% of your city's reported violent crime, 12% of your arrests, and 23% of your uses of force. So something is going on here. I'm not able to tell you what that something is. These are -- you know, this is over a four-year period, taking a look at patterns and

trends. But this is what we do. We identify where those issues are, and then from there, the next step is to really better understand what's happening in those areas and whether or not that trend is continuing past 2021. >> From a problem-oriented policing, a location and an opportunity for APD and the committee to do an analysis as

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to what type of crime is going on, when is it occurring, I suspect it's probably between the hours of 10:00 until 4:00 A.M. There's a whole process just to find out whether there are problem properties, bars and restaurants that are overserving people, or attracting a crowd that is rather aggressive and nonresponsive to police. There are better managers who are bannaging their bars and staff effectively. Is there a need for support for the police that isn't law enforcement-driven, but you need personnel with eyes and ears on the street, like a business improvement district. I can just tell you, from Boston, we had a similar situation in our downtown area, and we had to then administratively go after the bars, when a fight would occur, and it was somebody who was just leaving a bar, we were holding bars accountable, having teams

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going out and checking on the bars and the environment there. So I think there's some environmental issues there that, you know, attract people down there. There's also the challenge of, do all the nightclubs get out at the same time, because if you have -- if everyone leaves the club at 2:00 in the morning, you've got 70,000, 80,000 people. We in Boston started to see if we couldn't get some of the clubs to stagger their closings. We shut down some traffic streets. What we find in the bar area, people - they have to go outside, they can't stay home. But they don't want to go home and they're hanging outside having a smoke, they're talking to each other. We would find oftentimes many vehicles would loop the block looking to see if they could continue the party with some of the other people, and by changing those traffic routes, we're able to prevent that reinteraction during very critical times. But I think it would probably be on the chief and the commander of that division and the officers there with the community leadership and the business leadership there to maybe identify some different ways and strategies to do things

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-- to try and get that done. A solution in George would have a definite impact on the overall improvement across the agency. >> Alter: Thank you. I just wanted to -- that's a pretty good rationale for the work that council member tovo has been leading for the save our sixth street and all of those efforts. I mean, I think that we are aware of the challenges in that area and have taken policy steps to

put things in motion. This data is a little bit older, but there still are problems. But I do think it's -- I just want to note that work that's in progress and that acknowledgement of the challenges. >> Mayor Adler: Pio, and then Kathy.

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>> Renteria: That's exactly right, what you've been saying about that particular area. That part of it is in my district, too, which is in sixth street. And the difference between a lot of the sixth street area problems that we're having is that we have a lot of mixed use residential, and we started a package years ago with community policing, and that's what really helped us out in my particular neighborhood. And that's Chavez, the border of it to the west side is 35. And we worked in getting our community, and we included business people into our contact team. And we implemented community policing and had police officers get to know the residents there and the businesses, and that way they were being -- they were

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able to identify where the problems were at. And then focus on the particular business with problems in our neighborhood so that we could address those kind of issues. And it worked. Our area used to be the highest, the Charlie area, and now it has been reduced. It's because officers actually got out of their cars and got to know us. The officer that once stopped me in the '80s, mid-'80s, my wife was driving down sixth street. One headlight was out. I had the headlight in my passenger seat. And they stopped us, and all I said was officer, we're just about to get it fixed. I have this light here. And the officer said something on the phone. This other guy came, hispanic officer, jerked me out, threw me up against the car. He said you're drunk, arrested me, and charged me for resisting

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arrest. And now we're really good friends. You know, isn't that amazing? That he threw me in jail and locked me up, and then he asked for forgiveness afterwards once he knew who he was. You know, and never had a problem with that officer again. In fact, he went on to serve his time and retired and still in good standing in our neighborhood. So, those are the kind of things that I want to see in this town. Where we actually get to know the people that are involved, especially the business, because they don't want to be harassed. They don't want to have their title -- their license pulled. Because they're out of business then. But we need to stand tough with them and make them understand that we're not going to tolerate this kind of conduct. And we know there's a few bars there on the west of 35, on sixth street that are causing a lot of problems.

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And we really need to address this issue. And I'm willing to help out my colleagues -- you know, council member tovo, because that is a lot of the problems and the headaches that we're having now is in that area. And we need to really just address it. And now with the state allowing anybody to own a gun and buy a gun, 18 and older, you know, this is very scary. I don't even like to go down there anymore. I used to go and enjoy myself there at the Ritz and eat some pizza. But I won't go down there anymore, because I know people are packing. And that's what really scares me. So I really want to thank you for that report because it brought me back a lot of old memories of how often APD used to conduct themselves. Thank you. >> Mayor Adler: Kathie.

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>> Tovo: Thank you, council members alter and Renteria. I believe you're both part of the safer sixth street resolution that I brought forward over the summer. And there will be a follow-up where we're working with the same -- some of the same offices to bring forward the next batch of recommendations following on the memo that our staff provided, and some of them, I think, respond to what we just heard about really working with some of the businesses and putting some expectations on how to deal with violent situations. I'm interested -- first of all, I want to explain -- thank you. This is a lot to digest. It's really important information. It is critical information as we continue the conversation in our community. I want to just make sure that everybody watching this session understands that we got this information I think late yesterday. Some of us not until this morning, depending on how much email you had in your inbox and when you noticed it. So, you know, it's a huge report and powerpoint, and I think our mayor pro tem asked us

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potentially to come around and have another conversation about it publicly, and as a council, and I think that would be really helpful once we've all had time to really dig into it. I'm sure there will be more questions and I know I'll have more questions. I am interested, really interested in the George sector data as well. And I wondered if there is a section in the report that looks at the statistics and breaks it down by -- I think you had some numbers that looked at levels of impairment, and I wondered if those were -- I don't even know how to ask this question. If the data for George sector is also -- if that is overlaid with the data from George sector or other areas. Can we get that cross tabs, if you will, to use kind of a political polling term. Is there kind of cross-tabs data looking at those two elements together alongside one another? >> Well, your political polling term is also a statistical term, so I knew exactly what you

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meant. And yes, that's something we can take a look at. We can pull out George sector specifically, the use of force incidents there, and do a comparison compared to the rest of the city to see if there are differences by persons who are in intoxicated, for example, people with mental health issues. There's a whole host of things that we can look at to see if the situation and the circumstances are different, the individuals that are being -- that are having force used against them, but also the situations that officers find themselves in during that time. So that's something that we can take a deeper dive and look at. One of the things I will mention is that when we did the disparity ratios, so when I show that disparity ratios, I showed it for the city as a whole. But we also looked at it by sector, and that's in your larger packet and it also is in the report. And what we find is that when we look and when we -- there are racial and ethnic disparities

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using the residential population as a benchmark across the board, but for the reasons that we spoke about, thinking through and really looking at the criminal suspects data as a benchmark that's a little bit more approximate to your risk of force, when we do that, the racial and ethnic disparities basically are washed out across the city, with the exception of George sector. So, again, you see, it's not just the volume of use of force and the volume, but also where we do see racial and ethnic disparities, it's occurring there as well. So, I do think it's worth the time to take a deeper dive into the data that we have. We're happy to do that for you. But again, this is historical data. You have really talented crime analysts at APD that will be able to take a look moving forward, and try to determine what's happening in George sector and whether or not those trends and patterns look

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different now. >> Tovo: Yeah, and that's great. Thank you for that. That's really timely because I think that's something we can embed into our next safer sixth street resolution which is coming forward in the next couple weeks, to kind of make sure that that's an intentional part of what we're looking at here. I'm also interested -- and I don't know -- you know, council member kitchen, you asked the question that made me think about the sobering center. I think it's going to be helpful to our thinking about how we can continue to use that particular program to address some of these disparities, especially in the George sector. So I think we'll all need more time talking to one another. For me, I need to make better sense of the data and the learnings from it. But I'm interested in having those conversations. >> Yeah, and I'd love to learn more about your sobering center. We are part of a national team

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that's examining sobering centers, as a matter of fact. We're working in Houston, Oklahoma City, Tulsa, and Wichita. And we've also done a national survey of sobering centers across the country. There's only about 40 or so, surprisingly. We thought there would be more. But all that information we're gathering. We would love to have your city involved in that work as well so that we can share best practices across these agencies and communities. >> Tovo: Well. Well, we have a terrific sobering center here with a great executive director. I'm sure Mariano or I -- I serve on the board, any of us would be happy to make that connection. I think we'd really benefit from that being part of that information. I guess that's it for now. Well, one question. Does the report detail -- on page 48 -- on slide 48, rather, there's some data about cadets who have been disqualified, and

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in the presentation itself, I think you said disqualified or dropped out. Does the report draw a distinction between those two groups? >> I may have -- I think the way we present it in the report is that those were applicants who were disqualified at some point. 5,890 applicants disqualified. I think I added -- may have dropped out -- I think it's disqualified. And of the 799 who ultimately made it into the academy. >> Mayor Adler: Kathie, thank you. I put my shoulder to the same work on the George sector. You know, frankly, I'm surprised that it's only 5.9% of the violent crime. So, but taking a look at that, I think it's going to be really important. If this was equal across the board, there are nine sectors, you'd have 11% across the board,

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if it was just an equal amount. Obviously, that's not the case, because we don't have the population living in the George sector as evidence that it's down 1.3. Which means maybe that there's less of the domestic violent crime that may take place a lot in residences. If you controlled for that, it would be interesting to note whether we get a lot more violent crime down in that area. So I like the idea of doing a deeper dive in that sector. If the chief thinks that that's something that would be helpful, I think that some of the officers I've talked to have indicated they thought that would be a helpful thing to do, to really build upon the kind of work that the council is doing in that sixth street area, and the mention -- you know, what are the non-normal traditional public safety responses to

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crime, what are the non-normal ones, like staggering hours, as was mentioned earlier. But sobering center, the mental health diversion center, what are the things we can be doing that might help in that area that are not those things. And I think that might lead us to more of those kinds of things that we could also do to help in that area. Again, with everybody else, I want to have a chance to look through the report and learn more. There was one question that you went over that I just didn't see that was in the report and I didn't know if it was in the larger report. We're not able to use the historic traffic data, except for one year, and then only in a limited way. What was the issue with the three prior years? And you said in your recommendations going forward to make sure that it's most useful to us. Is that just a data collection question? >> So if you take a look, I'm trying to find again the number,

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the slide number. Some of the issues were laid out in that slide. Certainly, they're detailed very specifically in the report itself. But essentially, what it comes down to is this. The police department doesn't collect stop data like many police agencies do, and that is when a stop occurs, a stop form is filled out, and that information goes into a database. Instead, what happens is depending on the outcome of the stop, so if a warning is issued, it goes into a warning database. If a citation is issued, it goes into a citation database. And if an arrest is made, it goes into an arrest database. And then these three different types of databases are then compiled back together to indicate whether or not a stop occurred. And so not to get too technical here, but essentially, if you have multiple outcomes, you get double counted as a stop. And so if you're just looking at

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stops, you don't have an actual stop database that's readily available and can be used. And this is especially problematic because blacks and hispanics are more likely to have multiple things happen during a traffic stop, and so they would be multiple counted as a stop itself. And that's why the data is particularly problematic. In 2020, the mistake, if you will, in terms of the count of traffic stops was identified by the police department and they went back through all of 2020 data and did manual recoding and cleaning of the that data so that it remits a data set that it's at least more manageable and better represents vehicle stops. That's why we felt comfortable enough using it, at least for some basic information. The final thing I'll note is there are so many limitations about what's actually collected. It does not represent best practice in terms of what other

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police departments are collecting regarding vehicle stops, and so this is a way for the agency to move forward with best practice. It won't be easy. Data collection and changing of data is never easy. But for

right now, you have really skilled analysts that are doing the best they can with the data that they have available, and I think over time, that will be changing. >> Mayor Adler: Was one of your recommendations to go to a stop database? >> Well, either that or you have to find a more -- an easier way to actually be able to pull these databases together that doesn't require manual recoding and those kinds of things. >> Mayor Adler: Got it. >> So we do have a series of very specific -- I mean, literally to which variables should be included. We have in one of the appendices some examples of the type of data that should be included in traffic stop data and why we should be including this type of information, how it can then be used by your analysts in your

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police department. >> Mayor Adler: Okay, thank you. I think we have these experts for another 15 or 20 minutes. Council member Ellis? >> Ellis: Thank you, mayor. Just a couple of questions. I do really appreciate the information. It is a lot to digest. In one of the slides, I believe it was maybe number 39, it talks about people being disqualified for various reasons, and it seemed like being disqualified by failing a polygraph or having some medical or psychological evaluation issues might be important to filter out as you're trying to train up new cadets. But I saw one about debt or credit history, and I wondered if I could have a little more information about why certain cadets or trainees might be disqualified based on essentially lack of generational wealth in a household. >> I'll take the first stab at that one. In the background process, a lot of times, police departments are

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looking -- especially if the credit is bad and it hasn't been -- there's a lot of collections and things of that nature as sort of a benchmark for not being responsible. We had that situation in my department, and we gave applicants an opportunity to clean some of that up. It wasn't humongous, I'll say that. And I know that that's been a barrier here. That's something that APD I think recently, they're looking at that now, to see if there's any wiggle room to give an applicant an opportunity to clean up some of their credit along the way. So that is something that I've seen over the years has been an impediment to a lot of hires, especially diverse hires, especially coming from, like you said, the disadvantaged economically. So departments have been trying to work with those candidates to

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get them so they could pass the background process. So, that's something that APD's aware of, and I know that that's something that they're looking at. >> Ellis: That's great, and I can follow up offline about that, because that's something that piqued my curiosity, and if I wanted to understand that. If deciding to sign up and serve your local police department should be the steppingstone by which people

can gain access to city employment and get on a track for retirement by serving your community well. So I would hate to see people unnecessarily excluded from that opportunity simply because their parents don't have some of the generational wealth that other families have. I'm also very interested in this conversation about the George sector that a lot of my colleagues have presented good information about. And asked really good questions. So I do support that, especially because I know anecdotally, there's discussions about overpolicing in some areas and underpolicing in others. I know that's exactly what we're here trying to analyze this

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information, understand it better, to prevent. But I know that there's -- especially in district a, a lot of the vehicle burglary and theft problems happening in many neighborhoods in southwest Austin. And it reminds me of the report that APD produced in 2018 where a vehicle was exponentially more likely to be involved in a gun theft. So if a gun was going to be stolen, it was much more likely to be stolen out of your car than out of your home. And so I'm thinking of that when I look at crime and general situations around town that are not safe, and I would hate for us not being able to check in on vehicle burglaries and break-ins quickly enough to be able to prevent those guns falling into the hands of folks who shouldn't have them or may not have access to them in the first place. So I just wanted to daylight that. I don't know if it's a question, but wanted to let you know what I was thinking with that. I also agree with some of the

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conversations my colleagues have discussed about staggered closing some of the downtown businesses just so people have time to filter out of the downtown area in a safer way and appreciate council member Tovo's work on the safer sixth street initiative and the lighting that she's been working on with the energy utility. I think that's a creative approach and look forward to seeing that advance. And then, does this report -- on these suggestions of making the system database better and more searchable for the future, has that work already been completed or started? Or is there a suggestion that we need to look at those databases and look at a new process moving forward to make them talk to each other better or to streamline them into one database? >> Well, for that question regarding the database, I know those conversations are in process. I know this has been brought up to the council, I believe before, regarding the issues

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with the stop data. There is not secret to the Austin police department and they are working on solutions. But as I mentioned previously, in data collection, the systems that are involved and the actual

data collection process, it's complicated. And it might take some time to get it right. But in the meantime, as I mentioned, you do have really sharp, very good analysts that can help along the way to make sure that the agency is getting provided with the information that they need so that they can be data driven and evidence-based moving forward. >> Ellis: I appreciate that. And by any chance, do you know if any of these systems are similar to what our other departments might use for things like events or general development permits or things like that? Or are they completely separate and developed by public safety entities that do technology? >> Well, there's a whole market for all different types of record management systems, calls

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for service data, all of those things, it is quite a large market. There are some proprietary systems that are stronger and better than others. But there are also lots of folks that are working on solutions, so that these databases talk to each other. That's the most important thing. You know, what we've found is that, for decades, police agencies and police officers have been collecting information. But no one really ever looked at it or tried to compile it in systematic ways to be able to identify and pinpoint and be evidence-based. And now that we see that that's the movement, particularly in the last decade, it's been then recognized that while these systems really are not designed to be helpful in that way, and so we need to go through the process here of really updating across the country. This is an issue that's been recognized by the white house as a critical issue, with data collection for police departments, so your agency is not unique in that regard. We're all struggling different

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ways. Having said that, the actual collection of the traffic stop, the vehicle stop data, in particular, is a glaring issue that needs to be corrected. >> It's great to have the best system in the world, but you actually have to get the actual data and have it go in, and make sure that it's good data, right? That the police officers are actually filling out accurate information. For example, one of the councilors had mentioned, is this data from officer-initiated stops of vehicles or is this a citizen calling 911 that's causing the officer to make the stop. So, figuring out what data should go in is also part of the conversation. >> Ellis: That makes a lot of sense to me, and it made me think about maybe the systems were developed in ways that were about the people who were being stopped by police and making sure there were, you know, a record of different interactions and what happened during those interactions, but may not necessarily have been used to determine how the department was responding to certain situations and I look forward to us

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figuring out how to make them do both so that we can make sure these calls are being handled in a way that is transparent and open to the public. >> Mayor Adler: Council member harper-madison. >> Harper-madison: Thank you. I guess to echo my colleagues' sentiment, this is a lot of information. Frankly, I'm blown away that, you know, this all started in 2019, and here we have the culmination of all that hard work by everybody. But, you know, most especially, I'd like to really just thank my staff for doing so much hard work on the front end, front loading this thing. I have several questions, but I suspect I'm going to have multiple more. If we go over to slide 25. I'd like to ask a question about stop and frisk. And I don't know if that's a

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question for your experts, or chief Chicon. If it's for chief Chicon, I'd prefer to reserve it and ask the experts the next ten or so minutes. Can somebody clarify who would answer that for me? >> Mayor Adler: What's the question? >> I'll answer that question. >> Harper-madison: What is your question? >> I suppose my question is that I didn't realize that Austin was customarily a stop and frisk city. So I guess I'd just like some clarity there. And because of the specific issues as it pertains to that stop and frisk, which I said I didn't even know we did that, I'd just like a little more information about the problematic components that you all found with the stop and frisk without reasonable suspicion part. >> Yes. For institutional police -- for constitutional policing, when you detain someone to search for weapons, there needs to be reasonable suspicion that criminal activity is happening or about to happen. And that needs to be articulated by the officer in their report.

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We actually saw reports where the officer did a detention for officer safety. Well, officer safety in itself without any other cause that criminal activity is afoot doesn't meet the constitutional requirements. So what happens is some of the body camera video being reviewed, the officer would say, hey, I'm here, I got a call, I'm here to check on you, or whatever. And you're not in trouble. You're not being arrested or charged with anything. In the meantime, put the hands on the subject, pulls the hands behind their back and begins to handcuff them. And then the next thing is, the person is like, you just said I'm not being arrested and charged. I didn't do anything. What's with the handcuffs? I'm going to check you for weapons. And the subject may pull their arm, it might be a reflex, or they might brace. The next step is they either get charged with resisting, in some cases, they're actually taken to

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the ground. They're actually taken to the ground and handcuffed and charged. But there was no crime that led to that encounter to begin with. It was a call. And in my experience, when you're not a witness,

you've got to do a little due diligence to see what's going on around you. It seems like within minutes of a response, an officer is physically detaining, in some of these cases, not in all. There's a lot of good police work out there. But in some of these, it was a quick, you know, call, they arrived and you'd see persons in handcuffs, on the ground, being taken away for resisting. My thing is this. This is where supervision is key. I'm talking about those first line supervisors that are either working out there, because I'm thinking of a case right now where there was an inappropriate level of force. The supervisor was there and observed it. And didn't -- I didn't see anything -- that they took any action to deal with that, in the documents that I was provided.

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So if the supervisor was to take action in a situation where the reasonable suspicion wasn't there, whether through trending or mentoring, and in some case, it may require some type of formal disciplinary action. If that is happening at that front line, then there will be more accountability, and I think you'll see a little less this aggressive behavior. But it's also very important, too, because those supervisors, a lot of them, coming out to the scene to these use of force events and they're the ones taking the information, if there wasn't reasonable suspicion, then you've got someone going into the criminal justice system, it could be a challenge. In the meantime, whatever reports they do, gets reviewed by others. So we want those front line supervisors that have been doing these reports and making these inquiries to give the chain of command of a report that is better for them to review. And they can hang their hat on

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it a little bit. The closest person to that use of force is that front line supervisor. The absolute closest to it. They're the ones that know their people. They should be looking information from the officers. And compared to what the officer told them. Some of this stuff -- our team didn't take, like, one case and look at it for days. We looked at these for 15 minutes, 20 minutes, an hour. So I just wanted to kind of give you a more broader -- >> Harper-madison: I appreciate that, Mr. Brown, and I'll be more specific. I'm reading some of the information in y'all's report where it talks about officer safety. You know, most officers officially justify stop and frisk by claiming my officer safety. Without articulating reasonable suspicion that criminal activity was afoot. Moving forward, I'd like very much for one of the things for

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us to do is have sort of a uniform expectation. What does that mean? In terms of protocol, I think the general public should know what does officer safety mean exactly? Obviously, some of that is self-explanatory. But I think some of it is -- I read later on in the report where we talked about the use of

discretion. I think officer safety and the use of discretion within that, I think that might be a part of what the problem is with this becoming so convoluted and frankly problematic. I appreciate that y'all recognize the problematic component. Especially, you know, I'm looking at, you know, some of these really frightening stops. The 11-year-old female, a 70-year-old female suffering from dementia, a 67-year-old -- those things frighten me. If a uniformed officer is afraid for their safety because of an 11-year-old female, then I'd like very much to know more about the circumstances surrounding that and those like that. But I'll move on.

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A lot of these questions, nobody is going to answer today. I really haven't dug through. I'm just looking at the things that are catching my attention. On slide 12, where it talks about how people experiencing impairment are -- there's a disproportionate amount of black folks who are stopped -- who are not, frankly, experiencing impairment, and there are white folks who are experiencing impairment. Can you walk me through this slide? >> Sure. I believe it's slide 11, mark, if you're controlling here. It does make a comparison by race and ethnicity. And so what we know -- actually, sorry. Slide 11, mark. >> I don't actually have control. >> Oh. You're not doing it for me?

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Okay. So, yes, that one. So what you see here is the slide on the left shows overall impairment, for individuals who have force used against them. And we know that about 23% of individuals that have force used against them have no impairment at all that's listed by the officer. But when we take a look at that by race, what we see is that 30% of black individuals who had force used against them is no impairment listed by the police officer compared to 14% of white individuals, where there was no impairment noted as part of the use of force. And so, again, sort of graphically here, the graph on the right-hand side, where white individuals are in the black bar there. You'll see towards -- for

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percent alcohol and drugs, and mentally instable, that's the term used on the data collection instrument. You see 65% and 47% of white individuals compared to less for black and hispanics. And further to that point, should note that repeat individuals, individuals that have had force used against them more than once during that four-year period, are also significantly more likely to be black individuals compared to white or hispanic. >> I mean, none of this surprises me. I really look forward to having a deeper conversation about data collection. I have some questions about -- so we've had other reports before. We've had a professional come in and do a report. I'm curious about the consistency of the data being collected. I'll move on, though.

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I have another question about -- we talked about -- I appreciate council member Ellis, thank you for bringing up the point about the dq codes. That's something I brought up early on when we were originally having this conversation. I heard, here, if you had certain types of black here, that was a dq code. If you had, you know, credit problems, if you had debt, I really do want to dig into some of those dq codes and see what it was, where we are now, and where we're trying to glow the future. I'm really curious about the numbers there. Comparatively, 6,000 people applied for the fire department. 5,800 of them don't get in, because they don't score high enough. In which case, I'm very curious about why those numbers were so high. I had a question about resistance. Resistance shown. I'm going to give you an example. And I'd like to sort of just figure out how we can -- in a way that's productive, talk about this moving forward. So I'm going to give you an

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example. My brother, for example, his voice is loud and defense and gruff, and I don't care if he's talking to a baby or an old person or a police officer, he gets beat up and arrested with some degree of regularity because of how he sounds, because of how he presents. And I know he's not the only one. So from a cultural perspective, I'd like to know if any of that was taken into consideration when we talk about resistance shown? >> That's a great question. And it's something that we have studied in other cities. We're unable to take a look at that here. What we have is a measure produced by the officer of whether or not resistance was shown as a part of the use of force. We don't have resistance shown for an arrest. Only if force was used. So you can't even look across to see, of all these arrests, is force, you know, only used, for example, when resistance is shown? We don't know that.

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We only know when force is used, what is the level of resistance. And even the level of resistance, there's a little bit of discrepancy in our coding compared to what it looked like with the policy that was introduced. That's something that we flagged in a footnote there. But nonetheless, it is officers' perspective of the resistance shown during use of force incident. That is Lao it is measured. >> Harper-madison: Absolutely frightening, if we're talking about a case by case basis, and just, you know, some of the things that we see by way of officers' ability to use their discretion. Definitely talk about implicit bias there, right? A person can perceive danger, can perceive threat, can perceive resistance even when noun exi none exists. And introducing people to the criminal justice system and the direct implications there. Catastrophic for most families. And so I really -- I look

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forward to us digging into that some more. Another question I have -- >> Just a quick note, that is one of the reasons why we did the qualitative data analysis that Rick and his team did, so we can look at the body cam footage and better understand what was happening with those individual incidents. I couldn't do it on the quantitative side. Not possible. That data doesn't exist. But looking at it on a case by case basis can be done and should be done by the police department every time they review a use of force. >> Harper-madison: I appreciate that very much. I appreciate that you recognize that. I am looking at lastly... Resistance shown. We talked about training, use of force. Disqualification. Lastly, there was this slide -- and I'm sorry, I didn't jot down the number. It's this slide where you talk about the decision to -- it was like disproportionate use of force, people experiencing mental illness, substance use disorder, et cetera. Which slide is that? >> I'm going to look. This is for use of force?

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>> Harper-madison: Use of force, correct. >> Perceived impairment. >> Harper-madison: No, it's not -- I think it may be the next slide. I'm sorry, I took my powerpoint down. >> That's okay. Slide 12 is about repeat uses of force. So these are individuals that have repeat. There you go. So this is slide 12. Repeat uses of force. Single and multiple incidents by individuals' impairment. >> Harper-madison: What I was looking for is the slide where it talks about disproportionate incidents of use of force, and it talks specifically about the problematic ones,. Anyway you laid it all out. One of the things I find -- that is the one. Oh, no. That is stop and frisk. Okay. Anyway. The thing that I found troubling and concerning and I would like for us to dig into some more, and this is something I have actually had conversations with

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other officers about a and I have really like to hear the opinions of people, you know, with professional experience in law enforcement. I have had some conversations with law enforcement friends who really feel like, you know, if it is a well check we shouldn't go inside if there is no immediate threat to anybody else's safety, then we shouldn't go inside. We should leave that fern be because it always results in some use of force and somebody getting hurt. I did the law enforcement -- a person who was supposed to be, you know -- so with that said I would like to know if there is any -- if there is any comparative data for other cities where it talks about the risk when conducting well checks and if not, you know, and if not today I would like to follow up with you about that later. >> That's a great question and one of the things that we are realizing across the country is that the call for service data is so problematic that oftentimes when a call for service comes in, what is noted as by the call taker may or may

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not be what the officer finds him or her civil in once they get there so when you are looking at things like wellness check it is really dependent on the reliability of that call for service data, so initially even to determine whether or not it shows up as a wellness check, for example. But having said that there is a lot of work going on right now, thinking about 911 and of course in your city as well, thinking through when do we accepted an officer for a wellness check for example for example sending a clinician of some sort and all of that data is now being generated across the country, den they are is leading the way on that in particular because they have different types of response. And our, and are generating that information and tracking it really well, but I would be happy to pull together some resources for you do have, for your city to take a look at. >> That would be great. I really appreciate that. >> Harper-madison: And if for no other reason I think, you know, that conversation you were having, it goes to that

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conversation we had earlier we want uniformity. Unilaterally across the country there is the protocol and I think everybody is having this conversation about dispatch it is problematic with all of our emergency services, not just police so I think a national reboot, recalibration of our dispatch system is in order. I have more questions but I see that some of my colleagues also have their hands raised and I know you are limited on time. Thank you for the presentation today and I really appreciate all of the informed presentation, the informed responses. I do have a lot of questions and concerns about how we collect the data but I am no statistician so I think I will stay in my lane and ask my questions off line. Thank you. >> Mayor Adler: Thank you, it sounds good. 4:00 o'clock. Do we have anybody else that have their hands raised. Anybody else who has questions. Let's close that with the hand, help. >> Oh, just real quickly I want to thank councilmember harper-madison that was, for drilling down in those issues.

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You know, that is really necessary, very, very important. I just want to let everyone to know one of the recommendations out of the meadows report that related to the mental health diversion does extend to -- it does extend to follow up, so it does cover and makes recommendations with regard to -- I don't think it extends all the way, councilmember, to all well checks, but it does extend to some of that. And it is not something that we have fully put in place yet in Austin, but there is a very -- there is a very detailed set of recommendations, and part of the challenge for us here is coordinating amongst our crisis intervention team, with APD, our integral care team, you know, and our paramedics, so there are some specific recommendations made from meadows about what the

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path is for those three entities to coordinate better and to triage better, how they do -- how they do those followups, and that includes who is the -- for the particular situation, what kind of expertise is needed this is it primarily clinician that should be following up on those kind of things? I think that is one of the areas we need to do more work as a city in fully implementing the meadows recommendations. So I will be sure and -- I have asked, just for my colleagues, I am asking that the meadows report come to us in February, at a work session, so we can all dig into the details of those recommendations, the last the report we had was from the summer, and so it is time to understand, you know, what has been accomplished to date and

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what still remains to be seen and really get into those details. So I don't have -- I don't know city manager if we have got the date yet but a work session in February is when we need to get that set. >> Thank you. >> Mayor Adler: Great. Thank you. Manager. >> Well, first of all, thank you mayor and council for this really engaging and thoughtful conversation. We know you just received this information just a while ago. This is the first step and we didn't want to wait on giving you that information and allowing our consultants to present it to you. We want to thank Kroll and their team. They did incredible work and really had to work through some of the challenges a in data collection and presenting this in a way that can provide us with some clear recommendations on how we want to move forward. And finally I want to thank our chief and the Austin police department, I mean they really leaned into this and ensured we were being transparent in the way we approached this work and

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so I look forward to continuing to support and work with the chief on these recommendations as we go through them. So I really appreciate this discussion today. Thank you. >> Mayor Adler: Manager, thank you. The there is still a Kroll report coming up I guess on the academy and stuff that will be following here shortly? >> That is correct, mayor and we are hoping to get that in the second council cycle in February so in a couple of weeks you will be hearing from these folks again on the conclusion of the academy, and so stay tuned. >> Mayor Adler: Great. I just wanted to touch base on that real fast. Thank you, this is one of the best things I think we are doing in the city thousand as we are rethinking how we do abandon safety generally, this is a big part of that. So thank you for that and talk to all of the experts, chief, thank you for being with us all afternoon here today. Thanks to the experts. >> Thank you. >> Colleagues, we are going to get -- on the council associated

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with this, the committee stuff. I appreciate everybody going online. Some people have indicated they want to take one last look at it now with the knowledge that they can sign up for as many different committees as they want to and then pursuant to the ordinance I will make a recommendation to you, the chairs and vice chairs here pretty quick so that everybody can move forward on those. Let's see how the election turns out tonight, because we have one additional councilmember that will be joining us either now or in the runoff election. Councilmember alter. >> Thank you. >> Alter: I have one concern about just having every committee open to everyone. I am concerned about us having a lot of committees that are committees as a whole and then it becomes a challenge with quorum. >> Mayor Adler: -- >> Alter: I just wanted to ask if you could clarify, obviously everyone can show up to any

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committee and put their name in front of every committee we start having a lot of committees as a whole and we all have to show up. >> Mayor Adler: Right. And I misspoke. As I said this morning, when Leslie raised that issue I didn't mean committees of the whole. But we do have a policy that says people by ordinance can sign up on any committee they want to be on. Thus far we haven't run into an issue associated with that and I don't anticipate we will now either. Okay. And then I think then the last thing on our agenda where councilmembers wanted to speak to an item they didn't pull but wanted to address. Kathie there is one you wanted to speak to? >> Tovo: Thanks, mayor on our agenda for Thursday, we have the renovation costs for the downtown Austin community court coming forward. We have postponed it in the fall to have a public meeting at the request of some community stakeholders. That meeting is actually happening tonight and we have alarming number of registrants, I think the last, at last count

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we had 50 or so. I had indicate to the, indicated to the downtown Austin alliance and other stakeholders that reached out I was prepared to ask for a postponement until next week to provide some opportunity for, you know, individuals coming tonight to reflect on the information they received and the materials that they will take away from our conversation with the downtown Austin community court personnel. I just wanted to highlight, I had intended to highlight to you all that I was going to ask for that one week postponement a, last night we received and again I had that conversation a couple of weeks ago with the downtown Austin alliance last night, we all received a request from the downtown Austin alliance to delay those until March, so I wanted to highlight that for my colleagues. Again it was my intent to ask for a postponement next week. I don't know if we want to talk about a that now or on Thursday but just know that is a pending

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the request. Throughout the day we have gotten additional voices asking for more time and I apologize we now have 88 people signed up for tonight and I know some of those participants have sent on lots of questions we likely won't be able to cover this evening in the presentation in part because some of the questions will require staff from other departments who will not be participating in this evening's meeting. So absolutely, I believe it is appropriate to have a postponement, the length of that postponement is something I look forward to discussing with all of you:so I don't know if anybody has he thoughts about that right now. But I just wanted to, one, make my intention clear to ask you all not to vote on it this week and the postponement request may be longer than one meeting. >> Mayor Adler: Councilmember tovo you mentioned that earlier, I think and I support that and I have checked with staff and they were okay. The question I had asked was for

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a one-week delay. And I think after the is okay with that. So I think it will be postponed at least that one week and on Thursday I would suggest we have a conversation about whether or not it should be postponed longer than that. Let's see how the meeting goes tonight. And we can have that conversation on Thursday, a lot more information then. >> Tovo: Yes. That makes sense to me. I, having gotten this request last night I didn't have a chance to talk to the staff about what the impact would be so -- >> Mayor Adler: And -- >> Tovo: Beyond a week. >> Mayor Adler: Anything else before we take off? Councilmember, mayor pro tem? And then councilmember kitchen. >> Thank you. I think it is item 57 was an audit and finance item related to bylaws for the lapped use commission, we received a memo I think from Mr. Gonzales the other week that indicated that the land use commissions will be staying in city hall for their meeting for now, so the need to

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make a decision on the bylaws one way or another which the committee did not recommend in any way. Indication but wanted to bring the issue to attention is no longer relevant, so we would move to postpone that indefinitely and just be what is there on the consent agenda on Thursday. And I think vice chair may have -- >> Mayor Adler: I don't think we can to it on the consent agenda because it is an item from council but I think we can postpone it indefinitely. Councilmember tovo. >> Tovo: Thanks, I wanted to add in -- I'm sorry, hang a in a second, councilmember kitchen. >> Kitchen: Oh, that's fine. Just a real quick heads up for folks, item 53 relates to the issues related to wage theft and other related issues. I wanted to let you all know I will be posting some amendments to its, I received some feedback from some tokes in the community and I will be posting some amendments to clarify the intent

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for the opportunity for stakeholders to provide input before any proposed ordinance comes back to us and I think there might be some other amendments that others have suggested. So I just want to let you know that. I will be posting it to the message board and so if others have changes they would like to see we can have a conversation on the message board. Between now and Thursday. >> Mayor Adler: Sounds good. Councilmember pool. >> Pool: And back to item 57. The other part of the assignment that the audit and finance committee requested of our city clerk was to get some information about other commissions and where they are meeting and some additional data related to that. I think if that work is underway, it would be great to complete it, if it is not too much additional work we would be happy to still receive that information and I think that a memo report back would suffice. I think the chair, what do you

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think? >> I think that is fine and if the work is not underway please talk to councilmember pool. >> Because we may no longer need it, but I think we did lay to rest the question about the land use committees, where they are meeting and at least the short-term for now. >> Pool: So I think that has been amicably resolved for -- thanks. >> Mayor Adler: Sounds good. I think it is best to do it this way rather than by law change. So I appreciate the work by the audit and finance committee earlier. Anything else. >> All right, then. Until Thursday. Here at four turn -- 4:13 this meeting is adjourned. See you all later.