

Board and Commission Council Committee Agenda Item Request

Name of Board or Commission: Public
Safety Commission

Request Number: PSC Recommendation #20220307-02a

Description of Item:

Recommendation Proposal that the Austin City Council make the Forensic Science Bureau independent of the Austin Police Department budgetary and structurally

Board or Commission Vote to refer item to Council: Unanimous

Date of Approval of Request:
March 7, 2022

Attachments: ☒ Yes ☐ No

If yes, please list the attachments:

Attest:

Janet Jackson, Public Safety Commission Liaison
(512) 974-5747
Janet.jackson@austintexas.gov

MAYOR'S OFFICE USE ONLY

Council Committee Assigned:

- ☐ Audit and Finance Committee
- ☐ Austin Energy Utility Oversight Committee
- ☐ Austin Watery Oversight Committee
- ☐ Public Health Committee
- ☐ Housing and Planning Committee
- ☐ Mobility Committee
- ☐ Public Safety Committee

Recommend a Fiscal Analysis be completed?

Recommend a Legal Analysis be completed?

Notes:

Mayor Signature & Date:

PUBLIC SAFETY COMMISSION

RECOMMENDATION No. 20220307-02a

Date: March 7, 2022

Subject: Proposal that the Austin City Council make the Forensic Science Bureau

independent of the Austin Police Department budgetarily and structurally

Motioned by: Rebecca Bernhardt

Seconded by: Nelly Paulina Ramirez

Recommendation: The Public Safety Commission recommends that the City Council move the Forensic Science Bureau from under the control of the Austin Police Department and make it budgetarily and structurally independent.

WHEREAS, the City of Austin operates the Forensic Science Bureau, which provides forensic laboratory services related to the investigation of crimes, under the budgetary and managerial control of the Austin Police Department;

WHEREAS, the City of Austin is committed to the Reimagine Public Safety Initiative, which is a holistic approach to assessing and evolving public safety systems. Reimagine Public Safety is supposed to go beyond the scope of law enforcement and include decoupling some activities previously envisioned as under law enforcement purview to be independent;

WHEREAS, the predecessor to the Forensic Science Bureau, the Austin Crime Lab, was closed by the Austin Police Department in 2016 as a result of systematic failures to hire and retain qualified staff, properly maintain biological samples, process samples in a timely manner, and follow scientifically sound protocols for forensic testing;

WHEREAS, best practices for forensic labs recognize the independence from law enforcement as an important value. Independence helps eliminate bias, can make an organization more agile in setting priorities, in procurement and in hiring. Independence

enables a lab to be transparent without the need to get approval from law enforcement

leadership;

WHEREAS, the 2009 National Academy of Science Report on Forensic Sciences

recommended that forensic labs be independent from law enforcement.

WHEREAS, an independent Forensic Sciences Bureau would be placed at the same level

in the criminal justice system hierarchy as the Austin Police Department, the defense bar and

the Travis County DA's Office. This enables the Bureau to advocate for what is best in evidence

analysis with the key players in the criminal justice system on equal footing;

WHEREAS, until 2020 the budget of the Austin crime lab was rolled into a bundle with

other civilian services in the Austin Police Department, including vehicle services and building

maintenance, making it impossible for elected officials to identify and allocate needed

resources to the crime lab even after serious problems with both staffing and equipment had

been identified;

WHEREAS, an independent Forensic Sciences Bureau would be able to bring forward

budgetary needs to ensure that the Bureau is able to grow its operations as necessary to meet

the demands of all of its users, without weighing the concerns of other departments or

priorities, while retaining its scientific integrity. NOW, THEREFORE,

BE IT RECOMMENDED BY THE PUBLIC SAFETY COMMISSION OF THE CITY OF AUSTIN THAT:

- Austin City Council make the Forensic Science Bureau a budgetarily and structurally independent agency of city government.

Vote:

For: Unanimous (Commissioner Gonzales, Bernhardt, Webber, Ramirez, Cory Hall-Martin, John

T. Kiracofe, Michael Sierra-Arevalo, Hausenfluck

Against: 0

Abstain: 0

Absent: Commissioner Queen Austin, Commissioner Rocky Lane, Commissioner Amanda Lewis

Attest: [Staff or board member can sign]
