



***PUBLIC SAFETY COMMISSION
REGULAR CALLED MEETING
MINUTES
MONDAY, November 7, 2022***

The PUBLIC SAFETY COMMISSION convened in a REGULAR CALLED MEETING on 7th of November, 2022 at 301 WEST 2nd STREET – Boards and Commissions Room in Austin, Texas

Chair Bernhardt called the Public Safety Commission Meeting to order at 4:07p.m.

Board Members/Commissioners in Attendance:

Rebecca Bernhardt, Chair

Board Members/Commissioners in Attendance Remotely:

Nelly Ramirez, Vice Chair
Michael Sierra-Arevalo
Cory Hall-Martin
Rebecca Gonzales
Rebecca Webber

Absent: Commissioners John Kiracofe and Kathleen Hausenfluck

PUBLIC COMMUNICATION: GENERAL

- Wendy Price Todd, President South River City Citizens Neighborhood Association speaking on St. Edwards University and private fireworks displays

APPROVAL OF MINUTES

1. Approve the minutes of the PUBLIC SAFETY COMMISSION REGULAR MEETING on October 3, 2022. The minutes were approved with a unanimous vote.

Vote:

Yes – Commissioners Webber, Gonzales, Sierra-Arevalo, Hall-Martin, Ramirez, Bernhardt

No- Zero

Abstain – Zero

Absent: Commissioners Kiracofe and Hausenfluck

DISCUSSION AND ACTION ITEMS

2. Austin Fire Department Public Safety 3rd Quarterly Report – Austin Fire Department Chief Rob Vires presented the AFD data:

- Vehicle Collisions (included date for the last 5ys starting with 2018)
- Request for Service Q3 Comparison (slight uptick post COVID)
- Emergency Incident Comparison
- Response Times Comparison (breakdown by Council Districts)
- AFD Maps of all Districts and the calls helping AFD to determine where new Fire Stations will be built
- Auto Aid- the interlocal agreement to help dispatch the closest unit to a 911 call regardless of fire department or jurisdiction (recent changes to the Auto Aid contract to include ESD 2 for Priority 1 Medical calls only and with ESD 12 for Priority 1 Medical calls and vehicle rescues). Also Tellus Hub Software implemented to connect Travis County and Williamson County Computer Aided Dispatch (CAD) systems, and some technical issues are being resolved.
- Overdoses Responses
- Investigations – Arson Fires and clearance
- Austin Wildfire Division (focus on preventing dangers fires
- Office of the Fire Marshal: participation in all Special Events for City of Austin (mainly inspections to maintain fire safety)
- Community Outreach (helping with smoke alarms installations)
- COVID-19 and impact on AFD staff
- AFD sworn separations stats and reasons
- Cadet Hiring and Recruiting Efforts (Passing the Torch program ages 18-35yrs, and Fire Explorers Post 370 ages 14-20yrs)

3. Discussion and possible action on the gun violence prevention efforts by Travis County and the City of Austin

- Assistant Chief Greenwalt, presented on behalf of Austin Police Department

Assistant Chief Greenwalt covered the firearm statistics for 2017-10/2022, 2021 Austin PD Violence Intervention Program and Gun Surrender Operation on 10-25-2022. The stats for were 7,500 violent crimes committed using firearms since 2017 and the number is trending upwards each year.

Data was presented on Gun Theft from Vehicle vs. Residence and on Gun Lost/Stolen by Year citywide. Next the data showed the total guns recovered by year citywide and the goals of the Violence Intervention Program (VIP), which the Travis County DA's office is also engaging in discussion to work with the Violence Intervention Program. AC Greenwalt shared information on the Gun Surrender Program which took place on October 25, 2022 .

Total Guns Surrendered – 11 Firearms

There were questions from the commissioners:

1. Are the guns surrendered researched/investigated to determine if they were used in a crime (Commissioner Sierra-Arevalo)
2. How much funding does APD allocate for the Gun Surrender Program (Commissioner Ramirez)

District Attorney Jose Garza presented to the commission all of the steps his office is taking to have an impact on stopping violent crimes. Since taking office, Jose shared his office indicted over 4,218 violent cases, secured 2583 convictions for violent acts, and has a 94% prosecution reate for all firearm related offenses. He continued with information since taking office accountability, prevention and intervention and focusing on domestic violence were main points for his office to address. In an effort to decrease gun violence, his office held the first ever in the COA Violence prevention summit in June 2022. This summit brought in local law enforcement, elected officials and community advocates and crime victim advocates to the table. In addition they learned from national experts about evidence-based methods for reducing gun violence locally. In closing, Mr. Garza touched on his plans to help with decreasing the gun violence in COA by increasing resources for victims of gun crime, increased resources to stop future gun violence, and to strengthen ability of law—enforcement to solve gun crimes and a resolution with this tree pronged approach was approved by Travis County Commissioners on November 1, 2022.

4. Discussion and possible action Opioid Use Disorder Support Program and/or the Buprenorphine Bridge Program Chief of Staff Teresa Gardner introduced Commander Blake Hardy and Captain Sayers to present on this topic.

The presentation began with a little background on Opioid use in Travis County and how opioid addiction works and it's effects and how it's unique from other substances. The reason Emergency Medical Services is 30% of Opioid users who die of an overdose, interact with EMS in the 12 months prior to their death. Opiates kill more people nationwide than gun violence and car crashes.

The Opioid Use Disorder (OUD) Support Program began in July of 2018. The Medication Assisted Treatment (MAT) is significantly more successful than older, more traditional forms of “rehab”

The goals and objectives of the program were presented to the commission and it was noted that Opioid Overdose Rescue Kits are provided to anyone who feels they have a potential to be around a person who may overdose on an opioid.

The Buprenorphine Bridge Program (BBP) was presented. Buprenorphine is a MAT medication, different than Methadone. Buprenorphine does not get the patient “high” and a you cannot overdose on buprenorphine. With this drug use it can eliminate withdrawal symptoms quickly and prevent the patient from overdosing until the patient enters Medicine Assisted Treatment (MAT). The goal of the BBP is treatment for 7 days or less (averaging 4 days right now). The BBP program began at the end of November 2020 and the program grew rapidly due to word of mouth between users. There has been great success with this programs per the people who have benefited from receiving help from the participating in the program.

5. Discussion and possible action on a comparison of first responder salaries and benefits between Austin Police Department, Austin Fire Department and Austin-Travis County Emergency Medical Services

Rebecca Webber introduced this item and mentioned pay quality is an issue and she will be introducing/offering a recommendation on this item.

Assistant Chief Staniszewski presented APD's salary and benefits, Rob Vires presented AFD's salary/benefit information and Teresa Gardner presented ATCEMS salary and benefits. Selena Xie, President, EMS Associations and Jordan Malone, Medic with ATCEMS weighed in with comments on the impact of meeting the cost of living in the City of Austin with the lower salaries for EMS in comparison to other public safety agencies. Jordan shared that he started working for EMS at 20yrs of age, and will have to work 40yrs on a ambulance truck before he can retire. The amount of time he has to work to meet retirement eligibility in comparison to the other public safety retirement plans is longer. Selena commented on the educational requirements and certifications that EMS medics have to meet for employment and the disparities between the public safety agencies.

Commissioner Webber motioned to vote for recommendation and Vice Chair Ramirez seconded. Commissioner Gonzales and Webber to work together with the language of "Whereas" in requesting equal pay, benefits and retirement for the EMS employees.

BOARD/COMMISSION RECOMMENDATION

Public Safety Commission

Recommendation Number: 20221107-005

Motioned by Commissioner Rebecca Webber

Seconded by Commissioner Rebecca Gonzales

Subject: Austin should provide sworn personnel at Austin-Travis County EMS with pay and benefits equal to sworn staff at the Austin Fire Department and the Austin Police Department.

Recommendation: The Public Safety Commission recommends that the City Council direct the City Manager's Office to provide ATCEMS medics with pay equality compared to the other sworn public safety agencies. The City Council should also direct the City Manager's Office to look for ways to compensate their pension so it comes closer to aligning with the other sworn public safety agencies. Finally, the City Council should direct the City Manager's Office to provide pay for paramedic school since it is a promotion requirement.

WHEREAS, EMS continues to be short staffed. EMS is 23% short staffed, APD is 10% short staffed, and AFD is 8% short staffed.

WHEREAS, the difference in salary increases between medics and firefighters and police officers throughout the pay scale. Medics are paid an average of 30% less than police officers and 22% less than firefighters throughout their first ten years.

	<u>ATCEMS</u>	<u>AFD</u>	<u>APD</u>
<u>Salary Year 1</u>	<u>\$51,480</u>	<u>\$60,053</u>	<u>\$62,895</u>
<u>Salary Year 5</u>	<u>\$56,207</u>	<u>\$71,125</u>	<u>\$77,900</u>
<u>Salary Year 10</u>	<u>\$64,373</u>	<u>\$78,414</u>	<u>\$83,351</u>

WHEREAS, medics are required to work up to 44 years before retiring while firefighters and police officers can retire after 25 years of service.

WHEREAS, the police department and fire department pay their sworn personnel for all requirements for promotion and only in the EMS department do medics have to volunteer their time to go to paramedic school which is required for promotion.

WHEREAS, one of the justifications for compensating police and firefighters at a higher rate than EMS, that police and fire fighters face substantially higher risks of injury and death on the job, has never been accurate. Historically, EMS workers die at a rate of 12.7 fatalities per 100,000, police at a rate of 14.2 per 100,000, and firefighters at a rate of 16.5 per 100,000;

WHEREAS Austin paramedics have increased their responsibilities in the last three years through opioid epidemic response; homelessness response; mental health response; advanced clinical practice including whole blood in the field, finger thoracotomies; in addition to COVID19 response.

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

- The Public Safety Commission recommends that the City Council direct the City Manager’s Office to provide ATCEMS medics with pay equality compared to the other sworn public safety agencies. The City

Council should also direct the City Manager’s Office to look for ways to compensate their pension so it comes closer to aligning with the other sworn public safety agencies. Finally, the City Council should direct the City Manager’s Office to provide pay for paramedic school since it is a promotion requirement.

Date of Approval: November 7, 2022

Record of the vote: Unanimous on a 6-0

Attest: _____

(Staff or board member can sign)

Future Agenda Items:

Follow up fireworks permits (Bernhardt)

Adjourned at 6:55pm

4.

- Slight decrease (positive outcome) but still well above Citywide target of 8 minutes 24 seconds for response times
- Averaged mid to high 10 minute response time range this quarter

Overtime:

- Approved OT budget was \$5.8 million for fiscal year
- Actual OT expenditure was \$21.34 million (285% over budgeted amount)
- Steady increase in OT expenditure over past several fiscal years (anomaly was FY20)
 - Likely to continue for some time as APD continues to address staffing shortage

Personnel Costs:

- Slightly less spent than authorized in budget due to vacancy rate
- \$335 million authorized budget
- \$318.1 million spent

Sworn Staffing Levels:

- 1,809 authorized
- 1,529 filled (as of 9/22/22)
- 280 operational vacancies (as of 9/22/22)
- Separations over past several years have continued to trend upwards

Civilian Staffing Levels:

- 764 authorized
- 604 filled- includes 73 cadets and 78 temps (as of 9/22/22)
- 280 operational vacancies- includes 4 interns (as of 9/22/22)

Civilian Emergency Communications Staffing Levels:

- All emergency and non-emergency calls to police
- 911 Operators: 48% vacancy rate (50 vacancies out of 105 positions)
- Police Dispatchers: 28% vacancy rate (21 vacancies out of 75 positions)
- Supervisors, Leads, and Support Staff have significantly lower vacancy rates
- Total: 75 vacancies out of 223 positions

Cadet Classes:

- 145th Cadet Class (Regular)-
 - Started March 28, 2022 with 84 cadets
 - Currently at 56 cadets (one pending injury being recycled to 147th Class)
 - Graduates November 18, 2022
 - Graduation does not confer full officer status on cadets- First they will transition to work with field training officers to continue training for several months before being fully independent officer
- 146th Cadet Class (Transitional)-
 - Started August 1, 2022 with 8 officers
 - Program where officer from another jurisdiction participates in training and field training in Austin prior to becoming fully independent APD officer
- 147th Cadet Class (Regular)-
 - Starts October 10, 2022 with 50 cadets (predicted)

Commissioner Hausenfluck asked what the Department is doing to try and fill the vacancies with the Civilian Emergency Communications. **Mr. Matson** stated this is not an unusual situation for this type of position across the country. It is a very stressful job position to maintain. He confirmed the Department is engaged in active recruitment efforts to meet these staffing needs long-term. In the short-term, APD is providing support for these positions through use of sworn personnel who do not typically work in this area but are qualified to do

so. There is also an effort to address appropriate compensation. **Chief Henderson** added that APD recruiting team and emergency communications are coordinating efforts. When APD goes out on recruitment efforts, emergency communications is able to talk about 911 and dispatch operations for those who may be interested but not want to be full-fledged APD officer. **Commissioner Kiracofe** stated he had the same question as Commissioner Hausenfluck. He provided a concern regarding potentially inadequately trained people temporarily filling vacant positions (specifically related to guidance provided by a 311 operator). **Commissioner Hausenfluck** questioned when it is appropriate to roll calls over from 911 to 311 (emergency versus non-emergency). **Chief Henderson** responded that emergency communications team would be best to answer that question. **Commissioner Bernhardt** recommended we ask emergency communications to answer that question at a future meeting. **Chair Bernhardt** requested more information on the 21 weapons related charges that prosecutors declined to prosecute. **Mr. Matson** offered to gather more information and share with the commission at a later date. **Chair Bernhardt** questioned whether or not APD has changed any standards for hiring as a result of high number of vacancies. **Chief Henderson** responded APD conducted an evaluation of their disqualification codes and made some modifications to that. The cadet class impacted by new standards starts October 10th so the full impact of these changes is not yet known. APD can come back report on impacts. Specific changes related to disqualification guidance are: easing of physical training tests and scores for passing, adjustments to rules around past marijuana use, and changes to credit score/debt issue requirements. **Commissioner Webber** stated she was intrigued by the inclusion of the declination column in the slides and asked for more information on why it was included. **Mr. Matson** stated we wanted to provide a more holistic look at crime, recidivism, and impacts on the city. Part of that picture is related to the prosecution aspect of a crime. Recently brought on more staff and is now trying to take a broader look at crime and factors that play into crime. Mr. Matson stated that, to his knowledge, he did not specifically add the column on declination to this presentation but believed it had been present historically. **Commissioner Gonzales** confirmed the declination column has been in slide presentations for Commission since at least the beginning of 2022 and was not newly added. **Commissioner Webber** asked Mr. Matson if, in his opinion, the firearms declination data presented today was a significant number and Mr. Matson concurred. Mr. Matson confirmed that he has a researcher evaluating this issue and looking at the underlying factors. Declinations could occur for a number of different reasons and need to understand the drivers to make appropriate policy decisions. **Commissioner Webber** reiterated the importance of knowing more information before drawing conclusions using data from the quarterly reports. **Commissioner Ramirez** thanked Mr. Matson for including the different reasons for separations in the report.

5. Discussion and possible action on the frequency of serious vehicular accidents and vehicle/pedestrian accidents and the coordination of public safety agency responses to these accidents.

Chief Gardner, Austin/Travis County Emergency Medical Service
Chief Henderson, Austin Police Department
Austin Fire Department
Jim Dale, Austin Transportation Department
Joel Meyer, Austin Transportation Department (Remotely)

<https://visionzero.austin.gov>

Vision Zero Dashboard presentation by Joel Meyer (ATD). Public facing website that provides data regarding vehicular and vehicular/pedestrian accidents. Website provides current and historical data. Through September 19, 2022, community has experienced 72 fatalities for the year. Website breaks data down in several ways such as time of day and community demographics. Austin's black population makes up less than 8% of overall population but accounts for 16% of serious accidents and fatalities. Use this kind of data to appropriately address disparities by prioritizing resources. National and local trend of increase in serious accidents over last two years.

Commissioner Ramirez asked where data is sourced from. **Mr. Meyer** stated crash reports come from police officer response to crash. Data gets filtered up to TXDOT where they compile all of those stats. Vision Zero also has own internal database that allows them to do some quality control. One note made is that a lot of crashes may go unreported and are not captured here. Injuries also come from responding officers. **Commissioner Hausenfluck** questioned if there is anything specific they should look at to address the increase in traffic accidents over past 5 years. Vision Zero is specifically looking at design of the streets. Looking at other cities (US and international) to determine effective traffic and safety tools and design. Vision Zero also partners with APD to target egregious and dangerous driving behaviors. **Chief Bernhardt** asked how often we have serious accidents that involve Austin's public safety agencies. Mr. Meyer was not able to provide an answer at this particular time. **Jim Dale** added that ATD is working on an emergency vehicle preemptive project. This is a very complex technology solution to preempt traffic lights when emergency vehicle is on their way to an accident. This project has about another year until deployment. **Commissioner Gonzalez** pleased to have an update on Vision Zero but still feels like Commission needs more information and documentation regarding what's next. **Mr. Meyer** stated Vision Zero should be able to provide that in depth look at a future meeting. **Commissioner Hausenfluck** also requested more information on the program and its activities in the near future. **Commissioner Ramirez** asked if Fire, EMS, and Police has anything they wanted to add to the conversation. **Chief Henderson** stated that some of the decommissioned police cars have been re-marked with Vision Zero name and placed in high speed roadways where we have seen traffic fatalities as a deterrent. **ATCEMS and Austin Fire Department** do not have data additional to what Vision Zero presented. **Austin Fire Department** has been working closely with ATD over past 6 years to work collaboratively to address issues.

6. **Discussion and possible action on the Austin Police Department, Austin Fire Department and Austin-Travis County Emergency Medical Services implementation of the G.R.A.C.E. Act(Guarding the Right to Abortion Care for Everyone)**

Chief Gardner, Austin/Travis County Emergency Medical Services

Chief Henderson, Austin Police Department

Austin Fire Department

Chief Gardner stated there are no new programs or processes related to the GRACE Act. Any patient care records are protected by HIPAA. Medics are required to provide records to hospital care for any patient encounter. It is private and protected information. **Chair Bernhardt** discussed an incident in a different county in Texas about a woman who experienced a miscarriage and the DA initially stated he was going to press charges but could not. It is potentially a HIPAA violation if someone from the hospital involved in the woman's care shared her private medical information that reached the DA. **Chief Henderson** stated APD does not have access to any HIPAA related information and does not fall within their purview. **Commissioner Hall-Martin** asked whether or not APD would pursue charges if someone had an abortion. **Commissioner Ramirez** stated that City Council passed a resolution based on the GRACE Act in July 2022 and the Commission is wanting to learn if there have been any changes in policies and procedures at APD, AFD, ATCEMS as a result. **Chief Henderson** stated APD has not made any procedural changes. Some of the language in the resolution related to surveillance and data collection on individuals and that is outside the standard operating procedures of APD. **Chair Bernhardt** asked for clarification regarding current Texas law confirming it is a crime to perform or receive an abortion. She also confirmed that peace officers are required to enforce all criminal laws without any exception. She questioned what would happen to records if police became aware of situation where abortion occurred. **Chief Henderson** clarified that APD is not trained to ascertain whether or not an abortion occurred and would respond as they would to any medical situation. **Chief Henderson** also confirmed that it is not standard practice for police reports to go to the Fusion Center. **Commissioner Hall-Martin** asked ATCEMS what happens to medical records if a person receives onsite care but refuses transport to the hospital. **Chief Gardner** stated that they are required to maintain those records and maintain confidentiality just as a hospital would. Austin Fire Department concurred with ACTEMS.

7. **Approve 2023 Public Safety Commission Calendar**

Chair Bernhardt introduced the proposed 2023 Public Safety Commission calendar.

Vote: Commissioner Kiracofe motioned to vote and Commissioner Ramirez seconded

Yes: Commissioners Bernhardt, Ramirez, Gonzales, Kiracofe, Hausenfluck, Hall-Martin, and Webber

No: zero

Abstain: zero

Absent: Commissioner Sierra-Arevalo

8. Future Agenda Items

- Vision Zero- would like a more in depth look at what Vision Zero is doing and the proposed structural changes that may occur to roadways (**Commissioner Gonzales**)
- PARD Working Group report out- should be done by end of year and **Commissioner Hausenfluck agreed to present after that time**
- Salary and benefits comparison- compare salaries and benefits across APD, AFD, ATCEMS at different time points (**Commissioner Webber**)

Adjourned @ 5:32pm