



***PUBLIC SAFETY COMMISSION
REGULAR CALLED MEETING
MINUTES
MONDAY, OCTOBER 3, 2022***

The PUBLIC SAFETY COMMISSION convened in a REGULAR CALLED MEETING on 3rd OCTOBER, 2022 at 301 WEST 2nd STREET – Boards and Commissions Room in Austin, Texas

Chair Bernhardt called the Public Safety Commission Meeting to order at 4:32p.m.

Board Members/Commissioners in Attendance:

Rebecca Bernhardt, Chair

Board Members/Commissioners in Attendance Remotely:

Nelly Ramirez, Vice Chair
Kathleen Hausenfluck
John Kiracofe
Cory Hall-Martin
Rebecca Gonzales
Rebecca Webber

Absent: Michael Sierra-Arevalo

PUBLIC COMMUNICATION: GENERAL

None

APPROVAL OF MINUTES

1. Approve the minutes of the PUBLIC SAFETY COMMISSION REGULAR MEETING on September 13, 2022.
Commissioner Kirakofe motioned to approve and Commissioner Hausenfluck seconded.
Chair Bernhardt called for a vote to approve the minutes from the meeting of September 13, 2022.

Minutes were approved with Voting:

Yes: 6 Commissioners Bernhardt, Ramirez, Hall-Martin, Gonzales, Hausenfluck , Kiracofe

Abstain: Commissioner Webber

Absent: Commissioner Sierra-Arevalo

No: Zero

DISCUSSION AND ACTION ITEMS

2. Public Safety Quarterly Report – Austin Police Department

Jason Matson- Research & Planning Division, APD

Crime Rates in Austin:

- Crimes against Persons-Overall 6% decrease in violent crimes
- Crimes against Property- Overall 8% decrease - leading areas contributing to decline are theft from building and theft from coin-operated machine
- Crimes against Society- Overall 16% increase- leading areas contributing to increase are drug violation crimes and weapons crimes

Case Clearance in Austin:

- Mr. Matson acknowledged that we are in the process of revamping the case clearance guidelines with the Public Safety Commission. He provided a general overview of case clearances for past quarter.
- Crimes against Person- 833 cases cleared
- Crimes against Property- 443 cases cleared
- Crimes Against Society- 597 cases cleared
- Prosecution declinations- 21 out of 142 weapons cases were not prosecuted

Response times:

- 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.

3. 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.

4. **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.

5. 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

6. 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

The minutes were approved at the November 7, 2022 meeting when Chair Bernhardt's motion without objection for approval and the vote was (6 Yes).