

# Public Safety Committee (PSC) meeting Transcript – 10/16/2023

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[1:59:43 PM]

This is a-t-x-n the City of Austin S Government Access Channel good afternoon, everybody. It's 2:00 pm on Monday, October 16th, and I will call to order the public safety committee of the Austin city council that is, as I said, it's October 16th. We

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I said, it's October 16th. We are meeting at 301 west second street in the city council chambers at city hall. All members. The first item we have on the agenda is public communication. It's my understanding we have some people that have signed up for public communication. And I'll ask for some assistance. Yes, sir. >> There's no public communication, but we have several speakers that have signed up to speak on on item number four. And we'll take all those speakers. Now, at the beginning of the meeting. Great. >> Thank you. >> First speaker up, Noel Davis. >> Good afternoon. My name is Noel Davis and I have been I was a member of the academy curriculum review committee for its entirety and I am really grateful to Kroll for their

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grateful to Kroll for their assessment and recommendations related to the academy and I'm especially grateful for their section related to the roles and responsibilities of the division manager and the training staff and I like the way that Kroll brought to light the challenges that the academy has been experiencing. Related to enforcement of the revised sops standard standard operating procedures and integrating the civilian staff into the culture and I share Kroll's specific concerns about the new manager

of curriculum and instruction reporting to the training commander instead of reporting to the assistant chief for the reasons Kroll listed and some others. I don't have time to go into that. And as the academy prepares to hire additional civilian training staff, I'm really curious to hear specifically how the resistance that has been experienced by civilian staff and sworn staff to accepting the civilian staff, how that's going to be addressed so that we can actually like

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so that we can actually like really integrate these folks and transform into a culture of collaboration and teamwork. And I really appreciate commander Lyons stated intention to foster an environment of servant leadership and psychological safety to really help avoid these past problems. And again, I'm just curious, like, how specifically is that going to play out? How are we going to shift from theory and frameworks to like really operating analyzing that in a day to day management of the academy to really create a culture of inclusion and I'm also just concerned, you know, over the past couple of years, there's been a lot of change in leadership at the command level and at the assistant chief level. There have been, I think, three assistant chiefs and three commanders just in a very brief time. And so I'm just curious, you know, how long is commander Lyons going to be there? And, you know, it's just a curious city. And then what's the plan for moving forward if and when he does move on? How is all of this going to be everything he does to help create change? How

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does to help create change? How is that going to be integrated in to the systems? Thank you. >> Thank you. >> Next, speaker Phil Hopkins. >> Thanks. I've also been part of the curriculum review committee and the resolution 66 committee before that chose in part, I think for my academic expertise in media analysis and in race and ethnic studies. I think the crow report does an adequate job of addressing where APD has made some progress. But I think the crow crow as an institution is looking at the academy as a whole and they're comparing it to other programs and other academies, which is good. But I think it's also too important to remember what initiated this review process in the first place. Three years ago, which was much needed change on issues of race and equity in particular. And so I want to point out a couple of

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want to point out a couple of things that the co report does highlight as problematic and continued resistance and suggest that these need to be looked at carefully. First, there's no mechanism for assessment of or development of the instructional staff. I've watched over numerous iterations of the of the module for the academy seeing only minor edits and changes. And I think as crow notes, Wright, the

instructors need help building the pedagogical skills and the knowledge for effective teaching and effective curriculum development. If they don't get that, then we're going to continue to see instructors sort of teaching inherited modules that maybe they themselves don't really understand. And particularly with respect to the modules, most central to addressing and changing the culture and practice of policing to be more equitable and safe. I also want to echo what Noel said about the concerns over how the civilian staff will interact

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civilian staff will interact with sworn because I you know, the crow report seems oddly hopeful that more and new civilian staff will somehow overcome this dynamic. And I don't see a lot of cause for hope for that. So the thing I really want to emphasize is that in order to have transparency and accountable committee moving, thank you very much. >> Appreciate your comments and your service. >> Next speaker, fantasia. >> Hi there. Sarita fontanesi. I am also a member or former member of the curriculum review committee as well as an active community member. The biggest point that I want to look at today is that we all serve in different roles and we are all held accountable to making sure that we're achieving the outcome that we seek to do. We know that APD and our officers say that

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APD and our officers say that they are seeking to not only keep our community safe, but also change the relationship between APD and the community. In order to do that. That's going to require a different approach than what we've done in the past, which is also going to require different curriculum, different teachers, different ways of teaching. So something that was brought up in the report that we've brought up in in the committee as well is bringing on someone specifically dedicated to the learning and development and curriculum oversight for APD as well as making sure that the community is engaged in that so that we can really foster those strong relationships and community based policing that we are hoping to see. Thank you so much. Great. >> Thank you. Appreciate your service and that concludes our speakers, sir. Great. Thank you very much, members, for the record, councilmember Allison alter has also joined us virtually members of the committee. The first item on the agenda after communications is

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agenda after communications is to approve the minutes of the public safety committee meeting of August seventh, 2023. Does anyone have anything that they want to add or change? Paige then I'll accept a motion. A motion is made by council member Kelly to adopt and approve the minutes seconded by councilmember vela Driskill motion. Without objection, the minutes are approved. That will take us to item number two, which is a discussion and a potential approval of the 2024 public safety

committee calendar . Members, you have that in your backup Erp and I'll ask if anybody has any comments about that proposed calendar. I'll entertain a motion to approve the 2024 annual meeting dates for the public safety committee. Council member vela moves approval at a second by council member Kelly discussion. Without objection on item number to the annual meeting dates for 2024 are adopt and that will take us to item number three. A

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to item number three. A discussion and briefing from the Austin Travis county ems on accidents involving micromobility devices. Chief, it's all yours. Thank you very much. >> Thank you, mayor. Thank you. Council members. Committee members. I would like to introduce division chief Kevin parker from ems, who oversees our special events, special operations and homeland security division. He's going to be able to present today's presentation. Thank you. Thank you, sir. >> Good afternoon, everybody. >> Thank you for having me. >> Thank you for the opportunity to present to you. Providing you this briefing, following the briefing provided to the downtown commission, you'll see that there's some new data, some updated data that goes over the whole year. So we'd like to first start off with just giving you a broad scope of the e-scooter incidents that we have. If we can go to the next slide, please. This is just the most recent completed fiscal

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most recent completed fiscal quarter for 2023. In that time we saw just under 30,000 patients use of which only 48 cases were reported to us to have involved an e-scooter use. This is, as we believe, the most likely accurate number. It may be slightly underreported of incidents because it does require us to report the method of transportation that they were using as a whole. The city reports that in that same fiscal quarter, 725,000 trips were taken, about the same number of miles driven kind of aligns with the expectation that e-scooter use finishes that that last mile, if you will, of any mass transit plan. Next slide, please . Throughout the city, you can see that, you know, our e-scooter incidents are captured mainly in the downtown core. There are some outlying ones, particularly near mass transit stations. The next slide. And then zoomed in view. You can see

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then zoomed in view. You can see it's our major transport corridors and also our major entertainment districts in which we see the largest number of e-scooter incidents. Next slide. I should point out that these cases now that we're talking about actual patients, is I've transitioned to complete fiscal year numbers. So we had a total of 169 patients in the fiscal year 2023, 132 of those were transported and only of which eight were classified as a code three transport, which is lights and sirens. It indicates that

our paramedics assessed that the patient was at a great risk of death or serious disability or a loss of function, if you will. So a relatively small number of critical patients, however, a large number of the overall patients that we saw were transported to a hospital for further evaluation and treatment . Next slide, mayor. Yes >> Councilmember Bella. >> Absolutely. Just a quick on that prior slide, right quick.

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that prior slide, right quick. Yes, sir. That's a code three is a serious injury. Yes. >> Serious. And critical injuries, serious and critical injury. >> Three and if you all could back up to that real quick. I just missed that number. So 100 and wait a second, 82 eight out of the 132 patients who were transported were classified as being seriously or critically injured. So 124 transport reported of. Those, 832 were transported. >> Of those, eight were critically de or seriously injured. >> Got it. Thank you, sir. You're welcome. >> Thank you. Councilmember Vila . >> Next slide. Largely. One previous one to the left at largely the demographics of these patients is what we see downtown of a large number between 20 and 50 year old Indian males. So slightly tilted towards the male sex because cause this is a patient report.

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cause this is a patient report. There is those small numbers of 70 to 79 and the less than ten scooters is a colloquial term. And it could be something else that injured them. Maybe a hoverboard Eid or a mobility scooter versus the e-scooter that we are actually trying to talk about. That's probably the you suggest that people 70 to 79 are more likely to use a hoverboard than an e-scooter. No, I'm saying that they may use a regular scooter like you would see. I would never cast aspersions. Next slide, please. Burt broken down by the day of the week and time of day. That yellow box is our main entertainment nightlife hours. You can see the significant number or concentrate there. However, there is a concentration of these scooter accidents. Monday through Friday in the morning and evening commutes. As you break it down.

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commutes. As you break it down. Next slide. An impression in this case is not the same as a patient complaint, but an impression is developed after the patient has been completely assessed and this is the paramedics assessment of the most critical thing that is wrong with the patient. And you can see that all of them involve some sort of injury or pain, mostly to the face and the extremities with a significant number being to the head and to the face. It's really consistent. Like I say, with the lack of protective equipment that they may be wearing. And also of note, most of these cases were were single patient report that we they they did not involve striking another person or a pedestrian or a bicycle rider, etcetera. Next slide,

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rider, etcetera. Next slide, please. Again just to further demonstration and different graphical representation of most of these are are traumatic in nature. Again, these are the primary impressions. I know that you see a cardiovascular and a neurological seizure. That is the after the paramedic has assessed. So it is quite possible that these people were having a seizure or cardiovascular event after the collision occurred. We do not have a way to define that. And then next slide at the very end. I think it's important to note that e-scooter accidents are a very minimal impact on the community and on our ems system, not that those patients, those 169 patients aren't important. And but but in the big scope of things, it's a relatively minor impact to our system. And there are some functional gain that we get, particularly in the special

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get, particularly in the special event world where we see a high concentration of scooter use. It allows our apparatus and our motorcycles and our special response units to navigate through traffic a little bit easier instead of all of those individuals being in cars or other methods of transportation. Ann and obviously all of these cases are the majority of the cases, I should say, are only impacting the person riding the scooter. They're not having a larger impact to the bystanders or other people who may be around them. With that, I'll take any questions that you might have or clarification. >> Councilmember Kelly. Thank you. >> And thank you so much for being here so it's a lot of really good information. Part of the reason I wanted this presentation was because you did such a great job at the other commission meeting. But I did have some questions. So what are some suggestions that ems may have for the public to that might keep people safer when

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might keep people safer when riding micromobility devices? >> So, I mean, obviously we have an interest in moving moving from just dealing with patients who are injured to encouraging them to take actions that will prevent their injury in the first place. So we're very supportive of wearing helmets and wearing any type of protective equipment. If you have been drinking, considering using an Uber or Lyft or some other transport modality that would get you to your destination safer and doesn't require fine motor control and doesn't impact fine motor control, that makes sense. >> I've observed myself and I've also heard from others in the community that that sometimes people who are riding micromobility devices are on mopac are you aware of anything Lang in the city code that might prevent people from doing that? I am not, but certainly I think transportation would probably be able to say, but I'm not I'm not aware of any incidents that occurred on free freeway lanes of travel. Obviously, common

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of travel. Obviously, common sense would indicate that it would be a really bad idea to do that. But I'll follow up with transportation on it. Do you know what the average injury would be that sustained by someone who's on a micromobility device of all those that you listed, is it mostly just head and face? >> The vast majority are head and face injuries followed up by injuries of the extremities. >> Okay. And are you aware going back to the helmet use and safety equipment, are you aware of any partnerships with local businesses or organizations that could promote the use of that protective material? I am not chief. >> I am I'm not aware of any. No, I do know that in my time in special events is that they transportation worked closely with the scooter companies to encourage the same things that that we are encouraged Singh of protective equipment and riding sober etcetera. Right. >> So back when I used to ride scooters before they seemed to be a little bit too dangerous

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be a little bit too dangerous for me personally. I went online and tried to order off of Amazon bird scooter helmets and I got chicken helmets in the mail. So so, you know, you want to make sure you get the right equipment for what you're trying to utilize. And a chicken helmet definitely wouldn't fit this noggin. So. Yeah. Anyway, thank you so much for your presentation today. You've given us a lot to think about and I appreciate it. >> Well, you're welcome. >> Council members councilmember alter. >> Thank you, mayor. Councilmember Kelly, I appreciate you bringing this up. I think it's important subject. I would encourage trying to connect with del children's and del medical to see what they've been seeing with respect to the injuries of heard, from emergency physicians that there's really that the injuries are pretty staggering. So that's another way to get at the similar question. So I just

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similar question. So I just wanted to encourage that. >> Okay. Thank you. Councilmember >> Thank you, councilmember. >> Good report. Thank you very much for being here. Thank you all, both of you. Thanks for what you do. You're welcome. Members that concludes item number four. We'll go to I'm sorry, item number three. We will go to item number four, which is discussion of briefing on the Kroll audit of APD training academy 148th cadet class. Welcome. >> Good afternoon, mayor. Council. >> Good afternoon. >> Also join us virtually. I believe we have members or representation from Kroll. In addition, I have commander Lyons, who is currently the commander over our training academy. In addition to some of our sworn and civilian staff from the training academy. And so with that, would you all

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so with that, would you all prefer we have. Oh, we have Kroll evaluation coming up first. Very good. >> Thank you, chief. >> And thank you. Thank you, everyone. I'm Mark Alers, managing director at Kroll. And with me today are my colleagues, Rick Brown and Dan Lynskey. And we thank you for giving us the opportunity to make this presentation and want to thank you again in the city of Boston for the trust you placed in us for the past three years to help with the city's reimagining public public safety efforts. So for the next, you know, 15 minutes or so, we want to provide a high level assessment of our audit report that came out on September 15th, addressing, at least in Kroll's judgment, how effectively the Austin police department has implemented Kroll's past recommendations, Luz, and also emphasize such concepts as de-escalation, community trust and partnerships and racial and gender equity. Among other

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gender equity. Among other issues, while also developing guardian centered, resilient officers through effective and inclusive adult learning instruction. And if we could go to the next slide. So in conducting this audit, Kroll reviewed and assessed APD's progress in complying with 23 specific. What we're called priority audit domains during the 148th cadet class, which recently graduated 19 cadets on September eighth. And in our report we use the terminology listed on this slide Ed, to effectively essentially rate our view of the department's progress on each of the audit domains. So in alignment is what you would think. It simply means that in our judgment, the department is aligned with the goals and objectives of the recommendation and is working towards a common purpose, vision or direction consistent with those goals where we indicate Progressive adherence, we're indicating similarly that the

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indicating similarly that the department has made consistent and gradual improve in meeting the goals and objectives of the recommendation. But there are still some additional work to do to achieve full alignment. In one instance, we use the term partial adherence to simply indicate that while the department has implemented some of the recommended steps, there's been a certain level of either resistance or something that has prevented substantial progress and that therefore there remain some gaps between the goals and the department's progress on that issue. The term not adherence is what you would think. It just means that to date the department has failed to implement adequate steps to meet the goals and objectives of the recommended approach. It does not imply, however, that the department is in any way opposed to that objective. It just means that they really haven't done a lot yet to achieve that. And in one in a few instances we also use the term work in progress just to emphasize that while is



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emphasize that while is committed to the objectives there, there's substantial work remains to achieve full alignment. We go to the next slide. So this slide shows the areas we examined in which in our judgment, the department appears to be in alignment with the goals and objectives of the audit domains. And this is, these are areas where in our assessment, the academy and its staff have effectively implemented and at least to date sustain the recommendations in areas of improvement related to these areas. So this includes community involvement in APD training, which covers such such things as community engagement and the community connect program covers or the de-escalation training covers. Crisis intervention team and mental health awareness training. And I'll talk about those three areas a little bit in a little bit more detail. Briefly with respect to procedural justice, although

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procedural justice, although there's no specifically titled procedural justice training course in our judgment, the principles of procedural justice are in fact incorporated in several areas and aspects of APD training included in the history of police and race. And in America, racial profiling, which is a much improved course. Arrest, search and seizure, covers procedural justice in some areas as lgbtq patrol issues, professionalism and ethics and community engagement sessions, all of which cover these topics as well as procedural justice being reinforced in certain place scenarios such as traffic stops, with respect to cognitive decision making, emotional intelligence skills, these skills are developed in part and tested in training, in such training programs as cat and cit training, as well as

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cit training, as well as criminal law role play scenarios , all of which test cognitive decision making and social interaction skills are a primary objective of community engagement and the community connect program at the academy. All of which helps reinforce the people oriented skills and roles of police officers. That's balanced with their enforcement. Crime prevention and protective roles and Ed emotional intelligence skills are developed in courses such as mindfulness and resiliency classes. Now the academy has improved trauma informed training by adding victim components and several courses, and we outline those in section 3.14 of our report. And they've done a good job of utilizing victim services counselors with respect to scheduling coordination, since we started looking at the academy a few years ago, the academy staff is now does a much, much improved job of ensuring a more logical flow of class content and better integration of de-escalation principles as mental health awareness and community

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awareness and community perspectives into the training material. With respect to fto or field training officer training, overall, in our judgment, the department appears to be doing a much better job of clarifying the expectations of fto's as well as helping newly sworn officers transition from the role of cadet to patrol officer in service and annual refresher training includes de-escalation and training updates as well as some cultural competency training. And we have a much more detailed discussion of fto training in the report. Disqualification and the termination process. Again, we would note the staff appropriately documents the reasons for cadet separation as they evaluate whether adjustments are needed and as they as they occur. For cadets who are recycled to another cadet class, usually due to injury or illness, are offered employment with the department until their reentry into a new cadet class. And with respect to cadet injuries and separations,

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cadet injuries and separations, at least in the 148 cadet class, the department documented approximately 20 injuries that resulted directly from a training activity. But fortunately, no cadets in this cadet class were separated from the academy due to a training related injury and with respect to evidence based exit interviews of cadets, we would note that the academy has developed a standardized procedure in which separating cadets are interviewed by sworn and civilian staff members prior to separation. They're asked about positive negative perceptions of training and that responses are properly documented and the issues identified. And if we could go to the next slide, please. So just as a point of emphasis, we just wanted to sort of commend the academy for doing a much improved job. Since the start of the 144th cadet class. In which in which also they also did a good job there. But it was, it's

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good job there. But it was, it's been ever since the 144th cadet class. They've done an excellent job of substantially increasing community involvement in cadet instruction in the 148th cadet class included 15 community engagement sessions in which community representatives come to the academy. They make a presentation, and then they engage in q&a with with the cadets. And it also included 40 hours of the community connect program, which is where the cadets actually go out to the community organizations themselves. They interact directly there and participate in activities with their at the respective locations. In addition to that, the cadets received 16 hours of racial equity training as part of the groundwater analysis workshops led by Joyce James consulting. And in our judgment, collectively, these sessions and activities have allowed the cadets to gain valuable perspectives from a broad range of community representatives, while also allowing them to learn about community resources

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learn about community resources at their disposal and, more accurately, connecting policing to community service. And next slide, please. Similarly, we continue to find that de-escalation training is an essential component of academy training. It includes 16 hours of cat training, which includes role plays. It's the police executive research forum curriculum that, has empirically proven to reduce uses of force in departments that that utilize ica training effectively in addition to the department has verbal communication courses that incorporate verbal de-escalation strategies. They have criminal law and intermediate role plays, including the use of a much improved virtra simulator which allows cadets to at least when appropriate, apply de-escalation strategies in some instances.

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strategies in some instances. And in addition to that, the academy has 40 hours of crisis intervention team training. And they do an excellent job with this. And it teaches cadets how to identify behaviors that may indicate the presence of mental illness. And it provides officers with de-escalation strategies to mitigate violence and increase public safety in those circumstances. And if we go to the next slide, I'm going to turn it over to my colleague, mister brown. Rick, are you on. >> Sorry, sorry. I was muted there. This slide lists the areas where we assess the academy is meeting the progress of adherence standard meaning that APD is making gradual and continuous improvement. Use of internal external subject matter experts. The academy has significantly enhanced its use

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significantly enhanced its use of external subject matter experts and community resources to assist with cadet instruction in adult learning. Although most instructors utilize a variety of instructional techniques and some classroom based courses, there remains an overreliance on verbatim reading of APD policies and legal codes and some instructors do not fully understand how to incorporate adult learning concepts into classroom based instruction. And there remains a lack of peer and supervisory review of curriculum and teaching methods. Nevertheless, the academy does an excellent job incorporating roleplay based scenarios and is in the process of creating a professional advisory committee of subject matter experts to further assist with curriculum development and active learning instruction. Academy diversity and academy culture. We'll touch on that a little later. Active bystander for law enforcement training is a work in progress. APD has committed to instituting Abel, which is a peer intervention training as part of mandatory in-service training. The advanced education unit

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The advanced education unit intends to start rolling out classes by early 2024, and it will be an 18 month process to get all sworn officers through able training, physical fitness, health and wellness, scheduling concerns and facility limitations reduce the amount of physical training for 148 cadet class to approximately 55 hours. In comparison, 144th cadet class was 66 hours. Feedback provided to Kroll from cadets has been unanimous in that more physical training is strongly desired. Commander Lyons, to his credit, has made adjustments to how the assessments are administered as a result, the 148th cadet class did not lose any cadets at the start or the end of the academy. And by comparison, the academy lost two cadets from the 144th cadet class in week one because they failed part of the assessment, and one cadet failed the final at the end of academy training facility and staffing needs. Seven new civilian

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needs. Seven new civilian positions have been approved, so none of the positions have yet been officially onboarded. Physical facility needs a larger gym facility, etcetera have not been met. But long term plans are being developed. The learned skills unit continues to need more staffing resources and breaks are needed between cadet classes to lessen the physical and mental burdens on instructors continuing education for active personnel. The advanced education unit is currently developing more leadership training and exploring ways to improve community relationships. Their working to develop Trejo approved course on wellness and resiliency would include several community partners as the unit currently offers fair and impartial policing refresher training, groundwater analysis, racial equity training and a course on policing and transgender issues on a continuous basis. Next slide, please. Mayor could I ask a question right quick? >> Hang on one second. Councilmember Bella has a

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Councilmember Bella has a question. >> Oh, Mr. Let's go ahead. >> Could you active bystander what is exactly is an active bystander that that is a training geared to teach officers if they see excessive force being applied in an incident that that they could intercede without fearing any type of disciplinary action or for taking that stand if they feel as though, we've heard it across the country, why these officers are standing around with somebody using excessive force while this training is being adopted, to try to help officers understand the need to intervene when needed in those situations. >> So there's a policy on it, an APD and now, you know, they're going to be training on that. So the officers have a clear understanding of what their expectations are. >> Got it. That's very helpful. So when we're talking about active bystander, we're talking about active bystander law enforcement, not an active bystander witness, huh? >> Absolutely. That's exactly right. >> Got it. Thank you very much for that clarification. Thank you.

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you. >> You're welcome. >> Thank you. Please proceed. >> Okay. Okay this slide here lists some, but not all of the courses that are more effectively utilizing subject matter experts from the academic world and other community and city resources is one area in need of improvement. However, is better collaboration and preparation between the instructors and subject matter experts. Prior to class instruction to ensure that course content covers required material and is effectively conveyed to cadets. Next slide please. The academy diversity. The 148th cadet class started with 34 cadets and successfully graduated 19. So the attrition rate was 44. These two charts show cadet demographics when the academy started versus when the cadets graduated. And although a small sample size, the 15 cadet separations had a slightly negative impact on overall racial ethnic and gender diversity, with the total numbers of black, hispanic, Asian and female cadets declining by 50% or more due to resignations and terminations.

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resignations and terminations. However, diversity remains a goal of recruiting for each new cadet class. Moreover, the academy leadership at the commander and lieutenant levels is diverse in terms of race, gender and ethnicity. The current academy commander is conscious of the need to maintain diversity within the academy ranks, and he proactively engages in outreach to diverse groups of officers in the hope that a more diverse group of candidates might consider applying for the academy when they have open positions. Next slide, please. Academy culture. The academy employs a passionate and committed staff that cares deeply about producing well rounded and well prepared officers. Overall, the aspects of a paramilitary style culture still predominate at the academy. This type of training emphasizes discipline chain of command and teamwork, which is important for police departments that require adherence to strict protocols and procedures and is very, very necessary when there's operational discipline is needed when handling major incidents and moving large

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incidents and moving large contingents of officers to address past concerns, academy staff now ensure that classroom based hours are not impacted by performance accountability or collective discipline. Measure moreover, the paramilitary components of the academy training are appropriately balanced by increased emphasis on the guardianship aspects of policing, such as community engagement and de-escalation, and several others. Trauma informed training. As such. So I will go to the next slide, please, and I will pass this on to Dan Linsky. Thanks, Rick. >> APD's compliance with the audit protocol guidelines to date, partial adherence when dealing with the roles of the division manager and training supervisor. There's an imbalance of authority between sworn and civilian staff. There has been in the past a failure to enforce sops, which were revised on February four, 2022. The new commander intends

better collaboration with new civilian positions and realigned organizational structure. Currently is mentioned earlier

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Currently is mentioned earlier by one of the individuals involved on the curriculum development program. There's no academy instructor evaluation program going on and very little professional development for instructors and the academy video library is still a work in progress. APD has informed us that they have no plans to address those, that they are fleshing out and hopefully we'll have them in place shortly, but not yet ready to go. Next slide, please. >> Can I ask a apologies, but I've got to jump in for another question. >> When you say that there's a in balance, is and the power structure, what is that imbalance like? Is it between the sworn and the and the civilian personnel? Is it that the civilian personnel's input is not making it into the sworn personnel? Or how does that look, that imbalance? How does that look? >> That's exactly it. There's

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>> That's exactly it. There's some tension between the sworn and civilian personnel, and that, you know, has waxed and waned depending on who was there and there role in their position. You know, when this first came into play where there was a civilian academy director who was supposed to be the same, co-lead of the academy, they were supervise others who were instructing their team members not to cooperate and support the civilian academy director and that they still had to go through the original sworn chain of pool and process. Last time we presented this issue was flagged as well when we gave our report and I believe it was the mayor who asked me, have I seen this before? And is there a solution to when this occurs? My response was that I had seen it before and my solution at the time was to fire somebody who didn't want to work well with somebody else. And I found that once that happened, the new person who took over and said, are you comfortable working with the civilian advisor that we brought on board to assist us? They said, oh, absolutely, 100. It's my understanding, since

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It's my understanding, since compliance has, taken the lead that several people are assigned to other assignments now and that he's brought up people on board who share his vision and the chief's vision with what the civilian relationship should be with the sworn personnel at the academy. This is not unique to Austin. Civilians have often been, you know, looked at by police with jaundiced eyes because they haven't gone through an academy, haven't taken a civil service test. And it takes time and relationship building to bridge that gap. And, there was tension there and there was a gap for sure. It looks like the bridge, the gap has been bridged somewhat and looks like it's going forward, to continue

to get in a better place with the next version of the rollout of the civilian positions that are being hired.  
>> Again, appreciate the clarification. >> Sure. And what what I might say is when there's been

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say is when there's been progress, I get why there may still there's something like that may be listed under partial adherence. But if there's progress on something like that, it'd be good for us to hear it too, because as I was listening to the initial initial report report, I was reminded of the previous time where the pretty much the same thing was said. But it sounds to me like what you're saying is that that the commander has made progress on this. So I'm unclear where we are since we last spoke, your honor, I would. >> That's exactly what I would say. The commander has made progress on this situation going forward. Yes thank you. >> Please continue. >> Crawls additional recommendations for improvements to add physical fitness and cadet ride out time. Consistent scheduling of new cadet classes. Add learn skills unit defensive tactics instructor. Develop robust instructor development programs, enforce the sops and

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programs, enforce the sops and sworn civilian collaboration. That's to continue the enforcement of that and continue building that and seeking personnel who are committed to that. As we mentioned, facility improvements needed and to develop and expand the academy video library. The video process had gotten put on hold. And you know, there's a need to they've got a process now for going forward, making sure that the issues and concerns that caused the videos to be taken out of the training curriculum don't arise again. But also an ability to look for opportunities where video can help police officers, both cadets and in-service police officers identify unique situations and unique examples of effective strategies to minimize use of force, de-escalate use of force situations and highlight those opportunities where things go well. So there are, programs and policies that are being developed by the academy and the commander in. And we feel that

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commander in. And we feel that there's a roadmap going forward to improvement in those physical fitness and cadet Rideout time. You know, that's right. From cadet, inquiries, for, for whatever reason, the, the stringent time constraints of the academy put it so that physical fitness is not really key. You have recruits saying that they were in better physical shape before they went to the academy. Then when they went through an academy where physical fitness is supposed to be something they focus on and think some of that is lack of facility is. Some of that could be lack of the ability to task the calendar. However, credit to the pd. They have saw that and have developed compensation Ann program where they're putting cadets the ability to be compensated comp time to go to gyms and physical fitness

locations and places for additional defensive tactics on their own time, to make sure that they're supplementing them

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that they're supplementing them since they can't get it into the, the calendar that's currently out there. But most academies that I've ever been acquainted with, you know, physical fitness is a daily occurrence of an hour to 90 minutes, with very rare exceptions such as the range and offsite training program. And that's something that could benefit cadets. Obviously officers that are more fit use less force, get less internal affairs complaints. So there's a shared goal of the community and the officers to try and maximize that. If possible. Next slide, please. And I think I'm going to turn this back over to mark. Okay >> Is this the last slide? >> Yes. And thank you, Dan, and just wanted to finish up, here just to indicate kind of what our next steps are. It's, it's, as the last portion of our scope of work and as we completed the, the essentially the audit of the 148th cadet class, our final report is due on or about

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report is due on or about December 15th of this year as and we, it will be addressing our work with APD as it has been developing long term internal processes which are designed to ensure the sustainability of the implemented reforms as well as the ongoing going implementation of, of these past recommendations, all of which, you know, is intended to be consistent with Austin city council resolution 37 and the reimagined, police academy, blueprint. So so we will be, again issuing that report come mid-december. Hopefully we will be presenting, in that report, those developed written processes, at least where they are at that time, that are being developed by the department, and, and then we can have, we can also provide any, any final assessment, that we may have about those, those processes if

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about those, those processes if either there, you know, if there's any shortcomings or any additional improvements we might recommend going forward. So with that, we are happy to take any questions, anybody has. >> Thank you. Members of the committee. I'll go with you first. Do you have any questions ? Councilmember Allison alter thank you. >> I want to, start by just saying thank you to Kroll for your work. We've been at this for several years, and I think that, the way that you're approaching it, I think, can be really helpful as embraced. Really appreciate the thoroughness and the candor. And if anyone's watching and hasn't read the report yet that came out in September, it really does detail a lot of these pieces and give you an overview. There are pieces that do feel a bit like a repeated record. And that's frustrating. Lang but I do want to also recognize is that with



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to also recognize is that with this report, we are seeing some clear progress on certain elements and I want to acknowledge that and celebrate that because they are some of the things that we really cared about when we set about reforming the academy, there were things like de-escalation and the trauma informed care and having more skills in mental health. Having the mindfulness just kind of basic scheduling issues, improve payments to the fto training, not having separations because of injury. All of these are things where it took a long time to get, but we are now at a point where we have some progress and I think that's reflected in the report. There are, however, as you'll see in the candor in the report and with what they've said today, many, many areas where we still have work to do. So instruction delivery and adult learning. If we want to have a quality instruction that really sticks in and helps our, our police be

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in and helps our, our police be the best trained they can be, we do need to make these investments in adult learning and the officers who are doing the training, if they remain the ones doing the training, need to take seriously what we know about instruction and delivery. We need videos. We need to review our instructors. You can't inculcate a culture of quality without these steps in the academy. If it is an educational environment. So there's still many, many things to be done. I want to ask a couple of questions of Kroll, and then I may have some questions after we hear, Mr. Lyons alliance's response. So so this is your report for the Kroll folks of the 148th. We also had put in place an audit protocol where staff were supposed to come back and report to us after each class. And so it's not clear to me that that's what is happening today. So what is your recommendation for what

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is your recommendation for what we do with respect to the report out on the audit protocol, which is supposed to basically be happening today? But I don't know that this is that. So can you speak to that? >> I can speak to that. I think our recommendation all along with respect to the audit protocol guidelines is, which are of course referenced and tied into our report. So the idea was that these should be an internal process that guides APD internally and for each cadet class, they should be, essentially doing their own internal review to of, of how, how things have gone with respect to each of those audit domains. And I think the idea was and I think it's specified in those guidelines or those protocols should report out to either this committee or to council, as, as every, every cadet class. With respect, I

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cadet class. With respect, I think within it was 30 or 60 days of the of the graduation for that cadet class. Now what that looks like I'm not sure that's really going to be, I think up to the department as far as how they were to implement it. Ideally it would have already have have happened. Earlier, I think this was supposed to have started after the 144th cadet class or the 145th. It never really, I think, developed that way. We were then asked to come in and essentially do that process, at least with respect to the 148. And while we certainly wouldn't anticipate that, the Austin police department is going to do, you know, a 50 page report like we did, every, every academy class, I think the idea will be able to develop a system where they can report out and at least give you a general idea that one, they continue to focus on these issues, continue to try to improve on these issues, and

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improve on these issues, and they can give you a lot of the basic information that you as a committee can judge and ask the appropriate questions for. But in this particular case, since you've done this report, what would be useful process? >> Yes, there are obviously recommendations that you didn't cover that they can report out to us on. That's a good. >> Yeah, I'm not I'm not exactly sure if we if we thought I think I think for purposes of this I mean we limit it to the 23 audit protocols that were the scope of work was designed for us to focus on. I agree there are there are a few others that are listed in our protocol guidelines. And I'm not exactly sure if at least we've opined on what APD the process should be for APD and council, at least as of this cadet class. I think in many respects, there was a feeling that our audit will kind of, you know, be in lieu of APD

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of, you know, be in lieu of APD reporting out on it other than what they may be doing today. And, and answering any additional questions you all have. I think going forward, the idea, though, would be, you know, calls, you know, not presumably calls not here. The next cadet class. But you wanted to have at least a mechanism in place that allows the department to report to council all to answer the questions and hopefully to address the issues that you as a, you know, as a city and as a as a committee and as council feel are important and want to prioritize us. >> Thank you. I want to just underscore, with the chief etcetera, that we do expect for, for, for these reports to be coming and if it's not appropriate to do additional work for the 148, I don't want that to be, you know, a pass on doing this in the future. This is really important if we want to keep the sustained momentum

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to keep the sustained momentum that we have. So, so I want to underscore that. And then I wanted to ask if you could speak if there were a couple areas where there had been changes to allocations of time where we're seeing a reduction in the amount of community engagement down to 20 hours and ride outs cut back from 4 to 2, which I think is in the next class as opposed to this class which you just reviewed. Could you speak to the consequences of doing that? >> It's a balancing act. Counselor. And the consequences are that the cadets don't get the experience and we're putting a product out that may not have everything. We'd love to see it, have, but I believe the department is also balancing the needs for, backfilling positions and getting officers on the street. So I think they've kind of, you know, they understand the benefits of both and, and it's our understanding that you know, knowing that they also

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know, knowing that they also understand the needs of deploying officers, and trying to help. I think there's a lot of officers that are being mandatory overtime, trying to cut that load back. But obviously the more training and experience we can get police officers, the more effective they are in the academy. >> And I would add to what Dan said, and in our report, we actually recommend and I know, you know, obviously this is, this is the call of the department and the city, but, it would be our preference that there be an additional 1 or 2 weeks of training if needed in order to allow for all of the training that you would ideally want the cadets to have. So that you wouldn't have to cut back on the community connect program. You wouldn't have to cut back at all. In fact, you could increase physical training and not cut back on the cadet ride out program. So in our cadet feedback sessions, when we spoke to the cadets on a few occasions

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to the cadets on a few occasions throughout this cadet class, plus we did a survey with them, it was always consistently made clear that they themselves and this has been true of every cadet class we've spoken with, has wanted more physical training, not less. And they feel that it's good for their training. And I think best practices is, you know, you want to have at least three days a week ideally where you have physical training built in. Now that takes time in a in a schedule so that if you you don't want to cut back on other important training in order to accommodate that, the same thing would be true for additional community input. Whether it's community engagement or community connect. In our view, you want to include as much as reasonably possible that you can include in the schedule that enhances the cadets experience and interaction with a broad range of community representatives without taking away from all the other essential training that every cadet has to go through. So the only way really just it's pure math, in my opinion. The only

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math, in my opinion. The only way to do that is to if need be, instead of, you know, is to add a week or two of training so that you can accommodate that. But I know that's a call that that has a lot of other implications and as Dan pointed out, thank you for assistant city manager mills and chief Henderson. >> I'll just say that I would very much prefer that we were adding that week or a week and a half or two so that we can where we have hit some quality bars and really made a difference. As with the ride outs and the community engagement and with the physical training that we could, we would be able to do that. You know, that extra week or two could make a really big difference, in how our cadets are set up for success. Moving forward. I have other questions, but I'll save them until after the presentation from our staff. Thank you. Thank you, chief. >> I'll recognize you. Thank you, mayor. >> And thank you to Kroll and their team for their

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their team for their evaluations. They have been very collaborative with commander Lyons and all the training staff , doing individual interviews coming on site. So I just want to thank Kroll for the work that they've they've done with us ha and the work that they continue to do. Just a couple of points I would like to point out that there has been a high turnover with attrition, but understand that's department wide. It's not specific to the training academy in that our department has just suffered tremendous losses when it comes to our personnel overall. When we're talking about our sworn sworn staffing. I'd also like to add that this is a very large culture shift that we're trying to do in the midst of attrition, in the midst of implementing all of the recommendations from not just this Kroll report, but several other Kroll reports that that they've done. So I do want to recognize commander Lyons, his staff. They've done a tremendous job. I'll pass the microphone to commander Lyons. >> Thank you, chief, and good afternoon. Committee members and committee chair before I begin

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committee chair before I begin my presentation, I do believe it would be appropriate to say a few thank yous. First, I would like to say thank you to the cro team for their assessment as well as their collaboration. Next I would like to thank all the members and staff of the city management office as well as the council members for the continued support of the APD training academy. And finally, I would like to say thank you to everyone at the APD training academy for their commitment and dedication and their hard working day to day efforts, as well as the families that support them. I do want to acknowledge the sworn and civilian personnel from the training academy that we have here in support today. Next slide, please. Thank you. This presentation

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Thank you. This presentation will address the non adherence items that were listed in the Ralls report of the 148 cadet class. I am elated to announce that out of the 22 items that were evaluated within Kroll's audit protocol, only three items were listed at non adherence. Those non adherence items were the focus of our discussion on the October 10th academy leadership meeting with Kroll and will be the core of the presentation. Those items include instructor and leadership development instructor evaluations as well as the academy video library. Next slide, please. The first item I would like to address is the instructor and leadership development. As we all know, the instructor served as the backbone of our training academy and bear the tremendous responsibility of shaping the future of our officers in this city. Our supervisors guide and mentor our officers, officers

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mentor our officers, officers and are tasked with fostering an environment of excellence and accountable city. And it is very critical that we provide them the knowledge, skills, abilities and resources to excel in their roles and build trust within our community. We have developed and instruct a robust instructor and leadership development course set of courses in program that were thoughtfully designed to provide a well-rounded education and ensure that our instructors are equipped with the latest knowledge and best practices. All academy instructors and leaders will be required to complete these core set of courses within 24 months of assignment at the academy, pending operational needs as well as course availability. A few areas include leadership, curriculum, design, cultural sensitivity, ethical decision making, as well as law enforcement tactics. Here you will find a list of the

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Here you will find a list of the core courses for our academy supervisors as well as our instructors. I do want to highlight and pay specific attention to two courses that are on this list, and that includes principles of adult learning excuse me, as well as project management principles of adult learning will be implemented as a two pronged approach, if you will. So take a moment and just conceptualize exactly what this means. The first approach will include all instructors will attend Elia principles of adult learning course, which is theory based. And the second approach will include more practical application from a staff instructor development course, which will be thoughtfully designed by our training supervisor, Philip Axelrod. This list of courses is not all inclusive. The next course I want to pay some attention to is principles of project management

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principles of project management , and the goal was to be innovative and forward thinking to ensure that our supervisors have the project management experience and knowledge that they need to be successful in their roles. I have made contact with several agencies within the state of Texas and I have been unsuccessful in finding any other agency with this curriculum. Fortunately for us, we live in a great state of Texas and the beautiful city of Austin, and we are surrounded by quite a bit of esteemed universities. I was able to locate a principals of project management course at the university of Texas, which is a two day course that all of our supervisors will be required to attend to ensure that they have the capacity for project management. Next slide please. The next item I would like to address is instructor evaluations. We designed a process for evaluating us to

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process for evaluating us to provide feedback to our instructors for continuous improvement and this evaluation form that we've designed. Ed focuses specifically on adult learning techniques and provides constructive feedback to help our instructors improve over time. We have developed the sop for the instructor evaluation process as well as the including the associated rubric. The sop will include things such as evaluator responsible parties, how to complete the evaluation forms, a document Ann, which is our learning management system, as well as training and communication. Ann next slide. The last and final item that was listed on cro's report for non-adherence includes the academy video library. I'm happy to report that we've made substantial progress with the academy video process and have developed an sop to include a

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developed an sop to include a review worksheets, supervisor and instructor review process as well as responsibilities and process for extenuating circumstances. Any deviations related to the academy review process pro tocol will require will require approval from the training commander prior to implementation. We have established a video library, which is our centralized repository for academy training videos to include the worksheet that is developed to assist with review, evaluation and documentation at this time. All learned skills, defensive tactics, videos have been added to the library and we are working to include videos from other units on a more continuous basis. As I wrap up these non adherence items, I do believe this should immediately be progress us from non adherence to Progressive adherence to an alignment upon implementation which will occur 30 days from

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which will occur 30 days from today. Next slide please. I want to give a brief update about active bystanders for law enforcement, which is our able program just for awareness for everyone who does not know Georgetown university law developed a program called able to teach officers effective ways to step in when they witness misconduct and help agencies create a culture that supports such intervenes action. We have been formally accepted into the able project and we have four instructors enrolled in trainer to trainer courses and we'll have at least four more as dates become available early next year . Our first able course will take place in January of 2024 as part of our intermediate licensure course and to the broader department, we expect to have seven able certified

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have seven able certified instructors by quarter three fiscal year 2024, with the eventual goal of 12 to 15 across the department by fiscal year 2025. We have met some limitations by able. It is, from my understanding that there has been several agencies across the nation that are adopting the able program, and able is not able to provide the support that they initially thought that they would be able to provide. The department. However, we remain committed to properly and efficiently implementing the able program to 100% of our sworn staff. All this has done is extended our rollout timeline from approximately 18 months to two and a half to three years. Next slide. Here, I want to address the 148th class S attrition rate. We've had 34

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attrition rate. We've had 34 cadets start the 148th cadet class and we graduated 19 individuals. I do want to provide some context to our attrition because I believe that's very important. As you can see from the slide, we've had ten cadets separate for personal reasons, personal reasons include everything from deciding against a career in law enforcement, family issues, commuting financial issues, as well as losing a desire to complete the training we've had one cadet separate for a preexisting injury, one cadet separated for defensive tactics, test failure. We've had two cadets separate for an academic test failure, and one cadet was separated due to an integrity issue. I would like to report that we have. Implemented for the 149th and beyond four hours of study skills during week one to address the academic test

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to address the academic test failures with the goal of having zero as we move forward. Next slide please. Last I just want to provide an update of where we are with our current cadet classes for the 149th cadet class, which starts on may 22nd of this year. They're currently in week 22. We started with 34 cadets. We're down to 26. And that cadet class graduates on December the 29th, 2023. At this time, just for transparency, we have out of that class four cadets resigned, three were terminated, and one was

recycled . The cadets resigned for reasons such as personal reasons related to mental health, home life, financial reasons, finding a new job, etcetera. The three cadets were terminated due to test failure and one cadet was terminated due to an dishonesty

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terminated due to an dishonesty issue and one cadet was recycled due to an injury for the 151st cadet class started on 9/11. One of this year. Their currently in week 649 cadets started. 48 are current. They graduate date on April 19th of 2024. The one cadet that separated resigned for a personal reason which includes mental health reasons. Now while we have made substantial progress, I let us all not forget that our work is not yet complete. Our processes will be regularly reviewed and updated as we strive for continuous improvement and again, I would like to extend my heartfelt gratitude to my entire training staff subject matter experts and all members of the committee who have contributed to our success. So that concludes my presentation. Ann what questions do you have? Qadri great.

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Qadri great. >> Thank you, mayor, and thank you both for being here today and your service to our community. I had a question. I think it was the last slide about reasons folks didn't go forward. One of them was deciding against pursuing a career in law enforcement. Is that specifically tied to salary work life balance or is it perceived morale maybe in the department? Does it have anything to do with the ongoing contract negotiations? Is there a reason they decided not to fully pursue a law enforcement career? >> Thank you for that question. There's a multitude of reasons why that could separated specifically for the new job. What we received was specifically this is this career is not for me. I would like to pursue other opportunities of employment. >> Councilmember Kelly, then councilmember villa, thank you and thank you for that presentation. >> I really appreciated it, laid out in the way that it was. I know you all are doing great

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know you all are doing great work over there and it seems like that continues to improve as we get further down the road. I'm wondering if there are any budgetary or resource implications associated with the audit's recommendations, anything that we should look ahead for as far as budgeting goes? So that you can achieve the goals that you're trying to achieve based on that audit? >> Thank you, councilmember, for that question. As commander Lyon mentioned, as did Kroll, we do have some facility restraints or constraints related to expanding our our training. Please understand that the facility that we have now is a joint use facility with ems and AFD. And while we are all onboarding new recruits, new cadets, it's a challenge for that space. In addition, it's where we do the majority of our continuing or



advanced education too. And so space is a primary issue in addition to I know we did receive some additional training positions that we will be onboarding, but just please understand that that

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understand that that implementation, that integration into training just takes time. But in addition to that staff, we also now need offices for that new staff and it kind of just falls into that, that area of constraints on, on space. >> Yeah. So I was actually out there on Thursday last week to take a final for one of my classes at Austin community college and the parking lot was pretty full. So I thought, you know, y'all must be using it. But I guess the cadets went home for the day. I do understand that it is pretty busy out there with the use of the facilities, but I'm curious and I may have overlooked this, but are there any future plans for expanding the training out there that you're aware of? >> Yes, ma'am. We are currently working on a new training facility. We do have just a concept design. We are working on moving that along in the process. I believe we have a meeting actually next week with Ed Benigno. Miss Schmidt, Bruce mills to discuss that plan moving and how we can move that

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moving and how we can move that project forward. >> Okay. I definitely look forward to hearing how that comes along and if council can play any role in assisting you to getting that space. I'm also wondering what kind of feedback have you gotten from cadets as they've gone through this new process. >> Thank you, ma'am, for that question. At the conclusion of every cadet class we distribute a cadet survey. If you will, to inquire with the cadets what we can do better. What we've been doing great, where we can improve as far as physical fitness, defensive tactics, academics, etcetera. Overall, I would say there's always opportunities for improvement, if you will. There's opportunities for us to be better with our level of instruction. However the majority of our cadets believe that we provide some of the best training in the state of Texas and in the nation and are in love. Our instructors. And they

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love. Our instructors. And they can tell that they're very passionate about what they do. >> I'm very happy to hear that. Thank you, mayor, for the time. Just curious in terms of the attrition rate versus the cadet hiring rate, where has that been ? >> Ann? Where is that balance? I mean, I'm just looking at this, you know, about 26 and then 48 again, the class of the 151st cadet class, a long way to go, but how do you feel about where we are in terms of the pipeline of folks going out as opposed to the pipeline of folks coming in? Thank. >> Yes, sir. Thank you for that. Thank you for that question. Please note the department overall has just seen an attrition rate over the years. And so since 20 I believe the last year that we actually had a plus on the board at the end of a year was 2019, and it might

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a year was 2019, and it might actually even be 2018. And so please note that that attrition rate or that decline of sworn personnel has been something that's been sustained for the for the past 3 to 4 years that I that I know of. Now. Then when you talk about we had that pause on cadet classes to and so please understand that just put a pause on any kind of onboarding or any individuals that could be added to that training process. When it comes to a recruit or cadet. And so there was no add to the board that we could make because of that pause in addition to that, with the climate that's surrounding policing, not just us, but on a national scale in addition to state legislature passing a law related to having security personnel at public schools. In addition to just the standard loss that we're having. Because in the early 2000s, we did do large hiring pushes and those officers are now just naturally eligible for retirement. And so with other opportunities being out there in

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opportunities being out there in the in the private sector related to security, in addition to the sentiment surrounding law enforcement, in addition to we're having some challenges here when it comes to hiring and recruiting, we just find ourselves with not being able to onboard enough recruits to offset the attrition rate. I believe our recruiting team is doing a phenomenal job. They're looking at new strategies, looking at a marketing firm, looking at being more prolific in the space of social media. When it comes to job announcements, getting traction more traction on social media based on searches, but none nonetheless. We still face some some challenges there. So that's a long explanation of saying no, the number of onboarding cadets that we have is not making up for the amount of attrition that we that we do have. We would need to onboard Eid every four months, about 120 80 to 120 cadets, closer to the 120 mark every for every four months, essentially to make up for the ground that we've lost. In

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ground that we've lost. In addition to stave off that attrition rate. >> Thank you, chief. Thank you, Allison alter. Thank you. >> Mayor. Had an opportunity to talk with commander Lyons and assistant chief caslen last week. So I was able to ask a number of questions. Then I want to focus my questions now on some of the resources needed to kind of take this home and really take us to the next step in our in our forward movement on improving the academy. The first of those has to do with the facility improvements that are needed. I think this is something that I've mentioned to you, mills, before, and I don't know if this is a question for mills or for chief Henderson, but any big, large scale facilities improvements are going to take years in our process. But we know that we have other levels of government here. Here in Austin, such as ISD and ACC that have facilities

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ISD and ACC that have facilities that are available. ISD has some brand new renovated high schools that have extra space. Et cetera, which might be very suitable for certain types of training. Maybe not all the time. You may not be able to have the shooting around there. That happens in some of the learned skills, but for some of the training classes, there are facilities. I know that I worked with the academy for making some of the community engagement sessions at rcc. I think these partners are willing they have extra space. So I wanted to ask if you've if you've looked into some of those temporary things while we're trying to surge in our in our recruitment. And again, I don't know if that's for chief Henderson or for assistant city manager mills council member yes, ma'am. >> We have explored utilizing two other facilities. One thing that we learned was, first of all, finding it on a consistent basis. So we have reached out to ac, see some of our high schools as one location that we were

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as one location that we were able to access was capco, which is right down the street from the training academy. And that's where we had the backup for the 911 call center right there off of Burleson. And so that has been one place that we can have regular classes. It's also where muni court is located and so we have some space there. But when it comes to consistency that we need, that's been the that's been the challenge. So if it's those one off classes or some of our continued education that we're doing for incumbent officers, that those are resources that we can can access. But when it comes to that continual basis that we need as far as when we're running cadet classes, we haven't been able to find an alternate location. Then we have to deal with transport because now we need to have that. The cadets show up there, whereas the space for the defensive tactics training or the firearms training, the only place that we can have that would be at the training academy. So then the cadets would then have to travel back to the training academy. So when it comes to just

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when it comes to just instruction, knell classroom, we do have spaces available for that. But like I said, when it comes to consistency with the cadets and their training, that's where we're we're still have a strong need. >> Okay. I would I would encourage some additional conversations. Maybe with, with particularly. And I think there are when I talk with them there were definitely see some real opportunities there and I just don't think you're going to solve the problem in the short run without some of that work. The other piece, when I spoke with commander Lyon and assistant chief caslen, I learned that the seven civilian positions were not currently going to be added until April. So, and I've asked Mr. Mills about that. I don't know if you have an update on that. You know, part of what we're

really asking the academy to do is to make sure that we have the supports in there for the adult learning. And without those civilians in there, you're not going to achieve that. And, you

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going to achieve that. And, you know, I you know, when we funded that in the budget, I asked a very specific question about whether it would start in October. Shaw I was told it would start in October. And so I just want to make sure that we're doing everything we can to onboard them. So I don't know if chief or assistant city manager mills, if you could speak to that. Sure >> Thank you. Thanks. We did follow up and the funding, the actual funding for that was partial year funding, which would have taken it to mid-year. And I know you and I had a conversation about that after that conversation, talked to our budget folks and the intent there is that the department can go ahead and advertise and fill those positions and absorb it in their in their budget throughout the year. So the direction is given today. And I talked to both hr and APD, hr and those positions they post did to today and they were going to do it on a staggered posting because there are supervisory positions there. So when the supervisors are brought in, then they'll participate in the next the next level below them. But yes, this position will be filled, you know, right away.

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know, right away. >> Great. Thank you. Because I think that's really important to have those people in there so that we can focus where the work needs to be focused. And then the last question that I wanted to ask was about the cat rollout. This I'm not sure if this would be for commander Lyons or chief Henderson. The cat is the deescalation. Program, which we're now doing for each of the cadet classes. We had provided direction on at another point in time to be rolling that out to all of our officers, just like with able. Can you speak to that and yes, thank you councilmember alter, for that question. >> For information. I had all cadets as well as our continuing education officers, receive cat training, continue Singh education for current APD personnel. We are running a mandatory icat course that includes 16 hours of training,

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includes 16 hours of training, eight, eight hours will be devoted to classroom instruction in the next portion of that classroom will include scenario based training. The cadets receive 12 hours of cat instruction as well, including the scenarios all icat instructor Ann follow model fidelity from perf as well as in per and excuse me. Cro has evaluated that course many times and we are definitely in alignment with cap. >> Thank you. But when will every officer and supervisor have taken cat. The courses put on on a continuous basis? >> I would say it will take approximately maybe two years, just as just as I

mentioned, with able for all of our officers as well as supervisors to attend that course. >> Thank you. I appreciate all

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>> Thank you. I appreciate all the work that you're doing leading the department commander Lyon and I'll look forward to working with chief Henderson and making sure that you guys have the resources you need to do this important work. Thank you again to Crowell for your report . >> Any other questions? Members of the committee, thank you all very much. And thank you to the representatives from Crowell that have stayed with us. Thank you. Chief commander. We appreciate you all. Members. The next item on the agenda will be a briefing and discussion of possible action on the selection process for the hiring of new municipal court judges. And I will recognize judge statman. Thank you for your patience. >> Well, thank you. Good afternoon, everyone. So let's see, next slide, please. After the budget was passed, we learned that one substitute judge is going to be retiring and one has been appointed to

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and one has been appointed to fill out a term at justice of the peace precinct five. Both of these are highly competent and reliable judges. And then the central booking facility interlocal agreement. It will now require, with very few exceptions, that a judge be physically present in the magistration room instead of the judges office. And that is a problem which I'll get to in a minute. Both of these will impact operations as so. So the current challenges several judges who either have health concerns themselves or they live with someone who has health concerns. Luz feel that the small and it is very small. Magistrate room is unsafe from a health and safety perspective and they just will not work at central booking and I have to admit their concerns are valid. We do not have enough full time

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We do not have enough full time judges to pull from staff to fill all the central booking weekday shifts. I have perpetual difficult Katy getting consistency in staffing those shifts and especially weeknights overnights, weekends and the city is contractually obligated to provide a judge at central booking 24 hours a day, seven days a week, 365 days a year, which under this fake blond, there is a lot of gray from that . >> You know, there's some things you don't have to admit to just telling you. Even when you're asking for money next slide. >> So there are a couple of potential solutions. The first is to add one, two, five, or as many as you will. Let me part time substitute judges who are willing to work at central booking and go into that magistration room and or one one full time associate judge to

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full time associate judge to work B shift, which is a weekday shift from 3 to 11 P.M. I understand now that this second part may not be possible. In other words, hiring the full time judge and I would still be thrilled to have more part time judges now and then come back, hat in hand with more gray hair in the future. And ask again for a full time judge. Mr. Castro, from court is going to step in and he's going to give you a little bit more information on the budget and financial portion of that. >> Before he does that. Let me make sure I understand what it is you're you're proposed solutions do if you don't mind, if we created a process so that what you could do is you could add up to five part time substitute judges, would that meet your need? If you could get the judges that would serve where it is that you want them

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where it is that you want them to serve? Or would you need if you're up just up to five, you would have the need for that full one full time associate judge to work the shift and if you didn't have and I would not say it's impossible, but it is, as you point out in your very first slide at right after the budget. And so we're attempting not to just be adding things, obviously, but if you were to not get or if you were to get, not get the second point of that , how many part time substitute judges would you need? And at what point would that cost money ? >> It would be nice to have the full five judges that is already in the budget because part time judges, they only get paid when they work. The difficulty is getting the judges to work those weird shifts and they get burned out. The reason I put a full time judge on the table is just for consistency. Sure but that may be a future item because. Of

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may be a future item because. Of when this falls. After the budget. And I understand that. >> Okay, fair enough. Thank you. Was a good answer. >> Mayor. Yes. May I ask a couple questions? Just before we move on? Thank you so much for being here. And this may sound silly, but based on what you did just explain to us when the interlocal was signed, was there the concern raised about the magistration space? >> Yes, yes, yes, it was. It was not met with open ears. >> Okay. Is there any way to amend that? And we're not in that S have we ended up signing that or it's not signed yet? >> That's part of the negotiation, right now. >> It's not. And this is it's not our jail. It's not a city facility. So we have we have reconfigured it as much as we can, as much as we are allowed. It's just a small room. >> Okay. That was my next question, which I'm sure that you had already addressed. I was

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you had already addressed. I was just wondering how you attempted to address that concern by exploring potential solutions to the space issue so that it could accommodate the current judges. It's not that I don't want to approve these positions or if it is the will of us to do that. I just want to make sure that moving forward, if you get into a jam and we do get you a new role or a new position that we are still accommodating the other judges and that there's equity amongst the, I guess, ability for them to come in. So the solution has been that the judges are physically present, but they are not physically present in the courtroom. >> They magistrate virtually from the judge's office. And this also allows us to have more space. We have between three and four employees that are up on the bench with the judge. So it's like as if you were on the dais and your staff was next to you. Right next to you. No social distancing, really possible. So for some reason, Travis county no longer wants

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Travis county no longer wants that arrangement and they want the judge to be physically in the courtroom. They will allow a few exceptions, but they have made it clear that is their preference. >> So there's no wiggle room with Travis county to try and adjust. >> My understanding is, is there not wiggly. >> Okay, that's helpful. Well, thank you for adding to a very judicious answer, wouldn't you say? >> Yeah. Yes, that's great. >> Thank you. >> Councilmember vela. >> Judge statman, the magistration room that we're talking about is a little room where the judge sits with a window and right outside the waiting room. >> Is that the one that that y'all are referring to? >> No, sir. That is the office that the magistrate's room is across the hall. And it's basically from I would say it's less wide than the dais. And probably from where I'm standing to where Mr. Mayor is, is the dimensions of it. >> And so the magistration room is where all of the jail inmates

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is where all of the jail inmates are brought in to be physically. Magistrate to be magistrate there before the judge and the judge's staff right there. That's correct. Got it. The right across the hall from the judge's office right there. And I'm just kind of going through this. I've been in there, you know, too many times. Not personally. Yeah. As an attorney. Yeah. Okay. >> Yes. >> It's one thing to say you're really gray headed. It's another thing to admit what you just did. >> Yeah. Let me say, I've been in the judge's office many times. Not so much in the magistrates room, although sometimes procedures do pull an attorney into the magistrate room. The health and safety is that essentially covid concern? >> It's not just covid. There's other don't want to go into too much of it, but staph infection burns are probably more of a concern at this point than covid. But covid hasn't gone away. Yeah and again, just for the public and for the dais, this is a underground in the bottom of the jail.

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bottom of the jail. >> I think dungeon is probably an appropriate kind of feel for the area. It very small. There's constantly attorneys going in and out of there who need to speak to the magistrate. There's constantly police officers going in and out of there who need to speak to the magistrate. And there's constantly inmates and jail staff flowing in and out of there. So there's a lot of activity. It's a very, very busy spot there at the at the at the very bottom of the jail. And in terms of so when the judge is not present, when in the actual magistrates room is a judge in the office right across the hallway videoing in basically to the magistrates room. Yes, sir. Okay. But that is, even though there are probably, you know, 20ft away from that room, that's not considered in person, they're not actually physically present there with the jail inmates, according to Travis county, they want the judge physically present in the

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physically present in the courtroom. And so right now, we everybody, as magistrate in person, it's a hybrid right now, some judges are able to magistrate from the office, some are okay with going into the courtroom and that kind of changes from judge to judge and day to day. Okay. Got it. And again, just one more in terms of the five substitute and or the one one, a permanent, I guess my sense is that your your preference would be both. >> My preference would be both. But I'll take what I can get. >> Got it. I just wanted to clarify that. Thank you. >> Thank you. Councilmember. I'm sorry to hold you up. Please feel free to go to the next slide. >> Albert Castro financial manager for the municipal court. And as judge statman mentioned, for the five judges or for the five part time judges, we are funded for those positions. So we currently staff those. We staff 21 shifts of four judges at the jail. There would be no

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at the jail. There would be no cost difference to the court. Now if we went to the full time judge, obviously that's a full fte and so that will require for the retirement and health insurance for that employee and that is the financial piece that we would need and we would fall short on. So the delta between those two is just under \$50,000. And that is just really the piece that we do not currently have in our budget. So >> Zo, do you mind if I interrupt you and ask a couple questions? One is I was going to ask you that question. Ann is there do you have funding in your current budget that that it? I get that we've already budgeted for the five up to five and but you don't have the ability Katy in your budget to shift money so that you could cover that approximately \$50,000 that you're talking about for one full time. >> Had it been last year, we would have. But this year we've taken on a lot more initiatives. So the municipal court is in the process of opening up our north

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process of opening up our north substation, Ann Wright we are in the process or just starting off with the build out. We are taking on that lease and payment within our own budget. So utilizing our own funding, we did not ask for money for that. Fair enough. Additionally, we took on another some more initiatives which was the substitute judges pay was needed to be adjusted. We took that within our budget as well. >> Fair enough. Judge Paige, tell me again about the two that you lost. You mentioned at the beginning of your comments that there were two judges that have separated for good reason, but tell me about them. >> The first judge, John Yeager, was a very experienced criminal defense attorney and he has chosen to retire and full time judge. >> He was a part time judge, part time judge and one of our part time judges who worked quite consistently without issue. >> The other judge is Rick Olivo , another very experienced judge judge with a great track record

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judge with a great track record of showing up, being willing to work. And he was appointed to fill out Nick Chou's term judge Chou's term at JP five. Okay. >> Anything else y'all want to add before we discuss this a minute? >> If you would like, I can go over briefly kind of what the appointment process might look like. Do that. Okay. Next slide. The good news here is that past public safety committees came up with a process that worked really well. So we do not have to completely reinvent the wheel. But as a reminder, the reason I'm coming to you is I cannot simply hire them. The city council has to appoint and hire the judges. We have a game plan and this game plan is to recruit the most qualified candidates while preserving the courts. Historic divay capacity. Most of the heavy lifting is

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Most of the heavy lifting is going to be me and city H.R. We and amongst other things, we will have a panel of local criminal defense attorneys and prosecutors and law enforcement representatives and members of various minority bar associations who will interview and rank the candidates for you. The finalists will be set up as a slate to be voted on by the full council after you interview them at and we will update you on kind of the timeline lines and what we're we are recruiting and who we're we're talking to and who is on the panel and the target date for appointment is going to be January of 2024. >> You say proposed that the city utilize the same panel members from 2021. >> And yes they did an excellent job, which is why I'm proposing that it also will speed the

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that it also will speed the process up. >> And if they all agree to do that, we have to ask. >> But they have agreed a couple of times to do this and really take it seriously. And were excellent. >> Everybody's ready to jump in. Councilmember Taylor and councilmember Kelly and I just wanted to make the

comment that, again from defense attorney perspective, the city's magistrates have always been very good and they're thoughtful while they're present . >> You know, they, they ask for stuff and we go and get it and my sense is also from the police perspective is that they've been pretty you know, they want to see the evidence for search warrant. So anyway, I'm I haven't personally participated in the process and I'm not that familiar with the process. But I will say that in my 12 years of practicing criminal defense law in Travis county, I've been impressed with and especially, again, I'm not going to name

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again, I'm not going to name names, but in comparison to other other magistrations processes and other jurisdictions that I've dealt with with very high quality of judge, the city of Austin magistrates, very high quality of judge councilmember Kelly, thank you so you're recommending the same process used in 2021? >> Yes, ma'am. Okay so colleagues, I think I'm the only one right now who's here that was here in 2021. And I will say that as a new council member who'd never gone through that process before, it was super efficient and effective. And I think we did great at that time. So I would definitely recommend that same process just for ease of getting this taken care of. >> Councilmember qadri you want to add anything? Do you have any questions? All right. With that being said, I think it's important for the committee to also recommend Ed what it is that's going to come back to it so that the panel and you will have some idea of what what it is you're looking to, how many

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is you're looking to, how many you're looking to do. Basically, the proposed solutions. So members, I'm going to offer up what I would accept as a motion, but feel free to, since I'm making it up as I go along, feel free to change it. But the chair would entertain a motion that this committee recommend to the full council that it allow now for the municipal court to add up to five part time substitute judges and add a full time associate judge. Paige such object to funding after discussions with the city manager and the approval of the appointment process as detailed by judge statman, include adding the utilization of panel members

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the utilization of panel members . From 2021. So moved. All right. The motion is made by councilmember veillet, seconded by councilmember Kelly. Is there any discussion and I'm going to I don't normally do this, but your honor, you can discuss if you dislike that motion. Tell me if you. >> I like that motion. >> Okay. That was the right answer, by the way, any discussion? Hearing none. Without objection, the motion is adopted, and we will recommend that to the full council. Okay, quick question. >> What was that to be forward at the next meeting so we can get this process? >> Yeah, that's what we

were trying to do. >> We would make sure that it goes to the way that works is when it's recommended by a committee to the council, it's taken up as a non consent item and we'll bring it up at the next meeting where we can post it. >> All right. Thank you. Thank you all very, very much. >> Sure. >> Thank you. Thank you, judge. Thanks for what you do. Thank both of you for what you do. Members that's all the business to come before the public safety committee of the Austin city

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committee of the Austin city council without objection, we are adjourned at 3:45 P.M. Thank you all.