



***PUBLIC SAFETY COMMISSION  
REGULAR CALLED MEETING  
MINUTES  
MONDAY, AUGUST 1, 2022***

**The PUBLIC SAFETY COMMISSION convened in a REGULAR CALLED meeting on 1st, AUGUST, 2022 at 301 W. 2<sup>ND</sup> STREET in Austin, Texas.**

**Chair Bernhardt called the Public Safety Commission Meeting to order at 4:02p.m.**

**Board Members/Commissioners in Attendance:**

Rebecca Bernhardt, Chair

**Board Members/Commissioners in Attendance Remotely:**

Nelly Ramirez, Vice Chair  
Kathleen Hausenfluck  
John Kiracofe  
Michael Sierra-Arevalo  
Rebecca Webber  
Cory Hall-Martin

**PUBLIC COMMUNICATION: GENERAL**

Carlos Leon – complaint about Austin Public Libraries and Austin Police Department.

**APPROVAL OF MINUTES**

1. Approve the minutes of the PUBLIC SAFETY COMMISSION REGULAR MEETING on June 6, 2022.  
Chair Bernhardt called for a vote to approve the minutes from the meeting of (6/6/2022). Minutes were approved on a unanimous vote.  
Voting:  
Yes: Commissioners Bernhardt, Ramirez, Webber, Hausenfluck, Kiracofe, Hall-Martin, Sierra-Arevalo  
Absent: Commissioner Gonzales  
Abstain: 0  
No: Zero
2. July 5, 2022 minutes will be approved at the September meeting.

## DISCUSSION AND ACTION ITEMS

3. Discussion and possible action regarding implementation of the settlement agreement in Smith et al v. City of Austin et al, Cause No. D-1-GN-21-003081 in the 201st District Court, Travis County, Texas; Senko et al v. City of Austin et al, Cause No. 1:20-cv-01047, in the United States District Court Western Division, Austin, Texas and the pending Police Executive Research Forum report regarding Austin Police Department's handling of sexual assault investigations. 4:12pm— 4:53pm

- Commander Greenwalt, Austin Police Department - Travis County District Attorney José Garza or
- Assistant District Attorney Erin Martinson, Director of the Special Victim's Unit
- Jenny Ecklund, Partner, Thompson Coburn, attorney for the Smith and Senko plaintiffs
- Chair of the Travis County Sexual Assault Response and Resource Team

**Commander Greenwalt** presented on the trainings and implementations that are in place and forthcoming with the new budget. There was an overall increase of two detectives, one sergeant, four victim services counselors and the creation of a cold case unit and additional victim services counselors to the academy. All sexual assault kits have been tested, and new kits are testing within 30 days and receiving results within 90 days. There are now soft interview rooms and a third party is allowed to sit in the interview. APD is in the process of developing a robust training program about the neurobiology of trauma. There is a new survivor notification protocol in place. APD is in full participation with House Bill 281, the track-kit program. The Perf Report is expected to be released this week or next.

**Ms. Ecklund** clarified the status of the settlement is nearly complete, and will be fully done within 30-40 days. All parties have agreed to the terms (announced in January). Part of the goodwill involved in negotiating the terms was APD and City Council's commitment to the Perf audit. Other pieces to the settlement that have been agreed upon that have not yet come to pass are a public information campaign, creating a survivor survey at case closure, Chief having a meeting with all the named plaintiffs and an apology process.

**Assistant District Attorney Martinson** presented on changes at the DA's office with respect to response to sexual assault survivors. The office rejoined the SARRT. They began to change policies to reflect what survivors have needed and where the system has failed them. They convened a community advisory board, made up of survivors and advocates for ongoing feedback and communication. The board is working on data transparency and user-friendly, publicly available platform to access data on sexual assault cases. Commitments from the settlement also include a public memorial. The office is working very closely with APD to staff cases and design a training. The two departments also applied for a joint grant to add an assistant district attorney and victim counselor to be fully available to APD. There are now four ADA spots for sexual assaults in the office, and trials have restarted.

**Ms. Egger** introduced herself. She expressed concern that trainings would be conducted in house. She discussed the frequency of sexual assault is, particularly in domestic violence situations, and how low reporting rates negatively impact our community. She stated the Services for Survivors working group was never consulted regarding the settlement. She expressed concern that a lot of expert taskforces are convened and then not involved in decision making.

**Chair Ramirez** put a recommendation on the floor for next month to get regular updates on the settlement.

#### 4. Discussion and possible action on Austin Police Department Quarterly 4:54-5:16

- Jason Matson, Research and Planning Manager, APD

**Mr. Matson** presented the third quarterly report. There has been an overall 2% reduction in crimes against persons. There has been a 29% decrease in murder. Rape increased by 39% and 17% increase in aggravated assault, with a 9% increase in assault family violence. There was a 6% reduction in property crimes. There was a 21% increase in crimes against society, with a 46% increase in weapons violations. Average response time is 11 minutes. There are 129 civilian vacant positions. Challenges to reporting on cleared cases include low staffing rates and waiting for the process to finish in collaboration with the Public Safety Commission. With regards to shrinking overtime budget and increasing overtime need, APD will provide a response at the next meeting. When APD goes over the approved budget for overtime, money comes from vacancy savings.

**Commissioner Ramirez** asked for clarity on sworn separations.

#### 5. Discussion and possible action regarding the Austin Police Department's current policies and tactics in responding to protest organizing and protest activity. 5:17pm—6:00pm

- Commander Wroblewski, Austin Police Department

- Kevin Welch, President of Austin Electronic Frontier Foundation

Public comment from **Jim Ellinger**, Austin Airwaves – complaint about officer behavior during protests and the misuse of the LRAD (long-range acoustic device).

**Commander Wroblewski** presented on APD's policies at the protests, tactics used, and arrest procedures. The mobile field force is a group of field officers specially trained in discipline and can be activated by the Chief. They no longer use the 12 gauge shot guns, but use a pepper ball launcher and pepper spray. When the PA device in patrol vehicles is not adequate for crowd communication, they use the LRAD(long-range acoustic device), only for verbal announcements, not as a weapon. Arrests should be fair, reasonable, constitutional and quick. APD monitors local and national media for any issues that could initiate protests in the Austin area, monitors permits filed, and works with organizers. Anyone using the LRAD (long-range acoustic device) must have training on it, and test it first. There is a general order for its use. The SRT (Special Response Team) team is a group of volunteer officers that are specifically trained in crowd management tactics. Deployment of the two options is based on size. EMS, APD, and AFD do collaborate on large events to determine what types of resources need to be available.

**Mr. Welch** wanted to know why a half-miler megaphone could not be used instead of the LRAD. He also wanted to know if the LRAD could be timestamped for decibel usage.

**-- FUTURE AGENDA ITEMS** 6:00pm

LRAD (long-range acoustic device) usage and worker's comp filings

Please email, over time.

**ADJOURNMENT** 6:00pm

The minutes were approved at the September 13, 2022 meeting on Commissioner Hausenfluck motion, Commissioner Ramirez second on a 8-0 vote.