



PUBLIC SAFETY COMMISSION
REGULAR CALLED MEETING
MINUTES
MONDAY, *December 5, 2022*

The PUBLIC SAFETY COMMISSION convened in a REGULAR CALLED MEETING on 5th of December, 2022 at 301 WEST 2nd STREET – Boards and Commissions Room in Austin, Texas

Chair Bernhardt called the Public Safety Commission Meeting to order at 4:04p.m.

Board Members/Commissioners in Attendance:

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

Absent: Commissioner Sierra-Arevalo

PUBLIC COMMUNICATION: GENERAL

- Carlos Leon – Capital Metro complaints

APPROVAL OF MINUTES

1. Approve the minutes of the PUBLIC SAFETY COMMISSION REGULAR MEETING on November 7, 2022 will be presented with December 5, 2022 meeting minutes in January 2023.

DISCUSSION AND ACTION ITEMS

- 2. Discussion and possible action on an update on the reforms recommended by Kroll, for the Austin Police Department cadet training academy.** The presenters for this item were Dr. Anne Kringen, APD, and representatives from the Academy Review Panel; Noelle Davis, Phil Hopkins, Kathy Mitchell, and Sarita Fontanesi.

Dr. Kringen began the presentation with the background/timeline of the APD cadet classes from 143rd academy to the 145th and 146th academy classes and the evaluations of Kroll and City Council's approval for the 144th Pilot class to begin. The initial Kroll Evaluation completed in April 2021 and the 144th Pilot Academy class begins in June 2021. Kroll Pilot Academy Evaluation Completed in May 2022, prior the 145th APD Academy begins in March 2022. The 145th and 146th Academies graduation in November 2022.

Dr. Kringen shared with the commissioners the Key Academy Goals going forward:

- Community Involvement
- Adult Learning
- De-descalation

In addition to the key goals, the Community Connect, a new program that engages the APD cadets with community members with emphasis on groups that are disproportionately impacted by policing. Community Engagement was introduced to the curriculum and linked cadets with social service providers. Outside Subject Matter teaching is added to the curriculum and they are working on ways to have team teaching models, in addition to the experts teachings on different subjects. Additional changes include an Adult Learning being added as research demonstrates that adults learn different than children and the Adult Learning Theory incorporates this insight. Dr. Kringen closed her presentation on the ICAT (Integrated Communication, Assessment, and Tactics) – De-escalation. Currently the class taught by Advance Education to current officers and cadets. There is a grant from Office of Community Policing Services Grant to assist with having PERF to review of existing ICAT training offered at APD and PERF train the trainer to expand capacity in August 2022, and PERF follow-up review (to be determined, 2023). Dr. Kringen ended her presentation and asked for any questions regarding the information he shared on updates to APD training academy since Kroll evaluation and recommendations.

Some members of the Citizens Review Panel were in attendance to present their thoughts:

- Noelle Davis, we the community would like to see a more thorough review, and an opportunity to review the same as Kroll. The video review process still needs to be work out.
- Kathy Mitchell – we see deades of training has not helped to keep all members of the community safe. I believe entire police department needs the training, not just the cadets.
- Phil Hopkins – it is still a challenge to work/collaborate with APD to be taken seriously. We are asking to see the classes in order to achieve accountability and transparency to make the changes that need to happen.

-Serita – the focus of this committee (CRC) is to build trust and relationships with the staff. I’ve been on the committee over a year and not a lot of feedback has been implemented. It is difficult to believe the police department really wants change, the recommendations from us (CRC) have not been received well.

In summary there were questions from the Public Safety commissioners regarding where the commissioners could get a copy of the recommendations made by the CRC. Commissioner Bernhardt questioned what is the problem with the members from CRC sitting in some of the classes? Commander Lyons responded that he would meeting with his Assistant Chief for direction on how to possibly move forward with allowing the public to sit in on training classes. Phil Hopkins commented in closing that he felt APD needed to assign more staff to help Dr. Kringen with addressing all of the recommendations being asked to be implemented at the APD training academy. Commissioner Ramirez requested this item be brought back at the January 2023 meeting for follow up.

3. Public Safety Quarterly Report – Austin Travis County Emergency Medical Services

Chief of Staff, Teresa Gardner presented the 4th quarter stats for EMS regarding

- Priority 1- Compliance by District
- Priority 1- Response Interval by District
- Priority Percentage by District
- Current EMS Department Staffing
- Sworn Separations
- Vacancy Rates Sworn & Civilian
- EMS Turnover Rate
- EMS Academy
- Opioid Overdoses – EMS data
- Pop-Up Resource Clinics
 - Attendance, Services Delivered and how locations are determined

4. Discussion and possible action on update on Vision Zero traffic safety strategy implementation

Lewis Leff, from Austin Transportation/Vision Zero presented data on efforts by Vision Zero to promote safety on our streets, and in our vehicles and pedestrian safety in City of Austin. The information included:

- Safe Systems Approach
- Austin’s Data and Trends (crash level data and increase in number of pedestrians across the state, nation involved in fatal crashes)
- Engineering (Bond projects funding for intersection safety, highway improvements and systemic safety)

-Policy/ Procedures

-Achieving Our Policy Goals (Implementation of Project Connect, Collaboration with TxDot and State and local legislative changes)

Lewis opened the floor for questions/discussions from the commissioners. Commissioner Cory Hall-Martin had a question regarding scooter riders crashes and Commissioner Hausenfluck asked about reasons for the increase in traffic deaths excluding scooters.

5. Discussion and possible action How Austin’s New Program to Provide Counsel at First Court Appearance will Reduce Racial Inequities and APD’s \$7 Million Annual Jail Budget

This item was introduced by Commissioner Webber and the presenters were:

- Rachel Gunner, Advocates for Social Justice Reform
- Amelia Casa and Nathan Fennell, Texas Fair Defense Project
- Adeola Ogunkeyedy, Travis County Public Defender’s Office

The information shared regarding the CAFA (Counsel at First Appearance)

Commissioner Webber commented her concern/interest was on how much money the COA spends to put people in jail and how the Counsel at First Court Appearance can help to reduce the 7million dollars annual jail budget.

Bradley Hargis, Capital Director of Private Defenders Service spoke to the board on the importance of Counsel at the first appearance before the magistrate judge after arrest. He shared some of the consequences for the poor and disenfranchised who don’t have legal representation when the bond is being set by the judge. There was a short term project (total of nine days) studying the results of a bond with legal representation, where the lawyer can share important information about the individual that impacts the bond set by the judge. In one case he and the pilot team members were able to assist one individual where her case was labeled as a felony when it should have been a misdemeanor. The discovery of and sharing the information on a previous case caused for the bond to be set at 100.00 as opposed to 10, 000.00. As a result the individual was able to get out of jail and save her housing. This was just one example where they were able to help in such a short pilot program.

Another main point shared by Mr. Hargis was the amount of time it takes for the “Probable Cause Document” to arrive to the jail/magistrate, and to be reviewed by judge and/or prosecutor. Currently it takes almost six hours for the initial probable cause document to arrive, and the judge can’t set a bond until the document is received, so people are sitting in jail much longer than they need to be, booked, and placed in holding tank when the study found the majority of the arrests in Austin, Texas the people were in jail much longer than they needed to have been. During the pliot, there were 11,000.00 bonds reviewed and over 6,000.00 arrestees were in jail longer than they should have been because of the amount of time to receive the probable cause document.

Adeola Ogunkeyede, with Travis County Public Defender’s Office commented on her professional career in the criminal justice system and shared her work experience with the board. Her current

position/office has been in existence for two years and it opened during the pandemic. Her office currently provides representation to those people of the community who cannot afford legal representation/council for first appearance. She described CAFA (Council At First Appearance) as the single most important appearance for the arrested to be able to keep their quality of life. She touched on some of the best practices going forward with an amended Interlocal Agreement between COA and Travis County:

- consider bringing judges back into the same room as the arrested person (no more virtually appearances by the judges)
- there are no lawyers at the bond hearings and there needs to be council at the first appearance
- copies of previous studies were provided to the board to show the outcomes of in person verses virtual hearings (the human connection is lost when the judges are not physically in the room)

The two remaining speakers (Rachel Garner and Jake) summarized the points that had already been heard regarding CAFA (Council at First Appearance) and elaborated on the organizations they worked due to the meeting running out of time. In closing Rachel Garner commented a lawyer being present at first appearance helps the judge to be informed on the impact of the bonds on the person's life, job and his housing.

Commissioner Webber she had planned on making a recommendation that all parties have CAFA at the time they are arrested. Due to the meeting running over the allotted time, she encouraged that conversation on CAFA to continue in the New Year (2023).

Adjourned at 6:03pm

The minutes were deemed approved with edits at the March 6, 2023 meeting by Chair Bernhardt.