



PUBLIC SAFETY COMMISSION
REGULAR CALLED MEETING MINUTES
MONDAY January 8, 2024

The **PUBLIC SAFETY COMMISSION** convened in a **REGULAR CALLED MEETING** on Monday, January 8, 2024 at City Hall Building, Boards and Commissions Rm, 301 W. 2nd Street, AUSTIN, TEXAS

Chair Ramirez called the Public Safety Commission Meeting to order at 3:35pm.

Board Members/Commissioners in Attendance:

Nelly Ramirez, Chair
Rebecca Bernhardt, Vice Chair
Pierre Nguyen
Kristy Orr
Lauren Pena
Paul Hermesmeier
Timothy Ruttan

Board Members/Commissioners in Attendance Remotely:
Yasmine Smith

Absent:

Commissioners Cory Hall-Martin and David Holmes

PUBLIC COMMUNICATION:

- None – speakers were later called with Item 5.

APPROVAL OF MINUTES

1. **Chair Ramirez** called for the approval of the minutes for December 4, 2023. The minutes from the meeting of December 4, 2023 were approved on Commissioner Nguyen's motion, with Commissioner Pena second on a vote with Commissioner Smith abstaining and 6 voting for approval. Commissioners Holmes and Hall-Martin were absent.

2. Staff Briefings – none.

3. Public Safety Quarterly Report for Austin Police Department

Speaker – Chief of Staff Jeff Greenwalt

Chief Greenwalt acknowledged that at a previous meeting department representatives were asked to keep quarterly reports high-level, so the format of the presentation has changed to reflect this request.

Chief Greenwalt reported the following stats in the presentation:

- Crimes against persons by offense type
- Crimes against persons by APD sector
- Crimes against persons by City Council district
- Crimes against persons density (“hotspots”)
- Crimes against property/society by offense type
- Crimes against property/society by APD sector
- Crimes against property/society by City Council district
- Crimes against property/society by density (“hotspots”)
- Citywide response times and call volume
- Response times and incident volume by City Council district
- Emergency and urgent call volume by month
- Community engagement
- Overtime budget vs. hours worked
- Personnel budget vs. total expenditures
- Cadet classes
- Staffing levels
- Patrol officer staffing and vacancies by area command

Chair Ramirez opened the floor for questions.

- Clarified that Q1 report is covering October-December (**Chair Ramirez**)
- Request to color coordinate slides that have sector and districts for geographic clarity moving forward (**Commissioner Smith**)

4. Discussion of 88th Special Texas Legislative Session and Impacts on Public Safety

Speaker – Brie Franco, City Intergovernmental Relations Officer

Four special sessions were covered in this presentation. A summary of information included is below:

- 2022 pre-filed legislation (HB 714, HB 880, HB 553, SB 130)
- 88TH regular session statistics
- 88th special sessions statistics
- 88th special sessions topics

- 88th session passed bills that are positive for the City
- 88th session passed bills that are negative for the City
- 88th session bills that failed to pass – positive for the City
- 88th session bills that passed related to public safety
- 88th session bills that failed to pass related to public safety

Chair Ramirez opened the floor for questions.

Asked to hear about SB 4 (**Chair Ramirez**)

What else does SB 4 do? Does it enable investigations? (**Commissioner Bernhardt**)

Is SB 4 related to border only or also the coastline? (Commissioner Nguyen)

Question for AFD and APD: How did scene clearing work before and how might this new bill impact response times? (**Chair Ramirez**)

Do we know how many accidents we have per month that might be affected by this bill?

Would like to see stats if available. (**Commissioner Bernhardt**)

5. **APD Virtual Magistration Pilot Program**

Speaker – Chief of Staff Jeff Greenwalt

Chair Ramirez called public speakers up to provide testimony related to Item 5 prior to Chief Greenwalt's presentation.

- Rachel Gunner (Advocates for Social Justice Reform) – expressed concerns about APD Virtual Magistration pilot program
- Kathy Mitchell (Equity Action) – expressed concerns about APD Virtual Magistration pilot program

Chief Greenwalt thanked the Public Safety Commission for allowing him the opportunity to present information about the pilot project.

Chief Greenwalt provided background information about the current post-arrest process in place at the Travis County Central Booking facility. He also provided information about costs associated with the current program and the negotiation process for the current and upcoming budget years.

Chief Greenwalt reviewed the reasoning behind initiating the pilot program. The top two issues are cost and efficiency. A goal of the project is to see if there will be a positive impact related to officer availability by reducing the amount of time they need to be involved in the post-arrest process.

Following a feasibility study, APD staff found that they can complete all of the same forms and pre-trial services that are currently being completed with Travis County staff. Chief Greenwalt reviewed a comparative list of these forms and services.

Chief Greenwalt provided next steps for the project which include continued work on project design, mock trial testing, legal review to ensure state law compliance and protection of arrestee rights, and continuing dialogue with Travis County regarding the current interlocal agreement and potential future alternatives.

Chief Greenwalt addressed questions that were mentioned during public testimony that occurred prior to his presentation. Topics included projected costs, pre-trial services, prosecutorial arrest review process, how the proposed program would be different for the arresting officer in comparison to the current post-arrest process, submission of probable cause, location of mock trial, diversion to the Sobriety Center and future diversion for arrestees suffering from mental health related issues, Counsel at First Appearance (CAFA).

Chair Ramirez invited representatives from Travis County to appear virtually to speak to the item. Representatives attending virtually included Stacy Brown, Vicki Ashley, Jennifer Craber.

Chair Ramirez opened the floor for questions.

- Regarding ongoing legal review and involvement of City attorney: Are the County and District Attorney's office brought in at the front part of legal review? (**Commissioner Orr**)
- Has there been a coordination up to this point with the defense bar or any of those groups? (**Commissioner Orr**)
- With the mock trial test, will there be an after-action review and will we have the opportunity to review that process? I would like to see lessons learned. (**Commissioner Nguyen**)
- When was the decision made to transition from a pilot to a mock trial? (**Commissioner Bernhardt**)
- Was there any public conversation about the mock trial? (**Commissioner Bernhardt**)
- There was a letter from November 30 that raised a number of concerns from judges. Can you review those? (**Commissioner Ruttan**)
- Is there a reservoir of concerns from the larger group, were those concerns addressed, and were they implemented into your plan and proposal? (**Commissioner Smith**)
- Is there a list of questions and organizations that appear to have concerns written down somewhere and can I access it? (**Commissioner Smith**)
- In reviewing magistration processes at other entities, the time consuming process isn't only related to waiting for a judge. In a virtual magistration process, an APD officer would still need to stay with the arrestee throughout the whole process, correct? I am struggling to understand how duplicating the

same process is going to save time. Why would the APD process work more quickly and efficiently? **(Chair Ramirez)**

- Since we have a “shortage” of peace officers, the plan sounds like it’s going to take the same manpower? Want clarification on the handoff for this project. **(Commissioner Bernhardt)**
- We would be paying APD salaries for people to complete the work that is currently being done by Travis County employees who aren’t sworn? **(Commissioner Bernhardt)**

Chair Ramirez invited speakers to provide comments.

- Jennifer Kraber – expressed concerns about APD Virtual Magistration pilot program. Introduced other speakers present.
- Adeola Ogunkeyede, Chief Public Defender for Travis County – expressed concerns about APD Virtual Magistration pilot program. Argued that APD process is unconstitutional, there will not be taxpayer savings, and the process undermines the trust in the justice system.
- Stacy Brown, Division Director of Travis County Pre-trial Services – provided background about current pre-trial services process.

Chair Ramirez opened the floor for questions.

- For Stacy Brown – has anyone from APD contacted you and spoken to you about how your processes work and what they would need to do to replicate them? **(Commissioner Bernhardt)**
- Did you have any discussion about the concerns raised about people not being as frank with APD staff as they would be with a pre-trial services officer? **(Commissioner Bernhardt)**
- This seems like a lot more in the initial stages than it initially seemed? **(Commissioner Orr)**
- Could potentially a next step be to sit down with stakeholders and start over from scratch? **(Commissioner Orr)**
- How much of this pilot is about putting pressure on Travis County to lower the cost in the negotiations? **(Commissioner Bernhardt)**
- The pilot is adding an extra chain of custody. I would want to see an understanding of that process from the restorative justice end. Some individuals aren’t guilty, but are being charged at this point. It could be an innocent individual going through this process. **(Commissioner Nguyen)**

6. Discussion and Potential Recommendation for a Budget Working Group.

Chair Ramirez provided background and suggested discussing the item at a future meeting.

Future Agenda Items:

Public Safety Wellness Center resources (**Nguyen**)

Feedback from Magistrate Judges about APD Mock Trial/Pilot Program on Virtual Magistration (**Bernhardt**)

Trauma Recovery Center (**Bernhardt**)

Text to 911 (**Ramirez**)

Update on APD Training Academy (**Ramirez**)

ADJOURNED @ 5:27PM