




MEMORANDUM

TO: Mayor and Council Members

FROM: Rey Arellano, Assistant City Manager 

DATE: July 26, 2022

SUBJECT: Request to Fund Phase C of Kroll's Evaluation of the Austin Police Department

This memorandum provides background for the request to fund "Phase C" of Kroll's evaluation of the Austin Police Department (APD) described herein. Kroll Associates, Inc. served as the independent third-party auditor of APD in accordance with [Resolution No. 20191205-066](#). Kroll divided the work into four phases. Phases A and B are complete, Phase C is prepared to begin should Council approve on your agenda for July 28, 2022, and Phase D will be considered in the future.

Phases A and B Completed

On April 23, 2021, Kroll successfully issued a [final report](#) outlining their findings from the review and assessment of the APD Training Academy, known as Phase A. The in-depth analysis conducted by Kroll included multiple interviews, reviews of key reports, and curriculum review. The purpose of this initial review was to examine the ability and readiness of the Academy to best prepare cadets to effectively police in a diverse urban population environment. On May 6, 2021, the City Manager reported to Council how Kroll's recommendations were addressed and subsequently proceeded with starting Cadet Class 144 on June 7, 2021.

Phase B of the Kroll evaluation focused specifically on Use of Force, Public Interactions, and Recruitment Selection, and Promotions. Kroll submitted its [final report](#) outlining their findings and recommendations on January 21, 2022. Phase B focused specifically on APD use-of-force incidents, APD's public interactions with civilians, and APD policies regarding recruitment, selection, and promotions. Several long-term recommendations were identified within the Phase B report to ultimately improve policing in the Austin area. Some of these recommendations include more comprehensive data collection and analysis to better understand the circumstances and environment, ongoing examination of trends in policing, particularly as they related to use of force and racial/ethnic disparities and adopting a more holistic approach to better engage all levels of the Department with the Community.

Proposed Phase C

Pending Council approval to fund Phase C, Kroll will examine APD's compliance with federal and state laws by reviewing existing policies and procedures, including complaint and grievance procedures, concerning allegations of racial and sexual discrimination and harassment in the workplace; assessing and evaluating past incident and investigation reports and how APD handled such complaints. Kroll estimates the review will take approximately six months after receipt of requested files.

Kroll will assess APD incidents over the last 10 years that have resulted in lawsuits. Kroll will aggregate incidents by location, outcomes, demographic information of persons involved, and settlements/final dispositions. The final report will identify any patterns or trends that suggest disparate outcomes based on ethnicity or race and opportunities for better agency risk management. Kroll will explore through interviews the culture and climate of APD regarding issues of race and gender and its impact on female officers/employees, LGBTQ officers/employees, and officers/employees of color. Kroll's report will provide recommendations in the areas outlined, and any other areas that become apparent during the review and assessment.

Recommendations will include a mechanism to incorporate the recommendations and accountability metrics into performance standards for the APD Executive Team. An actionable plan, measurable benchmarks, and appropriate timeline for eliminating racial disparities in APD stops, searches, arrests, and use-of-force incidents. The recommendations will include:

- Continuing education for active APD personnel as part of the required biennial recertification process on topics including implicit bias, racial and ethnic bias, gender bias, de-escalation, the history of policing and its intersection with race in our community, and cultural competency.
- Reputable leadership training that would benefit APD organizational culture. Guidance to establish clear qualification for appointment to Assistant Police Chief, as consistent with state law, and create measurable benchmarks for enhancing diversity at all levels of the department.

Preliminary actionable findings will be provided to staff for consideration of early implementation. Updates to City Council and other public bodies be provided as requested.

Phase D

Phase D, a review of officer communications, will be revisited after completion of Phase C. The scope of the last phase includes review of APD electronic communications, including public posts on social media platforms (including posts made using pseudonyms or made anonymously), that are available to Contractor, City email, and text or messages and instant message communications on City devices within the last five years.

Should you have questions or need more information please contact Elise Renshaw,
elise.renshaw@austintexas.gov

cc: Spencer Cronk, City Manager
Anne Morgan, Acting City Manager
Chief Joseph Chacon, Austin Police Department
Sylvia Hardman, Office of Police Oversight Interim Director