

**PUBLIC SAFETY  
COUNCIL COMMITTEE MEETING  
JUNE 15, 2020  
5:30 PM  
VIDEOCONFERENCE**

<b>Members Present:</b>	Councilmember Melissa Cabello Havrda, <i>Chair, District 6</i> Councilmember Jada Andrews-Sullivan, <i>District 2</i> Councilmember Rebecca Viagran, <i>District 3</i> Councilmember Ana Sandoval, <i>District 7</i> Councilmember Clayton Perry, <i>District 10</i>
<b>Members Absent:</b>	None

**Call to order**

Chairwoman Cabello Havrda called the meeting to order.

**1. Invocation**

The Invocation was delivered by Brother Shawn Price, of the North East Church of Christ.

**2. Approval of the Minutes from the Public Safety Committee Meeting on February 18, 2020**

Councilmember Andrews-Sullivan moved to approve the minutes of the February 18, 2020 Public Safety Council Committee Meeting. Councilmember Sandoval seconded the motion. The motion carried unanimously.

Chairwoman Cabello Havrda explained the format of the meeting.

**Items for Consideration:**

**3. Briefing on the San Antonio Police Department's legal framework for employment of San Antonio Police Officers to provide the Public Safety Committee and the community a foundation to develop and evaluate potential reforms.** [Elizabeth Provencio, First Assistant City Attorney]

Elizabeth Provencio reported that the statutory framework for employing San Antonio Police Officers were denoted in Chapter 143 of the Texas Local Government Code which was adopted in 1947, in Chapter 174 of the Texas Local Government Code which was adopted in 1974, and in the Collective Bargaining Agreement (CBA). She noted that Chapter 143 provided Civil Service protections to Fire and Police Employees and listed requirements for hiring, promoting, employment terms, disciplining, and terminating Employees. She reported that Chapter 143 could be repealed by election upon petition. She noted that Chapter 174 enabled Police Officers and Fire Fighters to collectively bargain and that this provision could be repealed by election upon petition. She stated that City started collectively bargaining with the San Antonio Police Officers

Association (SAPOA) in 1974. She indicated that the CBA was negotiated between SAPOA and the City and provisions reflected in Chapter 143 could be changed upon agreement between the parties. She stated that the current contract would expire on September 30, 2021 and if the parties could not come to an agreement, negotiations could be subject to mediation and/or arbitration.

Chairwoman Cabello Havrda asked if the appeals process for Chapter 143 would be submitted to the State. Ms. Provencio replied that the petition would be voter-initiated and was required to be submitted to the Office of the City Clerk for verification.

Councilmember Andrews-Sullivan asked about the process for repealing Chapter 143. Ms. Provencio replied that a petition signed by registered voters (10% or 78,415) would be required and would be verified by the City Clerk. She noted that upon verification that the required number of valid petition signatures had been collected, it would be placed on the ballot.

Councilmember Viagran asked if qualified immunity was covered in the CBA. Ms. Provencio replied that it was not. Councilmember Viagran asked if establishing a third-party independent investigator assigned to Officer-involved shootings was prohibited. Ms. Provencio reported that for the purposes of review and disciplinary action it was prohibited.

Councilmember Sandoval asked if the CBA allowed for discretion on the part of the SAPOA. Ms. Provencio stated that she would verify but thought discretion was included in the SAPOA By-laws.

Councilmember Perry requested that at a future meeting the Committee be provided with a report comparing San Antonio to other cities that did or didn't have statutes similar to Chapter 143 and Chapter 174 and that the report detail the pros and cons of the statutes. He asked if preliminary discussions had begun with SAPOA. Deputy City Manager Maria Villagómez replied that preliminary discussions had not commenced but would inform Committee Members when discussions started.

#### **4. Public Comments**

James Dykman stated that 70% of Officer terminations resulted in reinstatement with back pay and legal fees paid. He recommended that the following be included in the San Antonio Police Department's Open Data Initiative: 1) Disciplinary suspension records from October 2009-present; 2) Civil Service Commission Agendas from October 2009-present; 3) Arbitration awards from October 2009-present; and 4) The Chief's Citizen Advisory Action Board recommendations from October 2009-present.

Aaron Arguello asked for a change in policing and reallocation of police resources to community services.

Gina Kramer asked that a transparent line item police Budget be made available online. She spoke in support of reallocating resources from the police Budget to housing and health and human services. She requested that the cases of Charles Roundtree, Marquis Jones, and Antrione Scott be reopened.

Amador Salazar stated that the City needed to address the militarization of police and invest in housing and human services.

Shawn Aten stated that he supported the redistribution of police funds to other social services and the renegotiation of the police contract with the intent of stopping Officers from being reinstated.

Guadalupe Barboza stated that SAPD should be defunded with funds diverted to public services such as public health, housing, education, and other social services.

Briauna Barrera spoke in favor of defunding the police and ensuring that police Budgets were transparent.

Riley Metcalf stated that SAPD responded to peaceful protests with brutality. He spoke in support of defunding the police and investing in housing, education, and public transit.

Justice Lovin spoke in favor of defunding the police and making a line item police Budget available. He noted that the police did not serve public safety but rather endangered it. He spoke in support of treating the social causes of crime.

Terry Castillo spoke in favor of aligning all Budgets in a manner which uplifted the community like in investing in affordable housing, drug rehabilitation programs, public health, social services, and the arts.

Velma Hernandez stated that she didn't support defunding the police but agreed that the department needed restructuring to update training policies. She spoke in favor of starting contract renegotiations with the union so that provisions allowed for the Chief of Police to have greater decision-making powers.

Lauren Lee stated that the police must be defunded with resources distributed to new and existing departments based on actual evidence of what has helped communities succeed. She noted that the police existed to protect property and address violent crime.

April Driesslein stated that it was time to radically re-think public safety and public health services. She spoke of re-imagining public safety to include an array of professionals besides the police.

LaTonya Jackson asked of the plan to decrease police brutality and hold Police Officers accountable for their actions.

Denise Ojeda requested that the City commit to removing Officers who were racist. She asked that a facilitator be hired to provide city staff and board appointees with anti-racism training.

Leonard Trevino expressed concern regarding cutting police funding or re-directing police funds to social programs. He noted that cutting police funds would contribute to increased crime and disregard for the law.

Chris Quiroz stated that San Antonio was 10 years behind when it came to culture, the arts, and civil rights. He noted that it was time to step it up.

Jessyca Perez stated that it would hurt the City to defund the police. She noted that the City did a good job of training and equipping Officers hired to protect and serve the City.

Tim Barr thanked the City Council for exploring methods to defund and reinvest some of the SAPD Budget as it demonstrated that black lives truly do matter in San Antonio. He noted that the City needed leadership to bring about transformational change.

Kathleen Gamble stated that SAPD Officers should treat citizens as if they were not all criminals.

Chris Romero stated that anyone wanting to abolish the police needed to first successfully complete Police Academy training and be fully qualified to be hired as an active duty Police Officer before being able to express their opinion.

Matt Johnson stated that he supported the police. He noted that the rioting which occurred downtown was disgraceful. He stated that the City depended on tourism and no one would come to San Antonio if the City was unsafe.

Michael Good stated that those who signed off on the police contract were the problem.

Natalie Hines asked the City to not follow in the footsteps of Minnesota, Washington, New York, and Los Angeles to instate community style policing. She noted that it would be detrimental to the City and its citizens.

Rebecca Griffin stated that Officers who had committed horrible acts against vulnerable populations were still on the force. She suggested the creation of a city-funded nonprofit agency which: 1) Collected data regarding misconduct in policing; 2) Provided counseling to victims of police misconduct; 3) Provided legal assistance to victims of police misconduct; and 4) Presented information to the City Council regarding the true nature of police misconduct in the City.

Jonathan Anderson stated that the City needed to increase funding for social programs and hire Social Workers. He requested the reduction or elimination of purchases of military grade equipment.

Sylvia Poynter recommended that the City invest more funds in youth and young adult programs to provide alternatives to drugs, unprotected sex, and destructive behavior.

Kelly Espinoza stated that the City needed to make it illegal for police to use methods banned by the Geneva Convention of 1949. She noted that the Mayor and the Police Chief were complicit in committing war crimes against San Antonians if allowed to continue.

Dani Sliva expressed concern that the listening sessions would not lead to real structural change.

Anna Blair asked why Officers were so careless with human lives. She noted that Officers should not be allowed to use deadly force unless being shot at or attacked.

Margarita Cantu stated that she supported reform and retraining but did not advocate for the dismantling or defunding of the police force.

Diana Martinez spoke against defunding the police. She noted that other departments did not have the time, money, manpower, or knowledge to conduct criminal investigations.

Miguel Ramos stated that certain police reforms needed to be enacted in San Antonio in order to create a better relationship between citizens and Officers.

Brant Mittler spoke of two police death cases and the City's failure to respond. He noted that substantial reform of police oversight by civilians in San Antonio was needed.

Suzzie Thomas spoke against the City considering defunding the police like other cities. She stated that she did not believe this to be a viable solution and that the police force served as a vital and necessary service to the City.

Derek Ellis stated that he wanted the SAPD defunded with funds reallocated back into the community. He demanded that the City defund the police, demilitarize communities, remove police from schools, free people from jails and prisons, repeal laws which criminalized survival, invest in community self-governance, and provide safe housing for everyone.

Shawna Lien stated that the police force did a fantastic job and needed more support from City Leaders.

Valeria Garcia spoke against the defunded of SAPD.

Chelsea Evans asked City Leaders to take the Path to Justice Pledge. She noted that by taking the pledge, City Leaders would be committing to policies which ended police brutality and killings by restricting the use of force, creating non-lethal response teams, and demilitarizing police forces.

Michael Kane asked that City Leaders consider signing the Grassroots Law Project Pledge.

Deandra Villarreal asked that City Leaders sign the Grassroots Law Project Pledge. She requested the City's support in improving the City and becoming part of the movement for change and a better tomorrow.

Anthony Bernardelli stated that if funds weren't reallocated to other departments, the public's fear and insecurity would not be addressed.

Emily Satel called on Local Government Officials to take the Path to Justice Pledge. She noted that by taking the pledge, the City would be committing to policies that would end police brutality and killings by restricting the use of force, creating non-lethal response teams, and demilitarizing police forces. She stated that by taking the pledge the City would also be committing to holding law enforcement accountable by creating oversight Committees with subpoena powers and eliminating exceptions for law enforcement such as qualified immunity.

Evelyn Brown stated that when Officers committed horrible and unspeakable things in the community the disciplinary process needed to stand. She suggested the creation of a Community Oversight Committee.

Desirae Schuler stated that masks should be mandatory for customers and staff for businesses.

Matthew Cupp requested that the City adopt a dual pronged divest/invest program. He noted that by investing in things like Mental Health Services, Drug Rehabilitation Programs, and community policing the City would be more compassionate and truly aim to help reintegrate criminals into society.

Jaymie Cupp requested that the racist institution existing in the police system be addressed. She noted that law enforcement should not continue to single out people of color or racial profiling as it leads to police brutality and murder.

Jake Ramirez stated that every day San Antonians live under the threat of serious bodily injury or death due to no-knock raids by law enforcement. He noted that no-knock raids were responsible for the tragic death of Breonna Taylor in Louisville, the death of Rhogena Nicholas and Dennis Tuttle in Houston, and the unlawful invasion of the home of Lindsey Bishop and Carolyn Clark here in San Antonio.

Mark James requested that the City not take action that would result in compromising the safety of San Antonio citizens. He noted that it would be a dangerous travesty if elected officials surrendered to the criminal element.

Liz Trainor stated that she was a firm believer in community policing. She noted that San Antonio needed more police.

Dorothy Harrell expressed support for community policing.

Lisamarie Fallon stated that she believed that SAPD had a brotherhood culture in which Officers protected each other no matter what. She noted that there needed to be a way to develop a culture of excellence as well as trust and brotherhood based on performance. She stated that Police Officers, Firefighters, and First Responders served by choice and needed support not condemnation.

Matthew Snyder stated that the police were not the issue. He noted that the law could not be upheld without enforcement and that the City already had a problem with crime.

Kathleen Anders stated that law enforcement was a vital part of the City's well-being. She noted that the city government needed to support the police.

Rachel Schloss asked the City to take the Path to Justice Pledge. She noted that by taking this pledge, the City would be committing to policies which would end police brutality and killings by restricting the use of force, creating non-lethal response teams, and demilitarizing police forces. She stated that too many lives were lost due to police brutality and all public officials needed to stand up for justice.

Emeka Uzomba requested information regarding policies promoting equality and holding police Officers accountable for misconduct.

Elizabeth Comeaux noted that some police Officers did not handle situations with the appropriate amount of force. She stated that the Mayor and City Council needed to commend the police force for handling the looting and thefts in downtown San Antonio following the protests last week and not criticize the police for trying to control criminal activity.

Nancy Campbell recommended that the City demilitarize the police, make lynching a Federal crime, increase de-escalation training, ban choke holds, increase community relations, and create an impartial community review Committee charged with reviewing police cases and holding Officers accountable.

Jennifer Fleming stated that the use of tear gas against protesters on May 30, 2020 by SAPD was a human rights violation that was allowed to occur as the City of San Antonio provided the chemical weapons to do so. She noted that the City needed to show the moral conviction necessary to make San Antonio safe for residents.

Pablo Cruz requested a policy where all Police Officers were held accountable for their actions in the same manner as citizens. He spoke of the need for transparency which could be achieved by opening police records to the public and requiring every Officer wear a body camera with sanctions to include penalty fees for turning off the camera.

Adam Moran asked why SAPD determined that the threat was unarmed protesters and faced them with their backs to the armed group threatening violence.

Angelica Miller stated that SAPD should not be defunded. She noted that defunding or reducing Officer pay or benefits would not attract the best possible candidates.

Jennifer Curtis stated that she was strongly opposed to defunding the police department. She noted that the vast majority of Police Officers were good and put their lives on the line every day to protect citizens.

Marianela Eichler stated that she supported the police force as they protected our homes.

Doug Curris stated that the City should not defund the police or reduce their Budget.

Chad Schultz stated that police reform was needed. He reported that incidents of wanton police brutality across the country, recently and historically, made the need for reform clear and that San Antonio was not exempt. He noted that protections that did not hold Officers accountable needed to be removed.

Rosalind Littlefield stated that Chapter 143 & 174 need to be updated. She noted that SAPD should not reward bad behavior.

Nicole Rodriguez stated that she did not support defunding the police as it would be a step in the wrong direction.

Giselda Badal stated that her family supported the efforts of the police in keeping law abiding citizens safe. She noted that the Founding Fathers created laws based on the biblical law of God.

Yolanda Chapman noted that the City needed to focus on the prevention of police brutality for the safety of all citizens. She proposed the creation of a separate Committee charged with the review of abuse of power complaints.

Garrett Kocian spoke of an incident with police. He noted problems with the manner in which some Officers used force. He stated that the use of force should be a last resort and only be used to prevent harm against others.

Liz Escobar stated that the police should not be defunded in any City in Texas.

Rianne Sykes-Wenske requested the expansion of the SAPD Mental Health Unit and the creation of an oversight Commission. She noted that the composition of the Commission needed to include a Councilmember, a police Officer, a Social Worker, a community representative and a union representative.

Veronica Morales spoke on the bad experience she had with police.

Brittany Des Rosiers stated that the police in San Antonio were doing a great job. She noted that police Officers needed to continue keeping themselves and the community safe as well as be provided with proper training and tools to do so.

Ivana Scrivanich praised the SAPD especially with training Police Officers. She recommended more physiological evaluations and requested that the City continue to give Officers the tools needed to keep themselves and the community safe.

Nita King spoke against the defunding of the police. She noted that the City needed to make it easier to fire bad Police Officers.

Delia Hauser expressed support for the police. She noted that there was room for improvement just like in any other institution. She offered suggestions for improvement such as inviting a workgroup of community members with representation from all sides of town that had the authority to review police policies, providing cultural sensitivity training, employing Mental Health and Substance Abuse Professionals, providing training every 6 months which focused on role playing in current de-escalation techniques, providing training on the use of the least amount of lethal force when dealing with aggressive individuals, supporting supervisors to properly evaluate Police Officer performance, promoting zero tolerance of excessive force used on the public, and providing mental health support for Police Officers who may be experiencing PTSD.

Nancilee Cordrey stated that a proven program which needed to be seriously considered could be found at: <https://www.motherjones.com/environment/2020/06/theres-already-an-alternative-to-calling-the-police/>.

Laura McGuire stated that defunding of police departments was a political fad that only hurt the community and would negatively impact citizens residing in the higher crime areas of the City. She noted that the City was responsible for improving the community.

Deborah Martin reported that a lot of reforms were needed in the criminal justice system and within the broader community with the intent of preventing additional civilian killings at the hands of the police. She thanked the Committee for their time and efforts in ending police brutality.

Calvin Williams stated that the rationale for the existence of a police department would be diminished by reducing its Budget. He noted that citizens expected the City to provide a police department that enforced laws, ensured the safety of the community, protected possessions as well as prevented crime and civil disorder. He stated that transparency and accountability of the police department Budget ensured that financial resources were properly allocated.

Anahi Gonzalez stated that as San Antonian he was concerned with the City allocating most of tax payer dollars to SAPD. He requested that funds allocated towards public safety be redirected to community organizations and services.

Deirdre McDonald endorsed the demands of the Poor Peoples Campaign which sought to end systematic racism. She noted that police reforms would not make a difference but the abolition of the police as currently configured would. She stated that police unions shielded members from accountability.

Kristi McClatchy requested that the City consider consulting with Mental Health Care Professionals if the decision was to defund SAPD and allocate more funds to hiring Social Workers, Counselors, and other Mental Health Professionals to assist with assessing the needs of the community, connecting the community to resources, and serving as First Responders when conflict arose.

Wanda Thomas stated that she was against defunding the Police in San Antonio and Texas. She asked why innocent people had to pay for the actions of bad cops. She stated that not all Police Officers were bad and peaceful protests which turned into looting and riots resulting in the destruction of monuments and streets served as proof that the movement for defunding the police could not be trusted.



Sarah Kelly urged the City to immediately adopt the “8 Can’t Wait” measures while continuing discussions with community members regarding policing in San Antonio. She requested that the City consider reallocating funds to policing which was Budgeted at \$479,000,000. She stated that the City Budget needed to prioritize investing in community programs in lower income neighborhoods.

City Clerk Flores stated that the remaining comments would be posted on the City’s website on June 16, 2020.

Chairwoman Cabello Havrda provided information on upcoming meetings of the Public Safety Council Committee.

### **Adjourn**

There being no further discussion, the meeting was adjourned at 7:08 pm.

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***Melissa Cabello Havrda, Chair***

***Respectfully Submitted***

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***Denice F. Trevino, Office of the City Clerk***