

**PUBLIC SAFETY
COUNCIL COMMITTEE MEETING
JUNE 24, 2020
1:00 PM
VIDEOCONFERENCE**

Members Present:	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>
Members Absent:	None
Staff Present:	Denice F. Trevino, <i>Office of the City Clerk</i>

Call to order

Chairwoman Cabello Havrda called the meeting to order.

1. Approval of the June 15, 2020 Public Safety Committee Listening Session Minutes

Councilmember Sandoval moved to approve the minutes of the June 15, 2020 Public Safety Council Committee Meeting. Councilmember Perry seconded the motion. The motion carried unanimously.

Councilmember Andrews-Sullivan submitted the following strategies for police reform to the Committee:

1. Utilization of body cameras
2. Police interaction with people in the community and speaking to their needs
3. Use of firearms as a last resort
4. Not utilizing the police when dealing with mental illness
5. Ban No-Knock Warrants
6. No choke or neck restraint
7. Declaration of racism

Briefing and Possible Action on:

2. Briefing and Possible Action on a San Antonio Police Department Grant Application and Award from the Office of the Governor Public Safety Office, Criminal Justice Division for DNA Testing Reimbursement in an Amount up to \$275,000 for the Period of October 1, 2019 to September 30, 2020. No City Match is Required. [María Villagómez, Deputy City Manager; William P. McManus, Chief, Police]

Lieutenant Jesse Salame stated that SAPD was reimbursed by the State each year for costs associated with victim and sex assault (SANE) kits and related resources. He noted that the State

implemented a grant process to enhance its financial oversight of reimbursements. He indicated that FY 2020 would be the first year of the DNA Testing Kit Grant Program. He reported that a medical examination to collect possible evidence was performed up to 96 hours after a sexual assault and took 2-4 hours to complete. He stated that the examination was performed by a Sexual Assault Nurse Examiner (SANE) and the victim was assessed regarding the need for medical treatment, for possible pregnancy, disease, and injury. He noted that obtaining and preserving evidence was critical to the prosecution's case.

Lieutenant Salame stated that in cases with known offenders, Detectives obtained a suspect's DNA sample and compared it with evidence from the exam. He noted that in cases with unknown offenders, the DNA sample was submitted to the Combined DNA Index System (CODIS) database, a national database managed by the Federal Bureau of Investigation (FBI).

Lieutenant Salame reported that during the last Legislative Session, legislation was passed calling for a DNA sample to be taken at the time of booking from those charged with almost all felonies, crimes against persons, and burglary. He stated that the legislature waived the Statute of Limitations for prosecuting sexual assault cases where there was no biological evidence.

Lieutenant Salame indicated that cases were assigned to the Special Victims Unit (SVU) where the victim's statement was taken and the SANE was sent to the crime lab. He noted that the completed case file was sent to the District Attorney's Office for prosecution. He stated that the grant period for the FY 2020 DNA Testing Grant Program was from October 1, 2019 to September 30, 2020 and the grant award was for up to \$275,000. He reported that in FY 2019, SAPD spent \$274,000 to administer SANE exams.

Councilmember Sandoval asked how many cases there were last year. Lieutenant Salame replied that 785 SANE exams were conducted last year.

Councilmember Viagran asked how long had SAPD received this grant. Lieutenant Salame replied that this was the first one received. Councilmember Viagran requested information from the District Attorney's Office on the outcome of cases.

Chairwoman Cabello Havrda asked if victims could request an interview with someone they were more comfortable with. Lieutenant replied that they could. Chairwoman Cabello Havrda asked if Officers interacting with victims of child sexual assault received specialized training. Lieutenant Salame replied that they received specialized training through Child Safe.

Councilmember Perry moved to approve and recommend Item 2 to the City Council for consideration. Councilmember Sandoval seconded the motion. The motion carried unanimously.

3. Briefing and Possible Action on the Results of the three Public Safety Listening Sessions held on Monday, June 15, Thursday June 18, and Saturday June 20 and SAPD Actions to Date. [María Villagómez, Deputy City Manager]

Deputy City Manager María Villagómez stated that the Public Safety Committee hosted three listening sessions which were held on June 15, June 18, and June 20, 2020. She reported that 306

public comments and 35 verbal comments were received. She provided the following highlights of comments received:

- Changes to discipline process
- Police reform
- Repeal Chapters 143 and 174
- Reallocate funds from police to other services/priorities
- Defund the police
- Do not reduce police budget
- Support police

Chief William McManus stated that in 2014, SAPD revised GM-501 to include the definition of a choke hold and when it may or may not be used. He reported that a Lateral Vascular Neck Restraint (LVNR) shall not be used unless deadly force was authorized. He noted that the Use of Force Continuum table was included in GM-501 in 2004. He reviewed the current De-Escalation Policy:

- De-Escalation was a core tenet of SAPD and was first incorporated into the General Manual in 2014.
- Officers and Cadets received extensive training on de-escalation techniques to effectively interact with victims, offenders, and individuals in crisis.
- All Cadets received crisis intervention training.

Chief McManus stated that the General Manual included a duty to intervene requirement:

- Any Officer present and observing another Officer using force that was clearly beyond that which was reasonable under the circumstances shall safely intercede to prevent the use of such excessive force.
- Officers shall immediately report observations to a supervisor.

Chief McManus stated that under current SAPD policy deadly force was authorized only to protect an Officer or another person from what was reasonably believed to be an immediate threat of death or serious bodily injury and the Use of Force Continuum would be utilized. He reported that under the revised SAPD policy “deadly force would be used with great restraint”, and deadly force as a last resort only when the level of resistance warranted its use. He noted that SAPD policy placed greater value on human life than personal property and the use of deadly force was not allowed to protect property interests.

Chief McManus reported that the current Use of Force Policy required that:

- All use of force was reported in the Officer’s Department report; and
- Additional reporting was required if:
 - ❖ Greater than empty hand control
 - ❖ Injury which required medical treatment
 - ❖ Causes death to an individual

- ❖ Discharging a firearm to an individual
- ❖ Use of an intermediate weapon
- ❖ When police dog bites individual

Chief McManus outlined that the revised SAPD Use of Force Policy:

- Expanded the use of force reporting requirements for specific incidents
- Added the following:
 - The pointing of a firearm at an individual
 - Reported injury by individual
 - Caused any injury to individual

Chief McManus reported that the current SAPD Use of Force Policy prohibited Officers from shooting at a moving vehicle except as the ultimate measure of self-defense or defense of another. He indicated that a section was added to the revised SAPD Use of Force Policy to specifically address the prohibition on discharge of firearms from or at a moving vehicle, unless action was necessary for self-defense or to protect another person.

Chairwoman Cabello Havrda stated that SAPD needed to be able to enforce the policies.

Councilmember Perry requested a meeting with Chief McManus to discuss feedback received from Officers in the field related to the revised policies.

Councilmember Sandoval asked if requests had been categorized. Deputy City Manager Villagómez replied that they would be and the information would be provided in advance of the Goal Setting Session on August 26, 2020. Councilmember Sandoval requested the results of the survey of Officer satisfaction. Deputy City Manager Villagómez stated that she would email the results to the City Council today.

Councilmember Viagran requested a breakdown of comments by Council District. She expressed support for increasing the number of psychological exams and increased training for racist tendencies.

Councilmember Andrews-Sullivan asked if individuals could be told to exit their vehicle at a traffic stop. Chief McManus replied that individuals would only be asked to exit their vehicle if there was an investigation.

Public Comments

James Young recommended that a residency requirement for all City employees be imposed, ban managerial police from becoming members of the SAPOA, remove the arbitration clause from the collective bargaining agreement, lobby Congress to remove qualified immunity, and eliminate recruitment of bullies.

William Kenzie expressed support for SAPD.

Consideration of items for future meetings

Chairwoman Cabello Havrda requested a briefing on community policing programs.

Adjourn

There being no further discussion, the meeting was adjourned at 2:16 pm.

Melissa Cabello Havrda, Chair

Respectfully Submitted

Denice F. Trevino, Office of the City Clerk