

**PUBLIC SAFETY
COUNCIL COMMITTEE MEETING
AUGUST 25, 2020
10:00 AM
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:	Andy Segovia, <i>City Attorney</i> ; Liz Provencio, <i>First Assistant City Attorney</i> ; Tina J. Flores, <i>Acting City Clerk</i> ; María Villagómez, <i>Deputy City Manager</i> ; William P. McManus, <i>Chief of Police</i> ; Joe Frank Picazo, <i>SAPD</i> ; Tracy Talavera, <i>Government and Public Affairs</i> ; Melissa Rodriguez, <i>SAPD</i>

Call to order

Chairwoman Cabello Havrda called the meeting to order.

1. Approval of minutes from the Public Safety Committee meeting on June 18, 2020

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

2. Approval of minutes from the Public Safety Committee meeting on June 20, 2020

Councilmember Andrews-Sullivan moved to approve the minutes of the June 20, 2020 Public Safety Council Committee Meeting. Councilmember Perry seconded the motion. The motion carried unanimously.

3. Approval of minutes from the Public Safety Committee meeting on June 24, 2020

Councilmember Andrews-Sullivan moved to approve the minutes of the June 24, 2020 Public Safety Council Committee Meeting. Councilmember Perry seconded the motion. The motion carried unanimously.

Public Comment

Kayla Miranda stressed that there were many circumstances where the police did not have the necessary knowledge to handle the situation. She spoke against the use of "No-Knock" Warrants and choke holds.

Ananda Tomas provided an example of the use of LVNR and several “No-Knock” Warrants which ended tragically. She called for banning LVNR and “No-Knock” Warrants. She spoke against Budget reductions for workforce development, kinder readiness and After School Programs, senior centers, and Animal Care Services.

Karen Talamas spoke against decreasing the Police Budget and noted that if the Police Budget was decreased, the City would become more dangerous. She stated that City Leaders should stand in support of the police.

Brandon Mowles stated that the public comment process was inefficient and lacked clarity and transparency. He suggested that \$200 million be taken out of the Police Budget and redirected to senior and youth services.

Items for Consideration

4. Briefing and possible action on the Council Consideration Request (CCR) from Councilmember Andrews-Sullivan to ban the practice of the lateral vascular neck restraint (LVNR) within the San Antonio Police Department (SAPD). [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

Chief of Police William McManus stated that Councilmember Andrews-Sullivan submitted a CCR to ban the practice of Lateral Vascular Neck Restraint (LVNR). He noted that the core of a SAPD Officer’s responsibilities was the duty to protect human life and physical safety. He indicated that Officers were required to de-escalate tense situations to reduce the need for force through:

- Warnings
- Advisements
- Verbal persuasion
- Tactics

Chief McManus reported that in 2014, SAPD banned chokeholds, strangleholds, including LVNR unless deadly force was justified. He indicated that deadly force was authorized only to protect the public or an Officer from what was reasonably believed to be an immediate threat of death or serious bodily injury. He stated that current SAPD policy was consistent with the U.S. Conference of Mayors Report on Police Reform and Racial Justice.

Chief McManus stated that SAPD required that all use of force be reported. He noted that all use of force was reviewed through the Officer’s chain of command and submitted to the Internal Affairs Unit. He indicated that if the Use of Force Policy was violated, it would be investigated by the Internal Affairs Unit and corrective action would be taken.

5. Briefing and possible action on the Council Consideration Request (CCR) from Councilmember Andrews-Sullivan for the immediate documented discontinuation and banning of “No-Knock” warrants and procedures in the San Antonio Police

Department (SAPD) Manual. [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

Chief McManus stated that a CCR was submitted by Councilmember Andrews-Sullivan to ban and discontinue “No-Knock” Warrants. He noted that there were two types of warrants: 1) Arrest warrants; and 2) Search warrants. He stated that high-risk arrest warrants included those for murder, aggravated assault, sexual assault, or where the offender had a history of violent crime involving the use of firearms. He noted that high-risk search warrants included those for narcotics investigations, or where the suspect had a violent criminal history and/or access to firearms.

Chief McManus reported that SAPD suspended the use of “No-Knock” Warrants for both search and arrest warrants in June 2020. He noted that use by SAPD of high-risk forced entry warrants had declined.

Chief McManus stated that SAPD would finalize revisions to the Operations Manual by September 4, 2020 with an updated policy would suspend “No-Knock” Warrants for the execution of search warrants and would restrict execution of arrest warrants unless exigent circumstances posed a serious safety risk to the general public or Officers.

Chairwoman Cabello Havrda stated that reform and public safety were not mutually exclusive. She acknowledged the historic divide between the police and communities of color. She noted that the job of a Police Officer was often dangerous and difficult and the majority of them perform to the best of their ability. She stated that holding Police Officers accountable for bad behavior should be a goal for all. She asked for the definition of exigent circumstances. Chief McManus replied that exigent circumstances were a matter of life and death. Chairwoman Cabello Havrda requested a more detailed definition.

Acting City Clerk Tina Flores reported that 140 comments were received in total. She stated that there were 47 comments with 38 in support; five opposed; and four with no position for item 4. She indicated that there were 39 comments with 35 in support; one opposed; one neutral; and two with no position for item 5 and there were 45 comments with 5 in support; 31 opposed; one neutral; and eight with no position for item 6. She noted that there were nine comments with one in support; six opposed; and two with no position for item 7.

Councilmember Andrews-Sullivan asked how many continuous hours of continuing education were provided to a Police Officer during a year on de-escalation. Chief McManus replied that de-escalation training was included in every block of training on use of force. He added that Police Officers had one day of training specific to de-escalation. He added that the frequency of training on de-escalation would increase as online training on a monthly basis. Councilmember Andrews-Sullivan asked for a complete ban of LVNR.

Councilmember Viagran asked how an Officer who violated the LVNR policy would be disciplined. Chief McManus replied that it would be handled like any other violation. She requested that information on the independent outside review by an outside party on the use of

force be forwarded to all members of the committee along with the amount of time SAPD had utilized the outside party.

Councilmember Sandoval asked how the duty to intervene was being fulfilled by Police Officers. Chief McManus replied that if there was an investigation on the excessive use of force by an Officer, then anyone else present during the alleged excessive use of force would be included in the investigation.

Councilmember Perry asked if any “No-Knock” Warrants had been executed since the policy changed. Chief McManus replied that there had not been. Councilmember Perry expressed concern that incidents in other cities were applied to SAPD.

Councilmember Viagran requested a review of the 28 complaints on excessive use of force. She requested the basis for overturning the complaints by the Complaint & Administrative Review Board (CARB)

Councilmember Sandoval expressed concern that the definition of exigent circumstances wasn’t firm enough. She stated that the LVNR and “No-Knock” Warrant policies should be discussed further by the Committee.

Councilmember Perry stated that he did not support Items 4 and 5. He asked how long the initial training for Cadets was. Chief McManus replied that Cadets received seven months of training. Councilmember Perry asked how much training Police Officers received annually. Chief McManus replied that Police Officers received a minimum of 40 hours of training each year.

Councilmember Andrews-Sullivan moved to bring Items 4 and 5 to the City Council at a B Session. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 4 - Andrews-Sullivan, Viagran, Cabello Havrda, Sandoval, and Perry\

NAY: 1 - Perry

Chairwoman Cabello Havrda asked that the information requested by Councilmembers be provided prior to the B Session discussion.

6. Briefing and possible action on FY 2021 Proposed Police Budget. [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

Chief McManus presented the FY 2021 proposed Police Budget:

Fund	FY 2020	FY 2021	Change
General Fund SAPD	\$ 479.1*	\$ 487.2	\$ 8.1
General Fund Park Police	\$ 17.4	\$ 17.4	\$ 0.0
General Fund Detention Center	\$ 4.4	\$ 4.4	\$ 0.0

Fund	FY 2020	FY 2021	Change
Airport Police	\$ 5.3	\$ 5.2	-\$ 0.1
Child Safety Fund	\$ 2.3	\$ 2.3	\$ 0.0
Confiscated Property	\$ 1.7	\$ 0.9	\$ 0.8
Grants	\$ 5.2	\$ 7.0	\$ 1.8

*in millions

Chief McManus reported that the FY 2021 proposed Police Budget 3,711 positions which was an increase of 14 from FY 2020. He reported that the FY 2021 General Fund proposed Budget was comprised of personnel costs (85%); contractual services (4%); commodities (1%); information technology costs, insurance, vehicle and equipment replacement (9%); and grant matches (1%).

Chief McManus stated that 79% of the FY 2021 proposed Police Budget was related to the CBA and the remainder (21%) was not. He reviewed the non-CBA budget components and the number of positions allocated to each. He reported that SAPD received 2.2 million calls per year, of which 1.3 were emergency calls, and 900,000 were non-emergency calls. He indicated that over the next several months, SAPD would review calls to see if anyone other than SAPD could respond. He provided examples of calls which had been reviewed which did not require a response from a Police Officer.

Chief McManus reported that SAPD established a Collaborative Commission on Domestic Violence which was focused on the goals outlined in the Comprehensive Plan. He indicated that the Community Oriented Policing Services (COPS) Grant which SAPD received in FY 2020 provided:

- 25 Detectives
- 24/7 specialized victim services
- Community education
- Stronger partnerships with advocacy groups

Chief McManus indicated that the grant required a city match from the SAPD Budget on \$1.6 million. He stated that the SAPD Mental Health Unit (MHU) provided case management, a co-responder team, crisis intervention, and a mobile crisis team. He stated that future goals of SAPD were to have an in-depth conversation with the community to solicit input, focus on how to best serve neighborhoods, and discuss the evolving role of law enforcement.

Chairwoman Cabello Havrda asked what other areas had been considered for possible removal from SAPD which could impact the current and next years' budget. Deputy City Manager María Villagómez replied that staff were in the process of reviewing calls to see if an alternate response to them was possible and the City Manager's plan would assess the fundamental issues of SAPD and input would be gathered from the community on the role of SAPD. She noted that this information would be shared with the City Council after budget adoption.

Councilmember Perry asked if some positions would be converted to non-sworn personnel. Chief McManus replied that there were no plans to do that.

Councilmember Sandoval would like to see a more specific timeline, goals, and details on the outreach for the City Manager's Plan before the Budget was adopted. She suggested that funds allocated for signing bonuses for Cadets be re-directed to health and human services.

Councilmember Viagran requested a breakdown of the number of non-sworn personnel and Officers in each of the special units. She asked of the changes to the Police Budget in the City of Austin. Ms. Villagómez stated that she would provide the Police Budget of the City of Austin to Councilmembers.

Councilmember Andrews-Sullivan asked how much was being reallocated to community resources. Ms. Villagómez replied that \$1.3 million would be reallocated to community resources. Councilmember Andrews-Sullivan asked if funds were reallocated to community services. Ms. Villagómez replied that three positions for performing data analysis would be reallocated to the Office of Innovation. She added that the value of the three positions was \$250,000 to \$260,000.

Councilmember Perry stated that he requested data from the Fire and Police Pension Fund on the number of retirees, and class size to ensure that Cadet classes would be held.

Councilmember Viagran requested a breakdown on the funds allocated to psychological services. Ms. Villagómez stated that she would provide that information to Committee Members.

Chief McManus invited one of the SAPD Psychologists, Dr. Melissa Rodriguez, to speak.

Dr. Melissa Rodriguez reported that psychological services included free counseling services to Officers and their families, training, and consultations.

Councilmember Andrews-Sullivan requested a breakdown of the budgets for contractual services, and commodities. Ms. Villagómez stated that she would provide that information in a memorandum.

Councilmember Sandoval requested further discussion of the Police Budget. Ms. Villagómez stated that she would provide that information in a memorandum to Committee Members.

Councilmember Perry asked if each individual public comment would be included in the minutes. Acting City Clerk Tina Flores replied that the name and public comment of each individual would be included in the minutes.

7. Briefing and possible action on San Antonio Police Department grants:

- A. Grant in an amount up to \$250,000.00 from the Office of the Governor, Criminal Justice Division (OOG/CJD), Edward Byrne Memorial Justice Assistance Grant (JAG) for the purchase of an additional acquisition workstation for expanded participation in the Bureau of Alcohol, Tobacco and Firearms National (BATF) Integrated Ballistic Information Network (NIBIN) program.

Chief McManus stated that the National Integrated Ballistic Information Network (NIBIN) Grant was a fingerprint system for ballistics. He noted that in May 2020, the Office of the Governor invited SAPD to apply for a Justice Assistance Grant (JAG). He reported that the SAPD NIBIN Program was recognized as a national model and grant funding would not exceed \$250,000. He stated that NIBIN automated ballistic evaluations and provided investigated leads in a timely manner. He indicated that cartridge casing evidence was entered into the system and images were correlated against the database. He noted that NIBIN promoted information sharing on gun crimes with local, State, and Federal Agencies. He added that as the result of the NIBIN Program 1,514 leads were developed; 534 shootings were solved; and 301 arrests were made for gun-related crimes.

Chief McManus stated that the NIBIN Grant award would pay for:

- Acquisition of BrassTRAX Station
- Training
- Shipping and installation
- Extended warranty on BrassTRAX stations

Councilmember Andrews-Sullivan asked if the grants included a cash match by the City. Chief McManus replied that the JAG Grant required a cash match by the City. Councilmember Andrews-Sullivan expressed concern that the City was paying the majority of the cash match. Councilmember Andrews-Sullivan requested the number of cases solved by ballistics for each Council District.

- B. Grant in an amount up to \$291,972.00 from the U.S. Department of Justice to support the Child Welfare Strategic Alliance Program (Bexar County will serve as the grant fiscal agent). [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

Chief McManus stated that the Child Welfare Strategic Alliance Program Grant (Child Safe) included participation by SAPD, Bexar County, and Family Protective Services. He indicated that the grant was a multi-agency initiative which investigated child abuse and sexual assault. He noted that the grant funded two SAPD Detective positions.

Chief McManus reported that since 2014, 1,838 cases of suspected child abuse had been investigated. He stated that of those cases, 78 arrests were made at the scene; 435 were filed with the District Attorney; and 734 were unfounded.

Chief McManus stated that Bexar County submitted that application and administered the grant. He noted that the grant funded three positions for \$437,958 in Bexar County in adult and juvenile probation, Bexar County drug courts, and the District Attorney's Office. He added that the grant provided funding of \$291,972 for two SAPD Detective positions. He added that the City provided a cash match of \$15,074 on the grant.

Chairwoman Cabello Havrda requested a memorandum regarding policy updates on Items 4 and 5 be provided to the full City Council with a commitment from the City Manager to provide the

City Council with regular policy updates to mitigate the use of deadly force. She requested an update on benchmarking of best practices, and information on metrics.

Consideration of items for future meetings

Chairwoman Cabello Havrda requested a briefing on the use of force policy at the next Committee Meeting.

Adjourn

There being no further discussion, the meeting was adjourned at 12:16 pm.



Melissa Cabello Havrda, Chair

Respectfully Submitted



Denice F. Trevino, Office of the City Clerk