



**To:** Mayor Sylvester Turner and The City of Houston Task Force on Police Reform

**From:** City Council Public Safety & Homeland Security Committee

**Re:** Recommendations related to policing and reform submitted by organizations, the public, and Council Members

**Date:** July 15, 2020

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The Public Safety & Homeland Security Committee has compiled the following memo that serves to capture many of the recommendations that Council, the public, and community organizations have put forth pertaining to criminal justice reform.

The murder of George Floyd, a son of Houston, serves as a pivotal moment in our nation's history. It is important to honor the fact that it is not just 8 minutes and 46 seconds, it is thousands upon thousands of minutes, of lives, that have been destroyed at the hands of institutionalized racism, discrimination, and oppression. Together we say unequivocally: Black Lives Matter.

This memo includes recommendations from organizations, Council Members, and members of the public. Some of these proposals have already been implemented, including the "8 Can't Wait" policies Mayor Turner codified in [Executive Order 1-67](#) on June 10, 2020, or are in the process of being implemented. Others should be further reviewed by the Administration and Task Force.

The following proposals deserve attention and discussion by the Task Force, along with HPD and the Administration.<sup>1</sup> We therefore submit this memo to the aforementioned for their consideration and as a consolidated reference document as the Task Force continues its work.

We would like to extend our appreciation to everyone who has engaged creatively and thoughtfully in the conversation and reimagining of what our criminal justice system can look like. We would also like to thank Mayor Turner for working closely with Council on these matters. HPD has not only been responsive to Council, they have shown a sincere desire to work with us, and we are grateful for their commitment and dedication to our City.

This memo is the results of hours of organizational research, recommendations from the community, the voices of constituents expressed through public comment and open dialogue, and the hard work of

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<sup>1</sup> Some proposals will need to be taken up at the state level as they do not fall within the jurisdictional authority of the City of Houston.

Council staff in helping to put this together. I am deeply appreciative of every single person who shared their experience, expertise, story, and recommendations through this process.

Most respectfully,

A handwritten signature in black ink that reads "Abbie Kamin". The signature is written in a cursive, flowing style.

Council Member Abbie Kamin  
Chair, Public Safety & Homeland Security Committee

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## I. Recommendations from Community Organizations & Various Policy Proposals

### Campaign Zero

A decades-long focus on policing minor crimes and activities - a practice called Broken Windows policing has led to the criminalization and over-policing of communities of color and excessive force in otherwise harmless situations. In 2014, police killed at least 287 people who were involved in minor offenses and harmless activities like sleeping in parks, possessing drugs, looking "suspicious" or having a mental health crisis. These activities are often symptoms of underlying issues of drug addiction, homelessness, and mental illness which should be treated by healthcare professionals and social workers rather than the police.

#### End Policing of Minor "Broken Windows" Offenses

The following activities do not threaten public safety and are often used to police black bodies. Decriminalize these activities or de-prioritize their enforcement: Consumption of Alcohol on Streets, Marijuana Possession, Disorderly Conduct, Trespassing, Loitering, Disturbing the Peace (including Loud Music), Spitting, Jaywalking, Bicycling on the Sidewalk

#### End Profiling and "Stop-and-Frisk"

Establish enforceable protections against profiling to prevent police from intervening in civilian lives for no reason other than the "suspicion" of their blackness or other aspects of their identity. This should include:

- immigration status, age, housing status, sexual orientation, gender, gender identity, disability, HIV status, race, religion and national origin as protected groups
- the right for people to seek court orders to stop police departments from profiling
- bans on both intentional profiling and practices that have a disparate impact on protected groups
- ban stops for "furtive" movements such as a reaching for waistband or acting nervous
- ban stops for being in a high-crime area
- ban stops for matching a generalized description of a suspect (i.e. black male ages 15-25)
- require officers to establish objective justification for making a stop and to report every stop including location, race, gender, whether force was used and whether a firearm was found.
- end the use of predictive policing technology, which uses systematically biased data to enhance police profiling of black people and communities
- prohibit police departments from using resources to investigate, interrogate, detain, detect, report, or arrest persons for immigration enforcement purposes.
- prohibit police departments from transferring an individual to federal immigration authorities for purposes of immigration enforcement.
- prohibit officers from being placed under the supervision of federal agencies or deputized as special federal officers or special federal deputies.

#### Establish Alternative Approaches to Mental Health Crises

Mental health crises should not be excuses for heavy-handed police interventions and are best handled by mental health professionals. Establish and fund Mental Health Response Teams to respond to crisis

situations. These approaches have been proven to reduce police use of force in these situations by nearly 40 percent and should include:

- establish a team of mental health professionals, social workers and/or crisis counselors to send as first responders to calls involving mental health crises, such as the CAHOOTS model implemented in Eugene, OR.
- involvement of this multidisciplinary team in planning, implementation and response to crises
- at least 40 hours of crisis intervention training for police officers (Ex: LAPD Mental Evaluation Team)

#### Community Oversight

Police usually investigate and decide what, if any, consequences their fellow officers should face in cases of police misconduct. Under this system, fewer than 1 in every 12 complaints of police misconduct nationwide results in some kind of disciplinary action against the officer(s) responsible. Communities need an urgent way to ensure police officers are held accountable for police violence.

#### Establish effective civilian oversight structures

Establish an all-civilian oversight structure with discipline power that includes a Police Commission and Civilian Complaints Office with the following powers:

The Police Commission should:

- determine policy for the police department based on community input and expertise
- share policy and policy changes in publicly accessible formats
- discipline and dismiss police officers
- hold public disciplinary hearings
- select the candidates for Police Chief, to be hired by the Mayor
- evaluate and fire the Police Chief, if needed
- receive full-time, competitive salaries for all members
- receive regular training on policing and civil rights
- not have current, former or family of police officers as members
- select its members from candidates offered by community organizations

The Civilian Complaints Office should:

- receive, investigate and resolve all civilian complaints against police in 120 days
- establish multiple in-person and online ways to submit, view and discuss complaints
- be immediately notified and required to send an investigator to the scene of a police shooting or in-custody death
- be allowed to interrogate officers less than 48 hours after an incident where deadly force is used
- access crime scenes, subpoena witnesses and files with penalties for non-compliance
- make disciplinary and policy recommendations to the Police Chief
- compel the Police Chief to explain why he/she has not followed a recommendation
- have the Police Commission decide cases where the Police Chief does not follow recommendations
- issue public quarterly reports analyzing complaints, demographics of complainants, status and findings of investigations and actions taken as a result
- be housed in a separate location from the police department
- be funded at an amount no less than 5% of the total police department budget

- have at least 1 investigator for every 70 police officers or 4 investigators at all times, whichever is greater
- have its Director selected from candidates offered by community organizations
- not have current, former or family of police officers on staff, including the Director

(Ex: San Francisco Charter Policies on Police Commission and Office of Citizen Complaints)

Remove barriers to reporting police misconduct

For all stops by a police officer, require officers to give civilians their name, badge number, reason for the stop and a card with instructions for filing a complaint to the civilian oversight structure.

### Limit Use of Force

Police should have the skills and cultural competence to protect and serve our communities without killing people - just as police do in England, Germany, Japan and other developed countries. In 2014, police killed at least 253 unarmed people and 91 people who were stopped for mere traffic violations. The following policy solutions can restrict the police from using excessive force in everyday interactions with civilians.

Establish standards and reporting of police use of deadly force

- A. Authorize deadly force only when there is an imminent threat to an officer's life or the life of another person and such force is strictly unavoidable to protect life as required under International Law. Deadly force should only be authorized after all other reasonable alternatives have been exhausted. (Ex: International Deadly Force Standard; Tennessee Deadly Force Law)
- B. Require that an officer's tactical conduct and decisions leading up to using deadly force be considered in judgements of whether such force was necessary. (Ex: LAPD Use of Force Policy)
- C. Require officers give a verbal warning, when possible, before using deadly force and give people a reasonable amount of time to comply with the warning (Ex: Las Vegas Metro PD Policy)
- D. Require reporting of police killings and serious injuries of civilians (Ex: The PRIDE Act; Colorado law; CA DOJ OpenJustice database)
- E. Require the names of both the officer(s) involved and victim(s) to be released within 72 hours of a deadly force incident (Ex: Philadelphia PD Policy)

Revise and strengthen local police department use of force policies

Revised police use of force policies should protect human life and rights. Policies should include guidance on reporting, investigation, discipline, and accountability and increase transparency by making the policies available online. This use of force policy should require officers to:

- restrict officers from using deadly force unless all reasonable alternatives have been exhausted (Ex: Philadelphia PD Policy)
- use minimum amount of force to apprehend a subject, with specific guidelines for the types of force and tools authorized for a given level of resistance (Ex: Seattle PD Policy)
- utilize de-escalation tactics (verbalization; creating distance, time and space; tactical repositioning, etc.) whenever possible instead of using force (Ex: Seattle PD Policy)
- carry a less-lethal weapon (Ex: Seattle PD Policy)
- ban using force on a person for talking back or as punishment for running away (Ex: Cleveland PD Policy)
- ban chokeholds, strangleholds (i.e. carotid restraints), hog-tying and transporting people face down in a vehicle (Ex: NYPD Policy)

- intervene to stop other officers who are using excessive force and report them to a supervisor (Ex: Las Vegas Metro PD Policy)
- have first aid kits and immediately render medical assistance to anyone in police custody who is injured or who complains of an injury (Ex: New Baltimore PD Policy)

End traffic-related police killings and dangerous high-speed police chases

- Prohibit police officers from:
- shooting at moving vehicles (Ex: Denver PD Policy)
- moving in front of moving vehicles (Ex: Denver PD Policy)
- high-speed chases of people who have not and are not about to commit a violent felony (Ex: Milwaukee PD Policy)

Monitor how police use force and proactively hold officers accountable for excessive force

1. Report all uses of force to a database with information on related injuries and demographics of the victims. (Ex: Seattle PD Policy; Indianapolis Metropolitan PD reporting website)
2. Establish an early intervention system to correct officers who use excessive force. *These systems have been shown to reduce the average number of complaints against officers in a police department by more than 50%.* This system should:
  - report officers who receive two or more complaints in the past month
  - report officers who have two or more use of force incidents or complaints in the past quarter
  - require officers to attend re-training and be monitored by an immediate supervisor after their first quarterly report and terminate an officer following multiple reports
3. Require police departments to notify the state when an officer is found to have willfully violated department policy or the law, committed official misconduct, or resigned while under investigation for these offenses. Maintain this information in a database accessible to the public (Ex: Illinois Law) and prohibit these officers from serving as police officers, teachers or other governmental employees (Ex: Connecticut Law).

#### Independent Investigations and Prosecutors

Local prosecutors rely on local police departments to gather the evidence and testimony they need to successfully prosecute criminals. This makes it hard for them to investigate and prosecute the same police officers in cases of police violence. These cases should not rely on the police to investigate themselves and should not be prosecuted by someone who has an incentive to protect the police officers involved.

Lower the standard of proof for Department of Justice civil rights investigations of police officers  
 Allow federal prosecutors to successfully prosecute police officers for misconduct by passing legislation to eliminate the requirement that an officer must "willfully" deprive another's rights in order to violate Section 242.

Use federal funds to encourage independent investigations and prosecutions

Pass legislation such as the Police Training and Independent Review Act of 2015 or use of existing federal funds to encourage external, independent investigations and prosecution of police killings (see Action Items 2.2.2 and 2.2.3 of the President's Task Force Report).

Establish a permanent Special Prosecutor's Office at the State level for cases of police violence

The Special Prosecutor's Office should be:

- required and authorized to prosecute all cases of where police kill or seriously injure a civilian, in-custody deaths and cases where a civilian alleges criminal misconduct against a police officer

- equipped with an office and resources to conduct thorough investigations
- required to have its Chief Prosecutor chosen from a list of candidates offered by community organizations

Require independent investigations of all cases where police kill or seriously injure civilians

The independent investigators should be:

- required and authorized to prosecute all cases of where police kill or seriously injure a civilian, in-custody deaths and cases where a civilian alleges criminal misconduct against a police officer
- required to investigate all cases where police kill chosen at random from a list of the largest ten agencies in the state
- required to report their findings to the public

### Community Representation

While white men represent less than one third of the U.S. population, they comprise about two thirds of U.S. police officers. The police should reflect and be responsive to the cultural, racial and gender diversity of the communities they are supposed to serve. Moreover, research shows police departments with more black officers are less likely to kill black people.

Increase the number of police officers who reflect the communities they serve

Require police departments to develop and publicly report a strategy and timeline for achieving a representative proportion of police officers who are women and people of color through outreach, recruitment and changes to departmental practices (Ex: Connecticut Law)

Use community feedback to inform police department policies and practices

Require a regular survey (Ex: Milwaukee survey) to be fielded to the community to gauge their experiences and perceptions of the police and use this information to inform:

- police department policies and practices
- police officer evaluations
- police officer pay incentives

### Body Cams / Film the Police

While they are not a cure-all, body cameras and cell phone video have illuminated cases of police violence and have shown to be important tools for holding officers accountable. Nearly every case where a police officer was charged with a crime for killing a civilian in 2015 relied on video evidence showing the officer's actions.

Require the use of body cameras - in addition to dashboard cameras - and establish policies governing their use to:

- record all interactions with subjects who have not requested to be kept anonymous
- notify subjects that they have the option to remain anonymous and stop recording/storing footage if they choose this option
- allow civilians to review footage of themselves or their relatives and request this be released to the public and stored for at least two years
- require body and dash cam footage to be stored externally and ensure district attorneys and civilian oversight structures have access to the footage
- require police departments, whenever they want to deny a Freedom of Information Act (FOIA) request for body or dash cam footage, to prove in court that the footage constitutes a legitimate FOIA exemption (Ex: Illinois House Bill 4355)



- permanently delete footage after 6 months if this footage hasn't been specifically requested to be stored
- include a disciplinary matrix clearly defining consequences for officers who fail to adhere to the agency's body camera policy.
- consider whether cameras or mandated footage are tampered with or unavailable as a negative evidentiary factor in administrative and criminal proceedings
- prevent officers from reviewing footage of an incident before completing initial reports, statements or interviews about an incident
- prohibit footage from being used in tandem with facial recognition software, as fillers in photo arrays, or to create a database or pool of mugshots. (Ex: [Baltimore PD Body Cam Policy](#))
- update privacy laws to protect civilians from having video or audio recordings released publicly that do not contain potential evidence in a use-of-force incident, discharge of a weapon or death.

### Training

The current training regime for police officers fails to effectively teach them how to interact with our communities in a way that protects and preserves life. For example, police recruits spend 58 hours learning how to shoot firearms and only 8 hours learning how to de-escalate situations. An intensive training regime is needed to help police officers learn the behaviors and skills to interact appropriately with communities.

### Invest in Rigorous and Sustained Training

Require officers to undergo training - including scenario-based training - on the following topics on at least a quarterly basis and involve the community - including youth of color - in their design and implementation:

- Implicit bias
- Procedural justice
- Relationship-based policing
- Community interaction
- Crisis intervention, mediation, conflict resolution, and rumor control
- Appropriate engagement with youth
- Appropriate engagement with LGBTQ, transgender and gender nonconforming individuals
- Appropriate engagement with individuals who are english language learners
- Appropriate engagement with individuals from different religious affiliations
- Appropriate engagement with individuals who are differently abled
- De-escalation and minimizing the use of force
- Demilitarization

Intentionally consider 'unconscious' or 'implicit' racial bias

Require current and prospective police officers to undergo mandatory implicit racial bias testing, including testing for bias in shoot/don't shoot decision-making, and develop a clear policy for considering an officer's level of racial bias in:

- law enforcement certification
- the hiring process
- performance evaluations
- decisions about whether an officer should be deployed to communities of color

## End For Profit Policing

Police should be working to keep people safe, not contributing to a system that profits from stopping, searching, ticketing, arresting and incarcerating people.

End police department quotas for tickets and arrests

Ban police departments from using ticket or arrest quotas to evaluate the performance of police officers

Limit fines and fees for low-income people

Pass policies requiring local governments to:

- ban issuing fines or arrest warrants for civilians who fail to appear in court for a traffic citation (Ex: Ferguson Policy)
- ban generating more than 10% of total municipal revenue from fines and fees (Ex: Missouri law)
- allow judges discretion to waive fines and fees for low-income people or initiate payment plans (Ex: Pennsylvania law)
- prohibit courts from ordering individuals on parole or probation to pay supervision fees and other correctional fees

Prevent police from taking the money or property of innocent people

Prohibit police from:

- seizing property of civilians (i.e. civil forfeiture) unless they are convicted of a crime and the state establishes by clear and convincing evidence that the property is subject to forfeiture
- keeping any property that has legally been forfeited (instead, this property should go to a general fund)
- participating in the federal Equitable Sharing program that allows police to engage in civil asset forfeiture

(Ex: New Mexico law)

Require police departments to bear the cost of misconduct

- Require the cost of misconduct settlements to be paid out of the police department budget instead of the City's general fund
- Restrict police departments from receiving more money from the general fund when they go over-budget on lawsuit payments

## Demilitarization

The events in Ferguson have introduced the nation to the ways that local police departments can misuse military weaponry to intimidate and repress communities. In 2014, militarized SWAT teams killed at least 38 people and studies show that more militarized police departments are significantly more likely to kill civilians. The following policies limit police departments from obtaining or using these weapons on our streets.

End the Federal Government's 1033 Program Providing Military Weaponry to Local Police Departments

End the supply of federal military weaponry to local police departments under the 1033 program. (Ex: Stop Militarizing Law Enforcement Act)

Establish Local Restrictions to Prevent Police Departments from Purchasing or Using Military Weaponry

Restrict police departments from:

- using federal grant money to purchase military equipment (Ex: Montana law)

- deploying armored vehicles, weaponized aircraft, drones, Stingray surveillance equipment, camouflage uniforms, and grenade launchers
- using SWAT teams unless there is an emergency situation or imminent threat to life and high-ranking officers have given approval (Ex: [Cincinnati PD Policy](#))
- conducting no-knock raids (Ex: [Oregon law](#) bans all no-knock raids)
- accessing federal grant money or purchasing military equipment if the department has been recently found to demonstrate a "pattern or practice" of discriminatory policing

In addition to these restrictions, wherever possible agencies should seek to return to the federal government the military equipment that has already been received (Ex: [San Jose](#))

#### Fair Police Contracts

Police unions have used their influence to establish unfair protections for police officers in their contracts with local, state and federal government and in statewide Law Enforcement Officers' Bills of Rights. These provisions create one set of rules for police and another for civilians, and make it difficult for Police Chiefs or civilian oversight structures to punish police officers who are unfit to serve. Learn more about how police union contracts help officers avoid accountability [here](#).

Remove barriers to effective misconduct investigations and civilian oversight

Remove contract provisions, local policies, and provisions in state Law Enforcement Officers' Bills of Rights laws that:

- allow officers to wait 48 hours or more before being interrogated after an incident
- prevent investigators from pursuing other cases of misconduct revealed during an investigation
- prevent an officer's name or picture from being released to the public
- prohibit civilians from having the power to discipline, subpoena or interrogate police officers
- state that the Police Chief has the sole authority to discipline police officers
- enable officers to appeal a disciplinary decision to a hearing board of other police officers
- enable officers to use the contract grievance process to have an outside arbitrator reverse disciplinary decisions and reinstate officers who have committed misconduct
- prevent an officer from being investigated for an incident that happened 100 or more days prior
- allow an officer to choose not to take a lie detector test without being punished, require the civilian who is accusing that officer of misconduct to pass a lie detector first, or prevent the officer's test results from being considered as evidence of misconduct

Keep officers' disciplinary history accessible to police departments and the public

Remove contract provisions, local and state policies, and provisions in state Law Enforcement Officers' Bills of Rights laws that allow police officers to:

- expunge or destroy records of past misconduct (both sustained and unsustained) from their disciplinary file
- prevent their disciplinary records from being released to the public via a Freedom of Information Act (FOIA) request

Ensure financial accountability for officers and police departments that kill or seriously injure civilians

Remove contract provisions, local policies, and provisions in state Law Enforcement Officers' Bills of Rights laws that:

- require officers to be given paid administrative leave or paid desk-duty during an investigation following a police shooting or other use of deadly force

- prevent officers from receiving unpaid suspensions as discipline for misconduct or allow officers to use vacation or discretionary time to pay themselves while on suspension
- allow officers to receive paid leave or paid desk-duty after being charged with a felony offense

Campaign Zero reviewed the police union contracts in 81 of the largest U.S. cities. 72 of the 81 cities' contracts imposed at least one barrier to holding police accountable. Learn more at [CheckthePolice.org](https://www.checkthepolice.org)

### **Coalition Letter**

To Council Member Abbie Kamin and Houston City Council Members:

We are a group of community-led organizations calling on you to reimagine policing and what truly makes us safe. The current protests across the nation and our city — after the killings of George Floyd and Breonna Taylor brought to a head the epidemic of police killings of Black people — are just the latest signs of this nation’s crisis in policing. It is a crisis that we are all too familiar with in Houston, where in recent years, the Houston Police Department’s actions to change specific policies -- like the use of no-knock warrants -- came about only as a result of tragedy. Now, another tragedy -- the brutal murder of George Floyd -- a Houston native who called our city home, is spurring another conversation about policing. People have been flooding the streets in protest, calling for changes in the way we police, demanding transparency, oversight, and accountability, and asking our elected officials to redirect resources from the police budget to supporting social services that have been proven to dramatically increase public safety.

We understand there is a public safety committee meeting this Thursday, June 25th at 10 AM. We have reviewed the agenda for that meeting and are asking you to also include the issues discussed below. As City Council members, you hold the unique power to reimagine public safety solutions through strategic policing reforms and investing in social service programs. We are asking that you support the following initiatives.

**Implement a Cite and Release Program:** Since 2014, an estimated 20% of arrests made by the Houston Police Department have been for offenses where no arrest was necessary under state law. The City of Houston should adopt a cite and release policy modeled after best practices in other cities, so that police officers will issue citations for certain low-level misdemeanors instead of making arrests. A good cite and release policy will do the following: (1) Apply to all the misdemeanors eligible under state law, including Class C Misdemeanors, possession of marijuana, and driving with a license invalid; (2) Prohibit arrests for any of these offenses except in very limited circumstances having to do with public safety, and require a supervisor’s sign off when these exceptions are made, and; (3) Implement regular tracking with publicly released information showing how often the cite and release policy is being used and how often arrests are used for any of these offenses, including reasons for arrests. The City of Houston should also begin exploring diversion for these offenses with the Harris County District Attorney’s Office, the Harris County Public Defender’s Office, and other criminal justice stakeholders in the count.

Redirect budget allocations from the Houston Police Department to social service agencies better suited for emergency first response. In the best of times, local communities struggle to meet the health needs of highly vulnerable people, including those who struggle with mental health or substance use disorder, poverty, or housing insecurity or otherwise lack access to traditional health care resources. Because most communities do not have the kind of services necessary to assist someone experiencing a crisis borne of behavioral health issues, homelessness, or poverty, law enforcement by default has served as

the first responder. Police officers are not drug counselors, social workers, or health care professionals. They are trained to respond to crime, and thus their response to people in distress all too often leads to the arrest and incarceration of these individuals. Particularly when a person is suffering from a mental health crisis, police confrontations regularly involve force — and often deadly force.

The criminalization of actions stemming from behavioral health or poverty challenges makes communities less safe because it shifts resources to law enforcement when those resources would be better dedicated to addressing public safety concerns created or exacerbated by lack of sufficient housing, health care, or substance use disorder treatment. We ask that you adopt a non-law enforcement emergency first responder program. Crisis response teams, consisting of mental health experts or crisis trained social workers, should respond to all calls for help involving mental health crisis or indications of mental or behavioral health distress, along with substance overdose. Calls indicating an overdose or potential overdose should be responded to by the crisis team and the appropriate medical health response, such as an EMT.

A law enforcement officer can be present only in cases where there is a threat of immediate physical injury or death to another; there was a serious or violent crime committed and immediate investigation by law enforcement is required; or sufficient other circumstances dictate that the only appropriate response to an unfolding situation requires the response by law enforcement officers, including calls made by the crisis response team.

There are several effective models of crisis response teams that do not include law enforcement in their strategies and instead build teams with medical clinicians and social workers who respond to emergency calls that indicate behavioral health concerns. They are models of effective first responder programs in places around the country, including Austin, Texas, Eugene and Portland, Oregon; Denver, Colorado; Contra Costa, California; Salt Lake City, Utah; Warren County, Iowa; Philadelphia, Pennsylvania; and Olympia, Washington.

On the question of funding, most recently, cities like Portland, Oregon have taken steps to reallocate funds from the police budget to supporting non-law enforcement emergency first responder programs. Harris County Commissioners have also announced \$25 million in grant funds are available to municipalities that study and implement these programs.

Re-imagine the role of police unions: Police unions have unparalleled power to shield police from accountability and to prevent reform. Unions employ opaque contract negotiations to create protections for police that are contrary to community interests and public safety. We are asking that you both open up negotiations to allow members of the public to participate and also pass a resolution notifying the police union of the city's intent to terminate its contract with the police department 90 days before it expires on December 31, 2020, unless the following changes to that contract are made: (1) End the 180 day rule that prevents officers from being disciplined for incidents occurring in the past; (2) End the 48 hour rule that prevents officers from being interviewed about complaints for 48 hours, and gives them access to all materials related to the complaint in advance; (3) Fix the appeals process for disciplinary matters so that Independent Hearing Examiners are appointed by a civilian oversight board, rather than a committee of police officers; (4) Give the civilian oversight body real authority to investigate and discipline officers with complaints against them. Make the head of that body fully empowered to pursue police accountability independently; and (5) End the evergreen clause that causes the contract to stay in place even if no agreement has been made with the city.

On June 10th, you signed an Executive Order laying out several reform measures aimed at addressing use of force. While this was a laudable move, as Chief Acevedo himself noted in response, there is much more to be done to actually change and successfully implement these policies. You asked to hear from the community on this issue and we are urging you to (1) launch a public process to rewrite the General Orders related to use of force establishing standards and reporting of police use of deadly force, which includes the release of footage, reports, documents, and officers involved in reported incidents of use of force through public records requests; (2) revise all use of force policies, including limiting lethal force to immediate self defense or defense of others, requiring de-escalation and proportionate response, and explicitly banning chokeholds, strangleholds, shooting at a fleeing suspect or vehicle, or shooting anyone who is not armed with a gun situations when possible; (3) monitor how police use force and proactively hold officers accountable for excessive force by suspending the use of administrative leave for officers under investigation, withholding pensions, and prosecuting and not rehiring officers who have repeat involvement in excessive force cases; (4) keep officers off patrol until any investigation into a force incident is complete, including any investigation undertaken by the District Attorney's office.

Cities like Austin, Boston, Los Angeles, New York, and Philadelphia are taking bold steps to reimagine policing and redirect resources from the police to initiatives like those mentioned here. Houston is the fourth largest city in the country, with an annual budget of \$5.1 billion, \$964 million of which is dedicated just to policing. Houston must join other cities throughout the country in listening to their community's cries to prioritize people over policing. Houston must join other cities in investing in areas that have been shown to truly make us safer. We urge you to act on these initiatives now.

### **Community Action Collective**

1. Create and maintain a relevant accountability dashboard on the Houston Police Department website, similar to the existing Officer Involved Shootings web page, to increase data transparency and maintain public confidence and satisfaction.
2. The development of community policing measures must precede the hiring of additional staff to carry out a 'community policing mission'. Houston Police Department's current performance measures fail to provide community policing measures whereby Community Policing can accurately be evaluated. Community Action Collective seeks to add and incorporate crucial measures to tell a more accurate and useful story of the department's performance. As such, we recommend adding these as performance measurement variables to assess the desired community policing outcomes:

#### RECOMMENDED MEASURES BY HPD GOALS

##### Increase accountability to the community

1. Percent reduction in overall Use of Force and Deadly Force;
2. Percent and number of interactions leading to critical incidents (shooting or serious bodily injury);
3. Percent of Officer suspensions for misconduct where suspension is not overturned or reduced upon appeal;
4. Percent of Officers with history of misconduct (all outcomes -- suspension, written reprimand, directed to retraining, demotion, etc) -- or conversely percentage with no history of misconduct;

5. Percent Case clearance rates by type of offense;
6. Number of 'Police brutality' / Police misconduct complaints, regardless of source (includes complaints based on statement by other officers or initiated by OPM);

Increase professionalism, Maintain public confidence & satisfaction

7. Number of Citizen complaints;
8. Resident satisfaction through consistent annual survey protocol (disaggregated by neighborhood and demographic characteristics); a. By Race/Ethnicity; b. By Gender; c. By Socioeconomic Status; d. By Nationality Status (Citizen or Undocumented); e. By Residence (Zip Code).
9. Police officer and staff job satisfaction through survey protocol (disaggregated).

HPD Police Shootings: <https://www.houstontx.gov/police/ois/>

### **Imams & Rabbis of Houston**

Shariq Abdul Ghani Director of Minaret Foundation  
Rabbi Gideon Estes, President of Houston Rabbinical Association  
June 1st, 2020

Honorable Mayor Turner, Honored Council Members of Houston, and Chief Art Acevedo

The Houston Imams Association and the Houston Rabbinical Association are disturbed and saddened by the murder of Mr. George Floyd and request proactive actions by the Houston Police Department and other law enforcement agencies in the Greater Houston area to prevent similar events from occurring in our local communities.

Our city and our nation are grieving, and while there is much work to be done, we believe the following two items will help increase community cohesion and trust.

Expansion and greater visibility of the Independent Police Oversight Board (IPOB) for continued trust in the 5th largest municipal police department. Mayor Parker's establishment of the IPOB and Mayor Turner's continued support of its work is the partnership model needed to build trust between the city and community. However, the IPOB's existence and work are not well known, reducing its effectiveness as a vehicle for peace and reconciliation. We respectfully request an increase in membership for the Independent Police Oversight Board (IPOB) composed of our neighbors and faith and community leaders and ask that our city's faith and community leaders be regularly updated in regards to its work for greater visibility.

Further diversity and de-escalation training for all law enforcement officers, aligned with behavioral health practices, to increase positive outcomes in interactions with the communities they serve. Additionally, we hope that the completion of this training is mandatory for officer recertification.

This time of national crisis presents multiple paths forward for our law enforcement agencies in Houston. Under your leadership, we firmly believe increased transparency and training is not only a way to strengthen ties with the community but also, and equally important, offer the best levels of protection for our officers.

Thank you for your continued service. May God protect you all and enable you to continue to serve our communities in an even more elevated manner.

Blessings to all,

Imam Abdullah Daniel Hernandez, Imam Nisar ul-Haq, Imam Ra'ed Alrousan, Imam Hamzah Ghia, Imam Eiad Soudan, Imam Ahmad Khan, Imam Ahmad Shaheed, Imam Ahmed Siddiqui, Imam Ammar al-Shukry, Imam Basem Hamid, Imam Rihabi Mohamed, Imam Furqaan Sayed, Imam Hamza Ghia, Imam Hyder, Al Janabi, Imam Abdurrahman Adesokan, Imam Kasim Balla, Imam Syed Saleem, Imam Muhammad ElFarooqui, Imam Mujtaba Siddiqi, Religious Director Safiya Ravat, Imam Waleed Basyouni, Imam Wazir Ali, Imam Zahid Abdullah, Rabbi Gideon Estes, Rabbi Annie Belford, Rabbi Samantha Safran Bodner, Rabbi Josh Fixler, Rabbi Sarah Fort, Rabbi Barry Gelman, Rabbi Dan Gordon, Rabbi David Lyon, Rabbi Shaul Osadchey, Rabbi Steve Gross, Rabbi Scott Hausman-Weiss, Rabbi Oren Hayon, Rabbi Sue Levy, Rabbi Steven Morgen, Rabbi Adrienne Scott, Rabbi David Segal, Rabbi Ariel Sholklipper, Rabbi Pamela Silk, Rabbi Brian Strauss, Rabbi Ranon Teller, Rabbi Avigayl Young

### **Justice Can't Wait: Independence Day Agenda for Houston Policing**

Report by: American Civil Liberties Union Of Texas, Black Lives Matter Houston, Community Justice Action Fund, Fiel Houston, Grassroots Leadership, Houston Justice, Immigrant Legal Resource Center, Indivisible Houston, One Family One Future, Pure Justice, Right2justice Coalition, Texas Advocates For Justice, Texas Appleseed, Texas Civil Rights Project, Texas Fair Defense Project, Texas Organizing Project, Urban Community Network, Workers Defense Action Fund

Executive Summary: Houston is where George Floyd was raised and where he was laid to rest. While he did not take his final breaths here, his legacy is tied to ours and how we respond to this national reckoning with policing and police violence targeting Black people.

This report documents the ongoing practice of discriminatory policing in Houston. It shows that Black Houstonians make up just 23% of the population, but 36% of police stops, 49% of citation-eligible arrests, and 63% of those shot by the Houston Police Department. Black people in Houston are suffering disproportionately at the hands of police.

Around the country and across the state, cities are taking action to fundamentally reimagine the role of police in communities. They are disbanding problematic units, banning no-knock warrants, allocating funding for non-police emergency response, and reducing police budgets.

Houston has not yet taken decisive action on policing. George Floyd was buried in Pearland on June 9. On June 10, Houston City Council voted to increase the police budget by \$19 million. On June 25, Mayor Turner appointed a Task Force on Policing Reform, with a mandate to deliberate for 60-90 days on a set of recommendations. The task force excludes the voices of advocates who have been working for years on criminal justice reform in Houston. And at a moment when Black trans people are especially vulnerable, its composition raises serious questions about how LGBTQ issues will be addressed in its



work.

These efforts deny the need for urgent action, now. This report includes five model ordinances based on national best practices and responds to the existing recommendations for reform this administration has already received to: (1) limit discretionary arrests for citation-eligible offenses; (2) maximize public access to critical incident body-worn camera footage; (3) create a framework to expand nonpolice emergency first responders; (4) improve fairness and justice in municipal courts; and (5) ban no-knock warrants. It also calls on the city to increase accountability in the police union contract; move police budget dollars to first responder, nonemergency and public health services budgets; and invigorate the citizens' oversight board with power to act independently.

We release this call to action on Independence Day because the fight for freedom is far from over. The barrier to reform in Houston in the summer of 2020 isn't further study, it is political will. It took 30 years for Houston to negotiate a settlement with the NAACP and MALDEF to formally adopt the requirements of *Brown v. Board of Education*. Changes in policing practices cannot wait that long. In 1965, the civil rights leader Whitney Young reflected on the history of reports on race and policing, writing, "The report is still there, it still reads well, but practically nothing is being done to follow its recommendations." More than 50 years later, that remains the history of task force reports.

Our leaders need to pick a side: will they choose to stall transformative change with a drawn-out task force that is unaccountable to those most affected by the persistent history of discriminatory policing in our communities? Or will they meet the moment and respond to the demand for action from 60,000 people marching in the streets? The Mayor and City Council can vote now on five ordinances that would change policing in Houston. They should do it.

The time for action is now. Mayor Turner, Chief Acevedo, members of City Council, we are looking to you to lead.

Finding #1: The City of Houston has not implemented previous police reform recommendations  
Finding #2: There are significant racial disparities in traffic stops, arrests, and police shootings of civilians by Houston police  
Finding #3: Houston Police Department transparency failures are deepening community mistrust  
Finding #4: Houston's current police union contract shields officers from accountability  
Finding #5: Houston Police Department wastes millions that should be reallocated into non-emergency first responder and public health services  
Finding #6: Houston Police Department's no-knock raid policy doesn't go far enough to protect the public

Recommendation #1: Increase transparency and accountability for misconduct in Houston's police union contract

Mayor Sylvester Turner's Office should open the contract negotiations to the public, and the Mayor and City Council should provide notice to cancel the current contract before October 2, 2020 if the new contract does not make important changes, including:

1. Eliminating the rule that blocks disciplinary action 180 days after alleged egregious misconduct by an officer. Serious misconduct must be addressed even if the Chief learns about it long after it occurred.

2. 2. Ending the 48-hour rule that gives officers accused of misconduct a full two days after an incident before they submit to an interview and that allows them to see any evidence against them in advance. No civilian accused of misconduct is given this special treatment.
3. Ensuring the appeals process for police officers accused of misconduct is fair and impartial.
4. Increased independence in police oversight, with investigatory powers resting outside the chain of command.

Recommendation #2: Implement a policy that eliminates discretionary arrests for citation-eligible offenses

Consistent with recommendations in both the 10 Year Plan and the Turner Committee Recommendations from four years ago, the Houston Police Department should adopt a citation in lieu of arrest policy that eliminates discretionary arrests. The end of this report contains a model cite and release ordinance that the Houston City Council should act on now. The City of Houston's new cite and release policy should at least include:

1. A requirement to use citations, tickets or warnings for Class C and eligible Class A and Class B Misdemeanors;
2. Very limited exceptions to the requirement, which require a supervisor's permission to employ; and
3. Regular, transparent reporting to monitor how the policy is being implemented, how often exceptions are being made, and the reasons for those exceptions.

The City should also work with the Harris County District Attorney's Office and the Harris County Public Defender to develop and expand pre-charge and pre-plea diversion programs so that cited individuals are not charged whenever possible, and if charged, these charges are ultimately dismissed. This will ensure that individuals cited can keep a clean record, free of arrest, charge, and conviction.

Recommendation #3: Implement a body camera release policy that maximizes public access to body camera footage of critical incidents

When police officers take a life, the public needs to know how they conducted themselves. The end of this report contains a model body camera ordinance that the City Council should act on now. The City of Houston's body camera release policy must do the following:

1. Maximize prompt public access to footage, especially when a police shooting, an in-custody death, or another critical incident is recorded;
2. Require release of body-worn camera footage within 24 hours of police shootings; and
3. Include important privacy safeguards.

Recommendation #4: Redirect budget allocations from the Houston Police Department to social service agencies better suited to certain emergency first response

Alternatives to policing have gained increasing attention over the last month as protests continue and cities come to terms with the brutality of their police departments. In an attempt to respond to growing calls for defunding and dismantling, local officials have also begun to seek ways to shift problem-solving from police to individuals or agencies more likely to offer actual solutions. One such alternative is

community-based emergency response systems. At their core, these programs use community-based, trained teams to respond to issues like mental health crises, substance use, and homelessness in lieu of relying upon armed police officers. The teams include medics, crisis counselors, and social workers, and operate independently from law enforcement. Their use is growing around the country. And their existence shows us that we can address challenges that we face without resorting to violence, incarceration, and punishment.

Law enforcement has become the default response to almost every problem. Vulnerabilities have been outsourced to police officers so that they no longer just respond to “crimes,” but to any crisis within a community. This includes mental and behavioral health emergencies, drug overdoses, and homelessness — challenges that we have criminalized because we have not adequately addressed them through sufficient social services, accessible housing, and universal healthcare. This outsourcing has had devastating results. The Treatment Advocacy Center has found that people with an untreated mental illness are 16 times more likely to be killed during a police encounter than other civilians who come into contact with law enforcement. A report by the Ruderman Family Foundation estimates that up to half of the people killed by police have some sort of disability, with a significant portion experiencing mental illness. Tragedies like those of Randy Lewis, Osaze Osagi, Jaron Thomas, Anthony Hill, Pamela Turner, and Charleena Lyles show the danger of dispatching police to handle a mental or behavioral health crisis. And policing reforms, like increasing the number of officers with “crisis-intervention training,” have not been shown to mitigate this danger.

Police are no better at addressing crises related to lack of housing. Instead of compassion and connections to social services, police have been dispatched to forcibly remove people from public spaces, throw away their belongings, and charge them with crimes. Police encounters with unhoused people often end in violence, abuse, and incarceration. And while much of the country sees substance use as a health issue, rather than a criminal one, police are still sent to respond to potential drug overdoses. Instead of safe injection sites and readily available treatment, people struggling with substance use end up with criminal charges and online notoriety. In sum, when people are in crisis, they need help, not handcuffs. Sending police to respond to and support individuals in these moments is not just a bad idea, it is a dangerous one. That is why it is imperative that communities adopt community-based crisis response teams.

Cities and counties seeking to implement these alternatives in their own communities already have successful models to look to for inspiration. The CAHOOTS (Crisis Assistance Helping Out On The Streets) program in Eugene, Oregon has been in operation for decades, and currently responds to about 20 percent of the 911 calls the community receives. Portland and Denver are both in the early stages of promising pilot programs, and Austin has recently expanded its Mobile Crisis Outreach Team and implemented telehealth services to respond to mental and behavioral health crises. As communities call for decreasing police budgets, local governments can reallocate those funds to new programs or existing social services that are able to develop or expand their crisis response. Lack of funding is no excuse for inaction on this issue. As organizers have noted in protests across the country, funding is rarely an issue when we’re talking about policing. It is time to spend money on programs that actually keep us safe and promote our collective well-being. As communities around the country call for fundamental changes to and even complete abolishment of policing, we must stop deploying armed law enforcement to crises that are better addressed by social workers, medics, and counselors. This shift is urgent and necessary.

We recommend that Houston City Council and Mayor Turner implement a model crisis response program that follows these principles:

1. Be separate from law enforcement. A crisis response program should be entirely separated from law enforcement. This includes team members, managers, and anyone in an oversight position. One of the common ways teams are dispatched is through 911 calls that are routed to the crisis response team, but a city or county could also create a number that routes directly to the crisis response team.
2. Include on-site, on-demand emergency and preventative services. Crisis response programs should provide both emergency and preventive services. This means meeting people where they are and referring people to necessary services and treatment. Ideal crisis response teams include both a medic and a crisis worker who can provide “immediate stabilization in case of urgent medical need or psychological crisis, assessment, information, referral, advocacy and (in some cases) transportation to the next step in treatment.”
3. Be fully funded through law enforcement budget reallocation. Funding must be provided to both create and operate a crisis response team. As cities and counties grapple with budget shortfalls due to the COVID-19 pandemic, shifting money out of police budgets and to these more effective programs makes sense and makes the development of this alternative to policing feasible.

The end of this report contains a model ordinance that the Houston City Council can act on now.

**Recommendation #5: Redirect budget allocations from the Houston Police Department to services that prevent crime and promote stability in Houstonians’ lives**

In addition to shifting funding from the Houston Police Department to non-police emergency responder programs, the Houston City Council should carefully evaluate whether spending such a large portion of its budget on policing is the best use of that money. For FY 2021, the Houston Police Department will receive \$965,146,748 in taxpayer dollars. By contrast, to look at just a few other areas, Housing and Community Development, the Health Department, and Libraries combined together will receive only \$138,892,848. These are vital services that improve people’s lives in ways that make crime less likely to begin with.

Texas has one of the worst shortages of affordable housing in the country, and Houston has the lowest per capita rate of available affordable housing units, with only 19 available for every 100 extremely low income renters. Building affordable housing not only addresses housing shortages but also has been shown to reduce crime. When people are stably housed, they commit fewer nonviolent offenses, including survival crimes like theft, robbery, trespassing, loitering, and prostitution. For people returning to society from incarceration, providing housing can lead to a 40% reduction in rearrests.

The Houston Health Department is set to receive less than one-tenth of what the Police Department will receive, at \$94,302,696. As discussed above, emergency responder programs to deal with health issues like mental health and substance use disorder should be moved outside of the department. We also need front-end investment in mental health care and treatment that reduce crime and the need for crisis response in the first place. Recent research showed that adding treatment facilities decreases both violent and financially-motivated crime.

**Recommendation #6: Improve fairness in Houston’s Municipal Courts**

The Houston City Council should end its contract between the Texas Department of Public Safety and the City of Houston allowing for the suspension of drivers' licenses for those unable to pay fines and fees through the OmniBase Program and pass an ordinance that ensures:

1. When imposing fines, courts only impose fine amounts that are truly affordable, without causing someone to have to forgo necessary personal expenses;
2. Fines and costs are waived for people who cannot afford to pay them;
3. There are alternative ways for people to resolve fines, such as a manageable number of community service hours; and
4. Warrants are only issued for failure to appear after more than one attempt has been made to reach the individual who has received a citation.

The Mayor and the City Council should also make the policies and practices at the municipal court around the criminalization of poverty part of the hiring and evaluation process for municipal judges, especially the presiding judge, whose current term is up for renewal in December 2020.

#### Recommendation #7: End dangerous no-knock warrants

A model ordinance to end dangerous no-knock warrants that the Houston City Council can act on now is included at the end of this report.

On June 11, 2020 Louisville Metro Council became the latest jurisdiction to ban the use of no-knock warrants entirely, following the tragic death of Breonna Taylor. We recommend Houston do the same by adopting a similar ordinance that bans no-knock warrants and quick-knock raids and affirmatively requires law enforcement to always both knock and clearly identify themselves as law enforcement

The practice of "quick-knock" raids, where law enforcement knock or announce themselves and then immediately and forcibly enter the home, should be limited to a very narrow set of circumstances where the underlying investigation involves an offense that by its nature includes a grave risk of serious physical harm or death (e.g., murder, rape, terrorism, human trafficking), and where circumstances justify immediate entry to prevent imminent physical harm or death.

### **Model Ordinances**

#### **Model Ordinance #1**

#### **Eliminating discretionary arrests for citation-eligible offenses**

*This model ordinance may require additional detail before enactment. Discussion regarding any revisions to this ordinance should be made transparent and include members of the Right 2 Justice coalition in Houston.*

City of Houston, Texas, Ordinance No. 2020-###

AN ORDINANCE ELIMINATING DISCRETIONARY ARRESTS FOR CITATION-ELIGIBLE OFFENSES,  
PROVIDING FOR TRANSPARENCY, AND PROVIDING AUTHORITY TO USE DOCUMENTS AND  
PROCEDURES TO ESTABLISH IDENTITY

\*\*\*\*\*

WHEREAS, it is in the best interest of our local community to minimize unnecessary and costly arrests that separate families and funnel vulnerable communities into incarceration; and

WHEREAS, the City wishes to uphold constitutional protections, to eliminate any racial disparities associated with discretionary arrests, and to ensure the efficient and equitable use of City resources; and

WHEREAS, state law allows use of citation in lieu of arrest for certain misdemeanor offenses, including possession of marijuana, driving while license invalid, and city ordinance violations; and

WHEREAS, each year the Houston Police Department (HPD) makes tens of thousands of arrests for citation-eligible offenses, which translates to lost hours of officer time; and

WHEREAS, data provided by the HPD shows significant disparities by race in the use of arrest, especially for Black residents; and

WHEREAS, reducing arrests for low-level offenses would have a positive budgetary impact on the City, thereby increasing the resources available to achieve other local needs, goals, and priorities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

SECTION 1.

- a. Except as provided by Subsection (b), the Houston Police Department shall issue a citation, ticket or warning, rather than arrest for individuals suspected of committing any citation-eligible offense as provided by the Texas Code of Criminal Procedure section 14.06.
- b. An officer may arrest an individual accused of the offenses described in Subsection (a) if:
  1. The individual is subject to an outstanding arrest warrant from a criminal law enforcement agency;
  2. The individual demands to be taken before a magistrate;
  3. The individual is publicly intoxicated to the degree that they present a serious risk of physical harm to themselves or others;
  4. The subject could not provide satisfactory evidence of personal identification to allow for citation. In determining whether the subject is able to provide satisfactory evidence of personal identification, it shall be acknowledged that not all persons are able to produce a government- issued ID. Therefore, the City shall accept other forms of identification, regardless of expiration date, including but not limited to: any state or federally-issued ID, library card, community organizational membership card, student ID, church ID, or other forms of identification, as well as photos of the aforementioned forms of identification. Additionally, in the absence of a physical ID, a verbal verification of a subject's identity and address shall suffice and may be obtained by contacting a family member, friend, or any person who has personal knowledge of the subject.
- c. Before making an arrest for a citation-eligible offense, the officer shall contact a supervisor to obtain approval. In any case where an arrest is made for a citation-eligible offense, the specific reason(s) for the arrest and supervisor approval shall be included in the incident report. If an incident report fails to contain a valid reason for an arrest in cases of the above-listed offenses, or

include reasons for arrests not listed herein, there shall be an investigation into the incident and appropriate disciplinary action may be necessary.

SECTION 2.

For the purposes of this Section, an individual who lives, works, or goes to school in the county where the offense was allegedly committed will be deemed to be a resident of the county

SECTION 3.

a. The Houston Police Chief shall send a quarterly public memorandum to the City Council, for the purposes of transparency, to provide data concerning the use of discretionary arrest for citation-eligible offenses.

b. The report or memorandum should document anonymized records of every instance that a Houston police officer made an arrest for a citation-eligible offense. The memorandum should include the following data for each instance:

1. a documented reason for the stop;
2. the particular offense alleged;
3. the reason for the arrest as provided in Section 1, subsection (b) of this ordinance;
4. the age, race and ethnicity of the person arrested; and
5. the general location, such as the zip code of the incident.

c. The report or memorandum should not include information that would jeopardize any ongoing criminal investigation or prosecution, and the report should include the number of unduplicated officers making such discretionary arrests.

SECTION 4.

All relevant City policies and internal operating procedures shall be updated in accordance with this Ordinance, including but not limited to: updating the Houston Police Department General Manual, training officers on the new guidelines for issuing citations in lieu of arrest, and updating internal databases and systems to remove any guidelines under the manual that are no longer in effect due to this Ordinance.

There shall be monthly meetings between the City Police Department and other interested stakeholders, especially community organizations and individuals directly impacted by the policing and arrests of immigrant communities and communities of color, in the development of policies, procedures, and practices related to this Ordinance. These meetings shall be open to public participation.

**Model Ordinance #2  
Maximizing Public Access to Critical Incident Body-Worn Camera Footage**

City of Houston, Texas, Ordinance No. 2020-###

AN ORDINANCE REGULATING THE USE OF WEARABLE BODY CAMERAS BY THE HOUSTON POLICE DEPARTMENT

\*\*\*\*\*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

SECTION 1.

- a. Only Houston Police Department (HPD) officers with the authority to conduct searches and make arrests shall be permitted to wear a body camera. Such body cameras shall be worn in a location and manner that maximizes the camera's ability to capture video footage of the officer's activities.
- b. With the exception of instances identified in subsection (h) below, both the video and audio recording functions of the body camera shall be activated whenever an HPD officer is responding to a call for service or at the initiation of any other law enforcement or investigative encounter between an HPD officer and a member of the public, except that when an immediate threat to the officer's life or safety makes activating the camera impossible or dangerous, the officer shall activate the camera at the first reasonable opportunity to do so. The body camera shall not be deactivated until the encounter has fully concluded and the HPD officer leaves the scene.
- c. An HPD officer who is wearing a body camera shall notify the subject(s) of the recording that they are being recorded by a body camera as close to the inception of the encounter as is reasonably possible.
- d. Notwithstanding the requirements of subsection (b):
  1. Prior to entering a private residence without a warrant or in non-exigent circumstances, the HPD officer shall ask the occupant if the occupant wants the officer to discontinue use of the officer's body camera. If the occupant responds affirmatively, the officer shall immediately discontinue use of the body camera;
  2. When interacting with an apparent crime victim, the HPD officer shall, as soon as practicable, ask the apparent crime victim, if the apparent crime victim wants the officer to discontinue use of the officer's body camera. If the apparent crime victim responds affirmatively, the officer shall immediately discontinue use of the body camera; and
  3. When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation, the HPD officer shall, as soon as practicable, ask the person seeking to remain anonymous, if the person seeking to remain anonymous wants the officer to discontinue use of the officer's body camera. If the person seeking to remain anonymous responds affirmatively, the officer shall immediately discontinue use of the body camera.
- e. All offers by HPD officers to discontinue the use of a body camera pursuant to subsection (d), shall be recorded by the body camera prior to discontinuing use of the body camera, including the and the responses thereto, shall be recorded by the body camera prior to discontinuing use of the body camera.



- f. Body cameras shall not be used surreptitiously.
- g. Body cameras shall not be used to gather intelligence information based on First Amendment protected speech, associations, or religion, or to record activity that is unrelated to a response to a call for service or a law enforcement or investigative encounter between a law enforcement officer and a member of the public.
- h. HPD officers shall not activate a body camera while on the grounds of any public, private or parochial elementary or secondary school, except when responding to an imminent threat to life or health.
- i. If an officer does not activate the body camera in response to a call for service or at the initiation of any other law enforcement or investigative encounter and the encounter does not fall into the instances enumerated in subsection (d), the officer must include the reason in the incident report.
- j. Body camera video footage shall be retained by the Houston Police Department, or an authorized agent thereof, for six (6) months from the date it was recorded, after which time such footage shall be permanently deleted.
  - 1. During the six (6) month retention period, the following persons shall have the right to inspect the body camera footage because HPD has determined it serves a law enforcement purpose:
    - A. Any person who is a subject of body camera video footage, and/or their designated legal counsel;
    - B. A parent of a minor subject of body camera video footage, and/or their designated legal counsel;
    - C. The spouse, next of kin or legally authorized designee of a deceased subject of body camera video footage, and/or their designated legal counsel;
    - D. The HPD officer whose body camera recorded the video footage, and/or their designated legal counsel, subject to the limitations and restrictions in this Ordinance;
    - E. The superior officer of the HPD officer whose body camera recorded the video footage, subject to the limitations and restrictions in this Ordinance; and
    - F. Any defense counsel who claims, pursuant to a written affidavit, to have a reasonable basis for believing a video may contain evidence that exculpates a client.
  - 2. The right to inspect subject to subsection (i)(1) shall not include the right to possess a copy of the body camera video footage, unless the release of the body camera footage is otherwise authorized by this Ordinance or by another applicable law.

3. When a body camera fails to capture some or all of the audio or video of an incident due to malfunction, displacement of camera, or any other cause, any audio or video footage that is captured shall be treated the same as any other body camera audio or video footage under the law.
- k. Notwithstanding the retention and deletion requirements in subsection (i):
    1. Video footage shall be automatically retained for no less than ten (10) years if the video footage captures an interaction or event involving:
      - A. Any use of force;
      - B. An encounter about which a complaint has been registered by a subject of the video footage; or
      - C. an offense involving a Class B misdemeanors and above
    2. Body camera video footage shall also be retained for no less than ten (10) years if a longer retention period is voluntarily requested by:
      - A. The HPD officer whose body camera recorded the video footage, if that officer reasonably asserts the video footage has evidentiary or exculpatory value;
      - B. Any HPD officer who is a subject of the video footage, if that officer reasonably asserts the video footage has evidentiary or exculpatory value;
      - C. Any superior officer of the HPD officer whose body camera recorded the video footage or who is a subject of the video footage, if that superior officer reasonably asserts the video footage has evidentiary or exculpatory value;
      - D. Any HPD officer, if the video footage is being retained solely and exclusively for police training purposes;
      - E. Any member of the public who is a subject of the video footage;
      - F. Any parent or legal guardian of a minor who is a subject of the video footage; or
      - G. A deceased subject's spouse, next of kin, or legally authorized designee.
  - l. To effectuate subsections (j)(2)(E), (j)(2)(F) and (j)(2)(G) and to further law enforcement purposes, any member of the public who is a subject of video footage, the parent or legal guardian of a minor who is a subject of the video footage, or a deceased subject's next of kin or legally authorized designee, shall be permitted to review the specific video footage in question in order to make a determination as to whether they will voluntarily request it be subjected to a ten (10) year retention period.
  - m. All video footage of an interaction or event captured by a body camera shall be provided to the person or entity making the request in accordance with the procedures for requesting and providing government records set forth in the Public Information Act codified in the Texas Government Code, Chapter 552 and Texas Occupational Code § 1701.661 (a).

1. Notwithstanding the public release requirements in subsection (l), the following categories of video footage shall not be released to the public in the absence of express written permission from the non-law enforcement subject(s) of the video footage:
    - A. Video footage not subject to a minimum ten (10) year retention period pursuant to subsection (j); and
    - B. Video footage that is subject to a minimum ten (10) year retention period solely and exclusively pursuant to subsection (j)(1)(B) or (j)(2); and
    - C. Video footage of a recording made in a private space, or of a recording involving the investigation of conduct that constitutes a misdemeanor punishable by fine only and does not result in arrest, without written authorization from the person who is the subject of that portion of the recording or, if the person is deceased, from the person's authorized representative.
  2. Notwithstanding any time periods established for acknowledging and responding to records requests in the Public Information Act, responses to requests for video footage that is subject to a minimum ten (10) year retention period pursuant to subsection (j)(1)(A), where a subject of the video footage is recorded being killed, shot by a firearm, or grievously injured, shall be prioritized and the requested video footage shall be provided as expeditiously as possible, but in no circumstances later than twenty-four (24) hours following receipt of the request.
  3. Whenever doing so is necessary to protect personal privacy, the right to a fair trial, the identity of a confidential source or crime victim, or the life or physical safety of any person appearing in video footage, redaction technology may be used to obscure the face and other personally identifying characteristics of that person, including the tone of the person's voice, provided the redaction does not interfere with a viewer's ability to fully, completely, and accurately comprehend the events captured on the video footage.
    - A. When redaction is performed on video footage pursuant to subsection (l)(3), an unedited, original version of the video footage shall be retained pursuant to the requirements of subsection (i) and (j).
    - B. Except pursuant to the rules for the redaction of video footage set forth in subsection (l)(3) or where it is otherwise expressly authorized by this Ordinance, no other editing or alteration of video footage, including a reduction of the video footage's resolution, shall be permitted.
  4. The provisions governing the production of body camera video footage to the public in this Ordinance shall take precedence over all other state and local laws, rules, and regulations to the contrary where permitted.
- n. Because the Houston Police Department believes transparency serves a law enforcement purpose, body camera video footage shall not be withheld from the public on the basis that it is

an investigatory record or was compiled for law enforcement purposes, such as the Public Information Act exception in the Texas Government Code 552.108, where any person under investigation or whose conduct is under review is a police officer or other law enforcement employee and the video footage relates to that person's on-the-job conduct. Any privacy concerns raised by disclosure is governed by Subsection I(3).

- o. Any video footage retained beyond six (6) months solely and exclusively pursuant to subsection (j)(2)(D) shall not be admissible as evidence in any criminal or civil legal or administrative proceeding.
- p. No government agency or official, or law enforcement agency, officer, or official may publicly disclose, release, or share body camera video footage unless:
  - 1. Doing so is expressly authorized pursuant to this Ordinance or another applicable law or
  - 2. The video footage is subject to public release pursuant to subsection (l), and not exempted from public release pursuant to subsection (l)(1).
- q. An officer or HPD employee commits a Class A misdemeanor if they release a recording created with a body camera without permission of HPD.
- r. If an officer is accused of misconduct, supervisors should review the body camera video footage that forms the basis of the complaint of misconduct to investigate the incident. Where the complaint of misconduct involves use of force that results in injury or death, supervisors should ensure the body camera video footage of the incident that forms the basis of the complaint is provided to the Internal Affairs Division.
- s. Video footage that is not subject to a minimum ten (10) year retention period shall not be:
  - 1. Viewed by any superior officer of the HPD officer whose body camera recorded the footage absent a specific allegation of misconduct; or
  - 2. Subjected to facial recognition or any other form of automated analysis or analytics of any kind, unless:
    - A. A judicial warrant providing authorization is obtained;
    - B. The judicial warrant specifies the precise video recording to which the authorization applies; and
    - C. The authorizing court finds there is probable cause to believe the video footage contains evidence that is relevant to an ongoing criminal investigation.
- t. Where HPD authorizes a third-party to act as its agent in maintaining body camera footage, the agent shall not be permitted to independently access, view, or alter any video footage, except to delete videos as required by law or agency retention policies.
- u. Should any HPD officer, employee, or agent fail to adhere to the recording or retention requirements contained in this Ordinance, intentionally interfere with a body camera's ability to accurately capture video footage, or otherwise manipulate the video footage captured by a body camera during or after its operation, appropriate disciplinary action shall be taken against the individual officer, employee or agent;

v. The disciplinary action requirement in subsection (t) may be overcome by contrary evidence or proof of exigent circumstances that made compliance impossible.

## SECTION 2.

- a. The Department's Office of Technology Services shall be responsible for:
1. Deploying and maintaining and supporting the functionality of the body cameras, peripheral devices; and cables, video transfer devices, work station software, system settings, and any other equipment located on-site.
  2. Maintaining a master inventory of HPD body cameras and equipment and conducting an annual inventory.
  3. Coordinating with Houston Information Technology Services (HITS) Department to maintain network connectivity, server availability, backup copies, and storage availability.
  4. Providing assistance with other technological issues.
- b. Upon notification of equipment malfunction or damage, a division shall contact the Office of Technology Services for further direction. The Office of Technology Services shall have sole responsibility to liaise with the equipment manufacturer for parts and replacement, if needed. The Office of Technology Services personnel shall also be responsible for issuing replacement body cameras and assuming responsibility for updating the database to reflect changes in equipment status and assignment.
- c. This Ordinance shall be made publicly available on HPD's website.
- d. Nothing in this chapter shall be read to contravene any laws governing the maintenance, production, and destruction of evidence in criminal investigations and prosecutions.
- e. As used in this Act:
1. "Law enforcement officer" shall mean any person authorized by law to conduct searches and effectuate arrests and who is employed by the state, by a state subsidiary, or by a county, municipal, or metropolitan form of government.
  2. "Subject of the video footage" shall mean any identifiable law enforcement officer or any identifiable suspect, victim, detainee, conversant, injured party, or other similarly situated person who appears on the body camera recording, and shall not include people who only incidentally appear on the recording.
  3. "Use of force" shall mean any action by a law enforcement officer that
    - A. results in death, injury, complaint of injury, or complaint of pain that persists beyond the use of a physical control hold, or
    - B. involves the use of a weapon, including a personal body weapon, chemical agent, impact weapon, extended range impact weapon, sonic weapon, sensory weapon, conducted energy device, or firearm, against a member of the public, or

- C. involves any intentional pointing of a firearm at a member of the public.
- 4. "Video footage" shall mean any images or audio recorded by a body camera. SECTION 3. This Act shall take effect [DATE]

**Model Ordinance #3**  
**Emergency Non-Police Responders**

*This model legislation is inspired by bills that have been introduced in CA, IL, and FL, in consultation with experts who have studied effective community-based responses to crises.*

RECITALS:

- a. The complexities of emergency issues surrounding crises in mental health, intimate partner violence, community violence, substance abuse, and natural disasters can, at times, be addressed more safely, with greater impact, and more cost-effectively and efficiently with community organizations/non-law enforcement responders staffed by mental and behavioral health care specialists, social workers, or counselors, who often have deeper knowledge and understanding of the issues, trusted relationships with the people and communities involved, and specific knowledge and relationships surrounding the emergency.
- b. Furthermore, young people of color, people with disabilities, people who are gender nonconforming, people who are formerly incarcerated, people with immigration status issues, and people who are unhoused or homeless, face significant barriers to engaging with law enforcement and other first responder personnel. Data demonstrates that these populations often do not reach out for needed help when dealing with crises in their communities because of their fear and challenges with engaging law enforcement, which puts lives and families at risk for continued harm and trauma. People who specialize in working with these populations, understanding their issues, and maintaining deep relationships in their communities have a more successful track record of engaging and supporting them.
- c. Government entities from the national to the local level have defunded systems of care, including health care and mental health care, over decades. Governments have not invested in systems that address many people's individual and community needs. We have come to rely on police officers to respond to calls for people who are in crisis, as well as for calls that should not and cannot be addressed by law enforcement. Such calls include, but are by no means limited to: complaints that people are unhoused and should be moved; complaints involving disputes between neighbors; complaints that a person looks "suspicious" or is doing something that the caller believes to be incorrect; or complaints regarding parking, and requests that cars be ticketed or towed.
- d. Further, when people are experiencing distress or crisis, there are limited resources available to assist them through the crisis, including facilities where they can be transported to and cared for. In the absence of these facilities, people have been taken to county jails or hospital emergency rooms. Incarceration and emergency rooms are not only the most expensive responses to meet people's needs, they are often entirely inappropriate responses.

- e. People in cities and counties throughout the state have recognized the need to expand innovative approaches to both emergencies and social problems and have created programs to do so.
- f. These alternative approaches have strengthened non-law enforcement responses to emergencies and other needs in places throughout the [state/county/city] by deepening the involvement of peer counselors, preventing violence, deescalating volatile situations, protecting property and the environment, reducing law enforcement use of force, and ensuring the health and safety of communities while, at the same time, saving money by decreasing calls for law enforcement services and the sole reliance upon officers or the use of emergency hospitalization for situations that do not present a threat of physical harm to others.
- g. Despite the innovative approaches led by community organizations and local governments the [state/ county/city] does not have a policy, a set of protocols, or dedicated funding to support appropriate responses to calls for assistance or to create [the state/county/city's] own crisis and support team to address people's needs that do not require a police response.
- h. This funding seeks to remedy those issues by articulating a policy framework and grant process to support innovative approaches to build capacity and to make grants [for community organizations or local governments] to support appropriate and humane responses to the multitude of people's needs.
- i. It is the intention of this funding to reduce the over-reliance on armed law enforcement to respond to crises that do not require law enforcement. As a result, it is the intention that as local governments establish and scale up civilian crisis response systems, they should dramatically reduce their reliance on law enforcement and reduce those budgets accordingly.

## SECTION 1. FUNDING

- a. The [Act/Policy] is hereby established, as a [xx (number) year program, subject to renewal], for the purposes of creating, implementing, and evaluating the Grant Program in accordance with this article.
- b. The [Title] Grant Program is hereby established. The office shall establish rules and regulations for the act with the goal of making [grants to local governments/budget allocations to non-law enforcement departments within a local government, or community based organizations] in order to establish appropriate responses to crises and other assistance that should not be addressed by responses from law enforcement.
- c. The program shall expand the participation of community organizations and non-law enforcement care workers in emergency and other responses for vulnerable populations. Vulnerable populations include people of color, elderly people, people with disabilities, people who are gender nonconforming, people who are likely to face disproportionate police contact, people who are formerly incarcerated, people with immigration status issues, people who are unhoused, people facing mental health crises, people involved in intimate partner violence, vulnerable youth, people likely to be engaged in community violence, people challenged by substance abuse, and people living in areas that are environmentally insecure with vulnerable populations and subject to natural or climate disasters or public health emergencies.

- d. This program may also be used to provide technical assistance and support to local governments and community-based organizations to identify and engage with frequent users of emergency and other services. Such Frequent User System Engagement (FUSE) technology would allow first responders to identify individuals who are homeless or who have great needs and who frequently use resources such as emergency rooms in hospitals, or are sent to jails, and connect them to housing and a wide variety of resources. As mandated in [below section] all such FUSE information obtained shall be subject to all relevant federal and state privacy law protections, including but not limited to, the Health Insurance Portability and Accountability Act (HIPAA) [and other state privacy laws]. The fact that a person is a FUSE shall not be used to deny services.
- e. This program shall also provide funding for services, including health respite, temporary respite, temporary shelter, and supportive housing for people who are unhoused or in need of immediate services.
- f. This program may also be used to ensure that schools and other facilities that serve children, homeless youth, or other young adults have access to the emergency response team, and to fund “school wellness centers” at schools or other facilities that are dedicated to addressing the particular mental and behavioral health needs of children and young adults.

## SECTION 2. PROGRAM REQUIREMENTS: CRISIS RESPONSE

- a. Funds should be provided to [local governments, departments within local governments, community- based organizations, non-profits, or a combination of these entities].
- b. The core components of any program funded under this Act should include the following:
- c. Crisis response teams must be entirely independent of law enforcement systems, including through their funding structure and oversight.
- d. The local government who is either receiving the grant or dispersing the funds to a community based organization must have a clear set of restrictions in place, or be willing to adopt a clear set of restrictions, as to when law enforcement officers shall be summoned to respond to calls. These restrictions should ensure that emergency 911 calls are only routed to law enforcement officers when:
  - 1. There is a threat of immediate physical injury or death to another;
  - 2. There was a serious or violent crime committed and immediate investigation by law enforcement is required;
  - 3. The civilian crisis response team calls for law enforcement; or
  - 4. Sufficient other circumstances dictate that the only appropriate response to an unfolding situation requires the response by law enforcement officers.
- e. The crisis response team should respond to all calls for help involving mental health crisis or indications of mental or behavioral health distress, along with substance overdose, including:
  - 1. In hospitals, when a person is refusing physical restraints, medication, or any person’s physical health is being put at risk;



2. All domestic calls where the caller indicates the person is having a mental health crisis; or
  3. All calls indicating an overdose or potential overdose.
- f. A crisis response team that responds to calls involving mental or behavioral health issues must be staffed with mental health care experts or crisis-trained social workers. Calls indicating an overdose or potential overdose shall be responded to by the crisis team and the appropriate medical health response, such as an EMT.
  - g. Crisis response teams should be mobile and capable of providing on-site, on-demand services and transportation.
  - h. Crisis response teams must be equipped to provide referrals for community services or treatment.
  - i. The crisis response team should strive to prevent crises before they occur and engage with vulnerable populations to provide referrals for preventive care.
  - j. The crisis response team should strive to create the technical capacity to identify and engage with frequent users of the crisis system in order to determine what resources they need so as to reduce their use of emergency systems of care.
    1. Any such information collected shall be subject to all privacy laws, including HIPAA, [other relevant state laws]
    2. The fact that a person is a frequent user may not be used to deny services to that person.
  - k. Crisis response teams should also respond to calls that involve disputes between people or other calls that do not require law enforcement. Such calls include, but are not limited to:
    1. Responding to an unhoused person;
    2. addressing behavior by somebody who is unhoused;
    3. calls regarding a “suspicious person” or other calls not indicting a present and immediate threat of violent behavior; or
    4. disputes between parties.
      - l. A local government should provide that their Emergency Response Communication Systems, such as 9-1-1, have staff trained to route calls to the appropriate response team.
      - m. Staff at the Emergency Response Communication Systems should receive mental health and substance use disorder training, and have clear guidance on when to direct the crisis response team to respond to a call.
      - n. If the grantee has authority to amend an existing Emergency Response Communication System or to create a separate Emergency Response Communication System, a non-9-1-1 number that goes directly to the crisis response team should be made available. If a non-911 number is created for the crisis response team, calls to 911 shall still be routed to crisis response teams in the appropriate situations as detailed here.

- o. Data Collection and Reporting. The grantees, whether a local government entity or community based organization shall produce data to be provided on a yearly basis:
  1. The number of calls responded to by the crisis response team;
  2. The nature of the calls responded to by the crisis response team;
  3. The number of individuals served by the crisis response team;
  4. The number of instances where the crisis response teams requested law enforcement back-up.
  5. This data must be anonymized so as not to identify any individual who has used the system.
  6. [Other information]
    - p. Any grantee must ensure that crisis response teams are managed outside of law enforcement. Grantees must ensure that an oversight committee is in place, ensure adequate training programs and protocols, and ensure that care is being provided appropriately.
      1. Committees must include advocates from health and disability communities and must reflect the racial demographics of the jurisdiction.
      2. The Committee should prepare annual reports to compile the data and assess the effectiveness of the program.
    - q. [If grant made to local government] Appropriate law enforcement staff reductions should be made within one year of the crisis response teams operation.
- 0. Funding should instead be directed to supporting and maintaining the crisis response team or creating a non-law enforcement city department to run the crisis response teams.
- 1. Law enforcement must also track and report data for all calls as provided under subsection 13.

### SECTION 3. FUNDING FOR REFERRAL SERVICES

- a. Local governments and community-based organizations may also apply for funding for continued care for people in need in order to facilitate the operation of the crisis response team and to ensure that people who are in crisis receive appropriate care. Such funding may include:
  1. Temporary day or overnight shelters for people who are experiencing homelessness.
  2. Technical assistance to identify and engage with frequent users of services.
  3. Mental health and substance use disorder facilities in order that the crisis response team has the ability to transport individuals in a problematic situation or in need of treatment to a safe facility.
  4. Temporary housing or supportive housing for individuals who are unhoused.

5. Resources to ensure that schools and other programs that serve children, homeless youth, or other young adult populations are able to communicate with the crisis response team.
6. A coordinated system of care for children and schools, including a wellness center for children, whether located at a school or other facility that serves children, homeless youth, or young adults, who are experiencing crisis or trauma.
7. Technical and other assistance to ensure that there is a direct line of communication between the crisis response teams and hospitals, and to support the mental health services provided by these hospitals.

**Model Ordinance #4**

**Increasing fairness in Houston Municipal Courts**

**City of Houston, Texas, Ordinance No. 2020-###**

AN ORDINANCE TO ENSURE FAIRNESS AND JUSTICE FOR ALL IN HOUSTON MUNICIPAL COURT

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

SECTION 1. Section 16 of the Houston Municipal Code is amended as follows:

Sec. 16-43. Representation of defendants by counsel; informing defendants of rights.

- a. All defendants in municipal courts are entitled to be represented by counsel and the judges of each respective municipal court shall so instruct each defendant prior to any plea in the case. If requested, the judge shall grant a reasonable continuance to allow the defendant to retain counsel.
- b. If the defendant is charged with an offense involving moral turpitude, if the defendant faces the possibility of arrest or confinement in jail, or if the defendant is a juvenile charged with a non-traffic offense, the court shall, prior to any plea in the case, inform the defendant of the accusation against him, of the right to be represented by counsel and of the right to have counsel appointed if the defendant is indigent and financially unable to employ counsel.
- c. If the court determines that a defendant charged with an offense involving moral turpitude or a defendant facing the possibility of arrest or confinement in jail is indigent, the court shall appoint counsel to represent the defendant. In cases where a juvenile is charged with a non-traffic offense, if the court determines that the juvenile is indigent, that it is in the best interest of the juvenile, and that it is in the interest of justice to do so, the court shall appoint counsel to represent the juvenile defendant. Indigency is to be determined by the court. The defendant shall file an oath or affirmation of indigency under the penalties of perjury stating that he is financially unable to employ counsel. For a juvenile defendant, the court may, in the interest of justice, require a parent or guardian to join the aforesaid oath or affirmation. The court may appoint counsel on the basis of that oath or may hold a separate hearing to determine the defendant's financial ability to pay.

Sec. 16-46. Docket.

- a. The clerk of the municipal courts, under the direction of the presiding judge, shall keep an electronic docket in which he shall enter the proceedings in each trial, which docket shall show:
1. The style of the action.
  2. The nature of the offense charged.
  3. The date each warrant was issued, whether such warrant was a warrant for failure to appear or a *capias pro fine*, and any arrest of defendant made pursuant to such warrant including the date of arrest and arresting agency.
  4. All pleas, written motions and orders of the court.
  5. The jury charge and verdict, if the trial is by jury.
  6. The judgment of the court.
  7. Written findings of ability to pay in each case following an inquiry pursuant to Tex. Code of Crim. Pro. art. 45.041(a-1) and Sec. 16-51, as well as any alternative sentence imposed, including deferral of payment, payment plan, community service, and/or reduction or waiver of the standard fine.
  8. Motion for new trial, if any, and the decision thereon.
  9. If an appeal was taken.
  10. The time when, and the manner in which the judgment was enforced.
  11. Notation of each written communication provided to defendant, each written communication received from the defendant, and a brief description of each phone call or in-person conversation with the defendant.
  12. Any community service hours completed by defendant and date they were completed.
  13. The race, gender, ethnicity and zip code of residence of defendant.
- b. This electronic docket shall be posted online and searchable by the public.

Sec. 16-47. - Failure of defendant to appear at trial.

- a. It shall be unlawful for any person knowingly to fail to appear for the arraignment or trial of any charge against the person pending in the municipal courts of the city.
- b. Notice provided to the defendant before issuing a warrant as required by Tex. Code of Crim. Proc. art. 45,014(e) after a person has failed to appear shall be provided by phone and/or text, as well as by certified mail, return receipt requested. Each notice shall explain that a person will not be arrested on warrants issued in fine-only cases if they appear in court, pursuant to state law, and explain the options that are available if a person is unable to pay their fines. The notices should explain that if the person cannot afford to pay the citation, they may instead complete complete community service or have the balance reduced or waived.
- c. Before issuing a warrant, the court shall issue a summons pursuant to Tex. Code of Crim. Proc. 15.03(b) and give the defendant at least 30 days to appear.

Sec. 16-48. Plea by defendant.

- a. At the defendant's first appearance in court, the charge shall be read to the defendant, and the court shall advise the defendant of the options to plead guilty, not guilty, or no contest. The judge shall also advise the defendant that if she is found guilty, and fines and costs are assessed that the defendant is unable to pay, the defendant will be entitled to alternative options including a payment plan, community service, or full or partial waiver. Defendants shall then plead thereto, and the plea shall be entered upon his docket by the judge of one of the municipal courts. All pleas must be made to the judge by the defendant or his legal representative.
- b. No plea of guilty shall be accepted except by the judge of one of the municipal courts. Before entering a plea of guilty or no contest, the judge shall advise the defendant that such a plea waives the right to a jury trial where the defendant could remain silent, and would be presumed innocent unless the City proved its case beyond a reasonable doubt. The judge shall also ask the defendant about any promises that have been made in exchange for the plea. Should the defendant plead guilty before the municipal court, the judge thereof shall thereupon enter the plea on the judge's docket and assess a fine and costs as may be authorized by law. If a plea of not guilty shall be entered to the complaint, a trial shall be had, either by the court or by a jury, as the defendant may elect.

Sec. 16-50. Fines to be paid to clerk or officer.

All fines assessed by the municipal courts shall be paid to the clerk of the municipal courts or some officer designated by the presiding judge to receive the same. No person is to be imprisoned for nonpayment of a fine or for not completing community service or otherwise failing to comply with the court's orders.

Sec. 16-51. Alternative method for payment of fine.

- a. When a defendant has been found guilty, by plea or conviction, or when a person who has previously been convicted returns to court because they cannot pay, the court shall conduct an ability to pay inquiry at the time a fine or costs are imposed pursuant to Tex. Code of Crim. Proc. art. 45.041(a-1) and 45.0445.
  1. As part of that hearing, the court shall ask affirmatively whether the defendant is able to pay the standard fine and costs that day without foregoing necessary household expenses for themselves and their dependents. If the defendant indicates he or she is able to pay without foregoing necessary household expenses for themselves and their dependents, the court need not proceed further with the inquiry.
  2. If the defendant asserts their inability to pay, the court shall inquire into the defendant's finances, including defendant's income, expenses, dependents, receipt of income-based government assistance, disability status and assistance, ability to perform community service, and any special circumstances. The court shall create a standard form to facilitate collection of this information.
  3. A defendant whose income is 250% of the federal poverty line or less; who receives income-based government assistance; who is serving a sentence in a correctional institution; who is residing in a public mental health facility or is the subject of a proceeding in which admission or commitment to such a mental health facility is sought; who is enrolled in middle school or

high school; or who is 18 years of age or younger, may be presumed by the court to be unable to pay.

4. If the court finds that the defendant is unable to pay, court costs and any other fees shall be waived pursuant to Tex. Code of Crim. Proc. art. 45.0491(d). The court shall then tailor a fine to the defendant's resources. In tailoring the fine amount, the Court may offer the defendant one of the following options: (i) a substantially reduced fine in the amount that defendant could pay within 30 days without foregoing necessary household expenses; (ii) a reasonable payment plan of no more than 10% of defendant's discretionary income per month; (iii) community service; or (iv) waiver of what is owed.
  5. Before a court orders defendant to complete community service, the court shall determine that community service will not constitute an undue hardship on defendant given defendant's employment, parenting or family obligations, lack of transportation, lack of housing, physical or mental health, disability, or any other special circumstances, as prescribed under Article 45.0491(c). Each hour of community service performed may be given credit of at least \$20 per hour. The maximum number of community service hours that the court can assess for one person is 40 hours, after completion of which all outstanding fines and costs in all cases pending before the court shall be considered satisfied.
  6. Any order for payment plan or community service shall clearly state in writing defendant's obligations, including information about the consequences of noncompliance, and be signed by defendant.
  7. All findings about defendant's ability to pay and alternative sentences shall be made in writing.
- c. Any defendant who is found unable to pay in full according to this section shall not be submitted to the Department of Public Safety Failure to Appear Program pursuant to any contract made by the court or city in accordance with Tex. Transportation Code chapter 706.
  - d. The court shall create a walk-in docket or similar process for defendants who have previously been ordered to pay a fine or cost that they later find themselves unable to pay. In such cases, the court shall conduct an ability to pay inquiry as outlined in section (a) and modify defendant's sentence in accordance with the court's findings.

SECTION 2. The following sections are added to the Houston Municipal

Code: Sec. 16-56. Capias pro fines.

(a) When issuing a notice for a hearing pursuant to Tex. Code of Crim. Proc. art. 45.045(a-2), the court shall provide notice of the hearing to the person, through text message, email, phone call and letter. The notice shall explain that the person will not be arrested if they come to court voluntarily, even after the warrant is issued, pursuant to state law. The notice shall also explain the options that are available to a person if they cannot pay and how to request those options from the court.

Sec. 16-57. Information available to the public.

- a. The court shall include information regarding defendant's legal rights and alternative sentences available if defendant is unable to pay on the court's website, posted at the court

where it is clearly visible, and on any written document mailed, emailed, or otherwise distributed to defendants. The notices should explain that if the person cannot afford to pay the citation, they may instead complete community service or have the balance reduced or waived.

- b. The Court shall post on its website and at the courthouse information assuring individuals that they will not be arrested on Municipal Court warrants while at the Court.
- c. All written communications from the court to people with pending cases shall provide assurance that a person will not be arrested on warrants issued in fine-only cases if they appear in court. Such communications will also include information about what options are available if the person cannot pay their fines and costs and how to request those options.

**Model Ordinance #5  
Banning No-Knock Warrants Ordinance**

*This model ordinance is inspired by the recent legislation passed by Louisville Metro Council*

City of Houston, Texas, Ordinance No. 2020-###

AN ORDINANCE BANNING NO-KNOCK SEARCH WARRANTS AND REGULATING THE EXECUTION OF SEARCH WARRANTS

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WHEREAS, a ban of no-knock search warrants will enhance safety for both the citizens of Houston and for the law enforcement officers who protect them; and

WHEREAS, specific restrictions and limitations on the use of all search warrants are clearly required to achieve public safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

SECTION I. A new section of Chapter\_\_ of the City of Houston Code of Ordinances is created as follows:

- a. For the purpose of Chapter\_\_ of the City of Houston Code of Ordinances, the following definitions shall apply unless the context clearly indicates or requires a different meaning:
  - 1. No-knock search warrant: Any search warrant issued by a judge and executed upon a premises that does not require those executing the warrant to knock and announce themselves and their purpose at the premises.
  - 2. Quick-Knock Search Warrant: Any search warrant executed upon a premises where the law enforcement authority knocks but does not give occupants a meaningful opportunity to answer the door or respond.
- b. No Houston Police Department (HPD) police officer or any other law enforcement or public safety official shall seek, execute, or participate in the execution of a no-knock warrant at any location within the boundaries of Houston.

- c. Any HPD police officer or any other law enforcement or public safety official charged with the execution of any search warrant shall be accompanied only by such other persons as may be reasonably necessary and dressed in clothing clearly identifying them as law enforcement for the successful execution of the warrant with all practicable safety.
- d. Before entering a premises, any executing officer shall:
  - 1. Physically knock on an entry door to the premises in a manner and duration that can be heard by the occupants;
  - 2. Clearly and verbally announce as law enforcement having a search warrant in a manner than can be heard by the occupants; and,
  - 3. Absent exigent circumstances, wait a minimum of 20 seconds or for a reasonable amount of time for occupants to respond, whichever is greater, before entering the premises.
    - A. Any HPD police officer or any other law enforcement or public safety official charged with the execution of any search warrant shall be accompanied only by such other persons as may be reasonably necessary and dressed in clothing clearly identifying them as law enforcement for the successful execution of the warrant with all practicable safety.
    - B. Quick-Knock Raids can be conducted only when the following circumstances are present:
      - 1. When HPD or other law enforcement entities executing a search warrant has determined that circumstances involve serious physical harm or death, like murder, hostage-taking, active shooters.
      - 2. HPD and other law enforcement entities must show that the quick and forcible entry and any accompanying military-style tactics, are necessary to prevent imminent physical harm.
      - 3. Any requests to use this approach should be approved by the Police Chief or designated supervisor.
        - A. An employee of HPD or other law enforcement entity who violates this chapter may be subject to disciplinary action, such as oral reprimands, written reprimands, suspension without pay, and/or discharge, under the appropriate union contract, civil service commission rules, or department work rules.
        - B. Complaints of a violation of this section by an employee of HPD or other law enforcement entity shall be received and investigated by the respective Internal Affairs Division and the Harris County District Attorney's Office. The results of any such investigation shall be provided to the complainant in writing within seven days of the completion of the investigation, which shall occur no later than one year after receipt of the complaint or in accordance with time frames specified in any applicable collective bargaining agreement, whichever is shorter.



- C. Where a serious injury or death occurs during deployment or a vulnerable individual was present, the city council shall appoint an independent investigator to determine what went wrong. An Independent Police Oversight Board shall have access to all relevant investigation information from this independent investigator as well as the Harris County District Attorney's Office.

SECTION II: This Ordinance shall take effect upon its passage and approval.

### **National Urban League**

NEW YORK, NY (PRWEB) DECEMBER 09, 2014

Today, the National Urban League released a 10-point plan to address police reform and accountability in the wake of recent cases of use of excessive force by law enforcement against unarmed citizens across the nation.

Marc H. Morial, President and CEO of the National Urban League, stated:

"The phenomenon we have seen in America since the announcement of the non-indictments of officers in the killings of Michael Brown and Eric Garner is new to a generation, but not to the nation. Young people have always helped to fuel historic social change. We must not forget – 50 years ago, it was young people on that bridge in Selma, Alabama; young people sitting-in in Greensboro, NC; young people riding Freedom buses all over this nation challenging conventional laws and the status quo; young people like Schwerner, Goodman and Chaney losing their lives in Philadelphia, Mississippi. A multicultural band of young people, united with historic civil rights organizations, legislators, clergy, and everyday Americans who decided that it was time for our country to do better and be better, have been the impetus for so many of the changes we've witnessed as a nation through the decades.

Millions of Americans have now taken to the streets and to social media not because the problems that have caused the outrage just began yesterday, but because sometimes difficult circumstances present a once-in-a-lifetime opportunity to bring about historic change. Now is that time. Now is our time.

This conversation and the subsequent action that will result from it will continue because we remain committed to the idea that these cases do not end where they are. In addition to the opportunity for the Justice Department to conduct independent investigations, we each have an opportunity to participate in our great democracy by helping to ensure that the America of tomorrow is better than who we are today."

#### 10-POINT JUSTICE PLAN: National Urban League Police Reform and Accountability Recommendations

1. Widespread Use of Body Cameras and Dashboard Cameras
2. Broken Windows Reform and Implementation of 21st Century Community Policing Model
3. Review and Revision of Police Use of Deadly Force Policies
4. Comprehensive Retraining of All Police Officers
5. Comprehensive Review and Strengthening of Police Hiring Standards
6. Appointment of Special Prosecutors to Investigate Police Misconduct
7. Mandatory, Uniform FBI Reporting and Audit of Lethal Force Incidents Involving All Law Enforcement
8. Creation and Audit of National Database of Citizen Complaints against Police
9. Revision of National Police Accreditation System for Mandatory Use by Law Enforcement To Be

Eligible for Federal Funds  
10. National Comprehensive Anti-Racial Profiling Law

### **The Justice Collaborative**

The current protests across the nation—in the aftermath of the killings of George Floyd and Breonna Taylor and Tony McDade—are just the latest signs of racism and the all-too-apparent crisis in policing in America. But it would be a mistake to solely focus on policing as an institution, and then to contemplate the reforms to the profession that could be made. We’ve made that mistake before.

Eric Garner. Michael Brown. Laquan McDonald. Sandra Bland. Jessica Williams. These police killings six years ago sparked protests across the country and birthed the Black Lives Matter movement. President Obama created the President’s Task Force on 21st Century Policing. Attorney General Eric Holder’s Department of Justice investigated police departments, criticized local use of force guidelines, and brought pattern and practice lawsuits to force cities into consent decrees. And police departments across the country started wearing body cameras, holding implicit bias training, and talking about restoring trust between the police and the community.

Six years later, however, not enough has changed. Now, in the wake of the most recent police killings, people are protesting again. And police chiefs and mayors and leaders of the Democratic Party are, again, making statements about racial justice, holding police officers accountable, and the need for police reform.

These perceived solutions were doomed to fail six years ago and they are doomed to fail now. That’s because the crisis within policing—the lawlessness and lack of democratic accountability, the excessive force, and the white supremacy—is a symptom of a broader crisis in our democracy. Democratic accountability is under attack, public institutions are eroding from neglect, the president himself routinely flouts the rule of law, and white supremacists openly protest and fight against racial equality even in the most progressive cities in our country.

The solutions we need right now both to protect our safety and to rescue our democracy are ones that meet the scale of the problem. To respond to George Floyd’s killing, or Breonna Taylor’s killing, we must replace the questions about how to reform policing with questions about what role policing should play in a broader vision for safety and justice in America.

The deaths of George Floyd and Breonna Taylor and Tony McDade come at a point where a global pandemic has precipitated the highest unemployment levels since the Great Depression, left tens of millions of Americans unable to pay rent or their mortgage, and exposed how a lack of universal health care jeopardizes public health and safety—not only of the uninsured, but all of us—as a virus spreads through communities. More people have died in New York City alone from the coronavirus since April than all of the people in the state of New York who died by homicide in the past two decades combined. As with the policing crisis and so many problems in our country, even this virus has punished Black and brown communities more harshly.

This is a time when we need to ask ourselves what public safety means and whether our laws and our budgets reflect those priorities. Any clear-eyed assessment will produce a resounding no in response.

So, today, as we begin to ask ourselves what solutions are available to change our country to prevent another death like the police killings of George Floyd and Breonna Taylor and Tony McDade, we need to think beyond reforming policing. Instead, our solutions must change the ways our communities work, by shrinking the police footprint in our country—and by investing the savings in areas that truly will

#### Fix Local Budgets.

Policing budgets have ballooned so much that in many cities across the country policing gobbles up 40% or more of the city budget. Even small changes in police budgets can mean large changes for other departments. For example, in many cities, a 5% cut in police budgets would allow cities to double their spending on social services or public health. Due to the coronavirus pandemic, unemployment levels are higher than at any point since the Great Depression, hundreds of thousands of people are at risk of losing their homes, and frontline workers do not have the equipment they need to do their jobs and protect themselves. Now more than ever, local governments are reconsidering how to best invest in the services that will make communities safe and healthy instead of funding police departments at the expense of these other vital functions

#### Get The Right Experts Responding To The Right Problems.

Shift most first-responder responsibilities away from traditional law enforcement agencies. Most problems arising from substance use disorders, mental health diagnoses, and poverty require medical professionals and social workers—not criminal enforcement or armed officers. Law enforcement officers are not trained and equipped to be experts in responding to mental health crises. Sending armed law enforcement to respond to a mental health crisis is as problematic as sending a social worker to respond to a burglary in progress

Diversify violence prevention resources by shifting dollars from police budgets to violence interruptions programs. Public safety budgets reflect a belief that law enforcement is the primary way to reduce violence, in large part because police officers solve serious crimes like homicides. However, clearance rates for homicides are near or at all time lows in cities across the country. Communities are seeking to invest resources in a public health approach to violence prevention that stops fatal violence before it occurs and stops its spread by interrupting ongoing conflicts, working with community members at the highest risk to change behavior related to violence and community norms. Under the Cure Violence model, for example, violence is seen as a contagious problem that is transmitted through exposure that can be effectively treated and prevented using health methods.

#### Stop The Militarization Of The Police.

End no knock warrants and severely limit military style raids. No knock warrants have been shown to be dangerous and unnecessary, and communities are looking to eliminate them in order to protect both officers and the people they serve. When law enforcement uses force to enter into homes unannounced, people believe their home is being broken into and often defend themselves, leading to civilian and officer deaths. Any forced entry into a home, especially at night, is incredibly dangerous. Related: Here is a model policy that covers membership in, regulation, and deployment of tactical teams

„ Restrict the flow of military equipment to local law enforcement. Policing has changed since we started the War on Drugs; police are now armed with weapons and equipment that were designed to be used again against warring countries. Instead, law enforcement are using those weapons in their own communities. The equipment is dangerous, dehumanizing, and unnecessary for officer safety. If anything, it escalates the situation.

Ban the use of military equipment and tactics on protestors. In the last few days, we have seen pictures of protestors who have lost their eyes after being shot by rubber bullets; elected officials peacefully protesting who have been tear-gassed, and grieving community members coming face to face with law enforcement in riot gear. The goal of law enforcement during times of unrest should be to allow peaceful protests, and to take any/all measures necessary to avoid a violent confrontation between the police and protestors. To achieve that goal, communities are now looking to ban all military equipment and tactics

#### Curtail The Corrosive Power of Police Unions.

Make policing contracts and the negotiations around them public and open to community comment. Law enforcement has long used the contract process to enlarge their budgets, often behind closed doors. Instead, the process of asking for more money for law enforcement should be done openly, and the public should be aware that when money is given to law enforcement for more officers, it may mean that a mental health center or a food bank will lose funding. When the process is out in the open, it means that law enforcement will also have to justify their requests and produce data that shows that things like enlarging the police force or procuring military equipment is linked to public safety.

Restrict the ability of law enforcement unions to bargain collectively to undermine disciplinary procedures or effective oversight. States may consider whether to affirmatively enact a ban on law enforcement unions ability to engage in collective bargaining for law enforcement except for issues that affect all civil servants including wages, benefits, and working conditions.

„ Pledge to refuse political donations from law enforcement unions, associations, and political action committees. The police unions are one of the few agencies that works directly with/for elected officials yet is able to give individual campaign donations. When these same elected officials are charged with deciding the police budget, or whether to replace a police chief, or whether a police officer has lied in court, the giving of campaign donations tarnishes the relationship and causes the public to lose trust in the process. Elected officials are increasingly considering whether to refuse political donations from any law enforcement union, association, or PAC, and officials who have received donations should return it. Related: At least ten elected officials in New York pledged to refuse police union donations, and to return existing donations. In California, a group of District Attorneys urged the state bar to ban police union donations to elected prosecutors.

#### Empower Real, Rigorous Community Oversight Authority.

Law Enforcement should be held accountable by independent representatives from the communities their departments serve. Community oversight helps to bolster confidence in police, which in turn can increase public cooperation and make communities safer. To be effective, the oversight authority must have these five features: independence from law enforcement; the authority to discipline or recommend discipline that is then enforced; sufficient resources to effectively oversee the department's activities; broad subpoena power; access to specially trained non-law enforcement investigators to investigate claims against law enforcement officers. Related: A model ballot measure from Oakland.

### **Texas Organizing Project**

RE: Negotiating a new contract with the Houston Police Association

Dear Mayor and Councilmembers,

Provisions in Houston's current agreement with the police officers' association restrict the Chief's ability to discipline officers, increase the likelihood that appropriate discipline will be overturned on appeal, expunge records that should be maintained, and much more. The Texas Organizing Project strongly recommends changes to the contract in this current negotiation to ensure accountability and improve relations between HPD and the community.

The Houston police department uses too much force on too many people, especially people of color. A recent controversial killing of husband and wife Dennis Wayne Tuttle and Rhogena Ann Nicholas, is another example of why it's important to put policies in place to protect community members from bad officers. In fact, during the term of the last contract, the Houston Chronicle found that HPD topped the state in officer involved shootings. Officers are rarely charged or indicted, even in egregious cases, so it is critically important that the chief has the authority to issue administrative sanctions for misconduct and that those disciplinary actions stick. Unfortunately, without contract changes, the deck is stacked in favor of the worst officers.

We recommend the following NINE reforms to the terms of the contract as priorities (in order by article):

Establish consideration of misconduct in promotions (Art. 19 Sec. 8): Officers with a history of misconduct should be subject to point deductions from the promotions formula. This will ensure that two otherwise similar promotion candidates can be fairly distinguished based on their prior misconduct.

Eliminate technicalities and strengthen promotional bypass process (Art. 20) To the extent promotional bypass remains part of the promotions process (we believe it should be eliminated), then the process in this contract is particularly problematic. There should be no arbitrary time limit after which the Chief cannot apply a promotional bypass (delete Art. 20(4)). Once a candidate has been bypassed due to past disciplinary issues, that person should be pulled from the pool. The chief should not be required to bypass that same person over and over and face an appeal each time. The standard for review should be "valid reason" in accordance with normal standards in labor appeals law.

Provide path to independent investigation (Art. 30 Sub (2), (4) and (7)): Under this contract, investigations must be conducted by Department personnel. State civil service law, by contrast, allows investigations to be conducted by any municipal employee. Houston can only move toward a process of independent civilian (nonsworn) investigation of police complaints if we alter this provision

Eliminate officer review of all evidence prior to making a statement: officers should be able to review only their own materials before making a statement, not the statements of everyone else involved and everyone's video. Allowing the person under investigation to review all the evidence prior to making a statement is not a "best practice" in any circumstance and should not be a special privilege for police officers.

Eliminate misconduct statute of limitations: After 180 days from the incident date, the most serious misconduct cannot be addressed at all due to an arbitrary "statute of limitations" clause. This is called the "180 day" rule and is a major problem. It should be eliminated. Serious misconduct should be sanctionable even if the Chief learns about it long after it occurred. If it cannot be eliminated, the time period should be lengthened to at least 365 days.

Prevent appropriate disciplinary action from being overturned on appeal: Under this contract, when an officer appeals his sanction the burden of proof is on the Chief, and the proof includes 1. the truth of the charges and 2. that a just cause exists for the specific discipline imposed. Instead the burden should be on the officer to prove that the discipline was not reasonable. And, while clearly the charges should always be true, the second clause requires the Chief to prove, in a side by side test with other cases, that this particular suspension length had “just cause.” This is likely to result in discipline being routinely overturned or reduced. Council should request from the Department a summary of every suspension in the past five years, whether it was appealed, and what was the outcome of the appeal (overturned, upheld, or partially overturned with a lesser discipline).

Never expunge records of past misconduct or even suspected past misconduct (Art. 31(10)): Police generally oppose efforts by the public to expunge criminal records (even of minor violations) because they say even an arrest on a subsequently dismissed charge might prove important to a criminal investigation later. This same reasoning should apply to all records of all officer misconduct. Nothing should be expunged, and all past history should be available to the Chief for review when a new incident occurs.

Exculpatory evidence of an officer’s history of misconduct should be a public court document: (Art. 31(12)) This contract creates an unnecessary burden on the courts and attorneys by requiring special legal protections (secrecy) for misconduct information that must be handed over to the defense in a criminal trial. Under the Michael Morton Act, the prosecutor MUST give the defense information about the arresting officer’s history of misconduct if it is exculpatory. The contract should specifically exclude evidence provided to the defense under the Michael Morton Act from 143.089g personnel file protections. The process for providing such evidence to the prosecutor and the defense should be straight forward and then once provided to both parties in the case it should be subsequently posted to a website.

Limit supervisory interventions and never reduce discipline to a supervisory intervention (Art. 32): Supervisory interventions are not discipline and do not create a disciplinary record, even if they may indicate other problems. Several items should be considered for removal from this supervisory intervention list: improper ticket/citation, improper or untimely response to a call, discourtesy to citizens, refusal to identify self including removal/obscuring/failure to wear name badge; abusive language, disrespect for fellow officers, unauthorized ride-alongs. Further, in no case should more serious discipline be reduced to a “supervisory intervention” because this will also eliminate the record of an officer’s prior misconduct.

Create Internal Cite and release Policy

Several Class B and Class A misdemeanors are eligible for “cite and release,” rather than arrest, under Texas law, such as Driving with an Invalid License, Possession of Marijuana, and Theft (between \$100 and \$750). However, most city police departments lack policies that empower officers to use cite-and-release on a regular basis, and therefore, jails are filled with people who were booked in on these low-level, nonviolent offenses. Some cities have examined how to implement or expand cite and release policies to reduce unnecessary jail bookings. In Austin, the Austin Police Department at the direction of the city council is developing a set of criteria that could strictly curtail the use of arrests in these offenses, so that the default will be a citation rather than a jail booking.

We believe all nine of these reforms are necessary if Houston is to begin to reduce use of force, improve

police/community relations and establish trust. It is long past due.

## **Right2Justice Coalition**

March 26, 2020

To: the Mayor and City Council of Houston

From: The Right2Justice Coalition

Re: Request for Emergency Implementation of Robust Cite and Release Policies for the Houston Police Department

Dear Mayor and City Councilmembers:

As representatives of community organizations, advocates, and lawyers, we write to alert you to an aspect of the COVID-19 pandemic that merits urgent action. Many Houstonians are arrested every day on misdemeanor offenses that are eligible under state law for citation in lieu of arrest. These offenses, which include all Class C Misdemeanors and Class A and B Misdemeanors including theft, driving with an invalid license, and several others, are for low-level, nonviolent crimes. Everything we have heard from medical professionals suggests that jails are perfect incubators for COVID-19, given conditions that do not allow for social distancing, lack of handwashing and hand sanitizer stations, and the presence of many defendants pre-trial who are older or medically fragile. An outbreak in a jail setting could place even greater strains on hospitals and health facilities already struggling under the strain.

Harris County judges have already recognized the issues, and have issued an order that is resulting in the release of many people accused of non-violent crimes. This addresses the current population of the jail, but we must also address the flow of people into jail through arrests.

Given these facts, we believe it is urgent that the Houston Police Department implement a robust cite and release policy, so that officers and the public will be less at risk of contracting and spreading COVID-19. We believe that to be effective, a cite and release policy should include the following:

- Include as many low-level offenses as possible. Include all Class C Misdemeanors, as well as all eligible Class A and Class B Misdemeanors.
- Guidelines for discretionary arrest vs. discretionary citation
  - Eliminate discretionary arrests for non-violent misdemeanors and offer a citation instead.
  - The implementing Police Directive (also attached) provides that:
  - A citation should be issued in lieu of arrest in all cases of an eligible offense unless specific factors apply
  - If the officer will arrest instead of issue a citation, the officer must get supervisor approval
- One of the important factor leading to arrest rather than citation is whether a person has acceptable identification. The Houston Police Departments should be directed to accept other forms of ID if a driver's license is not available. (i.e. library cards, church membership cards, student ID's, etc.)
- A robust data tracking plan that is public. If there is an arrest, it must be justified and reported to the city council quarterly, including data on race and location of the incident.

- Keep these policies for the long term. We believe these cite and release policies are effective tools for improving public safety, and should be continued after the emergency.
- Offer diversion programs. Once courts are again fully open and addressing misdemeanors, the city and county

The City of Austin, the Harris County Sheriff’s Office, San Antonio, and Bexar County Sheriff’s Office have all implemented versions of these cite and release policies, allowing officers to save valuable time and reducing exposure to the criminal justice system while preserving public safety. And now, in this crisis, their foresight is paying off in the form of fewer people exposed to COVID-19 and less crowded jails. We believe it is in the interest of all Houstonians to implement similar policies. Members of our coalition have gathered information about the cite and release policies around the state, and have resources to offer in terms of model police department policies, model city council ordinances, and implementation.

Sincerely,  
The Right2Justice Coalition

The Right2Justice Coalition Plan to Invest in Community and Divest from Police

The City of Houston is at a crossroads. It is about to adopt a city budget for next year that could start to divest from police who are empowered to act as an occupying force in low-income communities and communities of color in Houston. This is an opportunity to begin to reimagine public safety and reinvest in community-based services, resources and alternatives to policing. The Houston Police Department is the biggest line item in the city budget and accounts for 37% of the general fund expenses.

The Right2Justice Coalition calls on the Houston City Council to divest in the police for 2021 by:

- Imposing a hiring freeze on uniformed police officers in 2021. Savings: \$15.5M
- Cutting the overtime budget in half. Savings: \$7M
- Ending cadet classes until training and recruitment has been overhauled. Savings: \$3.5M
- Cutting all unfilled positions from the budget. Savings: \$12M
- Ending maintenance for militarized equipment and phasing out the mounted patrol.
- Looking into canceling professional liability insurance for individual police officers.
- Stop buying so-called “less lethal” ammunition for crowd control.

We call on the City Council to Reinvest the \$38M+ through:

- Law Enforcement Assisted Diversion (LEAD) pilots that prevent arrests from ever occurring, including supporting the services that people can be referred to instead of arrest.
- Support Councilmember Plummer’s budget amendment to create a 24/7 mobile crisis intervention with trained mental health professionals for a broad range of dispatch calls, including homelessness, intoxication, disorientation, substance abuse and mental illness problems, and dispute resolution. Similar to the CAHOOTS program in Eugene, OR.
- Expand the Houston Recovery Center to be available for a wider variety of substance abuse issues, with capacity to meet the need. Note: savings listed here are approximate, and city staff should get accurate number

Note: savings listed here are approximate, and city staff should get accurate numbers.



## **8CantWait**

- [8cantwait.org](http://8cantwait.org)
- Ban Chokeholds and Strangleholds: Allowing officers to choke or strangle civilians, in many cases where less lethal force could be used instead, results in the unnecessary death or serious injury of civilians.
- Require De-escalation: Require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force.
- Require Warning Before Shooting: Require officers to give a verbal warning, when possible, before shooting at a civilian.
- Exhaust All Other Means Before Shooting: Require officers to exhaust all other reasonable means before resorting to deadly force.
- Duty to Intervene: Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.
- Ban Shooting at Moving Vehicles: Restrict officers from shooting at moving vehicles, which is regarded as a particularly dangerous and ineffective tactic.
- Require Use of Force Continuum: Develop a Force Continuum that limits the types of force and/or weapons that can be used to respond to specific types of resistance.

Require Comprehensive Reporting: Require officers to report each time they use force or threaten to use force against civilians.

## **8toAbolition**

1. Defund police
  - a. Reject any proposed expansion to police budgets
  - b. Prohibit private-public innovation schemes that profit from temporary technological fixes to systemic problems of police abuse and violence. These contracts and data-sharing arrangements, however profitable for technologists and reformists, are lethal.
  - c. Reduce the power of police unions
    - i. Make contract negotiations open to the public
    - ii. Pressure the AFL-CIO to denounce police unions.
    - iii. Prohibit city candidates taking money from police unions and stop accepting union funds.
    - iv. Withhold pensions and don't rehire cops involved in use of excessive force.
  - d. Demand the highest budget cuts per year, until they slash police budget to zero
  - e. Deplatform white supremacist public officials.
  - f. Repeal the Law Enforcement Bill of Rights.
  - g. End all police contracts with social services, care services and government agencies providing care.
  - h. Abolish asset forfeiture programs and laws
2. Demilitarize communities
  - a. Disarm law enforcement officers, including the police and private security
  - b. Repeal all laws that hide, excuse, or enable police misconduct.

- c. Prohibit training exchanges between U.S. law enforcement and global military and policing entities
  - d. Withdraw participation in police militarization programs and refuse federal grants that entangle municipal police entities with the Department of Homeland Security, the Joint Terrorism Task Force, and FBI.
  - e. Acknowledge that surveillance technologies (CCTV, face printing, DNA and biometric databases, acoustic gunshot detection, drones, AI and risk profiling algorithms, and other forms of predictive policing) are weapons in the hands of law enforcement. End police contracts with any private companies that provide these services and prohibit the experimental design and rollout of in-house systems.
  - f. End the militarization of Black and brown neighborhoods by ending broken windows policing, “precision policing,” community policing, and all iterations of quality of life policing programs (neighborhood policing, “gang” policing, “repeat-offender” policing, etc).
  - g. Remove cops from hospitals.
3. Remove police from schools
- a. Remove police, both public and private, from all schools.
  - b. Call on universities to dissolve relationships with police departments.
  - c. Prohibit police departments from using city contracts with universities to do IRB-exempt data analysis, geographic and community profiling, human-computer amelioration studies, and predictive analytics. Instead, divert funds to public service-related studies and community collaborations.
  - d. Remove surveillance tech and metal detectors from all schools.
  - e. Disconnect property taxes from school funding.
  - f. End school zero-tolerance disciplinary policies.
  - g. End the use of carceral-lite punishment of students, including suspensions and expulsions, that disproportionately target Black and brown students, especially Black girls.
  - h. Urge states to repeal truancy laws.
  - i. Prohibit the surveillance of Black and brown students by their teachers, counselors, and school officials through programs that criminalize students and exploit relationships of trust with school officials, including Countering Violent Extremism/Targeted Violence and Terrorism Prevention.
4. Free people from jails and prisons
- a. Free all people from involuntary confinement, including but not limited to jails, prisons, immigrant detention centers, psychiatric wards, and nursing homes, starting with those who are aging, disabled, immunocompromised, held on bail, held for parole violations, and survivors.
  - b. Permanently close local jails.
  - c. Grant clemency to criminalized survivors.
  - d. Pressure state legislatures to end mandatory arrest and failure to protect laws that lead to the criminalization of survivors of gendered violence.
  - e. Reject “alternatives to incarceration” that are carceral in nature, including problem-solving courts and electronic monitoring and coercive restorative justice programs.
  - f. Reduce jail churn by reducing arrests.
  - g. Cut funding to prosecutor offices.
  - h. End pre-trial detention.
  - i. End civil commitment.

- j. Release all people held pre-trial and on parole violations.
  - k. Make all communication to and from prisoners free.
  - l. End immigration detention, end family separation, and let our undocumented community members come home.
  - m. End data and resource sharing with ICE
5. Repeal laws that criminalize survival
- a. Repeal local ordinances that criminalize people involved in the sex trades, drug trades, and street economies.
  - b. Repeal local ordinances that criminalize the occupation of public spaces—particularly for people experiencing homelessness—under statutes against loitering, loitering for the purposes of sex work, fare beating, panhandling, soliciting, camping, sleeping, and public urination and defecation.
  - c. Refuse to deploy police when they are contacted in relation to the above.
  - d. Repeal statutes that criminalize survivors of gendered violence, including mandatory arrest and failure to protect laws.
  - e. On the road to complete decriminalization, immediately decriminalize all misdemeanor offenses, which currently account for 80% of total court dockets.
  - f. End all fines and fees associated with the criminal legal process, including ticketing, cash bail, court costs, and parole and probation fees.
6. Invest in community self-governance
- a. Promote neighborhood councils as representative bodies within municipal decision making.
  - b. Invest in multilingual resources for immigrant and asylum-seeking communities.
  - c. Assess community needs and invest in community-based resources, including groups from tenant unions to local shop-owners and street vendors, prioritizing those from marginalized groups.
  - d. Invest in land stewardship councils to oversee return of land to Indigenous communities.
  - e. Invest in community-based public safety approaches, including non-carceral violence prevention and intervention programs and skills-based education on bystander intervention, consent and boundaries, and healthy relationships.
7. Provide safe housing for everyone
- a. Cancel rent without burden of repayment during COVID-19.
  - b. Repurpose empty buildings, houses, apartments, and hotels to house people experiencing homelessness.
  - c. Prohibit evictions.
  - d. Remove cops from all re-entry and shelter institutions.
  - e. Provide unequivocal support and resources to refugee and asylum-seeking communities.
  - f. Allow Community Benefits Agreements to be a community governed means of urban planning. Make public housing accessible to everyone, repealing discriminatory laws barring people from accessing resources based on income, race, gender, sexuality, immigration status, or history of incarceration.
  - g. Support and promote the existence of community land trusts for Black and historically displaced communities.

- h. Ensure that survivors of gendered violence have access to alternative housing options if their primary housing becomes unsafe.
  - i. Provide non-coercive housing options for young people experiencing abuse or family rejection of their queer or trans identities
8. Invest in care, not cops
- a. Allocate city funding towards healthcare infrastructure (including non-coercive mental healthcare), wellness resources, neighborhood-based trauma centers, non-coercive drug and alcohol treatment programming, peer support networks, and training for healthcare professionals. Make these services available for free to low-income residents. Adopt a care not cops model.
  - b. Invest in teachers and counselors, universal childcare, and support for all family structures.
  - c. Free and accessible public transit.
  - d. End the use of property taxes to determine school funding.
  - e. Install safe and sanitary gender-inclusive public restrooms.
  - a. Ensure investment in community-based food banks, grocery cooperatives, gardens, and farms.
  - h. Ensure free, and more extensive, public transport, especially servicing marginalized and lower-income communities.
  - h. Invest in youth programs that promote learning, safety, and community care.

The 8toabolition policy is an abolitionist vision for a future without police and prisons. This proposal advocates for the disarming, disempowering, and divesting of police and prison systems until they become obsolete. The goal is to redirect those resources from the police and prison systems to under-served communities. 8toabolition calls for initiatives besides defunding the police, it recommends disconnecting property taxes from schools, ending data and resource sharing with ICE, free and accessible public transit, canceling rent without burden of repayment during COVID-19, and many other concerns. This policy gives a variety of suggestions on how decriminalizing and disbanding the police can increase transparency and accountability in our communities.

## II. Houston City Council Recommendations & Comments

### Council Member Alcorn

1. Provide sufficient financial resources for community policing and crime reduction programs including:
  - Public affairs community outreach
  - Diversion strategies
  - Differential response teams
  - Mental health initiatives
2. Invest in updated and improved body camera equipment and technology.
3. Mandatory release of body camera footage within 30 days if an officer fires a gun or makes use of any other force that causes harm.

### Council Member Cisneros

The 17 programs currently included within the **Community Policing and Crime Reduction Programs and Initiatives** all reflect an awareness of the importance of relational policing. Together they reflect one of the most important values that we must hold onto in our efforts on Police Reform. It is critical that we create opportunities to engage citizens in meaningful ways that build trust and improve efficiency.

There remains much untapped potential within the Community Policing and Crime Reduction Programs and Initiatives. The programs have been added over time and are somewhat fragmented and disconnected from each other, and in some cases outdated. It is time to review each of these programs with a critical eye to see what is working well, and what needs to be overhauled.

As a council member, I am interested in seeing evaluations of the effectiveness of the initiatives. Some programs will need more resources, some will need to be consolidated, and some will need to be updated. As far as I am concerned, everything is on the table and I would like to see practical and creative solutions to build the best Community Policing Programs possible. Expanding the range of opportunities for both paid civilians and volunteers within HPD are part of that, and that would help create shared ownership, improved trust and better outcomes.

- How are the programs evaluated?
- How is effectiveness measured?
- Could some of the programs be integrated or combined with each other?
- What positions currently filled by police officers, could be filled instead by civilians?
- What other possible opportunities/needs are identified?

**Here are some of my thoughts and observations on the state of current programs and initiatives regarding Community Policing and Crime Reduction:**

### **Alliance Against Crime**

This program appears to be making a real difference in reaching minorities in Houston and probably needs more resources, like a dedicated officer.

### **Boarding House Transition Unit**

At \$226,774/year, it sounds like a lot of money for two people

### **Chronic Consumer Stabilization Initiative**

There could be an opportunity here to combine the Chronic Consumer Stabilization Initiative with Crisis Intervention Response Team, and the Crisis Call Diversion Program, into one big Mental Health Unit. Have mental health civilians. Opportunities to learn from what they are doing in Oregon. I propose an overhaul of the whole program into one that works collaboratively together. Get a whole new program going. There is research to back this up.

### **Citizens Police Academy**

Take a look at citizens Police Academy and see how to update it. There is a lot of potential here that is probably untapped. Relook at this program and see how to create good community relations. Maybe citizens can go through the “shock shooter” to understand what officers go through. Consider rotating the location of where the academies are located so that different parts of the city have convenient access.

### **Communicators on Patrol**

A great program. Could this program become part of Alliance Against Crime, or fall underneath them as a branch? It would depend on how it is structured, but the Communicators on Patrol could also be helpful in marketing and promoting the Alliance Against Crime program.

### **Differential Response Team**

Instead of relying so heavily on police officers, consideration should be given to using a team of volunteers with police and business input, that could do crime prevention instead. With officer support, the volunteers could easily go out and talk to businesses. Dust for fingerprints. A paid civilian or a volunteer team who was very well trained could dust for fingerprints, go out to apartment complexes and issue warnings saying if something is not fixed that an officer would come by, saving an officer from having to make the initial trip of having to go by. If it was someone the community trusted, that person would become a mediator who may be able to get a better response. That civilian, (or volunteer team) could be based out of that area. Civilian Crime Report Technicians are perfectly able to take property crime reports that don't necessarily require an officer, which would help expedite police reports.

### **HOT**

The HOT team is important, but this is another opportunity area where trained civilians could help more. Among other things, accredited therapists could handle low-level 911 calls instead of the police. Their pay grade would probably be considerably lower than what is spent on officers doing the same work.

### **Gang Resistance Education and Training**

This could be an outdated program and would be worth re-evaluating. This may need to be redeveloped to target a 4th or 5th grade level instead of middle school. Studies show that presenting gang prevention programs to middle school students is too late. Currently five officers are assigned to this initiative, so there is a lot of overhead.

### **Explorers Program**

At over \$100,000 for two people, that's a lot of money for just the cost of two people. Is their expense justified? This could be a good program depending on how it is run and if the HS cadets served by this program have a meaningful opportunity to participate in HPD in a helpful way. What is the rate of those who actually go into law enforcement?

### **Police Activities League**

This is a good way to get kids off the streets. Why couldn't some of this be filled as volunteer positions? Perhaps a foundation could be formed to support the Police Activity League. Natural sponsors should include professional sports teams or other community partners to help cover costs. Perhaps that is already happening.

### **PIP**

It is worth considering that maybe the PIP program needs to transition to more of an "Alliance Against Crime" -style program instead. The current PIP model may have become outdated. It is important to make sure that programs align with the needs of a changing Houston. One consideration is to avoid having the intimidation factor of having so many Police assembled at one location. Combining and creating a model that better aligns with the "Alliance-style" way of connecting with the public, could lead to a better community response.

### **Teen and Police Service Academy (TAPS)**

Re-evaluate this program and look at numbers. This could be a job for a civilian who could put this together and have officers volunteer at it. Otherwise this is just another desk job for an officer.

### **Volunteers Initiative Program**

This should be a civilian job. No reason that an officer needs to be in charge of this, otherwise this is just a desk job for an officer. A civilian could do this.

This is also a great way for the citizens in the public to be integrated and to have ownership. There are so many opportunities for volunteers to serve: volunteers could serve on various review boards; volunteer as victims advocates; be volunteers on crime scene units; retired volunteer lawyers could sit in the courtroom with the Crime Scene Unit and help coach officers to do their best to present testimony.

### **Youth and Police Advisory Council**

It would make sense to combine this with the Teen and Police Service Academy because their missions seem to be very similar. The Academy could be put together by the Youth and Police Advisory Council. They should be working together, not as two separate groups.

### **Council Member Gallegos**

1. Presenting a valid form of ID is often the first interaction between residents and police, but many don't possess one. As such, we should work with community leaders and stakeholders to establish a community ID program – a City Access Card – that could be used as local ID by homeless residents, young people, senior residents, immigrants, individuals recently released from prison, or any Houstonian. The Access Card would be multifunctional and could be used by any Houstonian who wants to access a variety of services such as library services,

METRO, BCycle, etc, and even access to benefits like discounts at participating businesses.

2. After seeing a lack of trust in the community and receiving survey data from community members that live in the Eastside community, a tailored program aimed at more community-policing training was created by the Eastside Patrol Division.

The Eastside Community-Oriented Policing Program aimed to reinforce a mindset that focuses on community-oriented policing by providing problem-oriented and evidence based policing strategies. The program included the Eastside Community Service and Differential Response Team officers, in providing the in-depth peer training to new HPD patrol officers. This tailored training focused on humanizing the badge and gave officers key insight in detail, to innovative ways to serve community. The program primarily focused on setting a foundation for the new officers to embrace the “guardian mindset” versus the “warrior mindset” (as suggested in the 21st Century Policing Task Force, initiated by President Obama).

The program includes a 40-hour curriculum that includes: daily classroom instruction, input and interaction with community stakeholders/leaders, addressing quality of life issues in the beat, a community service project, and a lot more. This program should be replicated and made available to new officers department-wide.

### **Council Member Kamin**

The following recommendations seek to address immediate concerns raised by members of the community, and are not intended to exclude other proposals by other Council Members, advocacy organizations, local mental and public health experts and organizations, or the public. These recommendations are meant to complement other proposals. On some items, further research is needed or already exists elsewhere in the memo.

While these proposals focus on what the City itself can do, we must also work with other levels of government in our school districts, at the County level, and in our State and Federal governments to make necessary changes in current laws.

We must address criminal justice reform holistically: from eliminating for-profit prisons in our state to addressing the school-to-prison pipeline; from diversion programs to rehabilitation programs; from housing to job training and other social programs to assist the most vulnerable in our communities; from sufficient funding of the public defenders office to mental health and homeless support funding.

### **Implement Cite and Release**

A robust cite and release policy should be implemented expeditiously that 1) directs HPD officers to issue citations, (instead of making arrests) for low-level offenses and 2) requires the department to publish quarterly reports to increase data transparency and ensure compliance with the ordinance. Cite and release can reduce unnecessary discretionary arrests, which disproportionately impact Black and Brown communities, immigrants, and other marginalized populations. The COVID-19 pandemic has made this an even more urgent matter as jails and prisons are seeing some of the



worst outbreaks in the state. Issuing citations whenever possible for eligible offenses is an important step toward addressing racial disparities in policing.

In 2007, Texas Legislature authorized HB 2391 to allow officers the ability to issue a citation to someone suspected of committing certain Class A or B misdemeanor offense. Any program should, of course, also include Class C misdemeanors. Other cities and counties in Texas have implemented different versions of cite and release, including the City of Austin, the City of San Marcos, and Harris County. In particular, Houston should look to Harris County Sheriff's Department's cite and release program, implemented in February 2020, which includes six Class A and B misdemeanor charges.

Additionally, this program would provide cost savings and allow HPD to focus their resources on serious, violent crimes. Cite and release should be paired with existing diversion programs that divert offenders' cases from the regular court system. The data regarding cite and release and jail diversions (such as transports to the Houston Sobriety Center) should be compiled so Houstonians have a full picture of what the City is doing to provide alternatives to entry into criminal justice system.

### **Strengthen the Office of Inspector General to Address Citizen Complaints and Oversight**

The Office of Inspector General (OIG) should be strengthened and its public-facing functions should be expanded to include 1) receiving complaints from citizens regarding HPD officers and 2) providing an independent avenue of the oversight and investigation process.

Currently, per Executive Order 1-5 establishing the Independent Police Oversight Board (IPOB) and Executive Order 1-39 outlining the responsibilities of the Inspector General, OIG is directed to assist an individual with the preparation and filing with HPD's Internal Affairs Division of a complaint against a classified police officer. OIG is also designated as a special advisor and consultant to IPOB in Executive Order 1-5, Section 6.6.

Complaint Process: HPD's Internal Affairs Division is the entity that can initiate an investigation under the current system. The OIG's office is well-suited to take on a similar (parallel) authority as they are trained investigators with legal expertise and backgrounds. As a separate entity from HPD, they should be empowered to both take complaints directly from citizens and initiate their own investigations, if warranted. Furthermore, E.O. 1-39 requires that "Each City employee shall cooperate fully with any investigation conducted by the OIG and shall provide truthful information, written statements, documents, and related materials upon the OIG's request."

Transparency and Reporting: Greater transparency is needed in the police oversight process and the OIG. OIG should maintain a public-facing website on behalf of IPOB to report cases/investigations in process, the recommendations provided by IPOB, and the outcomes of those cases in terms of disciplinary action taken by the Chief of Police.

The Houston Equal Rights Ordinance envisioned OIG as the complaint center and investigative authority for human rights violations under the proposed ordinance. Specifically, OIG was given the authority to take statements, inspect relevant records, and seek subpoena authority if needed, to investigate complaints under HERO. While the Equal Rights Ordinance is not currently in place, a strengthened OIG lays the foundational infrastructure for the office to serve oversight and

investigative functions to ensure that the City of Houston is protecting the human and civil rights of all Houstonians.

**Other issues recommended for review by the Mayor’s Task Force on Police Reform:**

- Expansion and improvements to crisis diversion programs. Houston was one of the first, and is already implementing nationally recognized crisis call diversion and crisis intervention response teams to connect mental health professionals to people in distress and prevent escalation of these incidents. The City, in consultation with *local* mental health experts, should continue these programs, expanding and improving them.

For example, in many instances the program should be the first line of response, and an officer may not need to accompany a mental health responder in all circumstances (or officers may be able to wait in the car). 911 dispatch protocol and training should also be reviewed, as some times it can be the communication between a dispatcher and officers that leads to unintentional escalation. Small, easy changes including uniforms that do not resemble law enforcement should also be considered.

These programs need increased funding and better tracking of performance metrics. The task force should consider establishing goals for the number/percentage of calls diverted or calls that involve a mental health intervention but not law enforcement. Additionally, the City must utilize all available funding, including Harris County’s pending grant program (see below).

- Funding and Grant Utilization. The City of Houston should utilize all available funds and grants to supplement the City’s limited budget to focus additional resources towards mental health, crisis intervention and diversion, jail diversion, housing, and community support programs. Currently, the majority of funding for the Harris Center for Mental Health & IDD comes from City, County, and government funding. By approaching additional local and regional non-profits there is the potential for additional fundraising and donor opportunities. Harris County Commissioner’s Court recently allocated \$25 million in funding for programs that provide non-criminal justice system interventions and alternatives, with at least \$5 million of those funds to be made available as grants to cities within Harris County that implement qualifying programs. Once the JAD has established the standards and qualifications for applying for the program, the City should apply as quickly as possible.
- Review and reconsider Juvenile Curfew Ordinance. The City’s juvenile curfew ordinance should be reviewed and reconsidered. Last year, during consideration of the renewal of the ordinance, HPD agreed to collect data that could be reviewed to determine disparities and scope of its use. This data should be reviewed and analyzed, and a report presented on the ordinance.
- Standard requirements for continual psychological evaluations. While HPD currently provides psychological evaluations following specific incidents, including officer involved shootings, there is no standard psychological evaluations for officers on a continuing basis. Our officers undergo extensive stress. The task force should consult mental health experts and review best practices to establish a more regular schedule for psych evaluations of officers. Additionally, there is no

way for HPD to know if a cadet has previously failed psychological or other examinations in another jurisdiction related to cadet certification, unless the cadet, themselves, discloses that they had previously applied in another jurisdiction. The task force should examine ways to close this loophole.

- Increased transparency in reporting information regarding HPD's trainings & programs. There should be additional reporting on HPD's training Schedule, updates/additions/deletions to the training schedule, and how many officers have received each training. There should also be regular reporting of the effectiveness of HPD's various diversion programs, including Crisis Call Diversion, Crisis Intervention Response Teams, Homeless Outreach Teams, and transports to the Houston Sobering Center.
- Clearly defined body camera release policy. HPD should implement a clearly defined body camera release policy that includes specific deadlines by when certain officer worn camera footage (and other camera footage obtained from other sources) is released to the public.
- Strike current 180 Day rule for investigations of police officers. Investigations of police officers should not, in all circumstances, be limited to a window of 180 days for investigation. For example, if an officer committed a felony, there should not be a strict window of time.

### **Council Member Plummer**

CIRT+

The Houston Police Department's Mental Health Division (MHD) is one of the most innovative, and effective models of crisis intervention in the country. The programs administered under the Division have consistently ranked as among the vanguard of modern policing—as evidenced by the many other municipalities that send their own police department's ambassadors to learn from our instructors.

With its Crisis Intervention Response Team (CIRT), Homeless Outreach Team (HOT), and Crisis Call Diversion (CCD) program (and various other innovations), one might be forgiven for thinking the Division had reached its own zenith of novelty. One of the most difficult feats to manage for any organization is to outperform itself when already standing tall as an industry leader. But in the City of Houston, that's what we do. It is in that spirit that we propose to challenge the Mental Health Division to outclass itself yet again by adopting and fashioning its own version of Eugene, Oregon's Crisis Assistance: Helping Out On The Streets (CAHOOTS) Program in combination with its already renown CIRT program.

Under CIRT, an officer trained in 40 hours of crisis intervention (double what the State requires) is paired with a mental health worker, and the two-person team uses a police vehicle to respond to mental health crisis calls together. Under CAHOOTS, a mental health care worker and a medic, each with 500 hours of field training (in addition to classroom time), are paired together. There are many reasons why pairing a

mental health care worker with a medic is advantageous to pairing such a worker with an armed officer.

As CAHOOTS Administrative Coordinator Benjamin Brubaker points out, is the fact that such a pairing provides a more holistic look at the person being serviced, as sometimes mental health issues present themselves as medical issues and vis-a-versa. The CAHOOTS model uses a van with no police department markings. However, more important than the appearance of the nonthreatening CAHOOTS vehicle, is the equipment contained within it. Each CAHOOTS van is stocked with medical supplies one might expect to find in a clinic.

An analysis of the 4,915 calls serviced by CIRT in 2019 demonstrates the unit performs admirably, being tasked with responding to some of the most intractable mental health calls in the city. It is also clear that the 12 officers assigned to the unit and their mental health partners can only handle the most acute of intervention calls. The Mental Health Division uses a network of world-class telehealth solutions to expand its reach and service, but we still would like to see the field operation buttressed with a CAHOOTS-like unit.

By no means does the creation of a CAHOOTS-like program necessitate the dissolution of the CIRT program. In fact, it's easy to envision how the two programs could work naturally alongside one another. In a CIRT + CAHOOTS model, CIRT responders could be used to continue to take on the most acute mental health calls that may escalate to the need for restraints or detention of an individual; while CAHOOTS responders could attend to a wider array of less acute calls for service.

It costs the White Bird Clinic, the organization behind CAHOOTS, roughly \$800,000 per year to service nearly one fifth of the 100,000 plus calls for service from Eugene's police department. To achieve a similar coverage for Houston's population, it would cost roughly \$18.4 million per year. That would mean twenty-three CAHOOTS vans providing coverage to the city, or put another way, about \$800,000 worth of programming (staff, equipment, operational costs) for every 100,000 residents.

#### **RECOMMENDATION:**

I recommend the Task Force examine and report back on how a blend between the City's CIRT Program and the City of Eugene's CAHOOTS program might function with and alongside one another in the City of Houston. Included in the report should be:

- Financial considerations for a CIRT + CAHOOTS program consisting of:
  - 23 medically-equipped vans based on the CAHOOTS model.
  - 23 EMS/ Mental Health professional pairings (teams) working a peak and offpeak shift schedule.
- The potential effects a CIRT + CAHOOTS model as detailed above could have on HPD response times to varying priority calls.
- Potential sources of funding for such a program.

#### **INDEPENDENT POLICE OVERSIGHT BOARD**

The entire structure of the Independent Police Oversight Board (IPOB) should be reconsidered, beginning first with how its membership is selected. The composition of the body should be removed from a Mayoral selection - Council approval appointment, to a combination of the popular election of its Chair and the appointment of its other members by individual District City Council Members. New

criteria for its members should be set, emphasizing a range of lived experiences and professional knowledge and background of the matters which may appear before them.

Second, IPOB's operations should be made more robust and funded. So long as IPOB's sole responsibility is to review the Internal Affairs Division's investigations, IPOB does not need funding. However, if IPOB is made responsible for conducting its own independent investigations, and reporting its independent findings, and issuing binding judgements, and not mere recommendations—as I believe a revamped version of the body should—then IPOB's operations should be funded.

Third, IPOB should continue to investigate the most serious of complaints, allegations of excessive force, the discharging of fire arms, and any allegations of criminality, however, a fully-funded and properly staffed auxiliary unit should be equipped to receive notification of, and investigate less serious, but still impactful, complaints made by the public to Division Supervisors. Citizens should be able to lodge these complaints through a web portal. A portal should be procured that not only allows the public to send allegations of wrong-doing on the part of police officers, but also allow the public to see other misconduct files within an officer's case history.

## **TRANSPARENCY & ACCOUNTABILITY**

Lastly, IPOB should have subpoena power. In its current configuration—IPOB functioning as an internal check to the Department's internal investigations—there is a free flow of the sharing of information. One might hope for the same level of openness and transparency were IPOB's relation to the Department change to that of wholly independent and separate body. However, a more legally formalized relation between IPOB and the Department may also be necessary to accommodate any newly formed powers and responsibilities IPOB may hold. That more formalized relationship should be established by granting a fully-funded, independent IPOB, subpoena power, and immediate access to scenes of officer-involved shootings to question witnesses (all members should undergo whatever necessary training to do such).

## **RECOMMENDATION**

The Task Force should consider the costs of:

- A funded IPOB, capable of processing its own investigations either through:
  - A dedicated staff
  - Contracting members of the District Attorney's office, or other legal professional
- A two-way functional web portal allowing for the public to:
  - Register complaints of misconduct directly to the IPOB
  - Review elements of an officer's case file
- Maintaining the portal (including staff) annually
- Electing the Chairman of the Board

The Task force should consider the following reforms:

- Popular election of the Chair
- Appointment of members by District Council Members and the Mayor
  - An equal number for the Council and the Mayor (22 members + an elected Chair in total)
- Subpoena Power

- Entirely independent investigations
- Immediate access to officer-involved shootings

### **Council Member Thomas**

#### THE CRIME LAB AND CRIMINAL JUSTICE REFORM

The Houston Forensic Science Center, the outcome of reform, sits at a crucial intersection between law enforcement, prosecutors, defense and the community that puts it in a unique position to effect systemwide change.

HFSC is the independent, civilian branch that handles tens of thousands of evidence items annually and provides the system with objective results. The crime lab is exquisitely dependent on others doing quality work and often unable to ensure that occurs.

Law enforcement, prosecutors, defense attorneys and victims are keenly, though abstractly, aware of the importance of evidence, and that it all begins at the crime scene. All acknowledge mishandled or lost evidence can derail justice, yet few resources are dedicated to the task.

Moving these responsibilities under the umbrella of the crime laboratory, where evidence handling expertise lives, would free up law enforcement to focus on areas in which they are better trained.

#### EXPANDING THE CRIME SCENE UNIT (CSU)

HFSC's CSU is the civilian, independent, accredited, protocol-driven entity documenting crime scenes and collecting evidence at Houston's officer-involved shootings, homicides and other heinous crimes. CSU's work helps guarantee the integrity of the evidence and improves the investigation. Yet the City of Houston has only 28 CSIs to operate 24/7 across 685-square miles. Compare that to Chicago, which has 200. Or Dallas, with 100. Absences resulting from COVID-19 forced the unit to implement an on-call rotation and consider triggering emergency, 12-hour scheduling to at least guarantee a presence at all officer-involved shootings and most homicides. Currently, CSU only consistently responds to the most high-profile events \_ officer-involved shootings and homicides \_ while reaching less than 1 percent of aggravated assaults and a handful of sexual assaults. It forces patrol officers and other law enforcement officials to carry out duties outside their primary areas of expertise. By expanding CSU by 40 people over the next three years, civilian CSIs could respond to 5 percent of Houston's 14,000 annual aggravated assaults. This would be in addition to the 1,300 scenes HFSC's CSU currently responds to annually.

#### LATENT PRINTS

Expanding CSU, however, would have an immediate impact on the latent print section, which is already struggling with a backlog of more than 2,300 requests, some of it the result of the current crime scene unit increasing its efficacy at scenes. The latent print section, buckling under a backlog of more than 2,000 requests, is able to mostly keep up with violent crimes against person. But it is not uncommon for the statute of limitations on property crimes to expire before forensic analysis is complete, leaving many crimes without a central piece of physical evidence even without an expansion of CSU. If CSU is expanded, the latent print section would have to also grow accordingly.

## PROPERTY AND EVIDENCE MANAGEMENT

The key to proper and efficient evidence handling is property room management. The entire system would benefit from better oversight of warehouses packed with valuable items that can have life or death consequences. Houston and Harris County are in a unique position to merge these services under one civilian, independent, quasi-government agency, allowing law enforcement to focus on jobs they are trained to do while ensuring quality evidence handling. A five-year plan to merge regional property rooms would lead to end-to-end improvements.

### **Joint Letter from Council Members: Davis, Evans-Shabazz, Thomas, Pollard, Castex-Tatum**

June 8, 2020

Dear Houstonians:

Please accept this letter as a unified response and voice concerning our stance regarding the Houston Police Department, and our recommendations for necessary and meaningful public safety reforms. It is our hope that this will provide clarity regarding how we have been working on your behalf – strategically, collectively, and proactively.

To be clear, our efforts to initiate meaningful change began before the death of George Floyd. Days before the death of Mr. George Floyd, together, we met with the leadership of the Houston Police Department (HPD) to learn about the deaths of the six Black and Latino men.

Nicholas Chavez, Christopher Aguirre, Adrian Medearis, Rayshard Scales, Randy Lewis, and a still-unidentified man.

In response to those deaths, we engaged in rigorous dialogue regarding police accountability, perceptions of law enforcement, and the Black community. We even shared our unsavory personal experiences with law enforcement – some as recently as last year. We also listened and learned about practices and policies that are in place within the Houston Police Department - and those that are not.

In an effort to propose community-informed and data-driven recommendations to Mayor Turner, we collectively agreed to invite the public to join the upcoming Public Safety and Homeland Security Committee meeting on June 25, 2020, at 10:00 AM to discuss sound policing, and the Independent Police Oversight Board's effectiveness.

Mr. Floyd's death rocked the heart of our country and, for many, shifted the conversation from Houston to Minneapolis. However, we want to reinforce that our focus never changed. If anything, it magnified how incredibly important this moment is for us and you - we must get this right because Black Lives Matter, too.

We have a responsibility to regulate policing for all Houstonians - while acknowledging the complicated history between Black Americans and law enforcement. Now, more than ever, we must operate at the highest level because there is too much at stake.

For such a time as this, we would like to investigate the following in the next 90 days:

For the community:

- Access to view an online dashboard platform that provides complaints against officers and other essential data pertaining to HPD, updated daily, for increased transparency and accountability.
- Restructuring of the current Independent Police Oversight Board (IPOB) to include city council designated nominations, public communication of priorities, and criteria for mandatory disciplinary action based on repeated complaints of HPD officers.
- Public email for Houstonians to send ongoing policy recommendations sent directly to the Chair of Public Safety and Homeland Security Committee.
- Public-facing document(s) reporting HPD training courses and completion rates also made available via the online dashboard.

For the Houston Police Department:

- HPD Chief must sit before the Public Safety and Homeland Security Committee, upon request.
- Adoption of the nationally recognized CAHOOTS program.
- Consider the implementation of certain "Campaign Zero" policy initiatives.
- Adoption of "Duty to Intervene Policy" to prevent abuse that has been prevalent in law enforcement agencies across the nation.
- Provide the city council with a briefing of officer-involved shootings and mass arrests within 24 hours.
- Release of body camera footage per the family's request and pending administrative and investigation completion.
- Development and enforcement of policy concerning body cameras during public interaction involving a crime or potential investigation and disciplinary recommendations for failure to use.

For Mayor Turner:

- Accept two nominations from each council member (16) for the Mayor's Police Reform Task Force.
- Automatic disciplinary action for anyone affiliated with HPD that posts racially or culturally derogatory statements on social media.
- Issue an Executive Order to demilitarize HPD during city organized and coordinated public protests.
- Issue an Executive Order in support of the "8 Can't Wait" campaign.
- Require that all complaints of police misconduct that will be investigated must be notarized by the reporting party.
- Require that the General Orders regarding the use of force and other related policies be updated by HPD and made public.
- Commit to strengthening and expanding the My Brother's Keeper program with public and private funding sources.
- Include the above-recommended reforms in the HPOU contract to make contractually binding.

Our recommendations do not represent an exhaustive list but serve as a baseline to continue our efforts. We are confident that the shared efforts of the council members and Mayor Turner will lead to comprehensive, meaningful reforms desired by Houstonians. Decision making requires active public engagement and communication from all parties involved to be effective. We want action, just like you.



Therefore, we respectfully ask to continue exploring each item with our council colleagues in the Public Safety and Homeland Security Committee and the Mayor's Police Reform Task force to present an in-depth reform package to Mayor Turner and the public within 90 days.

### III. Current Policies & Programs

#### Houston Crisis Call Diversion Program & Crisis Intervention Response Program

##### **CCD (Crisis Call Diversion Program)**

The first of its kind in the nation, the Crisis Call Diversion (CCD) program is a collaboration between the Houston Police Department (HPD), Houston Fire Department (HFD), Houston Emergency Center (HEC) and the Harris Center for Mental Health & IDD, with the express purpose of decreasing the volume of non-emergency Mental Health-related calls for service for both HPD patrol and HFD emergency medical services (EMS) and reducing the use of these personnel for non-emergency responses. As described in the following paragraphs, the program has not only proven to save first responder resources, it provides a significant improvement in mental health services to the citizens of Houston

##### **Background**

Nationally, law enforcement response to persons in serious mental health crises continues to increase. This trend under the umbrella of the Houston Police Department (HPD) and the citizens it serves is no different. In 2007, HPD officers responded to 15,122 calls for service (CFS) involving a mental health nexus. Each year this number steadily increased and in 2017, HPD officers responded to 37,032 calls for service coded as mental health-related (CIT). As funding continues to diminish for community mental health services, citizens in serious mental health crises are relying more and more on emergency services such as the HPD, the Houston Fire Department (HFD) and the 911 Emergency System for help. These types of calls for service are time-consuming, complex, and draining on first responder resources.

In 2015, after several years of research, the Houston Police Department's Mental Health Division developed the Crisis Call Diversion (CCD) program. The CCD program is a multi-agency collaboration between HPD, HFD, the Houston Emergency Center (HEC) and the Harris Center for Mental Health and IDD. It is designed to identify and redirect non-emergent, non-life-threatening CFS that are mental health crisis related (CIT) away from first responder resources (police and EMS) and toward Harris Center for Mental Health & IDD mental health professional tele-counselors located at the 911 call center.

##### **Program Impact for First Responders and Houston Community**

As mentioned above, in 2017, HPD responded to 37,032 calls for service coded as CIT. Out of those 37,032 CFS, 41% resulted in an "information" only disposition. Research has indicated that a substantial number of these crisis calls may have been handled more effectively by quickly connecting callers who have non-emergent mental health-related issues directly to mental health professionals rather than automatically dispatching police officers and/or EMS personnel.

Traditionally, HFD "Psych Problem" CFS required automatic, high-priority (Code 2), dual-response from both HFD and HPD. For the previous five years, 75% – 82% of the psychiatric calls that HFD responded to, along with HPD patrol units, were non-transports. Current protocols by CCD conducting a secondary in-depth assessment of these non-emergent Psych/CIT calls has yielded a significant reduction in dual, high-priority responses by both HFD and HPD. In these cases, the tele-counselors are providing the appropriate resources to the caller for referral and in most cases are successfully diverting these calls away from the police and EMS. This noticeable impact was immediately observed shortly after the Houston Fire Department joined the collaboration in June of 2017, starting with 1st party HFD CIT calls

and an even greater impact was realized after December 15, 2017, following full deferral of most non-emergent 3rd party HFD CIT calls.

CCD Counselors have helped first responders and the Houston community in such a way that in 2017, CCD counselors handled 7264 Calls-For-Service (CFS). The breakdown below demonstrates the effectiveness of the CCD program;

- Total HPD CIT calls handled by CCD tele-counselors – 7264.
- CIT calls-for-service (CFS) diverted from patrol – 2151.
- Clinical Mental Health Assessments completed – 2300
  - o Assessments with completed Suicide Safety Plans – 252
  - o Assessments with completed Violence Safety Plan – 676
- Referrals accepted by consumers to Harris Center services (MCOT, PATH, etc.) and other community services – 1838
- Referrals offered but follow-up declined – 1040
- Total HFD CIT calls handled by CCD tele-counselors – 344 (Starting June 2017)
- CIT CFS diverted from HFD (but still responded to by HPD) – 184 (These are typical co-responding HFD/HPD calls, i.e.: Psych Disturbance/CIT)

Since the initiation of the CCD Pilot program in the spring of 2015, under the guidance of the Mental Health Division, the Crisis Call Diversion program has made great progress diverting non-emergent CIT calls away from police and EMS to CCD counselors whereby they link the caller to needed services rather than dispatching a police unit or HFD personnel. This translates into modest cost savings and more importantly significant cost avoidance to first responder agencies. Initial research has revealed the following cost avoidance statistics. The CCD program budget is approximately \$460,000 annually.

From the cost savings perspective of the Houston Police Department, a baseline goal of 200 diverted CIT calls monthly, places the cost avoidance equation at \$36,600. The calculation formula used is as follows:

- 104 minutes = average time spent on a CIT call by patrol.
- \$57.43 = average hourly rate per officer (salary & benefits per Budget and Finance).
- \$199 per call = 2 officers responding per policy.
- $200 \text{ CFS} \times \$199 = \$39,818 \text{ (monthly)} \times 12 \text{ (months)} = \$477,818 \text{ (annually)}$

On the Houston Fire Department side, from a baseline of 50 diverted CIT calls monthly, the cost avoidance equates to \$70,200. The breakdown is as follows:

- \$1404 per typical response involving ambulance and/or fire truck
- $50 \text{ CFS} \times \$1404 = \$70,200 \text{ (monthly)} \times 12 \text{ (months)} = \$842,400 \text{ (annually)}$

A combined total cost avoidance of emergency resources comes to \$1,320,218. Estimated cost savings to the first responder community after annual program budget costs is \$860,218 per year.

**Crisis Call Diversion Program Helps Houston Meet its Vision to Promote Healthy and Resilient Communities:**

The mission of the Houston Police Department's Mental Health Division is to provide a professional, humane, and safe response to individuals in a serious mental health crisis. The continuation of CCD will help meet the City of Houston's vision of providing the most reliable, appropriate, and technologically advanced emergency system, as well as helping to meet the Houston Emergency Center's mission to ensure that anyone, at any time, in any place, using any device shall be able to reach emergency services, by facilitating its call takers with the ability to immediately link persons with non-emergent

mental health conditions directly with counselors and community mental health resources in a way that is normally unavailable to police and EMS.

While cost avoidance is an important aspect and measurable metric of the CCD program's success, this program also saves lives and improves the quality of life for citizens suffering mental illness. In addition to the numerous suicidal ideation calls CCD handles daily, the following anecdotal examples of calls handled by CCD tele-counselors cannot be assessed in dollars, but only in the incalculable value of improved safety to police officers, EMS personnel and most importantly to the consumers who reach out to us for help.

**Suicide by Cop:**

A caller contacted the Houston Emergency Center and requested police to the location. The caller expressed the desire to have police shoot him. The caller also disclosed having a machete to provoke responding officers. The caller was connected directly to a CCD Phone Counselor. The caller disclosed being homeless and having no support system. The caller disclosed a mental health diagnosis and did not have medication. The caller also expressed feeling as if society does not care about less fortunate individuals such as the caller and did not want to live in such a world. The caller advised of a plan to harm himself when police arrive in order to receive help. The CCD Phone Counselor was able to de-escalate the consumer and offer a safety plan with the caller which led to the caller separating from the machete by throwing it across the lawn. The caller agreed to accept transport from HPD to the NeuroPsychiatric Center without self-injuring or attempting to provoke the responding officers. The CCD Phone Counselor was able to hear police when they arrived and verified through dispatch that the officer was on the scene. The CCD Phone Counselor instructed the caller to put the phone down and comply with the officer's requests. The caller agreed and ended the call. The caller was voluntarily transported to the NPC by HPD.

**Juvenile Truancy Guidance:**

The mother of a 14-year-old male called the Houston Emergency Center due to her son refusing to go to school and requested an officer be dispatched to her home in order to speak with the child. A CCD phone counselor reached out to the mother who stated her son had refused to attend school 10 days over the past 3 months. She disclosed he was spending a lot of time alone in his room, acting out in anger and threatening to hit family members. The mother denied a history of mental health-related symptoms but did state he was attending special education classes at school as her son was unable to read, write or count. The mother stated she was never informed of her son's Intellectual Developmental Disability diagnosis. The mother had no support system and was the only caregiver of her son and his siblings. Harris Center IDD services were offered to the mother. The child was connected to IDD crisis services, evaluated for Determination of Intellectual Disability and diagnosed as being on the Autism Spectrum. No additional calls to the Houston Emergency Center have occurred since CCD intervention.

**Postpartum Assistance:**

The client's partner contacted the Houston Emergency Center and requested Emergency Medical Services (EMS). The caller was connected to CCD due to an absence of an immediate medical emergency or crime. The caller reported the client was waking up due to night terrors for several nights, appearing delusional and uncharacteristically afraid. The caller stated the client had endorsed auditory and visual hallucination and loss of appetite. The caller denied the client had disclosed suicidal or homicidal ideations and had no prior known mental health diagnosis. The caller indicated the client's symptoms began after giving birth and the client was under additional stress due to the anniversary of the death of a loved one. CCD provided mental health referrals and safety planning. The caller agreed to remain with

the client and arrange travel to the NeuroPsychiatric Center independently. The caller agreed to cancel EMS response and it was determined police response was not required. The client voluntarily entered the NeuroPsychiatric Center the same day and received mental health care. No additional calls to the Houston Emergency Center have been placed by the caller or client.

### **CIRT (Crisis Intervention Response Team)**

CIRT is Houston's co-responder program partnering a Houston CIT officer with a masters-level licensed professional clinician from The Harris Center for Mental Health and IDD. The officer and clinician attend roll-call together and ride together in a patrol car. CIRT is our highest level response to individuals in serious mental health crises. The following are the objectives of CIRT:

- Assist officers with CIT-related calls
- Conduct pro-active and follow-up CIT investigations
- Respond to SWAT calls as a resource when available
- Handle the most serious CIT calls

CIRT units ride citywide with the sole responsibility of responding to CIT-related calls; they are not in the calls-for-service loop.

### **Number of Units**

Houston has 12 full-time units. To our knowledge, Houston has the largest co-responder program with the officer and clinician riding together as partners of any single police department in the nation.

### **History**

Houston's Crisis Intervention Response Team (CIRT) started as a six-month pilot program in March 2008. The pilot was extremely successful and the program was made permanent later that year.

### **Harris County Sheriff's Office Collaboration**

A historic collaboration occurred in October 2011, when a joint Harris County Sheriff's Office (HCSO) / Houston Police Department (HPD) Crisis Intervention Response Team (CIRT) was formed that serves the entire Houston/Harris County region. The interlocal agreement was approved by both the Harris County Commissioner's Court and the Houston City Council, and it allowed the HCSO to join with the HPD / The Harris Center for Mental Health and IDD's CIRT program.

The joint effort is one of the best examples of the collaborative effort with the Houston Police Department and other law enforcement/mental health organizations in Houston/Harris County.

### **Houston Police Officers Union**

Statement from HPOU President Joe Gamaldi

Houston City Councilmembers and community leaders have asked about several issues involving Houston Police Officers. The following were the most common, here are the facts:

- **Chokeholds:** The Houston Police Department has banned/not permitted chokeholds for the last 40 years and quite possibly has never permitted them.
- **Body Camera Footage:** The Houston Police Officer's Union supports the release of body camera footage to the public. You cannot have transparency if you do not release the footage.

- **Independent Police Oversight Board:** The Houston Police Department has this Board already and this board has the ability to get documents from the investigation without a subpoena, make training recommendations, discipline recommendations, and request additional investigation if they believe the investigation was insufficient. The HPOU supports this Board.
- **Police Policing Themselves:** Every police officer shooting is investigated by HPS AND the Civil Rights Division of the Harris County District Attorney’s Office. The Justice Department and the Texas Rangers are never prohibited from also investigating. Former Chief Charles McClland called for a parallel investigation several times when he was chief. The HPOU does not oppose this.
- **Internal Affairs Complaints:** Officers have over 2 million citizen contacts per year and receive approximately 250 citizen complaints each year for the entire department. (Officers file complaints on officers 3 times more often than citizens complain on officers.) These complaints can be filed with HPD, LULAC, or the NAACP. This has been the policy for years.
- **Mental Health Training, Cultural Diversity Training, De-escalation Training:** Every HPD Officer receives training in all of these and it is mandatory. In fact, HPD has led the nation in Mental Health Training. The HPOU supports this training and supports a Federal standard for de-escalation training.
- **Firing of Officers:** Chapter 143 of the Texas Local Government Code gives the Houston Police Chief the ability to terminate an officer in 48 hours after a criminal offense. The officer has one appeal and that decision is binding. This is already in state law.

There is a lot of misinformation out there and we are always available to provide the facts.

### **DOJ/City of Ferguson, MO Consent Agreement**

Thursday, March 17, 2016

The Justice Department and the city of Ferguson, Missouri, today jointly filed an agreement resolving the United States’ pending lawsuit against Ferguson. The court-enforceable decree, filed in the U.S. District Court for the Eastern District of Missouri, aims to remedy the unconstitutional law enforcement conduct that the Justice Department found during its civil pattern-or-practice investigation into the Ferguson Police Department (FPD) and the Ferguson Municipal Court. The department’s findings were released in a public report issued March 4, 2015.

“The American people must be able to trust that their courts and law enforcement will uphold, protect, and defend their constitutional rights,” said Attorney General Loretta E. Lynch. “The filing of this agreement marks the beginning of a process that the citizens of Ferguson have long awaited – the process of ensuring that they receive the rights and protections guaranteed to every American under the law.”

Under the agreement, Ferguson will implement reforms to bring about constitutional and effective policing, promote officer and public safety, ensure fundamental fairness and equal treatment regardless of race in the municipal court and foster greater trust between police officers and the communities they serve. The areas covered by the agreement include:

- **Community policing and engagement:** creating a community engagement strategy that requires meaningful engagement between FPD officers and all segments of the Ferguson community.

- **Bias-free police and court practices:** requiring implicit bias-awareness training of all court staff and FPD personnel and ensuring that Ferguson does not discriminate on the basis of race and other characteristics.
- **Stops, searches and arrests:** ensuring that FPD's stop, search, citation and arrest practices adhere to the Fourth Amendment and do not discriminate on the basis of race or any other protected characteristic; and prohibiting Ferguson from developing or implementing any law enforcement action in order to generate revenue.
- **First Amendment:** protecting all individuals' First Amendment rights, including their right to record public police activity, lawfully complain about police activity free from retaliation and engage in lawful protest.
- **Use of force:** reorienting FPD's use-of-force policies toward de-escalation and avoiding force except where necessary; re-training all officers; and thoroughly, objectively and timely investigating all uses of force.
- **Officer supervision:** requiring close and effective supervision of officers; requiring FPD officers and other personnel to wear and use body-worn and in-car cameras; and requiring supervisors to review camera footage as part of misconduct and force investigations.
- **Accountability:** requiring Ferguson and FPD to fully and fairly investigate all allegations of officer misconduct and take corrective and disciplinary action.
- **Civilian oversight:** establishing a Civilian Review Board to review, make findings and recommend disciplinary action for investigations of complaints involving excessive force, abuse of authority, the use of discriminatory slurs and other misconduct; review FPD policies and training plans; serve on officer hiring and promotion panels; and review crime, racial profiling and complaint data.
- **Officer assistance and support:** ensuring that officers are provided ready access to support services, including physical and mental health services, and requiring Ferguson to develop protocols to ensure that officers are provided relief support during public demonstrations and periods of civil unrest.
- **Recruitment:** requiring Ferguson to develop a recruitment plan that will assist FPD in attracting and retaining a highly-qualified officer workforce.
- **Mental health crisis intervention:** requiring that Ferguson and FPD implement and train officers in specialized responses to incidents involving individuals in mental health crisis.
- **Data collection, reporting and transparency:** requiring FPD to collect the data on its operations needed for it to continue to learn and improve upon its police and court practices;
- **School Resource Officers (SROs):** ensuring that Ferguson SROs have the skills to work lawfully, productively and fairly with youth; requiring SROs to divert students toward alternatives; and minimizing the use of force in schools.
- **Municipal court reform:** enacting reforms to ensure that municipal code enforcement is driven by public safety, not a desire to raise revenue; implementing an amnesty program for all open cases and associated warrants initiated prior to Jan. 1, 2014; eliminating unnecessary fees and altering the court's fine and warrant practices to ensure due process; increasing transparency of court operations; eliminating the use of secured money bond; ensuring that no person will be jailed for being poor; and ensuring the independence of the court from the city prosecutor and the impartiality of the municipal judge.

An independent monitor to be selected by the Justice Department and Ferguson will assess implementation of the consent decree, provide technical assistance to Ferguson and report on Ferguson's implementation of reforms through periodic public reports. The consent decree requires two consecutive years of compliance by Ferguson before the agreement can be terminated.

"Ferguson residents and police officers deserve a law enforcement system that serves their entire community fairly, safely and effectively," said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department's Civil Rights Division. "The Department of Justice looks forward to working closely with the city as we implement this landmark agreement to ensure that real reform becomes a reality for all people in Ferguson."

The Justice Department's investigation uncovered a pattern or practice of unlawful conduct by the FPD and the Ferguson Municipal Court, including: violating the Fourth Amendment by conducting stops without reasonable suspicion and arrests without probable cause, as well as using excessive force; violating the First Amendment by interfering with the right to free expression and the right to record public police activity; and violating the 14th Amendment by engaging in racial discrimination, in both police and related court activity, as well as violating individuals' due process and equal protection rights in court. The civil investigation was conducted by attorneys and staff from the Civil Rights Division's Special Litigation Section.



#### IV. Newspaper Articles

- The Editorial Board. "Editorial: What's a Police Oversight Board without Teeth? Houston, Harris County Deserve Better." *HoustonChronicle.Com*, 11 June 2020, [www.houstonchronicle.com/opinion/editorials/article/Editorial-What-s-a-police-oversight-board-15332867.php](http://www.houstonchronicle.com/opinion/editorials/article/Editorial-What-s-a-police-oversight-board-15332867.php).
- Philip H. Hilder. "Opinion: Make the Independent Police Oversight Board Actually Independent." *HoustonChronicle.Com*, 8 June 2020, [www.houstonchronicle.com/opinion/outlook/article/Opinion-Make-the-independent-police-oversight-15324792.php#article-comments](http://www.houstonchronicle.com/opinion/outlook/article/Opinion-Make-the-independent-police-oversight-15324792.php#article-comments).
- Ashton Woods. "Opinion: City's Police Union Contract Needs More Oversight, Significant Changes." *HoustonChronicle.Com*, 10 June 2020, [www.houstonchronicle.com/opinion/outlook/article/Opinion-City-s-police-union-contract-needs-15329946.php?fbclid=IwAR0-ZL1KUVIr\\_iVAMOL3ANEq3iWow4WpSu\\_K9QySjhGLCSgiP53OVwlLmmM](http://www.houstonchronicle.com/opinion/outlook/article/Opinion-City-s-police-union-contract-needs-15329946.php?fbclid=IwAR0-ZL1KUVIr_iVAMOL3ANEq3iWow4WpSu_K9QySjhGLCSgiP53OVwlLmmM).

## V. Public Safety & Homeland Security Committee Public Comment

Disclaimer: During the June 25 committee meeting, over 100 members of the public participated virtually. Staff has summarized committee notes and organized by topic. There was also an opportunity to submit written public comment through a form posted on the committee website. Those submissions are in the next section.

### **Defund/Abolish HPD**

- HPD cannot be reformed. HPD has a “cowboy-like” mentality. The system within HPD is “rotten”. HPD must be defunded till abolition.
- Now is the time to reimagine public safety and end policing as we know it.
- Defund and abolish HPD by following #8TOABOLITION steps. (<https://www.8toabolition.com/>)
- Defund HPD by 25% per year until HPD is obsolete and abolished.
- Defund HPD by 20% or more per year until HPD is obsolete and abolished.
- Defunding HPD means more long-term community investments.
- Reinvest money cut from HPD’s budget in community and social programs (proposed destinations for funds include: Black and Brown communities, community health, COVID-19 relief, rent relief, creation of a large team to respond to wellness checks and mental health crises).
- Abolish HPD.
- Abolish prisons.
- 60,000 people showed up to protest and demanded City of Houston to defund the police.
- Review how City of Los Angeles reduced LAPD’s budget.
- Houston City Council needs to take defunding the police seriously.
- Houston City Council needs to recall their vote and vote to defund HPD.
- City of Houston needs to put defunding HPD on the next City Council agenda.

### **Demilitarize HPD**

- Ban use of rubber bullets, teargas, attack dogs, and horses at protests/rallies.
- The misconduct of HPD against peaceful protesters needs to be addressed.
- Disarm the police.
- HPD uses military tactics.

### **Independent Police Oversight Board**

- IPOB disciplinary records and minutes should not be confidential.
- IPOB meetings should be made public.
- Recommendations from IPOB should be made public record.
- Another community member should be appointed Chair of IPOB.
- IPOB should be elected by the people.
- IPOB should have subpoena power
- If an officer has three complained filed against them, it should trigger an automatic process with IPOB.
- IPOB should be completely independent, not housed inside of HPD.
- IPOB should have access to crime scenes.
- IPOB should be able to call Harris County DA’s Office if the investigation is not sufficient.
- Review how Chicago operates its two independent police oversight boards.
- Greater transparency of IPOB will make it more effective.

- Council Members should push the Texas Legislature to fix policies in state law related to the IPOB.
- IPOB should have a paid staff.
- IPOB should not be able to hear matters only after HPD's investigation.
- Houston City Council should be able to appoint members to IPOB, not just the Mayor
- IPOB negotiations should be public.
- IPOB needs a portal for civilian complaints.

#### **Houston Police Officers Union**

- Houston City Council should sign a similar pledge as Austin City Council to not accept any campaign contributions from HPOU.
- Contract negotiations between the City of Houston and HPOU should be more transparent.
- Current HPOU contract has significant flaws, making it difficult to discipline officers for misconduct.
- Houston City Council should suggest that the negotiations are open to the public.
- Terminate the contract with HPOU.
- Renegotiate 48 hour rule, 180 day rule.
- [Speaker] would rather see the union contract expire than not renegotiated.
- Contract negotiation information should be posted online for more transparency.
- Public the proposed HPOU contract and ask for community input.
- Police should have to purchase their own liability insurance
- Require all elected officials to return donations from police unions
- Pensions should be taken from those guilty of police misconduct.

#### **Miscellaneous**

- The use of the phrase "Gypsy Cops" by HPD during committee was wrong.
- Release unredacted budgets and other documents to the public
- Implement Cite & Release
- The overtime bill for HPD during Floyd protests is appalling.
- In some jobs, every employee must be good. There can be no "bad apple" pilots or police.
- HPD needs an anti-bias reporting system and anti-bias training.
- HPD should be tracking racial and biased calls.
- Schools should not have police.
- Mayor should address the lack of transparency when it comes to officer-involved shootings.
- Release footage of officer-involved shootings.
- Eliminate cash bail.
- All officers with racist social media posts or groups should be disciplined, fired, and lose their pension.
- Police Chief Art Acevedo needs to resign and release the videos.
- City must acknowledge protestors were zip tied without PPE and HPD did not return their personal items.
- Need misdemeanor bond reform.
- Remove thin blue line at officer vehicles.
- Adopt CAHOOTS community intervention program.
- Qualified immunity should be eliminated.
- All deaths in police custody must be investigated by Harris County District Attorney's Office.
- Officers should not be able to keep their license after being fired for police misconduct.

- Need transparent data not skewed.
- Need better de-escalation policies.
- Police should not be able to police themselves.

## VI. Public Safety & Homeland Security Committee Public Comment Written Submissions

### Anthony Nelson

Councilwoman Kamin, I decided to write down a few reform and policing ideas that I have. These are just the first ideas that came to mind.

- 1) We must first work to end the “Broken windows strategy that police departments use to terrorize and harass communities of color. a) Decriminalize some minor level offenses, such as trespassing, loitering, and disturbing the peace, instead focusing on using a civil summons method to prevent this type of activity. b) Train all officers on implicit bias
  
- 2) Create an Office of Community Oriented Policing Services, that gives officers more discretion on whether or not to ticket individuals, builds on community relations by assigning officers that patrol certain communities to have more contact with civilians through community outreach and patrols.
  
- 3) Community Oriented Policing
  - a) Eliminating some mid-level positions in order to flatten the organizational structure and allow for more officers on the streets
  - b) Decentralize the department and give more senior level officers flexibility to implement community oriented policing strategies in their areas.
  - c) Create a community relations division that works closely with members of the LGBTQIA+ community through Community Liaisons.
  - d) Monthly meetings and community town halls with civic associations and community groups.
  - e) Establish a community council, composed of residents, business leaders, and activists that will meet monthly with the Police Chief and department heads on priorities and goals in the police department.
  - f) Allocate resources to a “My Brothers Keeper Program” type program that will focus on interactions between low-income residents and police officers after school.
  - g) Partner with the school district in Houston to provide after school tutoring, recreational and educational activities, and meals after school and on the weekends for low-income students, allowing officers to have personal contacts with students during this time.
  - h) Create an Explorers program that introduces low income and at-risk high school students to potential paths in policing, providing them structure and personal relationships with police officers.
  - i) Create a homeless outreach team composed of government social service agencies and an outreach team from the police department that will identify and eliminate all homeless encampments in Houston by trying to place homeless individuals in short or long-term housing, through grants through HUD (A great method would be to model the Veterans Community project idea of building tiny homes to transition homeless residents. It is cost effective and efficient). Offer these homeless residents wrap around services that will give them mental health counseling, GED services, vocational training, healthcare, mental health services, and job

placement assistance.

j) Adopt a customer service method of policing that will allow officers to better interact with community members and give them greater incentive to de-escalate situations.

k) Once a month, require the Police Chief, along with command staff, and Council members to walk the streets in specific neighborhoods and go door to door to meet with residents.

l) Require officers to do 15 hours of community service per year in the communities they patrol

m) Require a card to be given to residents each time an officer comes in contact with them, that will allow them to go online and submit a questionnaire detailing their interaction with police.

4) Accountability

a) Immediately release officer involved shootings to the public, if allowed by family.

b) Have a real time data system that allows for community members to see when an officer has been disciplined, reported by residents, has discharged their firearms, or there are officer involved fatalities.

c) Any new Police Chief that is hired must have a plan on how to lower crime, better engage with the community, and must have certain benchmarks that are met in the contract, subject to a review by the Mayor and City Council.

d) Require that firearms are a last resort when de-escalating situations. Pepper spray and tasers be used in situations where force may be needed, unless the use of a firearm is needed to protect the officers and other civilians.

e) Demilitarize the police force

f) When police misconduct has occurred, use an outside special prosecutor

g) Increase City Council oversight of HPD

h) Commission an outside inspector to look at practices of HPD and find needed reform in the police department.

5) Enforcement

a) Create a joint task force between HPD and surrounding law enforcement agencies, through the DA's office and U.S. Attorney's Office, that will target major sex traffickers, drug offenders, and gangs, by taking officers from each department and placing them on the task force. These officers will work closely with community members, walk door to door in communities and engage with residents, and work to decrease crime in certain areas of the city. Create a data driven model that partners with TXSU and UH to track data on crime figures once the program has been implemented. Model this program after Project Ceasefire. Funding for this program can come from the U.S. DOJ.

b) Use S.A.R.A. (Scan Analyze Respond Assess) to address and ultimately solve a variety of crime and disorder issues, including drug offense, vehicle thefts, and damage to property.

c) Expand bike patrol in dense communities, such as Downtown.

**Jaqueline Muncy**

Dear Councilwoman Cisneros,

My name is Jacqueline Muncy and I would like to offer my thoughts on how the Houston Police Department and the City can best use funds to develop, increase, and best support community development within Houston.

I was born and raised in Houston and while I now reside in San Antonio, I have many family members who are actively involved within the Houston community. I am concerned about talks of defunding the police and would like to offer an idea that could be very beneficial to the city as a whole.

Currently, I am a stay at home mother to three young boys and a full-time grad student at Our Lady of the Lake University's Masters of Science of Nonprofit Management program, but before moving here, I worked in a civilian capacity at the Denver Police Department. I was hired to rebuild, redevelop, and rebrand the Volunteers In Police Service program, the Police Chaplains program, and the Denver Police Internship program. My position was overseen by the Chief of Staff at the time, who was second to the Chief of Police, who ran the Public Affairs team.

For the entirety of its conception, this position had been run by officers who had no formal training on how to work with volunteers, civilians, and members of the community. The leadership had been officers who had been given desk jobs that were no longer needed on the streets, had gotten in trouble, or were close to retirement. As the first civilian to oversee these programs, I faced many obstacles changing an entire culture. Many boots on the ground had no clue that a volunteer program existed (regardless of the fact that there were over 600 volunteers where I started), many of the top leadership positions saw the program as a more of a headache than as a support system, and while some officers loved using volunteers, the positions were not challenging or supportive of the talents of the volunteers.

My job was to change the department mindset and reset the culture of involving opportunities for the community to partner and get involved with the police department. With the full support of the Chief, I had to convince the entire police department that our program was successful and that we could truly offer quality support from community members. Additionally, I had to convince the community to want to volunteer for the department in positions that would be worth their while. It was a song and dance of creating positions, showing the worth of both officers and community members, matching strong volunteers with strong positions, giving the community insight and a voice in how they could help the department, and ultimately building relationships between communities.

I strongly believe that if funding were to get cut from the police department due to the cry of defunding, current community policing programs will lose funding because the fact of the matter is police need training, everyday gear, vehicles, staffing, technology, etc and that isn't cheap. If police need money for that, the "fluff" funding will be reallocated because that's not priority.

It appears the current community outreach programs are not working to the degree that they should (which is evident by the unrest), I propose having a reallocation of those funds within the department to create a civilian run division high up in the rankings of the police department. This team will be composed of a team lead, 13 staffers, and one administrative assistant. Each staffer will oversee one police district and the team will study target communities and develop programs, materials, and opportunities for community policing partnering with members of the districts and officers. These civilian staffers will have a diverse background trained in community relations, volunteers, working with people in conjunction with having experiences that will allow them to understand the needs of communities. Ideally, the staffers will also live in the district to which they are assigned to.

Operationally, staffers would be based out of the Police Headquarters building and have small workspaces at their assigned substations where they would split their time. After brainstorming and developing weekly, monthly, quarterly, and yearly plans with the overall team, the staffers would work with the leader of the substations to personalize the plan with their communities through local partnerships. Working with local members of the community, staffers will be able to research the best way to communicate within their communities and develop programs, plan events, create local partnerships, and whatnot. Officers at each division would be assigned to events and programs as needed to ensure police visibility and transparency.

The leader of the team would report updates to the Chief, keep track of statistics, the budget, program social media, monthly newsletter, and work with leadership at each division to ensure smooth operations. They would study patterns in the city to determine need/support from the team and look for new ways to include the team within the city. They would lead brainstorming sessions with the team. Additionally, they would work with other divisions within the department to ensure positive press, social media presence, provide volunteer officer opportunities, encourage officer and ranking officer participation.

The point of this program will be to create strong community outreach and partnership between the department and community by offering a wide variety of opportunities where the department can reach out and partner/listen/talk to the community to work together. Ways this team could accomplish this include (but are not limited to): creating volunteer opportunities, mentor programs, safety fairs, solid and good citizen academies for all age groups, citizen on patrol groups, murals on substations by neighborhood artists to show neighborhood ownership, story times with officers to humanize them in partnerships with local libraries, meaningful partnerships with schools, or health fairs. Additionally, this team can partner with local organizations, local business, and homeowners/renters for crime prevention education and opportunities.

By making this a civilian run team within the department, the civilians can act as translators between the department and community to create a “safe place” for trust to grow with the interests of both at heart. They could be a neutral space between groups that can humanize police and the community to each other. Additionally, by having this operate under the police department, it allows the police to lay the foundation for transparency and creating their new narrative. If the community takes that opportunity, the police will not be represented fairly which is why it is in the police’s best interest to develop a community development team led by civilians.

I know this program would require funding and a new department mindset, but I feel this type of program would truly make a difference and an impact within the community. Change needs to happen but it needs to be accomplished rationally with a thoughtful approach and I believe you are the one to help accomplish that. Taking away funding is a kneejerk reaction and by creating a civilian run community team within the department, the City gives the police department (and the City) a chance to show it is taking the concerns many have seriously.

Regards,  
Jacqueline Muncy

**Group of City of Houston Residents**

Changes and policies that we support (with emphasis that we do not see this as making the police more palatable or “reformed” but rather a move away from the policing paradigm entirely. We interpret



words like “defund” and “abolish” as a positive reimagining of public safety and a moving away from funding law enforcement to instead invest in community prosperity and success

- A. Defund (say reducing police budget to move those funds toward evidence-based policies that prevent crimes at their root causes)
  - i. Closing open positions in HPD and canceling one cadet class in order to
    - a. Fund community programs
    - b. Create the CAHOOTs program (mental health response that does not involve an armed officer) or something of that nature (Letitia Plummers proposals from the City Council budget meeting)
    - c. Move funding to safe housing, education, community programs, etc
    - d. Create oversight committees for use of force or move them out of the police department and into external bodies (oversight committee to have subpoena power, authority to discipline, sufficient resources, and access to specially trained non-law enforcement investigators to investigate claims against law enforcement officers)
      - 1. Body cams don’t work because the footage remains internal, and there is no power structure by which the public is able to hold police accountable (in fact, they largely serve only to protect the police from the public)
      - 2. Implement transparent data collection within the committee. Require the Police Department to submit monthly reports to the committee, to use within the committee as well as publish on a public site, on officer use of force, including, where a weapon was discharged, where the use of force occurred, and the race, ethnicity, and gender of the person on whom the officer used force (is there state legislation that prevents this information from being shared? I.e. LGC ch. 143?)
      - 3. Direct the committee to work with the Houston Police Department to develop model use of force policies, including
        - a. developing training budgets for the implementation of the policies
        - b. In 2017, state Rep Sanfronia Thompson filed HB 2044 that did not pass, but would’ve disallowed deadly force unless officers faced an “imminent threat” of death or bodily injury to themselves or others. It also would’ve eliminated language that said that deadly force could be used against anyone suspected of a violent felony, whether or not they posed an immediate threat. This should be revisited on the local level.
  - ii. Demilitarize the police
    - a. Disarm officers

- b. Reduce armament of officers
- iii. Freeing people from jails and prisons
  - a. Already happening with bail reform we applaud that
- iv. Diversion programs (beefing up or maybe removing from HPD/County Sheriffs and creating bodies outside of HPD/County Sheriffs that run them)
- v. Decriminalize non-violent, arrestable offenses
  - 1. Traffic stops
  - 2. Drugs
  - 3. Overdue fines etc.
    - a. Address the overall criminalization of poverty within Houston, including the imposition of criminal fines and fees associated with criminal offenses.
- vi. Include BLM members and BIPOC activists on any committees/task forces that CM Kamin forms
  - a. Bolster outreach with emphasis on these communities
- vii. No more tear gas/rubber bullets/pepper spray on protestors. Ever.
- viii. Impose a “duty to intervene” policy on all officers

Desiree Alejandro - District C resident, Madeleine Pelzel - District C resident, Grant Patterson - District C resident, Clint McManus - District C resident, Taylor Peterson - District C resident, Molly Cook - District C resident, Chloe Cook - District C resident, Kelsey Brochu- District C resident, Andrea Camp - District C resident, Morgan Routh - District C resident, Blake Bernshausen - District C resident, Kenia Stubblefield - District C resident, Erin Eriksen - District C resident, April Carpenter - District C resident, Danielle Sullivan - District G resident, Austin Davis Ruiz - District H resident, Tim Schroedter - District C resident

**Comments submitted via PSHS Committee Google Form**

1. Defunding the police to be put on the next committee agenda. It is an absolute disgrace this state is being ravaged by a pandemic, and that’s due to poor leadership on all levels. Speaking to this council, letting a billion-dollar budget for police pass while COVID-19 testing has been limited in our city is irresponsible at best, and at worst, a death sentence for Black and Brown communities who are disproportionately affected by this pandemic. For HPD to be demilitarized immediately – no rubber bullets, attack dogs, horses, pepper spray or tear gas. Furthermore, it is unacceptable that Houston Police department between 2013 – 2019 has killed 68 people. That number should be zero – police officers should not be allowed to be judge, jury and executioner in any case. That is not their job. Strikingly, Houston is still majority White, yet Black and Hispanic folks disproportionately represent those who are killed by the police. Rethink what public safety means – I have no doubt that individual police officers are “good people”, but the US has the highest rates of incarceration in the world per 100 thousand people, and Texas even exceeds that national average by a large margin. We need public safety that doesn’t involve killing people, or locking people up behind bars – that only serves to further harm the individual, their family, and their communities. Stop funding policing and control, and start funding support and care.
2. Unprofessional
3. Incentive and deterrents for not intervening or reporting violations of citizen's civil rights  
Public record of any officers who have a record of violating citizen's civil rights

Longer training period

Yearly mental health evaluations

A clear process for the public to understand how removal works

Automatic dismissal with repeat offense of turning off body cameras

Automatic dismissal for falsifying of police reports

I believe HPD should have a more interactive relationships with school districts including HISD (not to police but to have them build relationships with young people)

4. Recommend: Incorporate the impact of negative social media messaging (negative in terms of race/ethnicity/gender/sexual orientation and identity, etc.) in the examination of implicit bias, and develop strategies/policies to counteract such influences with police officers. The new requirement for implicit bias training may be an opportunity to increase awareness, though that may not flow to the existing ranks (just new officers). If there is currently an aspect of policy or monitoring underway, perhaps it could be referenced in the report so the public can find the information..
  
5. Dear Councilwoman Kamin, The Houston City Council is faced with the challenge of committing to true structural reform of the Houston HPD. The people in the city of Houston are crying out for substantive changes not simply platitudes that we now hear in our media on a daily basis. I am in agreement with the City Council taking steps in determine the city budget as recently proposed in a sunset review process by councilwoman Leticia Plummer. Our mayor is failing our community by not supporting the idea of decreasing the funding to an already mismanaged police department. Our council must lead and not follow the mayor. Real change must come in the dismantling of the way policing is practiced in Houston. This can be done by revamping the departments from within. The greatest part of a our police budget should go not just to de escalating training but restructuring of departments. There should be a focus on stratifying incidents on the basis of degree risk to public. The creation of units of unarmed police officers should be implemented with or without mental health paraprofessionals on the MAJORITY of calls. These should consist of UNARMED but highly trained officers who are educated in particular areas of crisis management related to mental health, domestic violence, drug abuse, and community engagement. These teams should be given law enforcement authority to make arrests similar to the authority now present by officers on the beat. There should be degree certification programs created in our colleges for these armed and unarmed law enforcement educational tracks. This will allow certain departments to be recognized as professional degree programs with licensing requirement similar to lawyers and doctors. Lethal weapons should be taken out of the hands of the majority of police officers and should be reserved for special operations trained officers. These officers should be licensed to use lethal force and reviews of competency performed on a scheduled basis. There should be more focus on recruitment from segments of society that do not view policing as a warrior club. Racial, ethnic, and cultural bias training should be increased along with training in psychiatric crisis management for the entire force. All standards and policies should be under the direction of a board of community advocates and experts in the field of social policy and law enforcement. Oversight of police training, recruitment, and promotions from within should be under their review. These boards should have control of internal affairs departments and have subpoena power. All police related misconduct should be controlled by this independent board who in turn can make recommendations to the Mayor and the City Council. We must eliminate the influence of the police union and remove the control of all policy and HR related issues to a governing board! Let me end by saying that this is only one step in bringing racial justice to our economically and

health care challenged minority communities. We are sitting on a powder keg of racial tensions in Houston after questions about the recent shootings in our communities remain unanswered by our HPD.

6. Cut the HPD budget by 25% each year until the police department is obsolete and invest that money in services which actually make the community safer like housing, healthcare and other social services. Previous reforms like community policing and body cameras have not been effective in reducing the harm caused by the racist system of policing. Defunding the police and implementing other reforms which limit the scope of police involvement is the only option to fundamentally change the harm caused by police departments.
7. Given the number of speakers on the docket today and the uncertain length of the meeting, I am submitting my 2-minute public comment here. The Police have lost the trust of many communities they serve. This is not a “them” vs “us” problem. We created this situation. We have militarized the police and asked them to enforce order through intimidation and physical power. We have built a blunt force instrument and expected it to act with finesse. We can change this. 1 – We must change the culture to focus on community policing, moving us from a warrior mentality to a guardian mentality; we need to develop resources to ensure that we respond differently to dangerous situations and those involving traffic accidents, minor infractions, substance abuse or mental health. 2 – We must increase professionalism within the police ranks through training and standards. A first step would be to immediately implement implicit bias training for all officers, building on the Texas Commission on Law Enforcement’s recent requirement for new cadets. 3 – We must improve Police Accountability in three ways, some of which require changing state law or the HPD Meet and Confer Agreement. a. First, reform the current Police Oversight Board and replace it with a more robust investigative commission that possesses real power and can create robust, active transparency. b. Second, end the 48 Hour Rule, which requires officers who are subject to a disciplinary complaint to be given 48 hours notice and the evidence against them before submitting to questioning about the incident. Officers should not be treated differently than other citizens. c. Third, modify the 180-day Occurrence Rule, which prevents the Police Chief from indefinitely suspending an officer for events that occurred more than 180- days ago. This rule needs to be a Discovery Rule, so that discipline can be imposed within 180 days of the date the misconduct was discovered. Thank you for allowing me to appear today.
8. Evidence shows that police reform does not work to prevent the police murdering Black citizens. The only place you need to look for proof is the city of Minneapolis, ground zero for why this recent uprising against police brutality is happening. The Minneapolis police implemented trainings on implicit bias, mindfulness, de-escalation, and crisis intervention, diversified the department’s leadership, created tighter use-of-force standards, adopted body cameras, initiated a series of police-community dialogues, and enhanced early-warning systems to identify problem officers. Despite all of this, a Minneapolis officer still knelt on George Floyd’s neck until he died. If we have this guideline as evidence for how no amount of reforms can prevent this critical issue of police officers murdering unarmed Black people for any kind of crime, then why aren’t we learning from this? Are we doomed to repeat the mistake of attempting reform, while members of our communities continue to be murdered by police? Police cannot keep playing judge, jury, and executioner in our streets. They are not keeping the public safe; they are, in fact, a fundamental danger to our communities, not only because of their brutality, but because of their massive funding that takes away from the funding for far

more vital public services such as housing, healthcare, education, and accessible food resources. The budget for the City of Houston, as it stands, is primarily a police budget, with whatever scraps leftover going to these other public services. If we invest in housing, healthcare, education, accessible food resources, and communities of color, which have been historically and are presently disenfranchised and underfunded, why can't you see that this in itself would prevent a majority of the crimes that police are called for? Crimes of necessity, crimes due to homelessness, disturbances due to citizens suffering from mental health issues, crimes of our community's youth, who have no social programs to engage with, and underfunded schooling, as well as a hostile educational environment due to police presence in schools, could all be prevented by defunding the police and reallocating those funds into programs and services of care for communities. The notion of reform is a doubly wrong, because not only does it not work, but reforms also increase the need for police funding. That's even more funds not going to the places they are actually needed. The issues with police brutality are rooted in its origins as a white supremacist organization whose purpose was to capture fugitive slaves. You cannot "reform" an organization and public service whose entire original premise for existing was to perform this racist atrocity. Along with slavery, the police should have been abolished over a century ago, but here it still is, an institution responsible for murdering thousands of citizens every year, with almost no accountability, and without allowing those citizens their constitutional rights of pleading their cases in courts of law. If you really think about it, every citizen murdered by the police was innocent, because their guilt was never proven in a court of law. So not only were they murdered, not just accidentally killed, they were also innocent, as every citizen is innocent until proven guilty. When you look at other developed nations across the world, why does the US have thousands of times more killings by police than any other country? Because, in this country, the police have inherently racist origins that still persist today in the way the police target and overpolice communities of color, use excessive force in response to crimes committed by people of color, and because the police as an institution is egregiously overfunded and somehow undertrained, while critical community needs go unfunded. Because of the reasons listed above, my recommendation to Houston city council, to the Mayor, to this committee, and to every person of power representing the communities of Houston's needs, is to follow in the footsteps of Minneapolis city council and start the process of dismantling and ultimately abolishing the police, while opening up to and addressing community concerns, particularly those of Black-led, and POC-led political and social organizations like BLM, Mutual Aid Houston, West Street Recovery, Pure Justice, Extinction Rebellion, Sunrise Movement, Democratic Socialists of America, Houston Socialist Movement, as well as national organizations like the Movement for Black Lives and MPD-150, to decide how the city's funding should be spent. You might be wondering, what will we do without police? And while you may have never considered how society would work without police, several books and organizations have collectively dedicated decades to answering this question. Trust that solutions have already been devised to address community needs without the need for police. We desperately must work towards abolishing the police.

9. (1) In 2007, as chief of Austin PD, Mr. Acevedo partnered with TX A&M to analyze police data, which resulted in modifications. Has he brought those modifications to HPD - if so, which ones and in which way? (2) Persons in various professions which hold specialized power in our society are held to a higher standard - e.g. doctors, lawyers, judges, CPAs, professional engineers, senior executives in a public companies, and the police. Why? Because power tends to corrupt, and absolute power corrupts absolutely. This is especially relevant to the police, since they possess the authority to use force, including lethal force and work high-stress jobs. To that end, while we

all may want the police (including officers themselves) to do the 'right thing' and help others, it is not possible without real accountability. For this reason, while extensive training, updated technology, and greater transparency are a good thing, these alone are not enough. Extensive accountability must also include the following: (i) 1-strike and one is immediately terminated and criminally prosecuted (if applicable) with no chance of future employment in law-enforcement in any jurisdiction elsewhere. This 1 strike shall include any incident of drug/alcohol abuse or expressing in writing or verbally homophobic, antisemitic, anti-Muslim or racial or otherwise prejudicial or harassment/comments of any kind, as well as more serious matters. (ii) If a particular number (i.e. 3-5?) of real complaints are made against any police officer in any 10 year period, that police officer should immediately be terminated with no chance of future employment in law-enforcement. (iii) All complaints must be investigated. Investigations into such complaints must NOT be solely limited to in-house HPD personnel, but a separate investigation must automatically be taken up by Harris County Attorney (soon-to-be Christian Menefee) as well as Independent Police Oversight Board (comprising Houston residents) which must be granted greater teeth and time to perform an extensive investigation with ability to impose compulsory measures. All complaints must be made public on a publicly accessible website, in real-time. (iv) Marvin Hamilton, head of the IPOB, is doing a terrible job responding to Council Member Pollard's questions during this meeting - i.e. Hamilton's response RE subpoena power, transparency, and even IPOB meeting minutes are especially ineffective and weak. Hamilton should be terminated immediately and Sonja Marrett should be put in charge of the IPOB instead. Appreciation to Council Members Pollard and Kamin for their questioning towards Hamilton.

10. Better training, better recruiting process, broaden funding for social services and education
11. Create Independent Oversight Committee website on city of Houston, give the committee ability to receive complaints directly from the public (preferably through the website), post meeting minutes and agendas of the oversight committee online, make findings more of the committee public, the ability to start investigations into officer misconduct (without referral from HPD internal affairs), subpoena power to investigate, and ability to make binding recommendations to disciplinary committee. Implement new HPD policies including requiring probable cause for searches including vehicle searches (end the practice of consent searches without probable cause), eliminating the practice of civil forfeiture, banning no-knock warrants. Review of HPD evidence chain of custody. Yearly psychological evaluations for HPD officers. Release the narcotics division audit to the public.
12. There are many, many ways to provide for safety, protection, and security for communities and the City of Houston without the police force as it now stands. If we are honest to the nature of policing, it is not to "serve and protect" if that was ever a motto or mantra. It was and is to keep certain cultural standards, to keep neighborhoods and society the way that those in power wanted it. It is a way to pay for the city through ticketing and bails and court fees. Both liberals and conservatives know that when a house is broken into the police are not there to chase down the criminals and investigate the crime as seen on television and in the movies. But the police was created to keep the city (polis) a certain way, which was white, heteronormative, and social and economically segregated. But now it is not working. The piers are rotted away and the structure will fall on all of us soon. The only way to save our city is to evacuate the structure and build it over on a solid foundation. This requires imagination and not the "if it ain't broke" mentality. This is not a fix. It requires a total demo and rebuild. We can be a model city if we do

something unique and do it right. There are many, many ways to do this. The only limitations are our own and our lack of courage to do so. Thank you. Rev. Dr. Phuc Luu.

13. Hi, my name is Maleeha. I'm a resident of District F. I'm asking members of the Public Safety committee to commit to defund the police department by 25% per year until the police department only has 20% of its original funding and I implore you to put more funding towards public health and care. The Police Department does not work in the interest of the city's people and does not require the insane amount of funding it is currently receiving. The time has passed for simple reforms, your cops don't need additional training they need to lose their jobs. Mayor Turner has failed to take action on reforms that he previously supported, including recommendations from his own staff to decrease the police budget by 75% . Art Acevedo has spent years posing as a man of the people but his officers beat, arrested and tear gassed protestors minutes after marching and posing w/ them. Art Acevedo has appeared in front of Congress to belittle residents' demands to #DefundHPD, and he has still not released footage of the HPD officers who killed six civilians in the last two months. City Councilmembers have rolled their eyes at our legitimate requests, while City Councils in Minneapolis, Los Angeles, Seattle, Austin, Dallas, Milwaukee, and across the country are actively responding to this current crisis by reexamining and cutting police budgets. It is despicable to see the city I love be controlled by absolutely self indulgent narcissists. Our public health funding get 10c to each dollar HPD receive. This is disastrous especially in the middle of a pandemic that afflicts Houston's most vulnerable residents... where even in the greatest medical center in the world our hospitals are packed to the brim. The Council must take a structural approach to undoing the decades of racism and violent policing ravaging Houston's Black neighborhoods. But there are steps this committee could take before fully dismantling the police that would be meaningful. Publish unredacted budgets from Mayor Turner's full term for public analysis, release the videos from the recent HPD killings, make long term plans to dismantle the police and require that all elected officials return campaign donations from police unions yeah I'm talking about Abbie Kamin, Mike Knox, Carolyn Evans, Karla Cisneros, Amy Peck, Tiffany Thomas and Edward Pollard we know you accepted donations in the thousands. Thank you for your time.
14. "You cannot enforce the law and break the law at the same time"....Lee P. Brown  
Recommendations and Proposals: Take 100% or some portion of the pensions of police officers convicted of murder due to excessive use of force. City elected officials will not take any campaign financing from employee organizations or any entity that has any kind of business with the city. Any citizen in police custody and or handcuffed shall not be subject to any type of force by a police officer. Members of the Independent Police Oversight Board must be elected officials and have subpoena power. Police Department programs discussed in the presentations by HPD before the Public Safety Cmte. on 6/25/20 must be evaluated for quality and effectiveness. Three complaints against a police officer for excessive force and or abuse should trigger a process where the officer is removed from the streets, evaluated, and supported by being given a plan for improvement
15. Incentives for Community Involvement, Citizen Feedback 360, Spend more resources addressing the cause of crime, and not the effects of it, End any profit-for-policing types of incentives that include increased ticketing. End No-Knock Warrants in the City/County. Lead from the front using technology to be a police force of prevention, and not reaction.

16. 1. I recommend DEFUNDING THE POLICE - STOP GIVING THEM MONEY. Stop increasing their budgets. Don't vote to give them \$1billion. I've heard proposals from community members such as voting to decrease the police budget by 25% each time the budget is voted on, that is a specific policy that will help achieve defunding. The enormous amount of money that is allocated to police isn't building safety. Reforms do NOT work. Investigating police policies and recommending small changes does NOT work. There has already been research conducted into HPD policing practices in the past and recommendations made to the Mayor. None of the those recommendations were implemented. It makes no sense waste more of our money on coming up with the same recommendations that won't be implemented and won't work anyway. Police departments in other cities have tried reform and police murder still occurs in those cities. It's simple - give our money to social programs that bolster our communities. Stop giving our money to police. 2. Use committees to research alternatives to policing. Don't use another research committee to do the same work other committees have already done in the past which our mayor has not listened to. 3. STOP TAKING MONEY FROM THE POLICE UNION 4. NO MORE REFORMS, START LOOKING INTO ALTERNATIVES TO POLICE RIGHT NOW and in the meantime reduce their budget every time you get the chance. STOP VOTING TO INCREASE THEIR BUDGET.
17. We all know what that 5.1 billion is going towards it's called martial law, this is a morality check your morals are corrupted by your greed and this wont last cause without the tax payers dollar there is not such thing as police or a government. That money talks that's how most of ya'll came into power not by a vote, ya'll can listen but can't comprehend so you'll either listen and change this or actions will be taken this isn't a threat this is a message simply listen or this city will burn.
18. My name is Rossanne Aarii of District C, and I am, and have been for fourteen years, a resident of Houston. I don't believe we need to increase funding for a non-transparent HPD by 20 million, and we didn't need to spend 21.5 million dollars just on policing the Black Lives Matter protests in memory of George Floyd, particularly when it sounds like what the people of Houston want is less engagement with HPD, when folks seem more concerned with their economic safety and issues like COVID relief, so that they can have more of a choice to stay home, stay out of harm's way, and be less exposed to the virus and to the hardships this pandemic has aggravated. This would do a lot more for public safety. I like many others am recommending defunding the police to open up city resources, in order to better serve Black and brown and working class communities.
19. I am in favor of defunding police. I do think we need emergency responders for very serious situations, but I would like more funding to go to education, healthcare, community services, mental health services, housing for the homeless, building infrastructure, etc.
20. The powers of policing should not be meted out to the most aggressive among us. At the very least, police officers should hold degrees in the study of humans, be it sociology, psychology, or social work. Police officers should be held to the highest standards of accountability, and turning off a body cam should be met with a charge of obstruction of justice. Those tasked with overseeing police accountability should receive zero monetary compensation from the police. Deescalation should be paramount to police tactics, and police should not be taught that they are entering a war zone every time they go on duty. HPD should be dissolved and rebuilt from the ground up. Police officers should have to apply for positions again with higher standards. Police officers should hold human dignity with the highest regard. Police officers should not be



outfitted with military weapons. Most 911 calls would be better answered by officers who do not carry guns. The criminalization of homelessness, poverty, and addiction only serve to fill prisons and stuff the pockets of capitalists using prison labor. "A society that neglects the least of it's people neglects the notion of society itself." -- Todd Brewster.

21. I am a second year Master of Social work student at the University of Houston. Consequently, I share a desire for Houston to be a healthier city that pursues social justice. I think that the Houston Police Department budget should be reduced and those funds should be allocated towards other initiatives. Specifically towards agencies and professional addressing mental health treatment, homelessness, substance abuse, school social work, domestic violence, and other similar fields. These issues are far beyond the scope of what a police officer is trained for or should be expected to do on the job. I worked at a behavioral healthcare hospital and saw firsthand how complicated the intersection between policing and mental health treatment can be. I have heard this example widely debated both for and against having police involved in the mental health system (and other similar issues). Patients were often brought to the hospital involuntarily by police officers after being deemed a threat to themselves or others. There were two obvious problems with this procedure. First, police officers do not understand mental health very well and often misjudge the situation. People do not become police officers because they want to be mental health professionals. This is very apparent in how many people they brought to the hospital who are neither a threat to themselves or anyone else. Many police officers err on the side of caution; however, this is devastating for the individuals who now has to be hospitalized for a 72 observation and figure out how to pay for the treatment being forced on them. It is a very costly error. Secondly, patients who do in fact need medical treatment are traumatized by police involvement. This makes them less likely to participate in treatment both during hospitalization and in the future. Furthermore, it instills a fear of law enforcement. I believe that both of these problems would be alleviated if trained mental health professionals were the first responders in these situations instead of police officers. There is a reason that being a mental health professional requires specific education- it is not an easy or straightforward job. Being able to sooth someone in a psychotic episode is far from a fair task for law enforcement officer. However, force is rarely necessary when a trained professional is the one responding to these crisis situations because they are able to properly gauge the situation and practice very specific deescalation skills. Having a mental illness is not a crime, but we criminalize it when we have police officers with very little training as our first responders. There are many similar examples that my colleagues could share from a variety of fields. I believe that by reallocating city funding towards homelessness, mental health, domestic violence, and education we will grow as an entire city. This is not a matter of simple subtraction but rather the reallocation and increased distribution of funding back to the communities that need it the most.
22. Hello Council members, My name is Portia Ward and am a Paralegal and Notary and resident of Houston, Texas for more than 20 years. Thank you for allowing me the opportunity to speak today. I would like to first and foremost thank the men and women of our country who collectively serve our communities in sincerity, honor, and truth in an ethical manner. However, we are in desperate need of change in policing and within our communities now. There is a wise saying that resonates within me that states "people seldom change unless the loss exceeds the desire to remain the same". With that being said, I believe that police and the public should be required to purchase and maintain liability insurance should be required for any one who possess a firearm , which like a vehicle is a deadly weapon and failure to do so she be punishable

by fines, inability to operate and jailed. I also urge you to require police to submit to periodic psychological, battery and drug tests and mental health counseling, and also to adopt a policy for automatic release of body camera footage from all police shootings, and for the police union contract to be open to the public and be placed on the ballot and allow the public to vote on them in local elections. They should also train them to better assess the situations and individuals who appear to be in distress or injured and help them receive the medical care they need on site prior to being arrested and booked; I personally experienced a situation where that happened to me and I spent 24 hours in jail with a limp and broken bones in my foot after being assaulted. Finally, the Mayor and Council must fix major problems with the police union contract which means eliminating rules that block disciplinary action. We are counting on you to act on police reform and stand with the Houston community. We need action, we need change now. Remember, everyone, everywhere matters!

23. Violence interruption program based on Cure Violence framework, CAHOOTS

24. 1. Make the negotiations between HPDU & Mayor public and allow citizens to be engaged in the negotiations 2. Terminate the HPDU contract if the following policies are not removed: - In the case of a Temporary Suspension, the Chief may suspend an officer for disciplinary reasons for a reasonable period not to exceed 15 calendar days. A temporary suspension may not be imposed later than the 180th day after the department discovers or becomes aware of the rule(s) violation, except as otherwise provided by this Agreement and/or state law. - In the case of an Indefinite Suspension, the Chief may suspend an officer for disciplinary reasons for an indefinite time period. An Indefinite Suspension may not be imposed later than the 180th day after the date of the occurrence of the rule(s) violation, except as otherwise provided by this Agreement and/or state law. Any letter, memorandum, document, notes or other communication (oral or written) disclosed in the mediation process shall be confidential and not be made public nor shall it be included in the officer's personnel or other departmental files. - If the disciplinary action is overturned in its entirety on appeal by the Commission, an IHE, or a court of competent jurisdiction, the Human Resources Director promptly shall order that the records of a disciplinary action that was taken against an officer be expunged from each file maintained (does not apply to use of deadly force that is being investigated by an external agency). - An officer is entitled to and shall be provided written statements or affidavits received or gathered by the investigative authority from witnesses, officers or supervisors obtained during the investigation before the officer's interrogation, if the interrogation is based in whole or in part upon such witness' statement(s). A) If an officer is not given the witness' statement(s), any such statement may not be used to support an administrative action or discipline against the officer; - The Labor Relations Committee (LRC) shall have the sole and exclusive authority to select and maintain twelve qualified independent hearing examiners (IHE's) to preside over all appeals of discipline in which the aggrieved officer has elected to appeal his discipline to an IHE instead of the Police Officer's Civil Service Commission. - The Chief, or in his absence from the City or disability, his designee may impose a disciplinary suspension upon an officer for a violation of civil service and department rules. - All mediations shall be conducted as required by Departmental rules and guidelines and state law. Accordingly, all discussions and contents of mediations shall be confidential. Mediations that do not result in an amicable resolution may not be disclosed to any third parties in any form or fashion by any of the parties or participants. Mediations that are resolved in agreement will be confidential to the extent allowed by law. - "An officer under investigation for a Class II violation investigated at the divisional level by an IAD investigator shall be required to receive only one Notice of Interrogation at least 48 hours

prior to the first interrogation in any form." - The officer being interrogated shall be provided a copy of the statement/complaint that serves as the basis for the complaint by the complainant at the time the 48 hours notice is given. 3. Allow the citizens to vote members of the Independent Police Review Board, give them subpoena power, and the power to discipline and fire police members; dismantle internal affairs; create a public system to allow citizens to safely file complaints 4. Disarm, demilitarize, and divest from the police department at 25% of their budget until the department are abolished 5. Make each police officer buy their own individual liability insurance and officers should lose their pension/retirement if they are fired from the department due to excessive force of any kind 6. Invest in community intervention programs, education, jobs, housing, health, etc. 7. Release body cam footage within 30 days of incident 8. Release the internal audit of the narcotics department

25. My name is Zoe Middleton and I'm the SE Texas Co-Director of Texas Housers. I also serve on the board of the Midtown TIRZ and the recently announced housing stability task force. I am deeply in love with Houston and I've spoken before the council several times on quality of life issues, policies that can support belonging, and the fact that the people are the city. The people, your constituents, participate in the life of the city if HPD kills them with impunity and then plays politics with their deaths and memory. They can also not participate in the life of the city if they are detained for over 48 hours after being in public space and exercising their right to free speech. I understand that Houston is a strong mayor system and this body makes policy recommendations to the mayor for council agenda items. I also know that the strategy of defunding is unfamiliar but there are ways to spend the money that this city chooses to spend on policing in ways that actually improve quality of life, public health, and safety for all. As a housing advocate, I've long discussed the need for an affordable housing trust fund which would bolster our ability to provide healthy, attainable homes for every Houstonian. You could choose that. The quick exhaustion of the rent relief fund demonstrated last week an emergency fund is always needed. You could choose that. We could have a healthy stormwater and wastewater system. The city, you'll recall, is under a not yet finalized consent decree with the EPA and has negotiated down the money its spending on our water system. You could choose that. Leadership needs to come from Houston city council members and the mayor. The "moment" CM Knox and other speakers have referred to has lasted 400 years, I'm forced to ask a question to all of you who chose to be public servants that was posed by James Baldwin decades ago: How much time do you want for your progress?
26. Police reforms have failed in the past because there is a cultural problem in police departments that can't easily be changed. Transparency is necessary, so Mayor Turner's decision to withhold the audit results from the public is an obstruction to police reform. HPD should be defunded and resources should be redirected into social services for communities.
27. My name is Sanjuana. I'm asking the Public Safety committee to defund the police department until it is abolished. Abolishing HPD is the goal. Police bring violence. Reform doesn't work. Police historically originated as slave patrol. Historically and systematically they work to keep property safe, not people. Funding it goes against people's safety. HPD has a history of violence against the public. They've killed six people in the last two months. Art Acevedo has yet to release videos when the public has called for it. During George Floyd's protests, HPD used tear gas, kettling methods, and arrest towards protestors who were exercising their first amendment. Mayor and Art Acevedo all denied the violence that the public faced. In 1977, Joe Campos Torres' body was found in the bayou after HPD killed him. In 1970, Carl Hampton,

leader of People's Party II, was killed after a shoot out with HPD. Both of these historically significant incidents of police brutality affected Black and Brown communities. What does this history tell you? Tax-funded police are killing us. Killing black lives. Killing brown lives. Killing indigenous lives. Killing trans lives. We pay the state to kill us. Abolishing police is the only answer. Mayor Turner failed to implement police reform from his Transition Committee on Criminal Justice's 2017 plan. Even the ACLU called out Mayor Turner's lack of action. Mayor Turner cannot be trusted. He thinks he's the "CEO and manager" of Houston, full of ego, when we can't even do a simple task as listening to the public. A two-faced paid corporate politician. All cops are bastards.

28. Thank you for listening to the people of this city. I urge you to truly listen to the complaints of the people. I am a teacher in the HISD and let me begin by addressing the scathingly ethical issue that every single member of this board has accepted at least 1,000 from HPOU. How could you expect us to believe that any intentions of your proposed desire to be impartial and criticize the very department that so generously funds you? Vice Chair Knox began this meeting by praising the men and women of HPD and while I'm sure that there are some fine people within the department it is callous and ignorant of him to blindly praise without having the decency to talk about some of their many faults. Once you see that he has received over \$17,000 it's not difficult to see why he had not a word of criticism. I urge you all to begin by doing the basic and honest thing which is to propose legislation that prohibits any of you from receiving funds from organizations you PROMISE to criticize. You should be ashamed of yourselves as well as Mayor Turner. To continue on, I heard members "ask a question" which was only an attempt to highlight the good nature of HPOU and say their only intention is to protect Citizens. What a blatant lie. The president of this union as you all know has made it public that he and his organization are targeting individuals that vocally criticize HPD after the horrendous murder last year after a no-knock arrest. Shame on all of you. Work to defund HOD and as a teacher I implore that you get them out of my schools. By not doing so you are screaming to the world that your interpretation of predominately black schools is that the children are inherently more violent and thus need police to keep them and others safe. I first hand see the problems of my students and it has to do with living in a food desert, not having access to soap in bathrooms, being treated like criminals, not having funding sufficient enough to buy basic school supplies. The officers in my school do not make my children safe. Redirect their near billion dollar budget to incentives that are PROVEN to decrease crime such as access to health care, mental care, neighborhood activities, opportune jobs, and a plethora of other programs. Do better
29. Defund the police! I stand with every person and reason already given to you during public comment. Every council member who voted for an increase to the HPD budget should be ashamed. The Police "Independent" Oversight Committee need to have subpoena power and they need to be a part of the disciplinary process. During the meeting the panel chair couldn't offer any ideas when asked how the board could be more effective. He also said he can unilaterally decide which panels people serve on. Why isn't this process transparent? Why can't the public create the goals and evaluate the effectiveness of this panel? These need to be public discussions. Meetings need to be public, findings need to be public and available online. This board isn't involved in the disciplinary process and can't even take complaints directly from the public. - Where are the minutes for these meetings? -Why aren't they publicly available? The police oversight board has been around for over 5 years and has not served the community or offered transparency to stakeholders during its entire existence. This current board needs to be dissolved and a new board centered around public control and full transparency. -Defund the

police, don't reform it -We demand full transparency and oversight -Members of the Police Oversight Boards should be chosen by the community -Council members, STOP TAKING POLICE UNION MONEY -We're watching your bad decisions and we demand you listen and act on behalf of your constituents.

30. My name is Rebekah Skelton, and I am a District C resident. I agree with previous calls to defund and demilitarize the police. In the meantime, I ask the committee to take immediate action on police accountability and reform. Article 26 of the Police Union Contract grants the Police Chief and Union total control over police misconduct evaluations, which has notably affected the outcomes of these evaluations. Since 2015, all 102 officer-related shootings that resulted in the injury or death of a civilian were declared “justified.” I urge you to abolish the policies in Article 26 and instead allow a truly Independent Police Oversight Board to have full investigatory powers, including access to relevant documents, subpoena power, the ability to directly receive and investigate civilian complaints, and to make recommendations to the mayor and to HPD. I also ask that you abolish Article 30, which gives officers two full days after an incident of misconduct before they submit to an interview, and which also allows them to see any evidence against them in advance. This is a privilege no civilian gets when accused of a crime. Officers should be held to the same standards. I ask for transparency from the city and the police department by publishing the police union contract and asking for community input before it is finalized. Aside from the contract, I also urge the Committee to implement the following policies: A cite and release policy. Texas law already allows local law enforcement to issue citations instead of arrest and jail booking for certain misdemeanors; implementing this policy in Houston would save taxpayers millions of dollars that could then be used to solve violent crimes that truly threaten our safety. A policy for automatic release of body cam footage from all police shootings. Police officers are not above the law, and I ask council members to hold them accountable for their actions by adopting this policy and by creating a process that will successfully prosecute an officer for wrongdoing or misconduct. It is long past time to start reforming and abolishing the policies that consistently put the lives of Black and nonBlack Houstonians of color in senseless danger. Please do the right thing. Thank you.
31. My name is Nick Wertsch, I’m a resident of District C, and I’m the Houston staff attorney for Workers Defense. We are a statewide immigrant and workers’ rights organization that fights for economic and racial justice, and we are part of the Right2Justice Coalition in Houston. I want to start by echoing what so many other Houstonians have said who have testified today: defund the police, invest in our communities. Furthermore, I am here to call upon the City Council and the Mayor to do three things: (1) negotiate a police union contract that provides for effective discipline and transparency to the public, (2) adopt a “cite and release” ordinance that will minimize unnecessary arrests, and (3) cooperate with Harris County to establish a first responder program that relies on trained social workers and health professionals instead of armed police officers to respond to 911 calls or disturbances where no crime is being committed. Other folks from our coalition are speaking to the second and third points, I will focus my testimony on the need for a fair and transparent contract with the police union. The current police union contract makes it extremely difficult to discipline officers for misconduct and provides little transparency to the public. These contract negotiation sessions should be opened up to the public - this means advertising negotiation session meetings beforehand and allowing community members to attend to see the negotiations taking place. This has been done successfully in other cities, as it was recently with the Austin Police Union contract negotiations. The City must make sure that the police union contract does not include clauses

that allow police officers to get away with misconduct. This means ending the 48 hour rule that gives officers accused of misconduct access to the evidence against them and 48 hours before they can even be interviewed about an incident. This means ending the 180 day rule that prevents any disciplinary actions for incidents that were known to the department for 180 days or more, a shockingly short statute of limitations for police misconduct cases. This means changing the disciplinary appeals process - right now, officers may choose to have appeals heard by an arbitrator chosen by a committee of other police officers - half of them from the police union and half appointed by the chief of police. Instead, a civilian review board should be empowered to appoint truly neutral arbitrators. As a workers' rights advocate and someone who believes in the value of unions and the labor movement, I am here to tell you that no union or union contract should be structured in a way that protects racist policing practices, hides police brutality, or denies public accountability. Thank you for your time.

32. -defund the police - end qualified immunity

33. Hello, my name is Desiree Alejandro, and I am a resident in Council Member Kamin's district who would like to advocate for a move away from the policing paradigm entirely. I interpret defunding or abolishing the police as a positive re-imagining of public safety. I would like to see the City of Houston close open positions in HPD and cancel one cadet class in order to fund community programs, create mental health response teams that do not involve armed officers, and move funding to institutions that create safe housing, education, and community programs. Furthermore, any oversight committees, especially pertaining to use of force, should be moved out of the police department and into external bodies. These committees should have subpoena power, authority to discipline, enough resources, and access to specially trained non-law enforcement investigators to investigate claims against law enforcement officers. We have witnessed already the failure of body cams because the footage remains internal. There is no power structure by which the public can hold police accountable. I am asking this committee to recommend decriminalizing non-violent, arrestable offenses related to traffic stops, drugs, and overdue fines. Stop the militarization of the police and impose a "duty to intervene" policy on all officers. I am the sibling of a law enforcement officer and worry for my brother's safety every day. This is not an attack on the police department or police officers, but rather an acknowledgement that we cannot fix a system that was created as an institution of oppression. The system is not broken; it is working exactly as designed. My question for the committee is – what is stopping you from defunding systems of harm so that we can reinvest in each other, in our communities, in our school systems, and in our health and well-being.

34. • Create a truly independent Police Oversight Board with REAL POWER that is selected by the community. Give the board the ability and resources it needs to conduct their own investigations, with subpoena power and the authority to fire and discipline cops. And give them the ability to veto any new cops HPD wants to hire. Remove all judges, former police and prosecutors from the board now. • HPD needs to release all footage of police shootings and brutality immediately after the incidents occur. In the case of Nicolas Chavez, who was murdered by five HPD officers a couple months ago, his father and other family members have said publicly that they want the footage release, but HPD has kept it hidden. Acevedo is using victim's families as a shield to hide their crimes from the public. • Defund HPD and use some of those funds to create a large team of mental health and addiction workers that is completely separate from HPD to respond to wellness checks and to people experiencing a mental health crises. Stop sending police to these types of calls. If this type of program existed Nicolas Chavez

and Danny Ray Thomas would still be alive. • After a husband and wife were murdered in their home by HPD on Harding St in early 2019, Acevedo promised an internal audit into the narcotics division and that audit still hasn't been released. According to Houston Chronicle reporting, the Harding street raid was not an isolated incident, but is part of a pattern of corruption and abuses in the narcotics department. We need a thorough independent investigation into not only the narcotics division, but the entire HPD organization and the findings released to the public ASAP. Acevedo is a snake and should be fired. • Mayor Turner's new Police Reform task force doesn't mean anything to me considering he still hasn't implemented any of the police reform recommendations from his 2016 "Committee on Criminal Justice".

35. Hi I would just like to express my support for the police and am concerned about efforts to "defund" or abolish the police. I live in a small municipality close to Houston, and any attempt to weaken the Houston police would necessarily impact the overall crime and safety environment for the entire metro area. I respectfully urge the Committee to resist any attempts to weaken the Houston police; if anything, what we need is an Increase in police funding, not a decrease. We need more officers so there can be shorter shifts, which would help with officer stress and mental health, so they can better deal with the many challenges they face every day. .. Thank you for your time and consideration.
36. Cite and release ordinance. I work with immigrant victims of domestic violence, human traffic, sexual violence here in Houston. The police system, in the way it exists now, puts victims in more danger. We need to defund the police and instead invest money in systems and services to prevent crimes and violence and social wellness programs for the safety of our community.
37. My name is Tarsha Jackson and I'm a resident of District B. I'm a member of the Right to Justice Coalition, a group of organizations dedicated to reforming the criminal justice systems in Harris county and the city of Houston. R2J was launched by the Texas Organizing Project in 2016 in response to Sandra Bland's death in Waller County. The recent murders of George Floyd and Breonna Taylor brought to a head the epidemic of police killings and brutality against Black and brown people. Let's not dance around the issue: police exist to uphold white supremacy and destroy Black communities. It's not a comfortable conversation but it's one that is long overdue because we are tired of our skin, of our very existence being treated like a crime. For over 20 years I've advocated for police and criminal justice reform and we're still fighting the same fight- But As City Council members, you hold the unique power to reimagine public safety solutions through strategic policing reforms and investing in social service programs. I recommend the following: Implementation of the Cite and Release ordinance that was recommended in 2016 by Mayor Turner's Transition team. The cite and release policy would require officers to issue citations for low-level misdemeanors instead of making arrests, unless there is clear, continued danger to the public. Changing police culture must start with changing the contract we have with the police union. We need a new contract that stops protecting bad cops and encourages the good cops to root out the bad ones, a contract that makes it clear that police exist not to protect each other, but to protect us. The contract negotiations should be open to the public to ensure the contract is updated to include key provisions, including: --Increased independence in police oversight, including investigatory powers that rest outside the chain of command; --An end to the 48-hour rule that gives officers accused of misconduct a full two days after an incident before they submit to an interview and allows them to see any evidence against them in advance; --Eliminating rules that block disciplinary action within 180 days after alleged misconduct by an officer; and --A fair discipline and appeals process so that police officers and

the police union are not the only ones appointing arbitrators. --End the evergreen clause that causes the contract to stay in place even if no agreement has been made with the city. The City Council and the mayor must take action now and it's important that we get it right, so that our children, grandchildren, nieces and nephews don't have to experience the same injustices that Black people have experienced for over the past 400 years.

38. Hello Honorable Council Members of the Public Safety & Homeland Security Committee, Hi, my name is Anastasia Kirages. I'm an artist and a resident of District G. I'm asking members of the Public Safety committee to make a long-term commitment to dismantle the police. This is not a radical task. Other cities have already taken steps toward abolition. For example the Minneapolis City Council has vowed to disband the police, giving itself a one-year grace period to develop a strategy for the process. Los Angeles is moving forward with commitments to cut \$150 million from LAPD. Seattle is moving forward with bans on tear gas, riot gear, rubber bullets and other weapons; Milwaukee is cutting its police department by 10%, and Austin's Mayor and all ten City Council members have signed a No Cash From Cops pledge. Meanwhile, Houston just approved a raise for its police officers, an HPD budget of almost \$1 billion and no cuts. The Public Safety & Homeland Security Committee needs to follow the lead of other cities across the country to commit to the steps outlined by the #8toAbolition platform and the guidelines released by Critical Resistance, including to defund, disarm, and demilitarize the police. We need to invest in our Black and brown communities because they deserve better. We cannot afford an increased police budget when housing, healthcare, and neighborhood programs are suffering. In order to invest in our communities, we need to defund the police starting NOW. It is urgent that we do this because the current health crisis only exacerbates economic hardships. In addition, historically police forces were created to protect the property of businesses, the wealthy, and enforce white supremacy. Because the fundamental role of the police is to defend this unequal system, it is IMPOSSIBLE for police to protect and serve everyone equally. It was born out of white supremacy and in order to end police violence, it must be dismantled through a revolutionary transformation of society. Lastly, I am requesting that we hold leaders accountable in the following ways: publishing police department audits, return campaign donations, and demand that Chief Art Acevedo step down because he has been inconsistent in his words and actions. I would like to close with an excerpt from A World Without Police zine: "Imagine a world without police. We live in a society where almost every social problem—from noisy neighbors to broken taillights—has become a point of police intervention. The result is an epidemic of harassment and violence. But what if we found other ways to solve our issues? What if we rolled back police power, and abolished the institution entirely? Here you are invited to think and act with other visionaries, and find ways to achieve a police-free world." Thank you for your time.
39. I am calling on city council and Mayor Turner to cut funding to the police. You didn't listen to your constituents' pleas to do this and it is causing your voters to turn against you. Mayor Turner and city council have only been paying lip service to their constituents. Please listen to the citizens of Houston and DEFUND THE POLICE.
40. Defund HPD entirely. They're corrupt egomaniacs with inferiority complexes. I have personally seen them commit atrocities around the city since I was young. Police are not a panacea for any and all of society's ills. The money that goes to HPD should go to mental health services, and the other roots of the problem. Let's beautify our city and not brutalize it. Please strongly consider



how this could affect our city.

41. Adopt all of these policies <https://www.8toabolition.com/>
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43. Earlier this month, Houstonians let Mayor Turner and other officials know that we called for defunding and/or disbanding HPD. Although the budget proposal was approved, I still denounce the allocated amount of funds given to HPD, as well as Mayor Turner's new task force and his approval of the #8cantwait initiatives. It has been proven time and time again that reform does NOT work, and that is easily seen as HPD had already adopted some of the reformist framework and still abused POC at higher rates. You all are meant to represent and listen to the PEOPLE. And it is clear that you have done anything but that. My recommendation is to LISTEN TO US. Defund HPD and the disgraceful "task force" put together by Mayor Turner. Both he and Chief Acevedo should be ashamed to stand with protesters and lie to our faces - their words mean nothing without action. After listening to the council's meeting, it is clear that Mr. Hamilton is unfit to serve his position as chair. I am also calling for his resignation. I hope the recent backlash and outcries have been a wake up call for everyone, your constituents are watching and listening and we are not happy.
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45. Reallocate funds that will be given to the police department and give them to more important departments like education. There is no reason for the police to be receiving so much money. We have many other needs in Houston besides police officers walking around with military grade equipment... ridiculous. Teachers shouldn't be paying for school supplies out of their own pockets while police departments are equipping themselves with the finest firearms the market offers. It is embarrassing. Defund and ABOLISH the police.
46. - Disband the entire police force and start from scratch. The lack of accountability under Acevedo's watch is enough to understand that the department is corrupt beyond repair. - Get rid of military-grade equipment. If you think the armory HPD has is under ANY circumstances necessary, you're part of the problem. - Allocate 50% of HPD's previous budget to affordable housing, job training, education, mental-health counseling, and substance-abuse treatment. The people need to TRUST that a "Public Safety Force" is \*ACTUALLY\* there to 'protect and serve'. - SCULPT THE NEW, REDUCED FORCE AS A DIRECT REFLECTION OF THE PROPORTION OF CALL

TYPES. E.g, if 25% of 911 calls are for domestic violence, \*at least\* 25% of the new "Public Safety Force" MUST be highly-trained in de-escalating domestic violence situations. - Require heightened training and accountability protocol for new violent-crime officers: required residence within a certain distance of their patrol areas, periodic re-training sabbaticals and calming procedures, and the enforcement of ALL EIGHT policies in the '8 Can't Wait' portfolio (Houston currently has ONLY THREE) - END QUALIFIED IMMUNITY. END QUALIFIED IMMUNITY. END QUALIFIED IMMUNITY. (As part of a fully-transparent reporting of officer misconduct)

47. 1. Making community service in the neighborhoods our officers police in ,mandatory. Creating inviting, interacting environments for the community to come together. 2. Our officers experience traumatic events, while on duty. Monthly mental health checks, should be put in place. Also it should be mandatory for our officers to speak to an therapist as well. 3. Before hiring new officers, astringent background check is needed. Go back and talk to teachers, spiritual/ religious leaders, family, friends of these possible hirees. So there is a better understanding of the person who is seeking employment as an officer. 4. The community should have a say in who becomes an officer, or who polices in there community. 5. There needs to be a revamp of the image of police officers; what it actually means to be an officer. I believe there are great people who could excel as officers but the culture of the police departments through American history is so tainted.
48. The police department must be defunded and funds must be invested into other social services. The police union contract must be voided, we will not reinstate murderers. We will not provide paid leave for murderers.
49. Please defund police, teach them de-escalation, and have them take African American Studies courses at a community college.
50. No police officer should be allowed to kill an unarmed civilian and remain employed. Regardless of the situation. In all professions, there are some "mistakes" we cannot take back. This should be a specific policy.
51. Hello, my name is Onjheney Warren, and I'm a resident of District C. My recommendations include asking the Public Safety Committee to defund the police department by 25% per year until the police department is obsolete. The Police Department does not improve the safety of Black and brown communities. Black Lives Matter, and City Council needs to seriously reconsider their disgusting relationship and allegiance to HPD. Police Reforms are too little too late. Mayor Turner has failed to take action on reforms that he previously supported, including recommendations from his own staff to decrease the police budget by 75%. He has spent years ignoring the community's demands while his officers beat and arrest protesters. City Councilmembers have scoffed at our legitimate requests, while City Councils in Minneapolis, Los Angeles, Seattle, Austin, Dallas, Milwaukee, and across the country are actively responding to this current crisis by reexamining and cutting police budgets. Dismantling the police must coincide with deep, long-term community investment for housing, health, and jobs. For every dollar given to the police under the Mayor's budget, 10 cents go to the Health department, 5 cents go to Libraries, and 1 cent is given to Planning and Neighborhoods combined. This is unacceptable, especially in the middle of a pandemic that afflicts Houston's most vulnerable residents. The Council must take a structural approach to undoing the decades of racism and violent policing ravaging Houston's Black neighborhoods. But there are steps this committee

could take before fully dismantling the police that would be meaningful. Publish unredacted budgets from Mayor Turner's full term for public analysis, require that all elected officials return campaign donations from police unions, and commit to a long-term plan to dismantle the police.

52. We should commit to defunding the police and reallocating get funds to social programs. Since the budget has been passed already, I recommend that we start with firing officers who have histories of misconduct or brutality and not hiring new officers to fill their positions.
53. I believe defunding the police is necessary to bring true justice to our communities. I want the Houston Police Department budget to be reduced by 25% each year, and those funds reallocated toward health care, education, business development, mental health care and community development in Black and Brown communities. It is necessary to have an Independent Police Oversight Department SEPERATE from the police department, with no police involvement, with subpoena and investigative authority. It is also necessary to have a policy of releasing ALL body cam footage of all police involvement incidents, not just deaths or shootings, The city needs to try to renegotiate the collective bargaining agreement with the police union at the earliest opportunity to push for some level of accountability for police conduct. Qualified immunity needs to be curtailed for police but I am not sure if the local government has any input in this issue. If this has to change on a federal level, the city government needs to advocate and lobby for federal changes to qualified immunity.
54. After listening to as much as possible of the approximately 7.5 hour Committee meeting while working full-time as a social worker, I was sorely disappointed by the disparity that I witnessed between Committee Members and the Houston Community. During public comment, person after person made calls for significant changes to how policing is done in Houston, which was in stark contrast to the presentations hosted by the Committee and Council Member Kamin's summary remarks. Both of which gave the impression that all is well in Houston and that perhaps only minor reforms are needed. I was initially put off by calls to "defund the police," thinking that it was too radical of an ask, but the more I have learned about the history of policing, the failure of previous reforms both nationally and locally, and the vast gulf between police funding and other programs, I have come to stand on the side of abolition. I understand that this will take time, but other cities, like Minneapolis and Los Angeles, have taken steps, and I would like Houston, a "blue city," to (1) make a long-term commitment to dismantle the police. The Committee needs to follow the lead of other cities across the country to commit to the steps outlined by the #8toAbolition platform and the guidelines released by Critical Resistance, including to defund, disarm, and demilitarize the police. Mayor Turner has received recommendations from experts in the past to defund police by 75% over 10 years. Like so many others, I want the Mayor to cut the police department's budget by 25% percent per year and reinvest into communities until the police are made obsolete. I would like the Committee to instead (2) invest in communities. We all deserve better, but especially our Black, Brown, Indigenous, and Working-Class Communities. I was deeply disappointed that the Council approved an increase to the police budget when housing, healthcare, and neighborhood programs are so sorely underfunded. For each dollar that goes to HPD, one cent goes to Youth and Family Services, five cents go to Libraries, ten cents go to the Health Department, and one cent goes to Neighborhoods and Planning & Development. (3) I would like you to see you hold yourselves and the police department accountable. Please publicly release unredacted police budgets for the coming year and the last five years for public analysis. And, I ask that Council Members return all campaign donations received from the Police Officers' Union PAC.

Additionally, I would like to see, like Austin, Council Members sign a No Cash From Cops pledge, agreeing to reject all campaign contributions from the police union. (4) I would also ask that at a very basic level that you listen. It does not feel like the City Council is hearing the Community. This was not only evident in your actions during the recent budget vote, when no Council Member approved Council Member Plummer's amendments, but also it was evident in the summary remarks of Committee Chair Kamin, which felt radically disconnected from the content of the meeting. I would like for you to publish a summary of what you heard from community members to affirm your understanding, and I would like to echo calls for Committee Members to keep their webcams on during meetings. I have made it a point to remain engaged in local affairs since beginning my career in social work, albeit at a distance. Like many others, recent events have inspired me to become more involved, and in doing so, I have become deeply disillusioned by local leaders. Prior to the protests catalyzed by the killing of George Floyd, I supported Mayor Turner as well as Police Chief Acevedo and was happy with my vote for my Representative for District C: Council Member Kamin. Becoming ever so slightly more engaged through watching two Council meetings and now this Committee meeting have shown me how little public shows of support are backed by action. One of the images that stands out to me from my research over the past few weeks is the organizational chart for city government which identifies citizens as the top decision maker. I don't see that reflected in current workings of this Committee or City Council. I will continue to monitor your proceedings, and your decision to work (or not) on behalf of the citizens of Houston will be reflected in my future votes

55. After listening to as much as possible of the approximately 7.5 hour Committee meeting while working full-time as a social worker, I was sorely disappointed by the disparity that I witnessed between Committee Members and the Houston Community. During public comment, person after person made calls for significant changes to how policing is done in Houston, which was in stark contrast to the presentations hosted by the Committee and Council Member Kamin's summary remarks. Both of which gave the impression that all is well in Houston and that perhaps only minor reforms are needed. I was initially put off by calls to "defund the police," thinking that it was too radical of an ask, but the more I have learned about the history of policing, the failure of previous reforms both nationally and locally, and the vast gulf between police funding and other programs, I have come to stand on the side of abolition. I understand that this will take time, but other cities, like Minneapolis and Los Angeles, have taken steps, and I would like Houston, a "blue city," to (1) make a long-term commitment to dismantle the police. The Committee needs to follow the lead of other cities across the country to commit to the steps outlined by the #8toAbolition platform and the guidelines released by Critical Resistance, including to defund, disarm, and demilitarize the police. Mayor Turner has received recommendations from experts in the past to defund police by 75% over 10 years. Like so many others, I want the Mayor to cut the police department's budget by 25% percent per year and reinvest into communities until the police are made obsolete. I would like the Committee to instead (2) invest in communities. We all deserve better, but especially our Black, Brown, Indigenous, and Working-Class Communities. I was deeply disappointed that the Council approved an increase to the police budget when housing, healthcare, and neighborhood programs are so sorely underfunded. For each dollar that goes to HPD, one cent goes to Youth and Family Services, five cents go to Libraries, ten cents go to the Health Department, and one cent goes to Neighborhoods and Planning & Development. (3) I would like you to see you hold yourselves and the police department accountable. Please publicly release unredacted police budgets for the coming year and the last five years for public analysis. And, I ask that Council Members return all campaign donations received from the Police Officers' Union PAC.

Additionally, I would like to see, like Austin, Council Members sign a No Cash From Cops pledge, agreeing to reject all campaign contributions from the police union. (4) I would also ask that at a very basic level that you listen. It does not feel like the City Council is hearing the Community. This was not only evident in your actions during the recent budget vote, when no Council Member approved Council Member Plummer's amendments, but also it was evident in the summary remarks of Committee Chair Kamin, which felt radically disconnected from the content of the meeting. I would like for you to publish a summary of what you heard from community members to affirm your understanding, and I would like to echo calls for Committee Members to keep their webcams on during meetings. I have made it a point to remain engaged in local affairs since beginning my career in social work, albeit at a distance. Like many others, recent events have inspired me to become more involved, and in doing so, I have become deeply disillusioned by local leaders. Prior to the protests catalyzed by the killing of George Floyd, I supported Mayor Turner as well as Police Chief Acevedo and was happy with my vote for my Representative for District C: Council Member Kamin. Becoming ever so slightly more engaged through watching two Council meetings and now this Committee meeting have shown me how little public shows of support are backed by action. One of the images that stands out to me from my research over the past few weeks is the organizational chart for city government which identifies citizens as the top decision maker. I don't see that reflected in current workings of this Committee or City Council. I will continue to monitor your proceedings, and your decision to work (or not) on behalf of the citizens of Houston will be reflected in my future votes.

56. Questions: • What is the budget for each of the programs listed in slide 8 of the HPD presentation PowerPoint? • What is the breakdown of education levels of incoming cadet classes? • What is the current body camera policy of HPD? What are the discipline procedures for officers who do not wear a body camera when provided or turn off their camera? • How long are disciplinary records held in an officer's record by HPD? • What programs, if any, deal with domestic violence originating from officers? • Under current policy, are police officers able to see the results of weapon charting before providing a sworn statement? • What is "relevant law" regarding use of force policing that determine if a use of force is justified?
- Recommendations: Houston Police Department • Increase the amount of training of officers. A barber or cosmetologist in the State of Texas is required to complete 1500 hours of coursework and relevant training while the Houston Police Department only mandates about 1000 hours. An armed police officer should spend more time training than individuals who cut hair or do makeup. Lives are at stake in one profession. • Contract negotiations between the police union and the City should be public and include additional public input. A new contract must include significant accountability provisions included in these recommendations and proposed by other activists. • HPD should suspend hiring for classified employees until these recommendations are adopted. It is necessary to reassess the duties of police officers and shift some duties, including response to welfare checks, mental health counseling, etc., to more appropriate entities. This reduces the need to increase police officers and allows for a better paid police force. Additional police officers does not translate into more public safety. Ultimately, a reduction of duties and greater investment in the community will naturally allow for a reduction of the number of classified employees and allow for greater pay for those employed. • Expanding existing diversion programs significantly while exploring (and creating) additional support programs. Ideally, these programs should be handled outside of HPD or at least by civilian employees of HPD. Contract Negotiations • Police officers should not be given copies any statement, affidavit, or complaint that is the basis of the complaint against an officer before that officer provides a statement. This includes any written statements or affidavits obtained from witness. This

requires amending Article 30 of the current police union contract. • Elevate the severity of consequences for officers who refuse to “identify self upon request by giving name or badge number including removal, obscuring or failure to wear name badge.” (Article 32, Section 4, Subsection 18) IPOB • The current chair for the Independent Police Oversight Board should be asked to step down. A new chair should be appointed with approval by City Councilmembers. • An online portal should be established for citizens to submit complaints to IPOB for their investigation. IPOB should be expanded to include investigative and subpoena powers. Adequate funding should be given to IPOB to conduct these duties. • All general and panel meeting minutes should be made public. All reviews by IPOB should be made public as soon as possible after the Chief of Police has decided to accept or reject the findings of IPOB.

57. I stand by the recommendations listed by the Houston DSA:

<https://houstonsdsa.org/defundhpd/defund-hpd-our-demands/>

58. Make a long term commitment to dismantle the police. We've seen big action taken in this direction in cities like Minneapolis, LA, Seattle, Milwaukee, and Austin. We need Houston to join this movement. The Public Safety & Homeland Security Committee needs to follow the lead of other cities across the country to commit to the steps outlined by the #8toAbolition platform and the guidelines released by Critical Resistance, including to defund, disarm, and demilitarize the police. Commit to radical support of our communities. Please put the people first, and invest in our communities to support long term health, growth, and sustainability. This includes investing for people through housing, public transportation, healthcare, and neighborhood programs. Defund HPD. We asked the Mayor to #DefundHPD when it mattered; we cannot afford to give police officers raises when huge portions of our community are jobless, facing eviction, and trying to survive a pandemic without healthcare. Mayor Turner has received recommendations from experts in the past to defund police by 75% over 10 years. We're demanding that he cut the police department's budget by 25% percent per year and reinvest into communities until the police are obsolete. Hold leaders accountable. Accountability is one of my top values, and I have the utmost expectation of accountability of those leading and representing me, my family, and my community. City Council members should return any and all campaign donations received from the Police Officers' Union PAC. The City Council must publicly release unredacted budgets for the coming year and the last five years for public analysis. The police department must release all internal audits and videos from the six officer-involved shootings in the last two months. We are asking you to listen, and make meaningful change. Thank you.

59. I am asking the the police budget be reduced by 25% each year and that funds be redistributed to housing, education, healthcare, and neighborhoods (specifically at-risk neighborhoods). I am asking that City Council members return campaign donations from Police Officers Unions and that unredacted budgets be released to the public for analysis. Additionally, I am recommending that the police department immediately release all internal audits and videos from the six officer-involved shootings in the last two months.

60. Reallocate funds that will be given to the police department and give them to more important departments like education. There is no reason for the police to be receiving so much money. We have many other needs in Houston besides police officers walking around with military

grade equipment... ridiculous. Teachers shouldn't be paying for school supplies out of their own pockets while police departments are equipping themselves with the finest firearms the market offers. It is embarrassing. Defund and ABOLISH the police.

61. - Adopt a cite and release policy - Prohibit HPD from working with ICE - Invest in diversion programs such as the one with the partnership with HRC - Decouple the municipal court budget from fines and forfeitures. - Stop participating in the Great Texas Warrant Roundup - Require police to upload BWC footage at the end of their shift - Increase transparency related to body cam footage
  
62. Make a long-term commitment to dismantle the police. This includes disarming, defunding, and dismantling the police NOW. I specifically ask that you commit to defund the police department by 25% per year until the police department is obsolete Invest in communities. Money that would go to police should be reallocated to community needs that desperately need the funding. Accountability: I demand full transparency of open contract negotiations with the Houston Police Union, and all elected officials, including all city council members here today, should return any and all campaign donations received from the Police Officers' Union PAC. Also, Houston City Council must publicly release unredacted budgets for the coming year and the last five years for public analysis. Additionally, the police department must release all internal audits and videos from the six officer-involved shootings in the last two months. Finally, Art Acevedo must step down. I want to emphasize that police reforms have proven to be ineffective in reducing police violence. In 2015, the Minneapolis Police Department underwent a series of reforms. Recent news serves as somber evidence of the failure of Minneapolis's police reform to protect POC, specifically Black individuals, from police violence. If we are to take seriously the nation's calls for justice for George Floyd, as well as justice for the Black and Latino lives lost at the hands of HPD officers, the police must be defunded and ultimately abolished. BLACK LIVES MATTER.
  
63. Immediate: 1. End the use of public money for officer liability and settlements. 2. End No-Knock Raids. 3. Ban hiring of officers with use of force complaints from other departments. 4. Set up a public and easily accessible complaints portal and maintain a public database of all complaints against officers and their outcomes. 5. Restructure the Independent Police Oversight Board: members should be selected from an application or electoral process with community input, members should not be current or former officers nor should they have direct family who are, all leadership positions should be elected and term-limited, the IPOB should have independent investigative power, subpoena power, and receive complaints directly from citizens, boards decisions should have binding consequences (Perhaps there should be two boards, one for department referrals and shootings, and one for civilian complaints). 6. End Qualified Immunity in the City of Houston and support and push for the end of Qualified Immunity at the state level. 7. Body camera footage should go directly to a 3rd party entity who will maintain it and release it for review as appropriate. 8. The Houston Police Officer's Union contract negotiations should be transparent and open to the public. General: 9. Police academy should be at least a 2 year program and should include training from certified mental health professionals, public health professionals, attorneys, historians, etc. This training should include language skills, first aid, EMT and triage skills, crisis counseling skills, policing history and American history with an anti-racist lens, more extensive legal training covering the constitution and the ordinances and laws officers are charged with enforcing, and basic sociology and anthropology. 10. Houston should institute language and disability training for all officers, no one should ever be killed because

they cannot understand or hear an officer's orders or have a disability that otherwise prevents them from responding to orders. 11. Police officers should be trained in intervention skills, given anonymous reporting options, and have protection from retaliation if they intervene or report a fellow officer, particularly a senior or superior. 12. Houston should institute more limited and targeted policing practices with officers strictly responding to ongoing, serious violent crimes. This would allow the City to drastically reduce the size of the force. 13. Current officers should not be grandfathered in, instead they should be screened and undergo all new training procedures. To obtain a change in culture less than 50% of the current force should be retained as part of the new force. 14. The existing union should be dismantled and a new union should be strictly limited to negotiating pay, time off, and health benefits. It should be excluded from negotiating policies that affect policing practices and accountability. 15. Houston should create non-police crisis response teams for issues such as domestic violence, substance abuse, mental health crises, and accidents involving injuries. 16. Houston should institute an administrative body to handle minor traffic accidents without injuries or traffic tickets, and reporting for petty theft or crimes that are not ongoing. 17. Houston should not use armed police officers for crowd control during protests, but should institute other, non-violent methods of crowd control and maintaining public safety. 18. Protesters (and the public in general) should not be arrested or detained unless they present a specific and direct risk to themselves or others previous to any interventions. 19. The City of Houston should consider housing security, food security, universal access to healthcare (including mental healthcare), financial security, access to high-quality education, and protections from environmental harms and pollution to be a part of its responsibility towards public safety and should actively pursue and advocate for those goals at the city, county, state and federal levels.

64. 1. The IPOB needs more transparency. Since it is a citizen review board, citizens should be able to view cases reviewed and decisions/recommendations by IPOB. These details should be available for public display on some sort of public portal that is regularly updated. Details should include what was being reviewed in the case, what the IPOB recommendations were, whether the Houston Police and whether HPD enforced the recommendations. 2. As suggested by President Obama's Task Force on Policing, HPD should adopt policy requiring officers to identify themselves and provide information in writing to individuals they have stopped if requested by the individual being stopped. (Ex: Officers carry business cards with name, badge number, rank, command, and contact information that they would distribute in encounters). This is crucial especially in cases where citizens want to file a complaint and must provide details concerning the officer involved. Currently, HPD's Sworn Affidavit form that the public must complete to file a complaint with Internal Affairs, requests that the person provide the name, badge number, vehicle number, license plate number of the officer who stopped them. 3. As suggested by President Obama's Task Force on Policing, in addition to the current availability of HPD policies made available online to the public, the department should post regularly information about traffic stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics. 4. As suggested by President Obama's Task Force on Policing, use of physical control equipment and techniques against vulnerable populations--including children, elderly persons, pregnant women, people with mental and physical disabilities, limited English proficiency, and others--can undermine public trust and should be used as a last resort. I am aware HPD has policies in place for dealing with individuals with mental disabilities, but policies must be adopted by HPD towards other populations as well such as children, the elderly, and pregnant women. This suggestion is given in light of recent officer involved shootings, such as that of Tamir Rice in Cleveland. 5. Policies should be developed by HPD for policing mass



demonstrations that utilize a continuum of managed tactical resources that minimize the appearance of a military operation and avoid using tactics and equipment that undermine civilian trust. HPD policies should emphasize protection of 1st Amendment Rights of demonstrators and effective ways of communicating with demonstrators. The policies should also emphasize deescalation.

65. Have a social worker to accompany officers when dealing with calls of domestic violence, child abuse, or mental health illnesses.
66. Police officers should be required to hold insurance much like doctors. If there are any incidents, they must be reported to the insurance company, raising their monthly prices, much like car insurance. If there are several incidents, insurance has the right to suspend their insurance, making it hard to find new insurance and the get a job in another precinct. There needs to be some sort of accountability for the police. Additionally, this is how the police can protect themselves without bias. Police unions give cops too much power and can be easily influenced. This must be regulated by a third party, an insurance company.
67. I am tired of hearing the phrase "a few bad apples" in reference to police brutality, as if a massive system of racist oppression can only be perpetrated and sustained by a few rogue cops. Anyone who uses that phrase should be called on to learn the remainder of the saying: A few bad apples SPOIL THE WHOLE BARREL. This means we cannot lay our broken law enforcement system at the feet of a few "bad" cops. It is the silent "good" cops who are also complicit in the miscarriage justice. Our entire system needs a new schema for accountability so that police officer misconduct is not longer kept in the shadows, because Houston has a problem. We had our own Breonna Taylor situation just last year (<https://abc13.com/harding-street-raid-botched-hpd/5885310/>) and the family of the slain couple still has no concrete answers. Please listen to the organizations like Houston Justice (<https://www.houstonjustice.org/>) and others for their ideas on increased police accountability. We need public access to body cam footage. We need punishment for when body cams are intentionally turned off or not in proper use (<https://coloradofoic.org/how-the-police-reform-bill-enhances-public-access-to-body-cam-and-dash-cam-footage-in-colorado/>). We need an organized system for keeping track of formal complaints against officers, and those complaints need to be public knowledge. We need to get rid of qualified immunity so that cops who perpetrate unlawful violence can actually be properly processed in our court system (<https://ij.org/frequently-asked-questions-about-ending-qualified-immunity/>). Please listen to what the people are asking for, praying for, marching for. No one is safe when the people who are in charge of "keeping the peace" are never be held accountable for their actions. Thank you for your time.
68. I would like to see a significant portion of the police budget (both present and future) used to support other means of community support, particularly education. As COVID has disrupted and continues to disrupt education systems, would it be possible for HPD to allocate some of their budget to supporting teachers and students? I envision this to happen either as a series of grants that are made possible, and/or stipends that are provided to teachers who are incorporating racial justice into their classrooms to be able to purchase much needed supplies. Alternatively (but realistically additionally), I would like to see HPD removed from schools and that funding instead allocated towards before- and after-school programming (either in person or virtual) to assist families who must continue to work outside of the home during this chaotic pandemic. In short, I would like to see financial efforts being made to support other areas of our

community outside of the police, but understand that the FY21 budget has already been approved. However, I believe that there are enough innovative and progressive people at the City of Houston level who will be able to navigate and create new processes to ensure education equity in the future. Thank you.

69. Reallocate funds that will be given to the police department and give them to more important departments like education. There is no reason for the police to be receiving so much money. We have many other needs in Houston besides police officers walking around with military grade equipment... ridiculous. Teachers shouldn't be paying for school supplies out of their own pockets while police departments are equipping themselves with the finest firearms the market offers. It is embarrassing. Defund and ABOLISH the police.
70. -End No-Knock Raids. -Ban hiring of officers with use of force complaints from other departments. -Set up a public database of all complaints against officers and their outcomes. -End qualified immunity. -Body camera footage should go directly to a third party entity. The police need more oversight by outside institutions. -Move funds from the police department to organizations that actually address the issues the police are incorrectly called to face--mental-health workers for mental-health calls, social workers for homelessness calls, drug and alcohol counselors for drug and alcohol intoxication calls. This reduces the risk of needless death. -More limited and targeted policing practices with officers strictly responding to ongoing, serious violent crimes. -Current officers should not be grandfathered in--instead they should be screened and undergo all new training procedures. -Houston should institute an administrative body to handle minor traffic accidents without injuries or traffic tickets, and reporting for petty theft or crimes that are not ongoing. -Houston should NOT use armed police officers for crowd control during protests, but should put in place non-violent methods of crowd control and maintaining public safety. -Protesters should not be arrested or detained unless they present a specific and direct risk to themselves or others previous to any interventions. No kettling or violent detention of protestors. -The City of Houston should consider housing security, food security, universal access to healthcare (including mental healthcare), financial security, access to high-quality education, and protections from environmental harms and pollution to be a part of its responsibility towards public safety and should actively pursue and advocate for those goals at the city, county, state and federal levels.
71. Immediate 1. End no-knock raids. 2. End qualified immunity in Houston and push for an end to qualified immunity at the state level. 3. Officers should pay for their own liability insurance. 4. Body camera footage should be managed by a third party entity. 5. Ban hiring of officers with a record of excessive force. 6. Create a complaints portal where people can easily report mistreatment by police officers. Require illegal police behaviors (rape, assault, unnecessary force) to be investigated, and to be grounds for firing an individual. Keep a database of all complaints against officers and their outcomes. 7. The Independent Police Oversight Board should be restructured. All leadership positions should be elected and term-limited. Former officers and their family should not be able to apply. The board should take complaints directly from citizens and have investigative power and subpoena power. 8. Make the Houston Police Officers' Union's contract negotiations public. Long-term 9. The City of Houston should consider housing security, food security, public health (including mental health), education, financial security, and protection from environmental harm to be part of public safety and should actively invest in these rights locally as well as on the statewide and federal levels. 10. A November 2016 study published in the American Journal of Preventative Medicine estimated that 20% to 50% of

fatal encounters with law enforcement involved an individual with a mental illness. With this reality in mind, the City of Houston should consider implementing a program like the CAHOOTS (Crisis Assistance Helping Out On The Streets) program based in Eugene, OR. CAHOOTS provides mobile crisis intervention 24/7, responding to medical, mental health, housing, and other crises by sending a medic and a crisis worker to assess and respond to the situation, rather than police, who often are ill-equipped to recognize or help those undergoing a mental/medical/emotional crisis. They work with the police to take on these tasks that the police force was never intended to manage, and has historically failed to manage. These tasks include promoting conflict resolution, conducting welfare checks, treating substance abuse, responding to suicide threats, and more, relying on trauma-informed de-escalation and harm reduction techniques. CAHOOTS staff are unarmed; they use their training and experience to ensure a non-violent resolution of crisis situations. This strategy has been proven to be effective. Last year, out of a total of roughly 24,000 CAHOOTS calls, police backup was requested only 150 times. Not only would this program delegate crisis resolution responsibilities to professionals whose training is specialized to the task at hand, it would save money. The CAHOOTS program budget is about \$2.1 million annually, 2.3% of the Eugene-Springfield police departments' combined annual budgets (\$90 million). For context, 2.3% of the HPD annual budget is about \$22.5 million. The program saves the city of Eugene an estimated \$8.5 million in public safety spending annually. Houston is a much bigger city than Eugene-Springfield. Thus, this program could save Houston a lot more money, and create some much-needed jobs. 11. Institute language and disability training for all officers so they can accommodate those who cannot hear or understand an officer's orders. 12. Officers should be trained in intervention, given options for anonymous reporting, and have guaranteed protection from retaliation if they intervene or report a superior or fellow officer. 13. Houston should institute an administrative body to handle traffic accidents with no tickets or injuries, and report minor nonviolent crimes such as petty theft, rather than using police to respond to these. 14. Houston should not use armed police officers for crowd control during protests. Other non-violent crowd control methods should be employed to ensure public safety. 15. Protesters, or anyone for that matter, should not be arrested or detained unless they present a specific and direct risk to themselves or others after nonviolent intervention is attempted. 16. All police should be re-screened and undergo new training procedures. Those who do not pass new screening and training should be let go, especially any with a record of complaints against harassment and/or assault. 17. The HPD union should be dismantled and replaced with a union that is strictly limited to negotiating pay, time off, and health benefits. The union should be barred from negotiating policies that affect policing practices and accountability.

72. The Public Safety Committee and the Mayor's Task Force must recognize that policing does not equal public safety. This does not simply mean we need less policing, or a different kind of policing under the current framework of public safety. It means we need the beginning of an entirely new understanding of public safety. This understanding requires we divest funding from the police because it requires that we deeply and truly invest into the needs of our communities. This is what public safety really is. Frankly, the time for exploratory task forces is over. We need you to act now. And incremental reforms that the Mayor has proposed and enacted through executive orders are simply not enough. You must act with a holistic approach. The Public Safety Committee and the Mayor's Task Force must take into account a broad picture of the needs of our city: we need increased COVID testing, rental relief, affordable housing, job creation, education, mental health resources, domestic violence and sexual assault support, violence prevention, and an especially greater influx of these resources into low-income, Black,

Indigenous, and all communities that have been tragically underserved. Again: more cops does not equal safer communities. Policing does not equal public safety. Divest from HPD and invest in the care of our communities. I urge you to decrease the HPD budget by 25% each year over the next 4 years and use these funds to increase the budgets of all other social service departments and create a new department of public safety and violence prevention that will replace HPD. We are in a critical moment in this country. We must seize the time to create fundamental, meaningful, far-reaching and lasting change. Be bold. Be visionary. Listen to the people. Thanks, Kirke Campbell

73. Overall, we need to see a gradual reallocation of funds away from HPD and towards the Dept. of Housing and Community Development, and towards public health initiatives through the Health Department. I am not calling for an overnight defunding of the police but rather a process of making HPD smaller. Some examples include: not hiring new officers when current officers quit/retire/are fired, and not approving reforms that ultimately require more money to be put towards HPD's budget. Change is needed, but some changes are better than others; opt for changes that reduce, not increase, HPD's budget. Increased sensitivity trainings are NOT the solution.
74. Defund the HPD and put the money going into them put the money into resources that will be useful like our education system or helping homeless people things that WILL make a difference and actually help the community not hurt it.
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79. Defund the HPD and put the money into resources that will help not hurt the community
80. The HPD budget should be drastically reduced and Houston needs to demonstrate a multi-year plan for doing this. HPD should be gradually defunded with budget reallocation towards housing & community and healthcare as the two top priorities given the severity of the COVID crisis. Reform is meaningless and indeed actively harmful if it does not coincide with defunding the police. No more money should be spent on HPD in the name of 'reform'. I echo this sentiment with regard to the task force. Defund HPD.
81. 1) This year: Defund the police budget by 10- 25% and do not approve the nearly 1 billion increase. Use these funds to invest in communities: Health Department, Neighborhoods and

Planning & Development, Youth and Family Services. 2) Over the next 10 years: Make a long term commitment to follow 8 to Abolition points in order to dismantle the police. <https://www.8toabolition.com> 3) Hold leaders accountable by having City Council members return campaign donations received from the Police Officers' Union PAC and publicly release unredacted budgets for the coming year and the last five years for public analysis

82. cut HPD's budget, ask HPD to pay their own liability insurance
83. -Decrease the police department budget. There have been cuts to vital community services such as the Houston Public Library, and a substantial need to exponentially increase funding for health and human services during the COVID-19 pandemic and our taxpayer dollars are better spent other places besides the HPD. -Discontinue taxpayer funding of the Houston Police Department Officer Liability Insurance. -Until sufficient affordable, safe, and decent housing is available to meet the need of homeless individuals and families, the laws, policies, and practices that prohibit or limit the use of public space by homeless people for life-sustaining activities should not be enforced or funded. \* No person should be subject to, or threatened with, civil or criminal sanctions or harassment by law enforcement for moving, resting, sitting, standing, lying down, sleeping, protecting oneself from the elements, or conducting other life sustaining activities on public property or in a legally parked car. \* The right to use and move freely in places of public accommodation without discrimination based on actual or perceived housing status should not be abridged. \* Personal property of homeless persons should not be subject to unreasonable search and seizure.
84. -Decrease the police department budget. There have been cuts to vital community services such as the Houston Public Library, and a substantial need to exponentially increase funding for health and human services during the COVID-19 pandemic and our taxpayer dollars are better spent other places besides the HPD. -Discontinue taxpayer funding of the Houston Police Department Officer Liability Insurance. -Until sufficient affordable, safe, and decent housing is available to meet the need of homeless individuals and families, the laws, policies, and practices that prohibit or limit the use of public space by homeless people for life-sustaining activities should not be enforced or funded. \* No person should be subject to, or threatened with, civil or criminal sanctions or harassment by law enforcement for moving, resting, sitting, standing, lying down, sleeping, protecting oneself from the elements, or conducting other life sustaining activities on public property or in a legally parked car. \* The right to use and move freely in places of public accommodation without discrimination based on actual or perceived housing status should not be abridged. \* Personal property of homeless persons should not be subject to unreasonable search and seizure.
85. 1. Limit HPOU negotiations with the city to pay, time off, and health benefits. Policing practices and accountability are NOT subject to negotiation. 2. End the practice of 'no-knock' raids. 3. Require officers to carry their own liability insurance. 4. Stop hiring officers with use of force complaints from other departments. 5. Set up a public and easily accessible complaints portal and maintain a public database of all complaints against officers and their outcomes. 6. Restructure the Independent Police Oversight Board: a) members should not be current or former officers nor should they have direct family who are; b) all leadership positions should be term-limited; c) the IPOB should have independent investigative power, subpoena power, and receive complaints directly from citizens; d) board decisions should have binding consequences. 7. Body camera footage should go directly to a 3rd party entity who will maintain it and release

it for review as appropriate. 8. People must not be arrested or detained unless they present a specific and direct risk to themselves or others.

86. Los Angeles, a much larger city than Houston, has committed to cutting \$150 million from LAPD. Seattle is moving forward with bans on tear gas and rubber bullets. Austin's Mayor has signed the no cash from cops pledge. Meanwhile, Houston has just approved an HPD budget of almost 1 million. This after the botched drug raid, the crack down on protestors, and the utter unaccountability of HPD. A huge portion of Houston is facing joblessness, eviction, survival without healthcare. Mayor Turner received recommendations in the past to defund HPD by 75% from ACLU- why can we not decrease the budget by 25% until we get to that point? Art Acevedo should step down, we need someone we can trust- we need someone who recognizes that this city is in a public health crisis. Houston has also seen rapid homelessness amongst other things- we need more assistance and programs for our most vulnerable at the very least. And art Acevedo has repeatedly stated he is in opposition to the compassionate release program even as Covid cases surge and people die in our jails. This is what we, as tax payers, have been given. This is not right, and something needs to change.
87. Open Data portal that shows arrests, traffic stops, and uses of force. All police video related for an OIS event released six months after incident.