

JUNE 24, 2020

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 county.
- ▲ **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.

SIGNED

