



City of Pflugerville

Minutes - Final

Equity Commission

Monday, March 22, 2021

6:30 PM

1008 W. Pfluger Street, Pflugerville, TX

Regular Meeting (Telephone/Video Conference)

NOTICE IS HEREBY GIVEN in accordance with order of the Office of the Governor issued

March 16, 2020, the Equity Commission will conduct this Meeting by telephone/video conference in order to advance the public health goal of limiting face-to-face meetings to slow

the spread of the COVID-19. There will be no public access to the location described above.

This Meeting Agenda, and the Agenda Packet, are posted online at <https://pflugerville.legistar.com>

This telephonic/video meeting will be hosted through WebEx.

Meeting Public URL: [https://pflugervilletx.webex.com/pflugervilletx/onstage/g.php?](https://pflugervilletx.webex.com/pflugervilletx/onstage/g.php?MTID=ead72d9d553937ca53ab444e48eb6353d)

MTID=ead72d9d553937ca53ab444e48eb6353d

Meeting Number / Code: 187 297 5119

Dial-in Number: +1-408-418-9388 (US toll)

Citizens Communication will only be allowed via telephone/video conference. All speakers

must register to speak at least 2 hours in advance of the meeting. All comments will occur at

the beginning of the meeting under the Citizens Communication item. Speakers must call in at

least 15 minutes prior to the meeting start in order to speak. Written comments may also be

submitted 2 hours in advance of the meeting.

To register to speak or to submit written comments, please email

JenniferC@pflugervilletx.gov at least 2 hours in advance of the meeting. A recording of the

telephone/video meeting will be made, and will be available to the public upon written request.

Equity Commission Members:

James Matlock - Chair
Shawn Douglas - Vice-Chair
Autumn Arnett - Secretary
Donald Scott II
Amy Hart
Elizabeth Guillory-Medina
Daisy Delgado Castillo

1. Call to Order

Chair Matlock called the meeting to order at 6:02 p.m.

Present:

James Matlock - Chair, Shawn Douglas - Vice-Chair, Autumn Arnett - Secretary,
Donald Scott II, Amy Hart, Elizabeth Guillory-Medina, Daisy Delgado Castillo

Staff: Sereniah Breland, City Manager; Trey Fletcher, Deputy City Manager;
Jason Smith, Acting Chief of Police; Jennifer Griswold, Library Director

Pamela Benson Owens, Edge of Your Seat Consulting

2. Citizens Communication

In accordance with the Texas Attorney General's Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the Equity Commission.

No formal action, discussion, deliberation, or comment will be made.

Katie Littleton submitted a written request concerning racial profiling data. She stated she was concerned that data showed racial profiling in Pflugerville. She stated that while the report shows Pflugerville Police Department is in compliance, the data shows that white drivers are stopped at a lower rate than their population percentage, while black and Hispanic drivers are stopped at a higher rate than their population percentage. She states that this indicates that simply being in compliance is not enough to stop racial profiling. Specifically, she would like to know what is being done to ensure that the next Police Chief will take this seriously. She also wants to know how we will be ensuring that a new Police Chief will improve these numbers and how we can hold them accountable.

Mr. Matlock stated that it was an excellent question and that he saw, in reviewing the data, the same thing and hoped that will be part of the discussion later.

Chair Matlock called on Meme Styles to speak during Citizen Communication. Ms. Styles thanked Chair Matlock and all of the people who gave their time to be on the Commission and was grateful that community members were able to come together and commended Ms. Benson Owens on her expertise.

In regard to the hiring of a new Police Chief, she wanted to make sure the process was very transparent, and that community members would be

involved. She was concerned because a lot of people, including herself, did not know this communication was happening so she took it upon herself to try and get the word out as much as possible. She hoped they could work as a community to open up the floodgate of communication.

Regarding the racial profiling report, she stated it does show disproportionality and that is what we deem as problems with racism, and we need to call it what it is as a community and face it and change it. She again thanked the Commission for the work it is doing. She also extended an invitation from her organization Measure Austin to provide whatever answers they can.

Chair Matlock commented that they were looking forward to working with the City on the upcoming hiring of the new Police Chief.

3. Approval of Minutes

- 3A. [2021-0275](#) Approval of the March 8, 2021 minutes.
Jennifer Griswold, Library Director

Chair Matlock asked the Commission if everyone had time to read over the minutes. He gave them a few moments to catch up.

Chair Matlock called for a motion to approve the minutes. Vice-Chair Douglas moved that the minutes be approved as written. Dr. Guillory Medina seconded. Minutes approved by acclamation

4. Discuss Only

- 4A. [2021-0278](#) Overview of Chief of Police Search
Sereniah Breland, City Manager

Chair Matlock introduced City Manager Breland. Ms. Breland stated that they were early in the process of the search for a new Police Chief and that she would give a broad overview of the process. She stated that the City Manager appoints all of the department heads and it is then taken to the City Council for approval with majority vote. She stated she would send resources and data to the google drive for the Commission.

The first step in the process was to request proposals from search firms to make this a national search. She has entered into negotiations with a search firm and she agreed that the community needs to be involved. She said involvement can happen in a number of ways including surveys for residents and the police department, and the council. Then that feedback is framed into a search document where they target different markets for a Police Chief and ask them to respond.

City Manager Breland said community involvement pre-Covid often took the form of an open forum, sometimes it is bring in your top 4 candidates and have them speak to the community. Now, we may need to do that in a different way. It is possible they use a community panel, to ask questions, etc., maybe not all of the community but a picked community panel from people like the

Commission and other groups within the city. City Manager Breland went on to say she intends to do a community search. She said she is very dedicated to it being a "community selection and input" search.

Chair Matlock asked for clarification on exactly where they were in the process. City Manager Breland stated they were negotiating the contract for the search firm.

Vice-Chair Douglas thanked the City Manager for being open to going over the search process. He asked what steps in the process ensure that they are interviewing diverse candidates and if that's none, and nothing can be done legally about it, then that's fine but he wanted to know if there are hard metrics in place or could they be put in place to ensure that diverse candidates are being interviewed.

City Manager Breland said she cannot put that into a criteria but she can ensure that the reason the search firms were selected as the top two because of the make-up of the team. That was very specific and deliberate. One of the firms is a former Police Chief out of Arlington, T. Bowman, his is the firm they are currently negotiating with. She said that she asked about a diverse pool of candidates and that both firms would be capable of bringing candidates that reflect the underrepresented parts of the community and that she hoped those individuals apply.

Chair Matlock asked for any other questions from the floor. Hearing none, he asked the City Manager what the timeframe was. City Manager Breland stated some of it depends on how long surveying the community takes, but 90 days max unless they have to do a second round.

Chair Matlock wanted to ensure that they do not push a timeframe and end up rushing a decision. City Manager Breland commended the dedication of Acting Chief Smith and that they would not rush something so important to the community.

Vice-Chair Douglas asked what some of the practices were and what were some of the criteria in regard to this search firm.

City Manager Breland said she wanted to know; what were their actions in their community post George Floyd murder. What did they do afterwards in their community, and what does modern day policing look like to them. One of the reasons for selecting T. Bowman is because he is a black, male, former Police Chief and former chief of a larger city, and he knows what she is looking for. She was very specific in wanting someone who understood policing in today's times.

Secretary Arnett stated she was having trouble with the chat feature in the meeting when she tried to post the website for T. Bowman. City Manager Breland said she would post it. She also stated she wanted to be clear they have not signed a contract.

Chair Matlock asked about how they would identify the qualifications for the Police Chief. He asked if she was going to use community forums to help create a job description.

City Manager Breland said she wasn't sure she understood the question but that she wanted to ask the community who should wear the badge. She said she has an eight page document that she would send the Commission. She said they also need to have traits such as budgeting and other managerial experience. They would take those things and put them into a brochure.

Vice-Chair Douglas said he was hoping for commitment to some of the practices such as implicit bias training that are critical to a Police Chief. He also wanted to know what the Police Chief considers critical.

City Manager Breland said she asked T. Bowman's group to do a psychological assessment, they have a psychologist on staff. This was something that set them apart as well.

Chair Matlock said his other question was about racial profiling and he understands this will be a topic of conversation when interviewing, he would like to know what the Interim Chief will do in the meantime.

City Manager Breland said she would allow Chief Smith to speak about that, but one thing they are doing is the RITE program (Racial Intelligence, Training and Education), and that the City already takes employees through quite a bit of training as the Commission has seen in the training document. She said she would let Chief Smith speak to specifics.

The Chair opened the conversation up for questions. Mr. Dunlap thanked the Commission and the City Manager. He asked how important is culture change in understanding the evolution of policing in the City of Pflugerville, in selecting a Police Chief.

City Manager Breland said she doesn't know if it is change as much as it is enhancement and education, training, and vision work, and making sure it is a daily conversation within the department. We have a former Chief who set the stage for this and someone needs to move that forward. It is very important and she will be closer to the department to ensure it is an organization that best serves its people.

Chair Matlock stated that it should be someone who has a history of being a change agent and proven that they have come into an area and turned around culture.

Secretary Arnett stated that she heard and understood the City Manager's commitment to getting this right, and her intent to make sure equity concerns are addressed. She thanked City Manager Breland for her efforts. Secretary Arnett asked if there was an opportunity to meet with the search firm after the contract has been signed, and to come forward as a Commission with some of their concerns. City Manager Breland stated she would not be moving forward without bringing things to the Commission and that she plans to meet many times with the Commission on this subject.

Vice-Chair Douglas stated that he personally had a great relationship with former Police Chief Robledo and she had the idea of serving the people of her community and he believes while there is still work to be done, Chief Robledo set the stage.

Chair Matlock asked if there were any further questions. Hearing none, the Commission moved forward on the agenda.

4B. [2021-0280](#)

2020 Pflugerville Police Department Racial Profiling Report

A presentation of the 2020 Racial Profiling Report submitted to the Council on February 23rd, 2021.

Jason Smith, Acting Chief of Police

Chair Matlock introduced Interim Chief Smith. Chief Smith stated that the report he was presenting was the same report given to council. He asked the Commission if a quick run-through and Q&A afterwards was acceptable. The Commission indicated that it was.

Chief Smith thanked the group and Meme Styles with Measure Austin. He mentioned the importance of leading a culture of change thanks to the work of Chief Robledo. He further stated that they planned to continue on that path.

Chief Smith explained the data in the report is an annual reporting of data for traffic stops, and it is one aspect of interaction with the public that is meant to establish a benchmark to help to detect if profiling exists. It is required by the Texas Code of Criminal Procedure and was prepared by Justice Research Consultants, LLC.

The research shows Pflugerville is in compliance with the state in their policy, training, and complaint process. They are also in compliance with collection and analysis of data.

This year there were just under 9,000 stops. There is a disproportionate number of stops of black people compared to the population and also among the Hispanic population, and a disproportionately low amount for white stops.

Chief Smith included a slide that had not been presented to Council that shows a disproportionate number of searches within the black and Hispanic stops compared to the white stops. Chief Smith said he would go further into that later in the presentation. Chief Smith stated they try to give written warnings when they can and on occasion they have to do citations but there has been a big shift over the past 10 years from writing citations to writing warnings as they try and move towards a more education-based style of enforcement.

The next two charts showed the reason for the stops, the vast majority being moving traffic violations. Speeding is the most common, others include registration expiration, etc. Chief Smith also explained other violations and vehicle searches including reasons, types, and outcomes of those searches. Chief Smith showed gender data on stops, race known prior to stop, physical force, and etc. Chief Smith explained that in regard to stops with injury, they consider a complaint of pain and injury.

Chief Smith showed the Commission the methodological issues provided by the consultant. These included quotes about the accuracy of data, given that the motorists may or may not be citizens of Pflugerville.

Chief Smith explained that they do not necessarily know the residence of the people they stop. He explained it made it difficult to look at stops vs.

percentage of the population and that in turn brings up the questions of whether there is a better way to be more accurate.

Chief Smith then gave the floor to Chair Matlock. Chair Matlock called for questions from the Commission. Secretary Arnett asked if the report breaks down stops by neighborhood or area stating that if they are patrolling some areas more heavily than others, you can make assumptions on race.

Chief Smith said she was correct and that she made a good point. He said if they get a lot of reports from a certain area, they will have more police presence in that area. However, if the area is an apartment complex, it is more difficult to get a breakdown by race or ethnicity.

Ms. Hart asked how they get the data on whether an officer knows or doesn't know the race of the person they are stopping at the time. She asked if it was a box they check. Chief Smith said there is a report they have to fill out. Ms. Hart stated that it is just based on them checking the right box. Chief Smith said correct. Ms. Hart asked if there was a camera. Chief Smith said every car used for traffic stops is equipped with a camera and every officer wears a body cam. Supervisors also do random video reviews of all of the troops to look for areas of improvement. This is used as early warning detection if there are issues, even without complaint. He stated it is hard to make the determination of race when driving due to various factors including tinted windows and face masks.

Vice-Chair Douglas asked about additional data that would be required next year. Chief Smith elaborated that all data points will be broken down by race and gender. It will also list whether an arrest was based on the finding of contraband or not. This will allow administrators to take a deeper look at findings and address issues if they pop up.

Vice-Chair Douglas asked if it would expand beyond traffic stops or if there was another reporting mechanism they follow. Chief Smith explained that there is not a mechanism outside of the formal complaint process. He said they are looking at the RITE program (Racial Intelligence Training and Education). He went on to say they are always open to feedback.

Chair Matlock asked what Chief Smith was going to do as acting Chief to address the inequities seen in the data. Chief Smith said they have changed the metrics so all data is broken down by race, then they review videos and see which officers are involved. He said they understand that being proactive in finding problems if they exist, is important. The data is analyzed monthly and monitored so they can get ahead of anything before it becomes a problem. He also stated having an outside perspective of a new Chief is something he is looking forward to and additional training was important.

Chair Matlock asked: how will the community be sure the new Police Chief will take the racial profiling data seriously and how do we hold them accountable.

Chief Smith said this is extremely important to himself, City Manager Breland and former council member Jim McDonald and they would be there.

City Manager Breland said it is her responsibility to get results from the new Chief.

Vice-Chair Douglas said it is the beginning of a relationship between the Commission and the Police Department and he thanked Chief Smith.

Chair Matlock also thanked Chief Smith.

5. Discuss and Consider Action

5A. [2021-0277](#)

Mission Review, Core Values Construction- a facilitated discussion in order to “road test” the mission and vision, and to craft core values for the equity commission. This items includes the mission, vision and pillars.

Facilitated by Pamela Benson Owens

Ms. Benson Owens said that she will send a message to Ms. Griswold between this meeting and the next. She said the year one, two and three goals looked great. She asked that the Commission, in between now and the next session, road test the goals to see if they are measurable and if the right goals are in the right slots. The other piece is to be sure there is a solid sign-off from everyone around the Mission Statement.

- Solid recheck on Mission Statement
- Review of year's 1, 2 & 3 goals
- Each member needs to come to the table with a core value that is important to you and define or explain what that looks like for the Commission

She stated that some of the goals have a hint of a strategy under them so they will pull those out. She asked if anyone questions.

Chair Matlock apologized to her about the time. Ms. Benson Owens said that the conversation about the Police Chief search and racial profiling was a needed conversation.

Chair Matlock said he would like people to think about how the performance measures are defined and how will the data be collected.

Ms. Benson Owens agreed and said there will be quantitative and qualitative measurements. She also stated she will send the next steps forward to the Commission. She stated they still have work to do around what power the Commission has.

Chair Matlock asked if there were any other questions.

Vice-Chair Douglas asked if there was a requirement to vote on and approve a Mission Statement. City Manager Breland said yes, they should take a vote.

Chair Matlock said they may want to take the vote at the next meeting.

Vice-Chair Douglas said he was fine with that.

5B. [2021-0281](#)

Questions for People and Culture Department (formerly Human Resources)

Group discussion on questions about recruitment and hiring in preparation for visit from the People and Culture Director.

James Matlock, Chair

Tabled

6. Future Agenda Items

- 6A. [2021-0276](#)** Upcoming Agenda Items
James Matlock, Chair

Continue work on the Mission Statement

7. Adjourn

7:54 p.m.

Respectfully submitted,

Jennifer Griswold
Library Director

Approved as submitted on April 12, 2021