

# Austin Leads the Way

Austin City Council voted Thursday to use funds slashed from the police budget to [purchase a hotel](#) that will provide permanent supportive housing for people experiencing homelessness and to create an [independent forensics lab](#) separate from the police department.

The hotel is the fourth the Texas city has purchased for supportive housing since 2019. Under the measure, the city will spend approximately \$9.5 million from its Housing and Planning Department's general obligation bonds to acquire Candlewood Suites in District 6 and turn it into about 80 units of permanent supportive housing.

Last week, the Council voted to buy the Texas Bungalows Hotel & Suites in District 7 for \$6.5 million, which will eventually support about 60 units of permanent housing. The hotels are not expected to reach full occupancy until next year.

The funding for the hotels uses money from a recurring \$6.5 million fund taken from the Austin Police Department's (APD) budget to provide wraparound services for residents. In August, the City Council [voted](#) to cut \$150 million from the APD's budget, with the bulk of the \$21.5 million the city dedicated to housing and violence prevention programs siphoned from canceling cadet classes, reducing overtime spending and nixing contracts for surveillance tools like license plate readers.

“There were not that many cities that actually responded to the call to transform police budgets, and in those like Austin that did step up to that call in a significant way, we can now start showing the community the results. There are so many improvements to people's lives that we can make just because we were willing to make moderate adjustments to the police budget,” Austin City Council Member Greg Casar told *Truthout*. “Throughout the whole campaign cycle, progressive cities were bashed by Trump and his allies for reconsidering their police budgets, I think now in the weeks to come, progressive cities can start showing the actual benefits.”

The city also voted and move about \$11.9 million from the APD's budget into a new Forensic Science Department, creating an independent forensics lab separate from the police department. The move does not eliminate any of the functions in the forensic lab — it simply ensures that the lab is administered independently.

Casar offered an amendment to clarify the language of the ordinance to establish that the lab's purpose is not only to collaborate with law enforcement when appropriate, but to provide crime lab and evidence management services in an unbiased manner in the pursuit of truth and justice — wherever it leads.

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He tells *Truthout* that the Council plans to buy hotels in every district and will soon move forward with proposals to move its 911 dispatch out of the police department. The Council provided additional funds for mental health first responders with Integral Care's Expanded Mobile Crisis Outreach Team in 2019 to staff the city's 911 call center, providing a fourth first-response option beyond EMS, fire and police. (*Truthout* observed on how that system works first-hand [during a ride-along](#) last year.)

The APD's integrated forensics lab was shut down in 2016 after an audit by the Texas Forensic Science Commission found the lab used scientifically faulty practices. The city has since outsourced its DNA work to the Texas Department of Public Safety. By the time the lab was shuttered in 2016, the city had amassed a backlog [of about 4,000](#) rape kits.

Sexual assault survivor Marina Garrett testified that it took about two years before the results of her kit came back. "I do think this is just one piece of the puzzle," Garrett told councilors Thursday about the move to decouple the lab. "The amount of trauma I got from my kit being in the backlog was just exponential from what I would have received if my kit had been tested in a timely manner."

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Still, advocates for the city's [nearly 1,600](#) unsheltered residents were outraged at the [passage](#) of the Housing-Focused Homeless Encampment Assistance Link (HEAL) initiative, which many characterized as providing a progressive cover for an attempt to recriminalize homelessness by slowly reimposing a ban on public camping. While the resolution asks the city manager to implement and fund HEAL to connect people experiencing homelessness to housing-focused services and supports, the measure could partially reinstate the ban in four high-traffic areas.

More than 100 people signed up to give public comment on the proposals at Thursday's meeting. The vast majority spoke out against the HEAL initiative and in favor of providing housing-first solutions for people experiencing homelessness as well as decoupling the forensics lab. The HEAL resolution ultimately passed 8-3, with Casar joining two other council members in opposition.

"While we support any new dollars being brought to bear to help address the issue of homelessness, with sustainable solutions like housing, we're obviously concerned with anything that reopens the possibility of criminalization and other forms of forced displacement for people experiencing homelessness," said Chris Harris, director of the criminal justice project at Texas Appleseed and an organizer with Homes Not Handcuffs. "We don't think [HEAL] is necessary, and is really opening a backdoor to recriminalization on a bigger scale. It's short-sighted, counterproductive and ultimately harmful."

A local group supporting the reinstatement of a ban on public camping, "Save Austin Now," also [announced Thursday](#) that the City Clerk's Office certified that its petition contained enough valid signatures to get a public camping ban onto the May ballot.

This comes as newly elected Council Member Mackenzie Kelly [replaced](#) former Council Member and Public Safety Chair Jimmy Flannigan after winning a runoff election in December. Kelly is the president of pro-police group Take Back Austin, and has [pledged](#) to bring back a ban on public camping. Kelly was the lone vote against acquiring Candlewood Suites, which is in her district, and pushed to postpone the vote on the purchase last week to spend more time hearing from her constituents.

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Texas Gov. Greg Abbott has also renewed attacks in his ongoing feud with the city over its moves to both defund the police department and to decriminalize homelessness. Abbott said Tuesday that he will move forward a legislative proposal in which state patrols [would take over](#) policing in some areas of Austin but backed away from a full citywide takeover. During his State of the State address Monday, Abbott [declared](#) a measure to punish cities that defund police budgets an “emergency” item. He has also floated [freezing property tax revenue](#) and removing annexation powers from cities that defund police.

Abbott has likewise threatened to reinstate Austin’s public camping ban “for” the city, saying in a news conference earlier this month that he is [considering statewide legislation](#) to prevent people experiencing homelessness from camping in urban areas.

“[Abbott] doesn’t know the first thing about Austin’s budget,” Councilman Casar told *Truthout*. “Is he saying that any city that wants to make their crime lab independent should be defunded? He probably doesn’t even know that answer to that question because he probably doesn’t even know that that’s happening.”

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Casar also notes that Abbott failed to prioritize COVID vaccinations among his five emergency items in his State of the State address, saying it’s “clear that the governor is trying to distract from his failures to protect people from the virus, and part of his distraction and political theater is try to bash Austin and fearmonger about Austin’s public safety and civil rights reforms.”

Despite recent attacks on the city’s reform efforts, a majority of the Austin City Council, as well as State Sen. Sarah Eckhardt and newly elected Travis County District Attorney (DA) José Garza and [have pledged](#) progressive reforms to the criminal legal system and to refuse political donations from police organizations.

## **Progressive DA Rolls Out Reforms**

The city’s civil rights reforms come as new progressive DA José Garza [rolls out](#) bail reform and diversion policies that make it easier for people charged with nonviolent crimes to avoid jail and get into intervention programs. Garza’s plan increases the number of people included in

diversion courts, which require them to complete rehab, and ends bail for many people charged but not convicted of nonviolent crimes.

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Garza's office is asking judges to eliminate bail or grant defendants a bail amount they can afford — as long as they don't pose a flight risk or a risk of violence. While the new DA is encouraging prosecutors to lobby for no or low bail amounts for people charged with nonviolent offenses, judges will still ultimately make the final call when setting bail. In fact, one Travis County criminal district court judge, [told the \*Austin American-Statesman\*](#) that local judges are likely to continue to setting bail "as they always have."

"The District Attorney's Office has an obligation to participate in the process of setting bail, and I think our position is pretty clear that we don't think any person who does not pose a threat to our community should be in custody simply because they can't afford to get out, and I think starting this week and over the coming weeks, months and years, we're going to be articulating that view to the courts," Garza told *Truthout*.

Moreover, he says that his diversion policies are aimed at getting to the "root cause" of why people engage in violent conduct. Toward this end, he has brought on two more attorneys to help prosecutors submit all eligible cases to the pretrial diversion division in the DA's office, and take on additional work in the division. Criminal history will no longer automatically disqualify people for pretrial diversion courts, he says.

"If an accused person can successfully complete pre-trial diversion, that there will be an opportunity for their criminal matter to be dismissed, and we think that's important."

"We think in many instances, if an accused person can successfully complete pre-trial diversion, that there will be an opportunity for their criminal matter to be dismissed, and we think that's important because criminal convictions really have a significant impact on people's ability to get jobs, on their ability to get apartments, to get housing, to apply for financial aid," Garza tells *Truthout*. "When a conviction is a barrier to those kinds of things, then it's also a barrier to stability in a person's life, and ultimately what public safety is, is stability."

The bail and diversion plans were among several other priorities he outlined in a [public letter](#) released Friday, including the creation of a "do-not-call-to-testify" list disallowing officers with questionable conduct from testifying in criminal cases, the hiring of a new victims counselor, involving prosecutors and defense in the magistration process, and not prosecuting low-level drug dealers.

Garza also notes that the DA's office will be focusing not only on elected officials who have committed crimes, but will also ask working-class community members to come forward with cases of wage theft or in cases in which landlords have taken criminal advantage of them as tenants.

“We will be working closely with the community to understand and to prosecute instances of the kinds of fraud that make it hard for working people and that destabilize tenants in particular.”

“It’s against the law in the state of Texas to steal someone wages, to have them do work on your behalf and then not pay them — that is a crime, and it has been a crime in the state of Texas for some time. It is the kind of act that destabilizes working-class families and communities and that instability makes us less safe,” Garza says. “We will be working closely with the community to understand and to prosecute instances of the kinds of fraud that make it hard for working people and that destabilize tenants in particular.”

Austin Police Association President Ken Casaday is already setting a cautious tone on Garza’s rollout. He [told \*Austin American-Statesmen\*](#) that he is “wary of Garza’s bail plans, but willing to see how they are implemented.” He is already directing officers who disagree with certain bail amounts to begin documenting them in a spreadsheet.

Still, city and county criminal legal reformers leading the fight on police budget reallocations and a progressive agenda remain undeterred.

“We obviously have a lot of work ahead of us.”

“As DA Garza works to stop prosecuting the war on drugs, we’ve been in conversation with him about how we can set up alternative programs to get to the root issues of addiction and substance abuse rather than just throwing someone in jail for a few days,” says Councilman Casar.

Casar and Garza are rolling up their sleeves. “We obviously have a lot of work ahead of us,” Garza says.