CITY OF HOUSTON

Office of Inspector General, Legal Department

Sylvester Turner

Mayor

Arturo G. Michel
City Attorney
Legal Department
P.O. Box 368,
Houston, Texas 77001-0368
City Hall Annex
900 Bagby, 4th Floor

T. 832.393.6491
F. 832.393.6259
www.houstontx.gov

April 3, 2023

The Honorable Paul Bettencourt
Chairman, Senate Committee on Local Government
P.O. Box 12068
Austin, TX 78711

Dear Chairman Bettencourt and Members of the Committee:

On behalf of the City of Houston, I write in opposition to Senate Bill ("SB") 2209 relating to municipal civil service for firefighters and police officers. We ask that this written testimony be included in the formal legislative record for SB 2209. As the Deputy Inspector General for the Office of Policing Reform and Accountability ("OPRA") of the City of Houston, I testify with the City's full authority to speak on its behalf as part of my assigned duties and responsibilities.

The City of Houston has a long tradition of civilian review boards going back to its Citizens Review Committee ("CRC"), established in the early 90's, which became the Independent Police Oversight Board ("IPOB") in 2011. (See Executive Order ("EO") 1-5). In September of 2020, the Mayor's Taskforce on Policing Reform, a 45-member citizen group, released a 153-page report of recommendations to bring together the community, the police, the union, and the local legislators "to protect and serve the constitutional rights of all citizens." The Taskforce looked to best practices across the nation, to make recommendations in six categories: (1) Community Policing; (2) Independent Oversight; (3) Power Dynamics; (4) Crisis Intervention; (5) Field Readiness; and (6) Clear Expectations. To help meet these recommendations, an amended EO 1-5 created the Office of Policing Reform and Accountability ("OPRA").

The Taskforce made "Independent Oversight" one of its six pillars because without it, police oversight is limited to the police guarding themselves through an Internal Affairs Division ("IAD"). The men and women of Houston's IAD are among the most professional in the nation.

However, the Committee can understand where members of the community, in the wake of high-profile police misconduct cases, might have concerns over the sole-authority-IAD's potential to abuse that with which they have been charged to protect or control. Such sole-authority creates mistrust, in a nation that prides itself on its checks-and-balances system of government.

The Independent Police Oversight Board can use its authority, when needed, to investigate outside the IAD-model to provide an independent system of checks and balances. The "independent" in independent oversight gives credibility to accountability. Over the past years, through constant improvements, the Independent Police Oversight Board has been able to build a sense of trust between law enforcement and the community by allowing citizens to take part in the system for their public safety.

SB 2209 would eliminate the City's ability to investigate members of the Houston Police Department outside the IAD-model, returning our community to the distrust that increases the difficulty of day-to-day policing and gave rise to the calls for additional civilian oversight. In addition to flouting Houston's tradition of civilian oversight and it's Home-Rule authority, we are also concerned that the citizens of our community will perceive this bill as tone deaf in a post-George-Floyd society. SB 2209 appears to be a back-tracking to an earlier era—to remove citizen involvement and return to less-transparent, less-accountable policing. The great State of Texas is not a state that goes backward to less accountability, less transparency, and less trust.

For these reasons, the City respectfully opposes SB 2209. The City and I thank the Committee and Chairman for the consideration and opportunity to comment regarding this proposed legislation.

Respectfully,

Crystal Okorafor
City of Houston, Deputy Inspector General
The Office of Policing Reform and Accountability