

PUBLIC COMMENTS

HB 1563

HOUSE COMMITTEE ON URBAN AFFAIRS

---

Hearing Date: April 21, 2021 10:30 AM - or upon final adjourn./recess or bill referral if permission granted

---

Zenobia Joseph, U.S. Citizen

Self

Austin, TX

1. HB 1563 Position: On (Neutral). I support Rep. Gervin-Hawkins' focus on accountability, integrity, and transparency for firefighters and police officers. However, I have a Floor Amendment recommendation to strengthen the bill.
2. Reference: HB 1563, Lines 10-13 (p. 1), "The information contained in the department file is public information subject to disclosure under Chapter 552, Government Code, unless the information is made confidential under that chapter or other law."
3. Double-Standard: April 21, 2021 San Antonio advocate "Charlie" testified against HB 1563 in Texas House Urban Affairs Committee but failed to acknowledge that victims of police brutality find themselves on the side of defending past infractions. Criminalizing the corpse's past is the norm.

a. Example: Derek Chauvin's attorney showed video footage of George Floyd from an unrelated police stop. Was the footage germane? Should the judge have only permitted information in court related to the day of his tragic death? Minority victims of police brutality have a higher hurdle to cross than police. Civil servants should be held to the same high standard. Perhaps, officers would self-regulate knowing that personnel files may be subject to release under Govt. Code, Ch. 552, Public Information.

b. Collective Bargaining: May 1, 2021 Like San Antonio, Austin voters will vote on propositions. Two of 8 - Prop. A: Firefighters' contract negotiation, impasse—unilaterally compel the city to accept binding arbitration, but who oversees the arbitrator? Prop. B: Change Police Oversight from City Manager to Austin City Council; enforcement will still be determined by the collective bargaining agreement.

4. Floor Amendment: Specify confidential information under Govt. Code, Ch. 552, Public Information.

a. Amend Line 10. Personally identifying information will be redacted under Govt. Code, Ch. 552, Public Information to include, but not limited to, "Sec. 552.117. EXCEPTION: CONFIDENTIALITY OF CERTAIN ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION. Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS." All other information "contained in the department file will be public information subject to disclosure under Chapter 552, Government Code, unless the information is made confidential under that chapter or other law.

b. Include language permitting fire and police human resource officers to retain and categorize information in the personnel file based on a time period (e.g., Years 1-5, 6-10, 11-20).

c. Example: Texas Academic Performance Report specifies teachers by years of service. The same categories could be used to separate information in firefighter and police officer files.

Beginning Teachers [firefighter/officer]

1-5 Years Experience

6-10 Years Experience

11-20 Years Experience

Printed on: May 4, 2021 3:52 PM

Over 20 Years... Thanks.~zcj