

Headline: Austin Public Safety Commission discusses APD's use of sonic devices at protests

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By Karina Kumar

Some members of the Austin Public Safety Commission raised concerns at a recent meeting about whether a device that produces eardrum-damaging sounds should be used by police at protests.

"I have no confidence that the Austin Police Department will use that equipment in a way that's safe and thought through," commissioner Rebecca Webber said in an interview.

At a meeting Sept. 13, APD's Assistant Chief Jeff Greenwalt and Kevin Welch debated the effects of the devices on officers and protestors. Welch is president of Austin's Electronic Frontier Foundation, an organization that defends civil liberties related to digital information and technology.

These devices, also known as long-range acoustic devices or LRADs, can produce volumes up to 145 decibels of sound, and according to the device manual, 115 decibels can cause temporary hearing damage.

Greenwalt said APD used an LRAD to broadcast messages to crowds during protests sparked by the death of George Floyd in 2020. He said fireworks and bullhorns, not the LRAD, caused hearing damage to the officers in these protests. Greenwalt said the LRAD is not intended to be used as a sonic weapon.

Greenwalt said police used the devices at least 70 feet away from the nearest officer or protestor. In response, Welch quoted the LRAD manual which said, "The sound pressure levels achieved at full volume at distances of 40 meters [120 feet] or less may cause hearing damage if people are exposed to these for long periods of time."

Later in an interview, Welch compared the LRAD to a gun, saying people can claim that either device isn't a weapon until it's used as one.

"And then you can say, well, we didn't do it intentionally," he said. "And it's like, well, I didn't shoot you intentionally. It's still a weapon, and I still shot you."

Commission chairperson Rebecca Bernhardt said she's concerned about the safety of officers and protestors when APD uses LRADs.

“I’m afraid police have a pretty adversarial worldview,” Bernhardt said in an interview. “They perceive themselves as this sort of wall of protection between civilization and this group of monsters that are trying to tear everything apart. And that's not actually reality.”

Fellow commission member Webber said she finds the use of these devices “idiotic.”

On the contrary, Dennis Farris, the president of the Austin Police Retired Officers Association, said he thinks the LRAD is a necessary piece of equipment.

“It's an option [officers] need in their toolbox,” Farris said. “It may not be the most appropriate tool for every situation. But there are situations where the LRAD is an appropriate tool.”

In 2018, the device was used to try to force a suspect out of a house, but officers initially had trouble activating the LRAD and when it came on, it was pointed at the wrong house.

“You already have an instance where on record [APD] misused it by accident,” Welch said.

“We're not saying [they] intentionally did that. But that's the whole thing. Everybody's human.”

When asked about the same case, Farris acknowledged police sometimes make mistakes.

“We recruit police officers from the human race,” Farris said. “We're not superhuman. We should be held to a higher standard than everybody else, because we just should, but we still are human. We still are gonna make human mistakes.”

Webber and Welch both said they don’t think it makes sense to use a device that is capable of harming people when there might be better options, such as a high-power megaphone that can be heard up to a half mile.

Bernhardt said the police should acknowledge that they are responsible for minimizing risk when possible.

“I would prefer that they always be making choices that de-escalate situations whenever possible,” she said. “And I'm not sure that's always been the attitude at protests.”

Bernhardt said the issue is still under discussion and doesn’t have a clear outcome.

“Everybody needs to have an equal seat at the table,” Farris said. “It can't always be my way or the highway. And that goes true for the police department. And it goes true for the activists that want things to change.”