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CITY SECRETARY  
DALLAS, TEXAS



# Citizens Police Review Board



# Annual Report 2011

# Memorandum



CITY OF DALLAS

DATE February 14, 2012  
TO Honorable Mayor and Members of the City Council  
SUBJECT **FY 2010 – 2011 Annual Report: Citizens/Police Review Board**

The attached report is the 2011 Annual Report of the Citizens Police Review Board.

If you have any questions, please advise.

A handwritten signature in cursive script that reads "Carl Raines".

Carl Raines, Chair  
Citizens Police Review Board

## Attachments

c: Honorable Mayor and Members of the City Council  
Mary Suhm, City Manager  
Rosa Rios, Acting City Secretary  
Thomas P. Perkins, Jr., City Attorney  
Craig D. Kinton, City Auditor  
C. Victor Lander, Administrative Judge  
A.C. Gonzalez, First Assistant City Manager  
Ryan S. Evans, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Forest E. Turner, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Frank Libro, Public Information Office  
Stephanie Cooper, Assistant to the City Manager Mayor/City Council

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation or matters where legal advice is requested of the City Attorney, Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. The contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.074 of the Texas Open Meetings Act.

CITY OF DALLAS  
CITIZENS POLICE REVIEW BOARD  
**FY Oct 2010 – Sept 2011**  
ANNUAL REPORT

**TABLE OF CONTENTS**

|   |        |
|---|--------|
| Board Mission Statement.....                                | Page 2 |
| Board Objective.....  | Page 3 |
| Board Membership.....                                       | Page 4 |
| Programs.....   | Page 5 |
| Success Indicators.....                                     | Page 6 |
| Annual Summary:<br>Number of Types of Case Allegations..... | Page 7 |
| Summary.....  | Page 8 |
| Signature and Certification.....                            | Page 9 |

## DALLAS CITIZENS POLICE REVIEW BOARD

### **Mission Statement**

To improve the sense of public safety and confidence in the Dallas Police Department within the community by providing:

- A means for citizens to communicate their concerns regarding alleged inappropriate police behavior;
- An avenue for the public to obtain some remedial action regarding Internal Affairs Division investigations and Division Referral reviews in circumstances in which the Board deems same appropriate and as provided for in the Board's enabling ordinance;
- A vehicle (the Board) for making impartial recommendations for changes or improvements in the operation of the Dallas Police Department;
- An advisory body to the City Council with regard to the operations and policies of the Dallas Police Department, its policies, operations and practices, as well as the public's perception of same.

## DALLAS CITIZENS POLICE REVIEW BOARD

### **OBJECTIVE**

The Dallas Citizens/Police Review Board meets once monthly (the second Tuesday) in order to provide citizens who have made complaints against police department employees an opportunity to voice dissatisfaction with the results of the Police Department Internal Affairs Division Investigations and Chain-of-Command (Division Referrals) reviews and to develop recommendations to the Dallas Police Department through the Office of the City Manager for changes or improvements in the operation of the Dallas Police Department, as well as to perform its advisory function to the City Council with regard to the operations and policies of the Dallas Police Department, as well as the public's perception of same.

**DALLAS CITIZENS POLICE REVIEW BOARD**  
**FY Oct 2010 – Sept 2011**  
**Annual Report**  
**Membership List**

| <u>Board Member</u>                      | <u>Council Representative/District</u>                     |
|--|--|
| 1. Janice Coffee                         | Appointed by David Neumann – District 3                    |
| 2. John Dean                             | Appointed by Mayor Leppert                                 |
| 3. Winnie Dixon                          | Appointed by Carolyn Davis – District 7                    |
| 4. Phil Foster                           | Appointed by Vonciel Jones Hill – District 5               |
| 5. Larry French                          | Appointed by Linda Koop – District 11                      |
| 6. David Hardt                           | Appointed by Angela Hunt – District 14                     |
| 7. Tommy Hines                           | Appointed by Ann Margolin – District 13                    |
| 8. Thomas Jefferson                      | Appointed by Jerry Allen – District 10                     |
| 9. Vicki Keene                           | Appointed by Delia Jasso – District 1                      |
| 10. Carl Raines, <b>Chairman</b>         | Appointed by Dwaine Caraway - District 4                   |
| 11. Felix Saucedo                        | Appointed by Sheffie Kadane – District 9                   |
| 12. Jacqueline Staley, <b>Vice-Chair</b> | Appointed by Mayor Pro Tem<br>Pauline Medrano - District 2 |
| 13. Anne Villarreal                      | Appointed by Ron Natinsky – District 12                    |

**Council Representative Vacancies (2) as of Oct 2010 to Sept 2011:**

Councilmember Alonzo representative – District 6

Councilmember Deputy Mayor Pro Tem Tennell Atkins representative – District 8

**Technical Advisory Committee:**

Lt. James Smith  
 Lt. Glen Edney  
 Deputy Sheriff Dickie Thomas

City of Arlington  
 City of Ft. Worth  
 Collin County

**Administrative Staff:**

A.C. Gonzalez, First Assistant City Manager  
 Jackie Middlebrooks, Assistant City Attorney  
 Deputy Chief Patricia Paulhill, Dallas Police Department, Internal Affairs Division  
 Shun Session, CMO Executive Assistant

## DALLAS CITIZENS POLICE REVIEW BOARD

**PROGRAMS**

The ordinance requires that Board members are provided two training classes per term. Three training classes were conducted during the Fiscal Year 2010-11. There were no member's of the Board that attended less than one-half of the scheduled training sessions.



# SUCCESS INDICATORS

## NUMBER OF CASES REVIEWED BY THE CITIZENS/POLICE REVIEW BOARD OCTOBER 2010 - SEPTEMBER 2011

|   | 2011 |     |     |     |     |     |     |     |      |      |     |      |        |
|---|------|-----|-----|-----|-----|-----|-----|-----|------|------|-----|------|--------|
|   | OCT  | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | TOTALS |
| <b>Monthly Summary of Case Complaints</b>                                 |      |     |     |     |     |     |     |     |      |      |     |      |        |
| Cases Investigated by IAD   | 27   | 34  | 32  | 16  | 23  | 43  | 30  | 36  | 45   | 33   | 31  | 34   | 381    |
| IAD Referrals to Division   | 22   | 16  | 26  | 29  | 23  | 19  | 19  | 10  | 28   | 23   | 19  | 27   | 261    |
| <b>Total IAD Cases Filed</b>  | 49   | 50  | 58  | 45  | 46  | 62  | 49  | 46  | 73   | 53   | 50  | 61   | 642    |
| Board Review of New Appeals   | 3    | 4   | 3   | 2   | 2   | 4   | 1   | 1   | 2    | -    | 2   | 3    | 27     |
| Board Review of Pending Appeals   | 1    | 1   | 2   | 2   | 1   | 0   | 2   | 1   | 1    | -    | 0   | 0    | 11     |
| Board Review of Shootings   | 0    | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0    | -    | 0   | 0    | 0      |
| Total Cases Reviewed By Board   | 4    | 5   | 5   | 4   | 3   | 4   | 3   | 2   | 3    | -    | 2   | 3    | 38     |
| Legal Opinions/Requests:<br>From Board Attorney                           | 0    | 1   | 0   | 0   | 0   | 0   | 0   | 0   | 1    | -    | 0   | 1    | 3      |
| <b>Case Disposition By The Board</b>                                      |      |     |     |     |     |     |     |     |      |      |     |      |        |
| Concur w/IAD or Division  | 2    | 1   | 2   | 1   | 2   | 1   | 1   | 0   | 1    | -    | 0   | 2    | 13     |
| Not Concur w/IAD or Division  | 0    | 1   | 1   | 0   | 1   | 0   | 1   | 0   | 1    | -    | 1   | 0    | 6      |
| Referred to CMO For Recommendation  | 0    | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0    | -    | 0   | 0    | 0      |
| Complainant's that were a No-Show   | 2    | 3   | 2   | 2   | 1   | 3   | 2   | 2   | 2    | -    | 2   | 0    | 21     |
| Dismissed for Lack of Jurisdiction/No issue to Consider/No Action/No Show | 0    | 0   | 1   | 1   | 0   | 0   | 1   | 1   | 0    | -    | 1   | 1    | 6      |
| Second/Additional Notices   | 1    | 1   | 2   | 2   | 1   | 0   | 2   | 1   | 1    | -    | 0   | 0    | 11     |
| Case Ret'd to IAD/Follow Report   | 0    | 0   | 2   | 0   | 0   | 1   | 0   | 0   | 1    | -    | 0   | 0    | 4      |
| Pending Litigation  | 0    | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0    | -    | 0   | 0    | 0      |
| Special Recognition of Dallas Police Officers                             | 0    | 0   | 0   | 1   | 0   | 1   | 1   | 0   | 0    | -    | 0   | 0    | 3      |

Notes: All complainants receive two notifications of the date and time scheduled on the agenda by regular mail. If the complainant does not attend after the second notification, the Board will dismiss their case without prejudice.

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## ANNUAL SUMMARY

### NUMBER OF TYPES OF CASE ALLEGATIONS REVIEWED BY THE CITIZENS/POLICE REVIEW BOARD OCTOBER 2010 - SEPTEMBER 2011

The Citizens Police Review Board reviewed 38 Cases, which included 23 Division Referrals and 15 IAD investigations. These cases represent 54 different types of allegations. A complainant may make several allegations, so the total number of allegations may not be the same as the number of case complaints actually reviewed by the Board. In the majority of instances, citizens fail to appear at the first scheduled hearing. Consequently, the citizen's complaint is carried forward as pending business for Board review at the next regularly scheduled meeting of the Board. Therefore, this report reflects the volume of work performed by the Board.

Indicated below are the types of case allegations reviewed by the Citizens/Police Review Board for October 2010 - September 2011:

|   |           |
|---|-----------|
| Breath test was not administered/offered            | 1         |
| Changed Arrest Report                               | 1         |
| Civil Rights Violated                               | 1         |
| Constitutional Rights Violated                      | 1         |
| Damage of Personal Property                         | 3         |
| Denied Medical Treatment                            | 2         |
| Excessive Force/Physical Abuse                      | 4         |
| Failed to fully investigate                         | 2         |
| Failed to file charges against an individual        | 1         |
| Failed to file an assault offense report            | 1         |
| Failed to follow established procedures             | 2         |
| Failed to provide reason for contact                | 1         |
| Failed to include important info on accident report | 1         |
| False Report (Inaccurate)/Arrest                    | 3         |
| Improper Conduct                                    | 3         |
| Improper Search                                     | 2         |
| Improper Use of Authority                           | 1         |
| Physically Intimidating                             | 1         |
| Racial Profiled                                     | 1         |
| Refused to give name/badge number                   | 2         |
| Rude  | 4         |
| Unprofessional Conduct                              | 3         |
| Verbal Abuse/Used Profanity                         | 6         |
| <b>TOTAL</b>  | <b>47</b> |

## SUMMARY

The Police Department has responded to these concerns and, in several notable instances, has reemphasized existing procedures which were not fully understood and re-evaluated and updated rules and training to better serve the community.

Using internal communications to officers such as Training Bulletins, articles published in the Newsletter and legal opinions, the Department has addressed the following concerns expressed by Board resolutions and suggestions. The following subjects grew out of complaints brought before the Board:

- Officers have been cautioned against allowing themselves to be drawn into civil disputes where they have no clear-cut authority. Such matters include child custody cases, repossession of automobiles, disagreements over property, debts, overtime claims and other matters where there is no implication of criminal offenses.
- The frequent claim that officers have refused to identify themselves to citizens with whom they have contact has been addressed by re-emphasizing the Department's long-standing requirement that they do so on demand.
- The Department is reworking its Training Bulletin to officers on dealing with citizens who are mentally handicapped. A case brought to the Board called attention to the need to update policy.
- The Department has agreed to review its "Zero Tolerance" policies in targeted neighborhoods to try to insure that law-abiding residents don't bear the brunt of these special enforcement efforts.
- Officers have been reminded in patrol briefings that they should inform citizens why they have been stopped or detained in all but very unusual circumstances.
- Both Internal Affairs Division and the City Attorney's Office have instituted streamlined procedures to assist citizens in accessing public records pertaining to their cases.

The consensus of Board members is that these responses have been positive accomplishment in reflecting the expectations of the community and in maintaining and improving the support of our citizens for our police department.

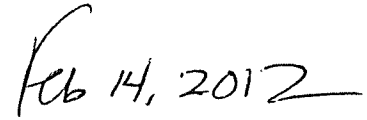
## SIGNATURE AND CERTIFICATION

The forgoing report meets all of the criteria set forth in the City of Dallas Code of Ordinances; Section 8-1.1. This report has been compiled based upon the input received from the Dallas Police Department Internal Affairs Division and Cases reviewed by the Members of the Dallas Citizens Police Review Board.



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Carl Raines, Chairman  
Dallas Citizens/Police Review Board



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Date