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CITY SECRETARY
DALLAS, TEXAS

COMMUNITY POLICE OVERSIGHT BOARD
DALLAS CITY BOARDS AND COMMISSIONS AGENDA

Public Notice

210431

POSTED CITY SECRETARY
DALLAS, TX

TUESDAY, May 11, 2021
VIRTUAL MEETING VIA WEBEX
5:30 P.M. – 8:30 P.M.
VIRTUAL MEETING

The Community Police Oversight Board meeting will be held by videoconference. The meeting will be broadcast live on Spectrum Cable Channel 95 and online at bit.ly/cityofdallastv.

The public may also listen to the meeting as an attendee at the following videoconference link:

<https://dallascityhall.webex.com/dallascityhall/onstage/g.php?MTID=e4e3b7ce0d8cd0c68def69698da173ae8>

Access Code: CPOB2021

AUDIO PHONE CONFERENCE LINE:

Event line: 408-418-9388 | **Access Code:** 187 647 2189

CALL TO ORDER

PUBLIC COMMENT/OPEN MICROPHONE

APPROVAL OF MINUTES

1. Approval of the April 13, 2021 Minutes [Board Chairman Enobakhare, Jr.]

Attachment: Minutes

BRIEFING ITEMS

2.
 - a. Part 1 Mental Health and Policing: View Tony Timpa Video [OCPO Director McClary]

Attachment: Memo

- b. Part 2 Mental Health and Policing: Right Care Program [OCPO Director McClary AND Tabitha D. Castillo, Interim Right Care Program Manager]

Attachment: Memo

- c. Part 3 Mental Health and Policing: Family of Edgar Tirado, Jr. Speak About Hopes for the Future [OCPO Director McClary AND Edgar, Sr. & Susana Tirado]

Attachment: Memo

A quorum of the City Council may attend this board meeting.

- d. Part 4 OCPO Mental Health Project [OCPO Director McClary]

Attachment: Memo

- e. CPOB Chair & OCPO Director Monthly Meeting with the DPD Chief of Police Eddie Garcia [CPOB Chairman, Enobakhare, Jr. & Monitor McClary, Office of Community Police Oversight]

Attachment: Memo

- f. Save the Date: RIGHT NOW! Panel Discussion & Community Forum on Policing May 18, 2021 at 6:00pm [Board Chairman Enobakhare, Jr.]

Attachment: Memo

- 3. Monthly Activity Report [OCPO Complaint Intake Specialist Woods]

Attachments: Monthly Activity Report Memo
 OCPO April Complaint Summaries
 Monthly Activity Chart

- 4. Board Training: “When Communities Try to hold Police Accountable, Law Enforcement Fights Back” [OCPO Director McClary]

Attachment: Memo & Washington Post Article

- 5. Board Training Schedule [Board Chairman Enobakhare, Jr.]

Attachment: Memo

- 6. Board Member Update on Scheduling Town Hall Meetings [All]

Attachments: Memo

UPCOMING MEETING

- 7. June 8, 2021

Attachments: Schedule

PUBLIC COMMENT/OPEN MICROPHONE

ADJOURN

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]

HANDGUN PROHIBITION NOTICE FOR MEETING OF GOVERNMENTAL ENTITIES

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

Community Police Oversight Board

Meeting Minutes

Agenda Item 1

The Community Police Oversight Board meetings are recorded. Agenda materials and recordings may be reviewed/copied by contacting the Board Coordinator at 214-671-8283.

Meeting Date: April 13, 2021

Convened: 5:46 p.m.

Adjourned: 8:37 p.m.

Board Member(s) Present:

Jesurobo Enobakhare, Jr., **Chair** – District 3

Jose Rivas, **Vice Chair** – District 7

Ozzie Smith – District 1

Jonathan E Maples – District 2

Loren Gilbert-Smith – District 4

Kristian Hernandez – District 6

Ronald Wright – District 8

Tami Brown Rodriguez – District 9

Ezekiel Tyson – District 10

Ejike E. Okpa – District 11

Deatra Wadsworth – District 12

David Kitner – District 13

Alan Marshall – District 14

Juan Olivo – District 15

Board Member(s) Absent:

Andre Turner – District 5

Staff Present:

Tonya McClary, OCPO Director

Kanesia Mitchell, City Attorney's Office

Kevin Williams, Special Investigator OCPO

Taylor Woods, Interim OCPO Board Coordinator/ Complaint Intake Specialist OCPO

AGENDA:

Call to Order: 5:46 p.m.

Public Comment/ Open Microphone

Public comments were received by two speakers.

1. Approval of Meeting Minutes for March 9, 2021 Meeting

A motion was made to approve the minutes from the March 9, 2021 Community Police Oversight Board meeting.

Motion made by Loren Gilbert Smith
Item passed unanimously: X
Item failed unanimously:

Motion seconded by Alan Marshall
Item passed on a divided vote:
Item failed on a divided vote:

2. Action Items

Desiree Howard Complaint Review Request

- a. Special Investigator Kevin Williams presented the Board with Desiree Howard's complaint request for review. Investigator Williams gave a brief synopsis of the complaints and turned it over to the Board for discussion.

(1) Board Chairman Enobakhare, Jr. asked if anyone wanted to make a motion for independent investigation of case CN 2019-014.

No Board member made a motion.

(2) Board Chairman Enobakhare, Jr. asked if anyone wanted to make a motion for independent investigation of case PIU 2019-042.

No Board member made a motion.

(3) Board Chairman Enobakhare, Jr. asked if anyone wanted to make a motion for independent investigation of case CN 2019-024.

No Board member made a motion.

(4) Board Chairman Enobakhare, Jr. asked if anyone wanted to make a motion for independent investigation of case CN 2019-044.

No Board member made a motion.

(5) Case CN 2019-047 was a complaint not filled by Ms. Howard, so the Board did not vote on this case. It was included for the Board's review so they could see the entirety of the issues that DPD dealt with surrounding Ms. Howard.

3. Briefing Items

a. CPOB Chair and OCPO Director Monthly Meeting with the DPD Chief of Police Eddie Garcia

The CPOB Chair and OCPO Director were not able to meet with Chief Garcia in April. However, they did meet with him on March 16, 2021 and gave the Board highlights of that meeting.

OCPO Director McClary let Board members know they can start doing ride alongs in their districts.

UPDATE: CPOB Recommended Policy Change for DPD General Orders Section 313.13 – Transportation and Handling of Prisoners, Section (A)(11) Discussion and Vote

- b.** Vice Chair Rivas brought this recommended policy change to the Board. The Board decided to send this recommendation to the policy subcommittee in which they voted unanimously to send the policy change and corrected language back to the full CPOB. On February 11th, the Board voted unanimously to send this recommendation to Chief Garcia. The recommendation was signed and implemented on February 24, 2021 by Chief Garcia and was added to DPD's General Orders.

Botham Jean Street Renaming Reflection

- c.** On March 27, 2021, the City of Dallas renamed a portion of Lamar Street to Botham Jean Boulevard. Chairman Enobakhare Jr. and Police Monitor McClary attended the ceremony and other event on behalf of OCPO and CPOB.

Update: CPOB Complaint from Spanish Version

- d.** Complaint Intake Specialist Woods gave an update on getting the form translated into Spanish and posted on the CPON and OCPO websites. Board members asked important questions like where the forms will be posted. For example, recreation centers, libraries, police substations, etc. They also expressed concerns on lack wording for the form. For example, immigration status and retaliation.

OCPO Review of DPD Protest General Orders

- e.** Police Monitor McClary is giving herself till August 2021 to do a review of DPD's Protest General Orders and to see if there are any recommendations that can be sent to Chief Garcia.

4. Monthly Activity Report

Complaint Intake Specialist Woods gave updates on complaints and inquiries received by OCPO for the Month of March. There were 100 complaints and inquiries received for the month. 40 were actual complainants against DPD officers and 60 were inquiries from the public regarding other issues related to policing. Police Monitor McClary disagreed so far with the outcomes of three complaints.

5. Board Training: How can Civilian Law Enforcement Help You?

Police Monitor McClary gave a brief training entitled: How can Civilian Law Enforcement Help You? The training covered the following 6 topics: Protect Civil Rights, Supports Effective Policing, Build Bridges, Increases Confidence in Police, Helps Manage Risk and Ensures Greater Accountability.

6. Board Training Schedule

There were 2 NACOLE meetings for the month:

- April 6th = A Systematic Review on Police Response to Large Scale Protest
- April 13th = How Can Civilian Oversight of Law Enforcement Help You

7. Board Members Update on Scheduling Town Hall Meetings

Ozzie Smith Dist. 1 – Nothing to report

Jonathan Maples Dist. 2 – Nothing to report.

Jesuorobo Enobakhare Dist. 3 – Will call a special community oversight meeting to discuss deaths in relation to low level offenses.

Loren Gilbert Smith Dist. 4 – Nothing to report

Andre Turner Dist. 5 – Nothing to report

Kristian Hernandez Dist. 6 – Nothing to report

Jose Rivas Dist. 7 – Nothing to report

Rev. Wright Dist. 8 - Nothing to report

Tami Brown Rodriguez Dist. 9 – Expressed because of election season it is a little difficult to do a townhall meeting with her council member until after the elections.

Ezekiel Tyson Dist. 10 – Nothing to report

Ejike E. Okpa Dist. 11 – Nothing to report

Deatra Wadsworth Dist. 12 – Nothing to report

David Kitner Dist. 13 – Nothing to report

Alan Marshall Dist. 14 – Will try to set up his hall meeting without his council member after election season.

Juan Olivo Dist. 15 – Nothing to report

8. Upcoming CPOB Meeting

May 11, 2021 at 5:30p.m.

Public Comment/ Open Microphone

There were no closing public comments.

Motion to Adjourn:

Motion made by Alan Marshall
Item passed unanimously: X
Item failed unanimously:

Motion seconded by Ezekiel Tyson
Item passed on a divided vote:
Item failed on a divided vote:

Adjourn: 8:37 PM

APPROVED BY:

ATTEST:

Chairman Jesuorobo Enobakhare
Community Police Oversight Board Chairman

Taylor Woods
Interim Community Police
Oversight Board Liaison

Memorandum Item 2A



CITY OF DALLAS

DATE May 11, 2021

TO Members of the Community Police Oversight Board

SUBJECT Part 1 Mental Health & Policing: Tony Timpa Case

May is Mental Health Month. The COVID-19 pandemic has had a profound impact on the mental health of people of all ages. Now, more than ever, it is critical to reduce the stigma around mental health struggles, because that stigma often prevents individuals from seeking help.

In 2021, the theme for Mental Health Month is “Tools 2 Thrive”, providing practical tools that everyone can use to improve their mental health and increase their resiliency regardless of their personal situation.

Mental health factors into the world of policing. According to the September 18, 2020 NPR show *All Things Considered*, “since 2015, nearly a quarter of all people killed by police officers in America have had a known mental illness. Injuries, too, are common although they are less carefully tracked. There's anecdotal evidence that botched encounters between police and people in a mental crisis are up during the pandemic”.

There have been examples of this across the country. For example, the shooting of a distraught 13-year-old boy with an autism spectrum disorder by Salt Lake City police after his mother called officers to report that her son was having "a mental breakdown." Then there's the police shooting of a homeless man in crisis in Buffalo, N.Y.



But right here close to home in Dallas, Texas is the death of Tony Timpa in 2016. Here are some of the basic facts: At about 10:30 p.m. local time on the night of August 10, 2016, Timpa was taken into custody. Timpa was in the parking lot of a Dallas porn store when he called police, telling a dispatcher he suffered from schizophrenia and depression. He told the dispatcher he was not taking his medication.

Timpa was initially restrained and handcuffed by private security officers before Dallas police arrived on the scene.

The Dallas Morning News quotes a DPD press release more than a year later, dated December 7, 2017, that stated Timpa was arrested “due to his erratic behavior.”

“During the arrest, he was combative and aggressive. While taking Mr. Timpa into custody, he was subjected to physical restraint and was later pronounced deceased,” the release said.

The release said the Dallas County Medical Examiner ruled the death a homicide and determined Timpa “died of sudden cardiac arrest, secondarily caused by the toxic effects of cocaine and stress associated with physical restraint.”

The case is still on appeal therefore, the CPOB and OCPO can not conduct an independent investigation at this time. However, OCPO Director McClary thought it was important for the Board to see what can happen when the police encounter someone in a mental health crisis.

The video of Timpa’s death was released to the public by the Dallas Morning News and can be found on the internet at various websites including YouTube.

A copy of the NPR article that was quoted in this memorandum is attached; “*Mental Health And Police Violence: How Crisis Intervention Teams Are Failing*” by Eric Westervelt.

Tonya McClary
OCPO Director

Cc: T.C. Broadnax, City Manager



Mental Health And Police Violence: How Crisis Intervention Teams Are Failing

September 18, 2020 5:00 AM ET

Heard on All Things Considered

ERIC WESTERVELT



Demonstrators march through the streets of Rochester, N.Y., earlier this month protesting the death of Daniel Prude, apparently stopped breathing as police were restraining him in March.

Adrian Kraus/AP

Nationwide protests over police accountability and racial justice have reenergized longstanding efforts to fundamentally change how police departments respond to someone in a mental health

emergency. Many are calling for removing or dramatically reducing law enforcement's role in responding to those crisis calls unless absolutely necessary.

Since 2015, nearly a quarter of all people killed by police officers in America have had a known mental illness. Injuries, too, are common although they are less carefully tracked. There's anecdotal evidence that botched encounters between police and people in a mental crisis are up during the pandemic. One of the many examples: the recent shooting of a distraught 13-year-old boy with an autism spectrum disorder by Salt Lake City police after his mother called officers to report that her son was having "a mental breakdown." The teenager is recovering from serious wounds. Then there's the recent police shooting of a homeless man in crisis in Buffalo, N.Y.

Still, many departments appear reluctant to abandon a widely-used program for handling mental health and substance abuse crisis calls, called crisis intervention teams or CITs, even though the programs have proved largely ineffective. Even some proponents and trainers of CITs now say the model has been misread and poorly implemented by many departments.

Vivid example of the shortcomings of CITs

Rochester had created one of New York state's first crisis intervention teams. And the March asphyxiation death of Daniel Prude there during a police confrontation, which has badly shaken the city and its police and political structure, offers a vivid example of the shortcomings and misreading of CITs. Around 3 a.m. on March 23, Daniel Prude was unraveling. A light snow was falling when police confronted him. The 41-year-old Black man was wandering the street, naked and babbling. He was suffering a mental breakdown exacerbated by drug abuse.

Officers handcuffed Prude and put a hood over his head, apparently to stop him from spitting at them. It was the early weeks of the coronavirus pandemic in the state. Three officers pinned Prude to the ground as he became increasingly agitated. They pressed his face into the pavement for two minutes, one officer pushing heavily on Prude's head, according to bodycam video of the encounter. Prude stopped breathing. He was taken off life support at a local hospital a week later.

"I placed the phone call for my brother to get help, not for my brother to get lynched," said Joseph Prude, who told police that his brother, Daniel, was having a mental breakdown and was on drugs.

Daniel, who had recently arrived at his brother's from Chicago, had already been seen by a local hospital for erratic behavior and suicidal thoughts the previous day.

A lawsuit by the Prude family says Prude was undergoing an "acute manic, psychotic episode." The Monroe County medical examiner ruled his death a homicide, citing asphyxia due to physical restraint by police and acute intoxication from the drug PCP as causes of death.

"We know what happened that night for Mr. Daniel Prude, and we don't want to see any more names," says Krystal Schulik a drug and alcohol counselor in Rochester.

No to handcuffs, hoods. Yes to calm talk, de-escalation

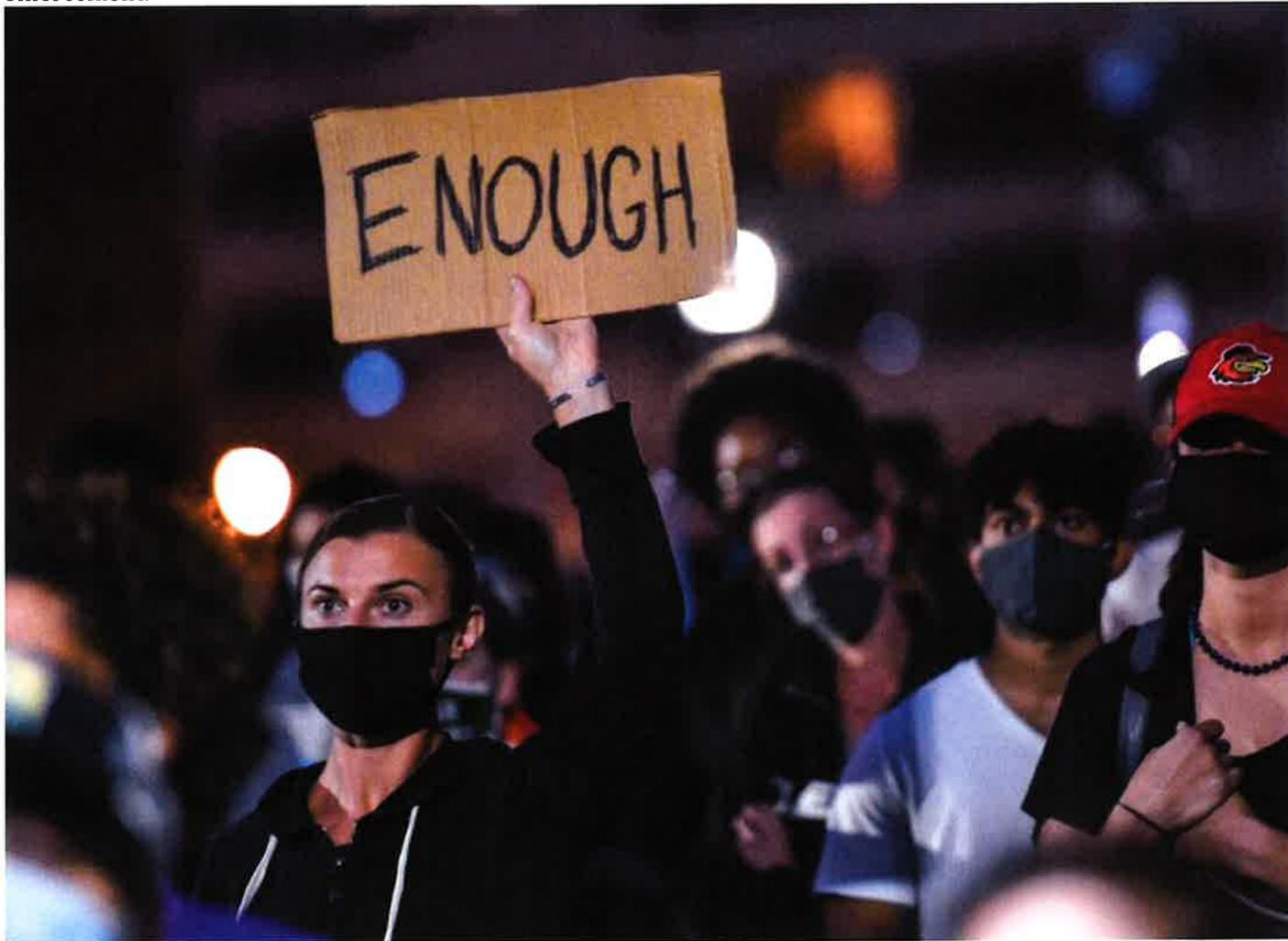
Schulik and many others in the mental health field in the city are trying to change how the police respond to these kinds of crisis calls. No to handcuffs and hoods. Yes to calm talk and careful de-escalation.

"Change your tone of voice, your body language, hell, you might have to get on the ground with him! Give him eye contact. All of that is so important when deescalating such a scale of an event," she says of the Prude case. "He was not well."

Some Rochester police, in theory, were trained to do just that – to recognize and deescalate confrontations with someone in a mental health meltdown; someone just like Daniel Prude. Rochester created its Crisis Intervention Team in 2004 after a case similar to Prude's.

These teams and their trainings grew out of Memphis, Tenn., in 1987 after police fatally shot Joseph DeWayne Robinson, 27-year-old who was in a mental crisis and cutting himself with a butcher knife.

CIT programs and trainings soon spread from Memphis to thousands of departments across the country. Yet despite the proliferation and popularity of what came to be called the "Memphis Model" some key people who advocate for the program say it has often been misapplied and misconstrued by law enforcement.



Demonstrators gather during a rally in Dr. Martin Luther King, Jr. Memorial Park in Rochester, N.Y., Friday, Sept. 4 to protest the death of Daniel Prude.

Adrian Kraus/AP

'They're not doing anything about what a CIT really is'

" 'All we have to do is give them little training, and send them out there to handle crisis situations.' That's the kind of mentality, the thought process, that we have utilized for way, way too long," says Ron Bruno, who had a 25-year career as a police officer and is now executive director of Crisis Intervention Team International. The group runs trainings and works to change the dynamic between law enforcement and people in a mental health crisis.

Bruno says a handful of departments have done it right. But others, too often, see CIT training as merely as a check-the-box, 40-hour exercise. "They're not doing anything about what a CIT really is," he says.

The biggest breakdown, Bruno and others say, is that cities and counties too often fail to carefully integrate the program into the wider behavioral mental health care system and route calls away from police. "If you keep throwing money at training officers, and that's all you do, and not address the system around mental health care, you'll continue to have nothing but problems."

To critics, the way these crisis teams have been built and proliferated is yet another example of police tinkering with reforms that look nice for police chiefs and mayors but fail actually to make substantive change.

A non-law-enforcement crisis response team

Woefully inadequate mental health services across the country means police are usually the first to respond to someone in a mental health and/or substance abuse crisis. It's estimated that those situations make up at least 20% of police calls for service. When done right, advocates say, mental health crisis teams remove police from responding, unless absolutely necessary.

"We need to build community resources that can respond and take care of a crisis without having law enforcement involved," Bruno says. "If we build the crisis response system, that is non-law enforcement, we will get more people connecting before it hits that level of danger."

He says the moment is now ripe for more cities to create specially trained, mobile crisis response teams made up of mental health clinicians, medical professionals and, perhaps, peer support specialists who've been through mental health or drug and alcohol challenges. People who can lend an empathetic ear, deescalate, and help channel the person to services, not jail.

"All I'm talking about is a non-law enforcement crisis response team. Whatever disciplines you want to make up that team, it works," Bruno says.

But that's rarely happening.

Only a very few cities have created that kind of system. But there is a pioneering program in Eugene, Ore. There, a three-decade-old program named Crisis Assistance Helping Out On The Streets or CAHOOTS created by White Bird Clinic runs mobile crisis intervention response teams that are tied directly to the area's 911 system.

Timothy Black, White Bird's consulting director, is leading efforts to help other communities replicate the CAHOOTS-style program. One of the biggest obstacles in scaling this kind of program, Black says, is overcoming the widely held perception that people in a mental health crisis are inherently dangerous. "It's our experience that folks in crisis just aren't dangerous," Black tells NPR.

"If we can shift away from really applying morality to these situations we start to recognize that, you know, these crises of all emerge because a need has gone unmet. And the response is really about meeting people where they're at and identifying those needs and supporting somebody."

Experience there shows the responses, except in very rare cases of violence, he says, are best handled by clinicians and medical professionals. "It's really, really a misnomer to say that the only response [to] people in crisis can be a response that involves the tools of force, like a badge, a gun, and handcuffs."

No replacement for adequate mental health care system

Still, police crisis intervention teams remain the dominant model. They've been around for more than 30 years and have spread to more than 2,700 departments.

Yet few of them carefully track the program's outcomes or have clear benchmarks to measure success.

"One of the things that has been missing from the conversation until quite recently is that it's still no replacement for an adequate mental health care system in a community," says professor Christy Lopez who directs the Innovative Policing Program at Georgetown Law.

She says these police crisis teams have proved useful and important, but only to a point. "It's often using police officers to address a problem when they're not needed and might even make things worse. I wouldn't say it's window dressing, but I think it can be problematic if it makes us think that's all we need to do," Lopez says.

A study last year in the Journal of the American Academy of Psychiatry and the Law concluded that police crisis intervention teams have only modestly helped reduce arrests of people with a mental illness and kept them out of the criminal justice system.

"The (CIT) programs have been effective in that way, that there are more people who are brought to psychiatric emergency rooms or to behavioral health clinics than down to the Hall of Justice," says Dr. Reneé Binder, who directs the Psychiatry and Law Program at the University of California, San Francisco, and was one the authors of the crisis team study. "Because people who have psychiatric issues don't belong in jail and practically everybody agrees with that."

But Binder says the study also concluded that CITs have failed in a fundamental goal: to deescalate and reduce violence to citizens and police alike. "It hasn't shown any consistent reduction in the risk of mortality or death during emergency police interactions," she says. "So it has not significantly decreased the number of individuals who are killed or injured."

Rochester Mayor Lovely Warren has apologized for what she called multiple, systemic failures that led to Prude's death, including longstanding racial inequities in the city. "Daniel Prude was failed by our police department, our mental health care system, our society. And he was failed by me," Warren told a press conference. Warren, who is African American, called for facing racism head on and vowed to do more herself.

"We cannot continue to fail Black lives this way. We can't improve our city or improve our nation until we face the reality, the undeniable truth: Racism is alive and well in every system in America. And the buck stops here today with me at City Hall," Warren said.

Rochester police would not respond to detailed questions about its crisis intervention team or whether any of the officers in the Daniel Prude case had any of that training.

Last fall, five months before Prude's death, Sgt. Steve Boily, who was then the commander of Rochester's CIT, said in an interview with local TV station WHAM that the program was effective and working well. But Boily also conceded that additional crisis training was unlikely to be enough. "Some people are too ill, too angry, too violent that no matter what training, some bad things are gonna happen," he told the station.

"Some bad things are gonna happen" now echoes eerily prescient in Rochester where the police chief has been fired, street protests continue and Prude's family is demanding answers, changes and justice.

NPR's Liz Baker contributed to this story.

Memorandum Item 2B



CITY OF DALLAS

DATE May 11, 2021

TO Members of the Community Police Oversight Board

SUBJECT Part 2 Mental Health & Policing: Right Care Program

May is Mental Health Month and mental health factors into the world of policing. According to the September 18, 2020 NPR show *All Things Considered*, “Woefully inadequate mental health services across the country means police are usually the first to respond to someone in a mental health and/or substance abuse crisis. It's estimated that those situations make up at least 20% of police calls for service. When done right, advocates say, mental health crisis teams remove police from responding, unless absolutely necessary”.

In the City of Dallas, a Rapid Integrated Group Healthcare Team (Right Care) was piloted and launched at the Southcentral patrol division in January 2018. This multidisciplinary team provides access to mental health services in an area of Dallas that has the highest rate of behavioral health crisis calls and a lack of readily available resources.

Right Care provides a multidisciplinary team capable of immediate mobilization and response 16 hours per day, 7 days per week for individuals suffering a behavioral health crisis. The team is comprised of three distinct but integrated components. These include:

- Licensed mental health clinician
- Paramedic
- Law enforcement

The Right Care Program is expanding.

- As of March 24, 2021, there are a total 5 teams providing citywide coverage.
- For FY2022, there will be additional 5 teams added, for a total of 10 teams operating throughout the city.

In addition to expanding from one team to five teams, the RIGHT Care program will now include a North Texas Behavioral Authority (NTBHA) 911 Dispatch Community Care Coordinator, Qualified Mental Health Professionals stationed in the 911 call center to assist with behavioral health calls and RIGHT Care team referrals.

The program is operational seven days a week, and made up of two shifts, the hours are 7:00am – 3:00pm and 3:00pm – 11:00pm.

OCPO Director McClary is excited to have representatives of the Right Care Program speak to the Board about what it does and how it works. Director McClary is hoping to bring this Program back to the Board at a future meeting. At that future meeting there will hopefully be a representative from all the partner agencies that bring this program together.

The Right Care Program staff provided materials for the Board to review. They are listed below and attached to this memorandum:

1. Rapid Integrated Group Healthcare Team (Right Care) overview.
2. Expansion of the Right Care Program overview.
3. Right Care Program brochure in English.
4. Right Care Program brochure in Spanish.

Tonya McClary
OCPO Director

Cc: T.C. Broadnax, City Manager

Rapid Integrated Group Healthcare Team (Right Care)

According to the National Alliance on Mental Illness (NAMI), 43.8 million adults in the U.S. experience mental illness each year. People with mental illness aren't necessarily more likely to be violent or prone to criminal behavior than anyone else. However, when someone is experiencing a mental health crisis, people often call 9-1-1 and police are sent to the scene. Studies show that people with mental illness are 16 times more likely to be killed by police than other suspects. According to the Washington Post, one-quarter of police shootings in 2015 involved people "in the throes of emotional or mental crisis."

The city of Dallas averages over 13,000 mental health calls annually. Police officers receive training in crisis intervention and deescalation but are not qualified mental health professionals which are needed to intervene in a situation involving a mental health crisis. The city recognized that police confrontations involving people with mental illness can escalate quickly and can put everyone involved in danger. The city set out to create a safer non-law enforcement response to behavior health crisis calls.

Community Safety and Equity

The Right Care Team pilot project at the Southcentral patrol division officially launched in January 2018. This multidisciplinary team provides access to mental health services in an area of Dallas that has the highest rate of behavioral health crisis calls and a lack of readily available resources.

Right Care provides a multidisciplinary team capable of immediate mobilization and response 16 hours per day, 7 days per week for individuals suffering a behavioral health crisis. The team is comprised of three distinct but integrated components. These include:

- Licensed mental health clinician
- Paramedic
- Law enforcement

Greater Efficiency

Mental health calls present a large demand and challenge for police officers and emergency medical personnel. The response to these dangerous calls utilize a significant number of resources. When a severe crisis call comes in to the 911 center the police department dispatches four officers and a supervisor along with an ambulance. With the creation of Right Care the burden on law enforcement and EMS resources can be lessened. Upon the arrival of the multidisciplinary Right Care team these scarce resources can be redirected to other emergency calls. Since 2018 the Right Care team has over 4600 responses to crisis intervention calls, proactive follow up care visits and referrals. This proactive response has been a factor in the reduction of crisis intervention calls at the Southcentral Patrol division.

In addition to the Right Care field response a clinician is embedded in the 911 Call Center. The clinician serves as a resource to 9-1-1 call takers and assists in appropriately identifying mental health calls.

Year	Mental Health Calls with Ambulance at Southcentral	
2017	643	(Prior to Right Care)
2018	526	
2019	453	
2020 YTD	276	

The Dallas Police Department experienced a **29.5 percent** reduction in mental health calls to 911 requiring an ambulance response from 2017 to 2019, and the response time to clear the scene of a call has decreased dramatically.

De-criminalizing Mental Illness

The goal of Right Care is to divert people experiencing a mental health crisis in the community away from jail or unnecessary hospitalization. That goal is accomplished by putting paramedics and behavioral health care clinicians at the forefront of mental health calls and providing more appropriate community-based behavioral health care as soon as possible.

The team ensures continuity of care through prevention and intervention services for persons in crisis and reduces the chances of the individual becoming placed in the criminal justice system. Studies indicate in jurisdictions that solely utilizing law enforcement to address mental health crisis situations, people with severe mental illnesses end up getting arrested for low level criminal offenses or involuntarily taken to psychiatric emergency hospitals, instead of getting the appropriate care and effective treatment. The National Alliance on Mental Illness reports that every year, 2 million people with mental illness are placed in jail.

Prior to the establishment of the Right Care team, Dallas police officers had few options other than arrest of individuals in crisis. In 2018, Right Care was utilized to provide treatment and care for individuals in crisis as opposed to arrest.

Involuntary commitment arrests have been reduced as follows:

Year	Arrests for involuntary commitment by DPD.	
2017	1675	(Prior to Right Care)
2018	1520	
2019	1259	
2020 YTD	659	(On pace for 1161 annual total)

In 2020 the Right Care team has participated in over **1800** mental health calls, follow up and outreach care visits. The number of arrests, rearrests, and apprehensions of people experiencing a mental health crisis has also declined, and Parkland Health and Hospital System has seen a reduction in the rate of people who return to the emergency department.

Expansion of the RIGHT Care Program

Talking Points

- The City of Dallas is dedicated to serving all Dallas residents, including those who live with mental illness.
- Due to commitment made by the City Manager, through the R.E.A.L. Change Initiative, the city will be expanding RIGHT Care to serve residents citywide.
- The Rapid Integrated Group Healthcare Team (RIGHT) Care Program is a multidisciplinary team, made up of one DPD officer, DFR paramedic, Parkland Hospital Licensed Behavioral Health Specialist, and North Texas Behavioral Health Authority Clinician.
- The purpose of this team is to respond to members of the community experiencing mental health crisis, and to divert them from jail or hospitalization and to further provide them with a continuity of care through prevention and intervention services.
- The goal of the Right Care program is to divert residents experiencing mental health crisis away from unnecessary hospitalization or jail time.
- The Right Care program ensures an immediate, community based behavioral healthcare and ensures continuity of care through prevention and intervention services, throughout the city with a focus on traditionally marginalized communities.
- The City of Dallas average over 13,000 mental health calls annually and recognizes that law enforcement, although trained in Crisis Intervention and de-escalation are not qualified to intervene and resolve a mental health crisis.

New Program overview:

- In addition to expanding from one team to five teams, the RIGHT Care program will now include a North Texas Behavioral Authority (NTBHA) 911 Dispatch Community Care Coordinator, Qualified Mental Health Professionals stationed in the 911 call center to assist with behavioral health calls and RIGHT Care team referrals.
- The program is operational seven days a week, and made up of two shifts, the hours are 7:00am – 3:00pm and 3:00pm – 11:00pm.
- Each unit deploys from the assigned police patrol station. Each team, one vehicle will cover a designated division of the city and will assist if needed in other parts of the city.
- The public can contact the Right Care Team by dialing 9-1-1 for behavioral health crisis.



Team Members:

Dallas Police Department – 10 full time officers

Dallas Fire Rescue – 14 full time paramedics

Parkland Hospital – 10 full time licenses behavioral health clinicians / 4 part-time behavioral health clinicians

North Texas Behavioral Health Authority – 7 full time dispatchers

Expansion Timeline:

- As of March 24, 2021, there are a total 5 teams providing citywide coverage.
- For FY2022, there will be additional 5 teams added, for a total of 10 teams operating throughout the city.

Impact:

Pilot program successes

- DPD has saved the equivalent of over 1 ½ full time police officer, or 75 weeks of time, being added back to patrol time since inception of the program.
- Since 2017-2019, The RIGHT Care program in the South Central Division has experienced successes, where the Dallas Police Department saw a 29.5% reduction in mental health calls to 911 requiring an ambulance.
- Since 2018, the Right Care team has responded to over 4,600 calls, including crisis intervention calls, pro-active follow up care and visits.
- The Right Care Program decriminalizes mental illness. Prior to the pilot program, Dallas police officers had few options other than arrest individuals in crisis. Prior to Right Care – 2017 (1675 arrest made) After Right Care – 2020 (659 arrest made)

Call-to-Action:

- Spread the word about the Right Care Program.
- Support local mental health non-profits – shelters and clinics.
- Support mental health awareness education.
- Support funding of mental health services at the local and state level
- Mental Health Awareness Month in May

Office of Integrated Public Safety Solutions
City of Dallas
1500 Marilla Street, 2CN
Dallas, Texas 75201





PROACTIVE COMMUNITY OUTREACH AND INTERVENTION

- Deployment of the RIGHT Care team in Dallas provides immediate proactive intervention and follow-up services.
- Evaluating call data and accepting referrals from law enforcement, hospitals, family members and community behavioral health.
- Reducing over-utilization of emergency services for chronic needs with engagement and outreach services linking to care.
- Mobile integrated care for a "360-degree assessment" and service linkages.
- Follow up from emergency detentions to ensure appropriate service linkages and engage patient into care systems.

RAPID RESPONSE FOR MENTAL HEALTH EMERGENCY CALLS

- Full assessment of social needs, medical needs, mental healthcare needs, victimization and safety factors.
- Determine most appropriate action, which may not always be hospital transport and emergency detentions.

CONTACT US

RIGHTCare PROGRAM

Office of Integrated
Public Safety Solutions

1500 Marilla Street
Dallas, Texas 75201



RIGHTCare PROGRAM



Rapid Integrated Group Healthcare Team

The Team



A FIRE DEPARTMENT PARAMEDIC
(DALLAS FIRE-RESCUE)



A LAW ENFORCEMENT OFFICER
(DALLAS POLICE DEPARTMENT)



Parkland

A LICENSED MASTERS LEVEL MENTAL
HEALTH CLINICIAN
(PARKLAND HEALTH & HOSPITAL SYSTEM)



QUALIFIED MENTAL HEALTH
PROFESSIONALS
& DISPATCH COMMUNITY CARE COORDINATORS

The RIGHT Care Team determines patient disposition, to include on-scene crisis de-escalation and stabilization in place, navigation to outpatient resources, or transport directly to a behavioral health facility.

Objective

A MULTIDISCIPLINARY TEAM CAPABLE OF IMMEDIATE MOBILIZATION AND RESPONSE AIMING TO:

- Provide comprehensive on-site services to persons experiencing a behavioral health crisis.
- Provide prevention and intervention services for persons who chronically use emergency systems for behavioral healthcare needs.
- Ensure continuity of care following stabilization of scene, hospital transport or emergency detention.
- Disengage emergency responders from mental health calls to be made available for high priority calls.



Roles

- Paramedic performs field assessment, including physical examination of vital signs and assessment of the need for emergency treatment &/or transport.
- Law enforcement officer provides scene safety, assesses for victimization, and addresses law enforcement issues.
- Behavioral health clinician (Field) provides a definitive mental health evaluation and assesses for ongoing needs, providing service linkage and appointments.
- Behavioral health clinician (Dispatch) Works directly with the 911 call center staff to assist callers who are experiencing a mental health crisis, identify the most appropriate resources for the caller, and assist Multidisciplinary Team in the field.





DIFUSIÓN E INTERVENCIÓN PROACTIVA EN LA COMUNIDAD

- El despliegue del equipo RIGHT Care en Dallas proporciona una intervención proactiva inmediata y servicios de seguimiento.
- Evaluar los datos de llamadas y aceptar referencias de las fuerzas del orden, los hospitales, los familiares y la salud conductual de la comunidad.
- Reducir la sobreutilización de los servicios de emergencia para las necesidades crónicas con servicios proactivos y de comunicación que hagan el enlace con la atención médica.
- Atención móvil integrada para una "evaluación de 360 grados" y enlaces con servicios médicos.
- Seguimiento de las detenciones de emergencia para garantizar vínculos a servicios adecuados e involucrar al paciente en los sistemas de atención.

RESPUESTA RÁPIDA PARA LLAMADAS DE EMERGENCIA DE SALUD MENTAL

- Evaluación completa de las necesidades sociales, médicas, de salud mental, de victimización y los factores de seguridad.
- Determinación de la acción más apropiada, que puede no ser siempre transporte hospitalario y detenciones de emergencia.

CONTÁCTENOS

RIGHTCare PROGRAM

Oficina de Soluciones Integradas
de Seguridad Pública

1500 Marilla Street
Dallas, Texas 75201



City of Dallas

RIGHTCare PROGRAM

Equipo de Atención Médica
Integrada Rápida

El Equipo



UN PARAMÉDICO DEL
DEPARTAMENTO DE BOMBEROS
(DEL PARTAMENTO DE BOMBEROS DE DALLAS)



UN OFICIAL DE ORDEN PÚBLICO
(DEL PARTAMENTO DE POLICÍA DE DALLAS)



Parkland
UN MEDICO CLÍNICO DE SALUD MENTAL
DE NIVEL DE MAESTRÍA CON LICENCIA
(PARKLAND HEALTH & HOSPITAL SYSTEM)



PROFESIONALES DE SALUD MENTAL
CUALIFICADOS
COORDINADORES DE ATENCIÓN
COMUNITARIA DEL 911

El equipo de RIGHT CARE determina la disposición del paciente, que incluye y propicia la desescalada y estabilización de la crisis en el lugar, la orientación sobre servicios ambulatorios o transporte directo a un centro de salud mental y conductual.

Objetivo

UN EQUIPO MULTIDISCIPLINARIO CON CAPACIDAD DE MOVILIZACIÓN Y RESPUESTA INMEDIATA CON EL OBJETIVO DE :

- Proporcionar servicios integrales in situ a las personas que sufren una crisis de salud mental y conductual.
- Proporcionar servicios de prevención e intervención para las personas que utilizan crónicamente los sistemas de emergencia para las necesidades de atención de salud mental y conductual.
- Garantizar la continuidad de la atención tras la estabilización de la escena, el transporte hospitalario o la detención de emergencia.
- Desvincular a los socorristas de las llamadas de salud mental para que estén disponibles para llamadas de alta prioridad.



Roles

- El paramédico realiza evaluación de campo, incluyendo el examen físico de los signos vitales y la evaluación de la necesidad de tratamiento de emergencia y/o transporte.
- El oficial de orden público proporciona seguridad en la escena, evalúa la victimización y aborda los problemas de las fuerzas del orden.
- El médico clínico de salud mental y conductual (Campo) proporciona una **evaluación definitiva de la salud mental** y evalúa las necesidades continuas, proporcionando enlaces con el servicio y citas.
- El médico clínico de salud mental y conductual (Dirige) trabaja directamente con el personal del centro de llamadas del 911 para ayudar a las personas que llaman y que están experimentando una crisis de salud mental, **identifica los recursos más adecuados para la persona que llama** y ayuda al equipo multidisciplinario en el campo.

Memorandum Item 2C



CITY OF DALLAS

DATE May 11, 2021

TO Members of the Community Police Oversight Board

SUBJECT Part 3 Mental Health & Policing: Family of Edgar Tirado, Jr. Talk About Hopes for the Future

May is Mental Health Month and mental health factors into the world of policing.

On the evening of April 19, 2021 Edgar Luis Tirado, Jr. was shot and killed by members of the Dallas Police Department (DPD) on the LBJ Freeway. According to DPD Mr. Tirado, Jr. had been on a crime spree and pointed a weapon at multiple people at each location and also pointed his weapon at police.

After Mr. Tirado, Jr. was killed, DPD learned that the gun he had displayed was a “replica gun”. At a press conference the next day, April 20, 2021 DPD Chief Eddie Garcia released photos of the gun that he stated Tirado, Jr. had displayed. See phot below:



When the family of Edgar Tirado, Jr. came to Dallas to identify and claim his body a different picture of Edgar, Jr. began to unfold. His parents, sisters and others talked about the Edgar they remembered. A young man that was full of joy, had lots of friends and was very talented. At one point in his life Edgar was ranked one of the top trumpet players in the State of Texas. While sharing the memories that made them smile with joy remembering him, Edgar, Jr.’s family also talked about his battle with mental illness as a young adult and the steps they had taken over the years and recently to get him help.

Edgar’s parents have a message they want to share with the world about the dangers of mental health. They are determined to help prevent this from happening to other families.

Director McClary invited Edgar’s parents, Edgar, Sr. and Susana Tirado to share their story with the CPOB. It is Director McClary’s hope that OCPO and the Board will work with the Tirado family to help strengthen awareness about mental health and policing.

Below are pictures that the Tirado family shared with media and OCPO of Edgar, Jr.



Because this case is an open investigation in DPD, the Board will not be discussing the merits or details of the case at this meeting.

Tonya McClary
OCPO Director

Cc: T.C. Broadnax, City Manager

Memorandum Item 2D



CITY OF DALLAS

DATE **May 11, 2021**

TO **Members of the Community Police Oversight Board**

SUBJECT **Part 4 Mental Health & Policing: OCPO Mental Health Project**

May is Mental Health Month and mental health factors into the world of policing.

Since OCPO opened its doors on October 1, 2019 it has received many complaints from civilians that have come in contact with DPD officers related to mental health issues.

When reviewing the comparands and talking with concerned members of the community it is clear that there are some things that need to be addressed regarding this issue.

OCPO will be teaming up with mental health professions and community members to launch a project to review DPD General Orders that have to do with mental health. The goal of the project is to ensure that DPD has the best practices.

The team will also look at doing public education to alert the public about what police officers can and cannot do if they place a call to 911 solely because a person is in a mental health crisis. For example, many members of the public are not aware that a DPD officer does have the authority to bring a person suffering from a mental health crisis to a medial/ mental health professional for an evaluation if certain criteria are met.

The team will also look at bringing other recommendations that will strengthen and enhance issues regarding mental health and policing in Dallas.

Tonya McClary
OCPO Director

Cc: T.C. Broadnax, City Manager

Memorandum Item 2E



CITY OF DALLAS

DATE **May 11, 2021**

TO **Members of the Community Police Oversight Board**

SUBJECT **CPOB & OCPO Monthly Meeting with DPD Police Chief**

Every month CPOB Chairman Enobakhare, Jr. and OCPO Director McClary meet with DPD Police Chief Eddie Garcia.

Chairman Enobakhare, Jr. will inform CPOB members what was discussed at the May 11, 2021 meeting.

Tonya McClary
OCPO Director

Cc: T.C. Broadnax, City Manager

Memorandum Item 2F



CITY OF DALLAS

DATE May 11, 2021

TO Members of the Community Police Oversight Board

SUBJECT SAVE THE DATE:

At the April 13, 2021 CPOB meeting, Chairman Enobakhare, Jr. announced that he wanted to have a community forum the following week regarding policing.

On the day, the forum was to take place the verdict in the Derek Chauvin trial was announced and a young woman was shot and killed by police.

Chairman Enobakhare, Jr. in consultation with City leaders decided to postpone the event and schedule it at a future date which would hopefully ensure that there was adequate time to advertise the event and to also ensure that community members in Dallas, as well as, civic and community leaders could participate.

Title: RIGHT NOW! PANEL DISCUSSION & COMMUNITY FORUM ON POLICING

New date and time for the event is May 18, 2021 from 6:00 pm -8:00 pm.

There will be a panel discussion and discussion with the community.

Confirmed panelists:

- TC Broadnax, City Manager City of Dallas
- Sara Mokuria, Co-founder Mothers Against Police Brutality
- Joan Sessoms Ford, Esq. Former Federal Civil Rights Agency Executive
- Dominique Alexander, President Next Generation Action Network
- Pastor Michael Waters, Founder & Lead Pastor Abundant Life AME Church
- OCPO Director Tonya McClary

Chairman Enobakhare, Jr. will moderate the panel and the event.

The hope going forward is that OCPO & CPOB will host a forum quarterly.

The Chairman is hoping that as many CPOB appointed and community members can attend the event as possible.

Tonya McClary
OCPO Director

Cc: T.C. Broadnax, City Manager

Memorandum 3



CITY OF DALLAS

DATE May 11, 2021

TO Members of the Community Police Oversight Board

SUBJECT **Office of Community Police Oversight April 2021 Report**

Attached you will find the April monthly complaint statistical report from the Office of Community Police Oversight (OCPO). This report provides a summarization of the total number of External complaints turned into the OCPO and IAD, the source of the complaints, and the disposition of the complaints. Also attached is an external Complaint Workflow Process diagram and general definition document that defines categories for no investigation which are listed as “No Investigation” on the monthly reports.

Attached are also summaries of the complaints and inquires received by OCPO in April.

The external complaints for May are in the review process and will be provided once this information has been completed.

Please do not hesitate to reach out should you have any questions or concerns.

Tonya McClary
Police Monitor

cc: T.C. Broadnax, City Manager

External Administrative Complaints Received as of 5/3/2021 for Fiscal Year 2020-2021

Total External Complaints by Source	Oct		Nov		Dec		Jan		Feb		March		April		May		June		July		Aug		Sept		
	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO									
DPD Total	68	0	61	0	67	0	75	0	58	0	76	0	66	0	0	0	0	0	0	0	0	0	0	0	
External Email	38		36		34		44		28		35		45												
External Fax							1		1				1												
External Letter	7		5		7		4		5		3		4												
External Telephone	1				1						1		1												
External Online Form	5		11		10		12		16		10		3												
External Walk-in DPD	17		9		15		14		8		27		12												
OCPO Total	21	18	30	28	20	17	23	23	19	18	34	40	27	23	0										
External Email OCPO	1	6	2	13	6	7	2		9	8	10	23	6	14											
External Fax OCPO							14						1												
External Letter OCPO	2	4	1	2		1					2	2	1	1											
External Telephone OCPO		8		13		9		9				14		8											
External Online Form OCPO	18		27		13		20		10	10	22		16												
External Walk-in OCPO					1		1						1	3											
Grand Total	89	18	91	28	87	17	98	23	77	18	110	40	93	23	0										
External Complaints Processed by Internal Affairs as of 5/3/2021																									
Divisional Investigations with Category	20	0	12	0	18	0	10	0	12	0	18	0	6	0	0	0	0	0	0	0	0	0	0	0	
Discourtesy or Unprofessionalism	15		4		9		4		3		10		5												
Fail to Complete Reports	1								2		1														
Improper Action	2		5		3		4				2														
Improper Comments									1																
Improper or No Investigation	2		3		6		2		6		5		1												
Internal Affairs Investigations and Category	6	0	10	0	5	0	5	0	6	0	12	0	7	0	0	0	0	0	0	0	0	0	0	0	
Abuse of Authority	1		1		1		1		1																
Adverse Conduct	1		3		1		2						3												
Dispatch/911 Violation																									
Discourtesy to Other Employees																									
Failed to Complete Report on Time											2														
Failed to Secure Property																									
Harassment											2														
Improper or False Arrest	1		1																						
Improper or No Investigation	1		1						1		4		1												
Improper Release of Information			1																						
Incomplete or Erroneous Report			1																						
Inquiry																									
Lost/Damaged Citizen Property									1		1														
Mistreatment of Citizen									1				1												
Placed Citizen in Danger							1																		
Racial Profiling																									
Use of Force	2		2		2		1		1		3		2												
Improper Action or Comments					1				1																
Public Integrity Investigation Referral	4	0	3	0	3	0	2	0	3	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	
No Investigation Conducted and Reason	63	0	69	0	64	0	83	0	59	0	80	0	80	0	0	0	0	0	0	0	0	0	0	0	
Did not meet criteria	1																								
Duplicate Complaint	1		3		2		8		1		13		9												
Fail to Articulate	4		3		1		3		1		5		1												
Guilt or Innocence	7		5		5		5		3		3		1												
Information Only	6		8		19		10		12		12		4												
More Information	5		5		7		3		3		3		4												
Need Signature									1																
No Violation	24		34		19		22		18		17		23												
No Violation BWC	6		7		5		15		6		7		5												
Non Employee	8		3		5		10		5		9		5												
Other (Outside Agency)					1		2		6		6		1												
Possible																									
Sixty Day	1		1						1		1														
Third Party							1		2		2		7												
Unknown Officer																									
OCPO Investigation							2						1												
Recent EC's under review (as of 5/3/2021)							2				2		19												
Grand Totals	89	0	91	0	87	0	98	0	77	0	110	0	93	0	0	0	0	0	0	0	0	0	0	0	

*Data available in IAPRO as of 5/3/2021. The data for March of 2021 was re-verified.



Office of Community Police Oversight Complaints

Item 3

April 2021

Enclosed are the complaints received in the Office of Community Police Oversight for the weeks of April 1, 2020 to April 30, 2020.

The office opened in October 2019 and has received 1,074 complaints as of April 30, 2021. There were 80 complaints and inquiries received by the office in April of 2021. Below are summaries of those complaints and inquiries.

- Actual complaints against the Dallas Police Department. (23)
- Inquiries from individuals received through the complaint system that are not actually complaints against the Dallas Police Department. In those cases, individuals were directed to the appropriate departments/agencies for services. This section also documents civilians that contacted OCPO to follow-up on a complaint that was already filed against DPD. (57)

Complaints

4/1/2021	Complainant stated that he witnessed a police car use their emergency lights to pick up pizza. Case was reviewed by IAD and OCPO and will be sent as a Division Referral.
4/2/2021	Complainant stated that after constantly being verbally harassed by a homeless man near his home and continually calling 911 with no resolution he had now been physically assaulted and feels it's DPD's fault for not helping him the first time. Case was reviewed by IAD and OCPO and will be a No Investigation. A citation was issued for the homeless man and he was arrested.
4/9/2021	Complainant (African American man) stated that while walking his dog a neighbor's dog who was not on a leash attacked his dog and the two dogs started fighting. Other residents came and tried to break up the dog fight and one of them ended up punching the complainant in the face. When the police were called, complainant felt like the officers were not on his side but on the other dog owner's (Latino woman) side. Case was reviewed by IAD and OCPO and will be sent as a Division Referral.
4/9/2021	Complainant stated he heard on the radio that seniors could get in front of the line for COVID 19 vaccinations. When he arrived, he stated he was treated badly by police officer and they would not let him, and his wife get in front of the line but made them go to the back. Case was reviewed by IAD and OCPO and will be a No Investigation. There was no policy violation.



Office of Community Police Oversight Complaints

Item 3

4/9/2021	Complainant felt officers did not do their job by arresting the man who shot a firearm in her home. Case was reviewed by IAD and OCPO and will be a No Investigation. There was no policy violation.
4/9/2021	Complainant stated that when officer was called out about a handicap parking spot he yelled at her and said “we have been defunded, do you think I have time to come out here and deal with this.” Case was sent by IAD and OCPO and will be sent off as a Division Referral.
4/9/2021	Complainant stated that the DPD Hispanic Association is publicly backing a bad city council person that she knows personally. Case was reviewed by IAD and OCPO and will be a No Investigation. There is no policy violation.
4/9/2021	Complainant she feels she was arrested and handled in a rough manner by DPD officers. She was trying to remove her cross the body purse when officers ran up on her and twisted her arm to arrest her. Case was reviewed by IAD and OCPO and will be staying with Internal Affairs.
4/13/2021	Complainant stated that Chief Hall and other DPD officers came into her Duncanville home and went through her back yard, smashed her belongings, and sexually assaulted her. Case was reviewed by IAD and OCPO and will be a No Investigation.
4/13/2021	Complainant stated that DPD officers walked up behind him with guns drawn while checking a vehicle for work because of a call they received of someone breaking into cars. Case was reviewed by IAD and OCPO and will be a No Investigation. Case was cleared by Body Worn Camera (BWC)
4/13/2021	Complainant received a call from his neighbor stating his house was being broken into. When he called the police, they asked him for the description of the person and had not sent anyone out to check his home. Case was reviewed by IAD and OCPO and will be a No Investigation. Police were sent out a few minutes after the call.
4/13/2021	Complainant stated that an officer is in a relationship with her supervisor and he has pictures and videos to prove it. Case was reviewed by IAD and OCPO and will be staying with IAD.
4/15/2021	Complainant stated that her husband is a very abusive man, and her husband’s parole officer knows about it and has not done anything to help her. Case was reviewed by IAD and OCPO and will be a NO Investigation. Husband is not a DPD officer.
4/16/2021	Complainant stated that when her young daughters got in an accident police were very rude and unprofessional with them. Case was reviewed by IAD and OCPO and will be a No Investigation. There was no policy violation
4/17/2021	Complainant stated that when he was pulled over by police he was being cussed and yelled at for no reason. Case was reviewed by IAD and OCPO and will be sent as a Division Referral.



Office of Community Police Oversight Complaints

Item 3

4/22/2021	Complainant stated she is filing a report against the officers who killed her son Tony Tempa. The police officers were recently no billed. Case was reviewed by IAD and OCPO and will be a No Investigation. Police Monitor McClary Disagrees.
4/22/2021	Complainant stated that after a telephone poll was hit by a vehicle, the DPD officers that arrived on scene saw that the transmitter box was hanging off the poll by a wire and did not call Encore. Case was reviewed by IAD and OCPO and will be a No Investigation at this time. We need more information.
4/23/2021	Complainant and her boyfriend were pulled over by officers for stopping ahead of the line at a red light. Officers were being rude and ended up searching their car and harassing the boyfriend. The boyfriend and the officer had previous encounters before and they feel they are being retaliated against. Case was reviewed by IAD and OCPO and will be staying with the Internal Affairs Division.
4/23/2021	Complainant and his girlfriend were pulled over by officers for stopping ahead of the line at a red light. Officers were being rude and ended up searching their car and harassing him. Complainant had prior interactions with this officer who arrested him before and now feels he is being retaliated against. Case was reviewed by IAD and OCPO and will be staying with the Internal Affairs Division.
4/23/2021	Complainant stated that her sister went to her sweet 16 rehearsal and may have had ingested a hot Cheeto infused with weed. The family does not feel detectives are doing their job to find who did this to her sister. Case was reviewed by IAD and OCPO and will be a No Investigation. There was no policy violation.
4/25/2021	Complainant who works with a Dallas news station felt DPD is not investigating the recent death of a transgender woman properly. Case was reviewed by IAD and OCPO and will be a No Investigation. There was no policy violation.
4/28/2021	Complainant was almost hit by a DPD cruiser because the officer was speeding and did not have his lights on. Case was reviewed by IAD and OCPO and will be sent as a Division Referral.
4/28/2021	Complainant stated officers followed him from El Paso to Denton and blocked the roadways so he could not drive. Case was reviewed by IAD and OCPO and will be a No Investigation. This has nothing to do with Dallas police.
4/29/2021	Complainant was in the back seat of his vehicle with a friend when a DPD Mounted Unit asked them to step out. Complainant stated the officers were being very rude and asked the friend if she had shorts under her skirt. Case was reviewed by IAD and OCPO and will be sent as a Division Referral.



Office of Community Police Oversight Complaints

Item 3

Inquiries

4/1/2021	Individual had questions about Police Oversight and Police Oversight Board. She wanted to know what where the roles that where played by each individual and how the board members where selected. OCPO answered her questions and gave her the information to NACOLE.
4/1/2021	Individual stated he was hit on purpose and detective was not responsive. OCPO is waiting for this individual to send in a complaint.
4/1/2021	Individual called OCPO to get the non- emergency number to the Dallas Police Department. OCPO gave him the non-emergency number.
4/2/2021	Individual works for Triple A and called OCPO for the Open Records Department for DPD. OCPO gave her the needed contact information.
4/2/2021	Individual filled a Complaint and received a No Investigation Letter and wanted to understand why. OCPO explained to her that the officer she was reporting worked for Dallas County and not the City of Dallas.
4/2/2021	Individual filled a complaint about being pulled over at gun point because his vehicle showed it was reported as stolen and wanted to know what he could do to ensure it did not happen again. OCPO spoke with Internal Affairs and got tips on ways to resolve the situation.
4/3/2021	Individual is upset because he was trying to get his police report from DPD Open Records and could not get through to them. OCPO explained that DPD Open Records is separate from Open Records at City Hall. OCPO also explained that DPD Open Records Department was behind of COVID-19.
4/3/2021	Individual wanted to file a police report because some individuals stole his U.S citizen documentation out of his home. OCPO gave him the non- emergency number to file a police report.
4/3/2021	Individual wanted to file a police report against a furniture store that delivered half of her furniture order but was trying to make her pay full price. OCPO gave her the non- emergency number to DPD.
4/5/2021 (x2)	<i>Follow-up: Individual is calling to get an update on the complainant he filled about being harassed by a homeless man. OCPO informed him that his case will be briefed on that Wednesday 4/7 and he can call back then for an update.</i>
4/6/2021	<i>Follow Up: Individual wanted an update on a case she submitted last month about her sons being stopped and harassed by DPD officers in the Dallas Love field Airport. OCPO informed her that we will be briefing her case on Wednesday 4/7 and she can call back then for an update.</i>



Office of Community Police Oversight Complaints

Item 3

4/7/2021	<i>Follow-up: Individual is calling to get an update on the complainant he filled about being harassed by a homeless man. OCPO informed him that No Investigation was issued for his case and explained why.</i>
4/7/2021	<i>Follow Up: Individual wanted an update on a case she submitted last month about her sons being stopped and harassed by DPD officers in the Dallas Love field Airport. OCPO informed her that a No Investigation will be issued for her complaint but the money that was taken from her sons will be returned.</i>
4/7/2021	Individual asked about the Citizens Review Board and wanted to know when the meetings where. OCPO updated him on the new board and gave him the information that was needed.
4/8/2021	<i>Follow-up: Individual called to get an update on the complainant he filled about being harassed by a homeless man. OCPO informed him that No Investigation was issued for his case. The homeless man was later issued a citation for the assault.</i>
4/8/2021	Individual filled a complaint which was considered a No Investigation because he was pulled over at gun point about his license plate and wants to know how to resolve the situation, so it does not happen again.
4/9/2021	Individual wanted to file a police report because she feels she is a victim of fraud. OCPO gave her the non- emergency number and also showed her how to file a complaint online.
4/12/2021	<i>Follow Up: Individual called to see how his complaint was handled after he and his dog was attacked by another dog and neighbors. OCPO informed him that his case was sent off as a division referral.</i>
4/12/2021	Individual called to ask if there was anything he could do if someone had been wrongly arrested but plead guilty in court. OCPO told him we could not give him any kind of legal advice and instructed him to contact an attorney for advice.
4/12/2021	Former DPD officer came in to file a complaint on other officers and supervisors. OCPO had a in person meeting with him and after he meets with an attorney, he will decide if he wants to continue the complaint process. OCPO will be reaching back out to him at a later time.
4/12/2021	Individual called OCPO to file a noise complaint. OCPO gave her the non – emergency number to the Dallas police Department. OCPO also showed her how to file a complaint online.
4/12/2021	Las Vegas Police Department called to see if Dallas Police Department had a way for someone to call the police if they where deaf. OCPO gave her the non- emergency number to the police department.
4/13/2021 (x2)	<i>Follow-up: Individual called to get an update on the complaint he filled about being harassed by a homeless man. OCPO informed him that No Investigation was issued for his case. The homeless man was later issued a citation for the assault.</i>
4/13/2021	<i>Follow Up: Individual gave an update on a case she submitted last month about her sons being stopped and harassed by DPD officers in the Dallas Love field Airport.</i>



Office of Community Police Oversight Complaints

Item 3

4/13/2021	Individual stated that he is being physically and technologically stalked by officers who are sending sound waves through his home. OCPO gave him the number to the Mesquit police department where he lives
4/14/2021	Individual called OCPO looking for her dogs that were taken by either Irving or Dallas Police officers. OCPO gave her the number to the animal shelter she was closest to.
4/15/2021	Individual wanted to file a theft report. OCPO gave him the non-emergency number to the Dallas Police Department.
4/16/2021	Individual called and wanted to know how to file a police report. OCPO showed her where to file a report online and gave her the non-emergency number.
4/19/2021	Individual wanted to file a police report and needed the police departments number. OCPO gave him the number to the non-emergency to the police department.
4/19/2021	<i>Case for Review: Individual was not happy with the way his case was handled by LAD and would like OCPO to do their own investigation.</i>
4/19/2021	<i>Case for Review: Individual was not happy with the way his case was handled by LAD and would like OCPO to do their own investigation.</i>
4/19/2021	Individual stated that when leaving the store an African American police officer asked to search his bag. He felt he was constantly being racially profiled by the officer who has targeted him before in the store. OCPO is still waiting for his complaint
4/19/2021	Individual wanted information on the Right Now! panel discussion event that was being held by OCPO and CPOB. OCPO informed him when the date was selected, we would let him know.
4/20/2021	Individual called to get help for his friend who is being harassed by a city Marshall. OCPO gave him the number to the Marshall's office.
4/20/2021	Individual had a transaction malfunction at 7-eleven. Police were called and she was arrested, and they illegally searched her car and mistreated her. OCPO is still waiting to receive her complaint.
4/20/2021	Individual stated she called police four times and they kept hanging up in her face and now she wants to file a complaint. OCPO tried to show her how to file a complaint and she hung up.
4/20/2021	Individual called to thank OCPO for what they do. And to let us know that they were happy with their complaint results.
4/20/2021	Spanish speaker needed help finding his citation and seeing how to resolve it. OCPO looked up his citation and gave him the information needed.
4/21/2021	Individual wanted to thank DPD for all they do and their bravery while on the job. OCPO sent that email to DPD.

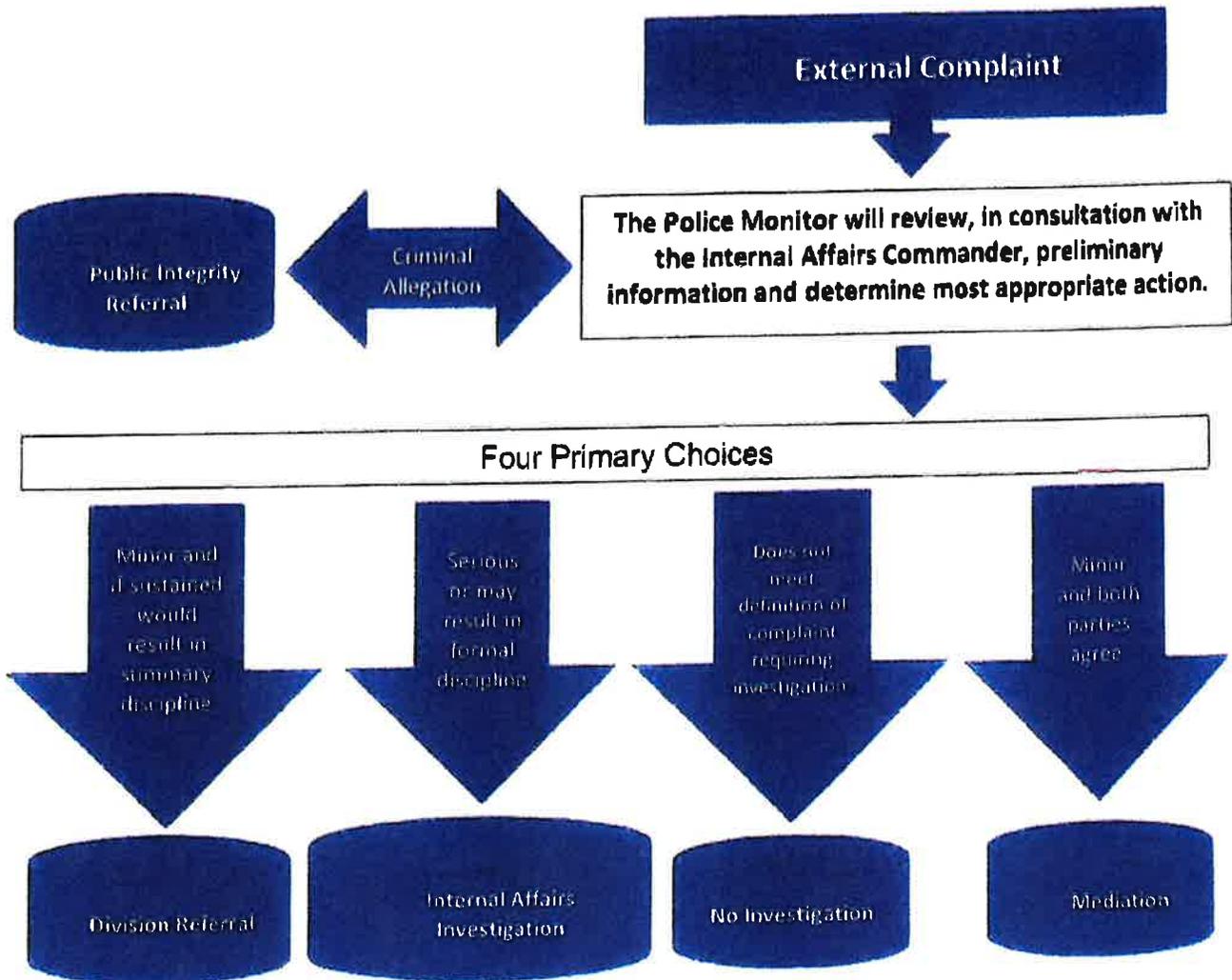


Office of Community Police Oversight Complaints

Item 3

4/26/2021	Individual called to get the non- emergency number to cancel a 911 call that she made. OCPO gave her the number and advised her to call 911 back instead of using the non- emergency number.
4/26/2021	Individual feels she is being investigated by officers in Crowley. OCPO gave her the number to Crowley Police Department.
4/26/2021	Individual got in a car accident and wanted DPD to be dispatched out. OCPO informed him to call 911 in instances like this.
4/28/2021	Individual had information on a case of someone in jail and wanted to anonymously report it. OCPO gave her the number to the Dallas Police Department to speak with an officer.
4/29/2021	Individual wanted DPD to know that he found the phone he had recently reported as stolen. OCPO instructed individual to contact the detective he had report the phone stolen to so the case could be closed out.
4/29/2021	Individual is upset with DPD for having him go to the City Attorney's Office without telling him he had to make an appointment first. OCPO contacted the City Attorney's Office to get him an appointment.
4/29/2021	Individual wanted to get a copy of the accident report on his car. OCPO gave him the number to the nearest substation he was by and the number to DPD headquarters.
4/29/2021	Individual filled a complaint on a DPD officer a few months ago and now wants the complaint and the investigation sent to her. OCPO sent her the complaint form back, but no investigation was initiated for her complaint.
4/29/2021	Individual filled a complaint on DPD for not reporting a transmitter box being damaged to Encore and wanted to know the outcome. OCPO informed her that as of now there will be no investigation at this time because we needed more information. She did provide IAD with more information.
4/30/2021	Mesquite PD sent this individual to OCPO because her license plate was showing up as stolen in Dallas PD's system. OCPO gave her the non- emergency number to the police department to investigate the situation.
4/30/2021	Individual wants to file harassment charges against a friend that physically and verbally abuses her. OCPO gave her the non- emergency number to DPD to press charges. We also showed her how to go online and do it if she does not want to go in physically.

External Complaint Workflow Process



External Complaint Workflow

No Investigation Sub-Classification General Definitions

It is the policy of the Department to accept and investigate all complaints of misconduct or wrongdoing from any citizen as prescribed by state law and Department policy. Complaints are handled in accordance with Texas Government Code, Section 614.021-614.023, as interpreted by the City Attorney.

A No Investigation (NI) number is assigned to information received in the Internal Affairs Division that does not meet the guidelines of a complaint requiring a full investigation by the Department. The information is given a sub-classification for statistical tracking purposes. The current sub-classifications used are:

- **Does not meet criteria-** Complaints relative to differences of opinion between a citizen and the investigating officer regarding the contributing factors listed on an accident report will not be investigated. If a person calls or comes in but does not want to provide a written statement at that time, it will be entered. If they fail to follow up and provide a written complaint in any format, it may result in this sub-classification.
- **Duplicate Complaint-** Person is making a repeated allegation that has already been handled by the department.
- **Fail to Articulate-** Person may be complaining but does not make an allegation of misconduct.
- **Guilt or Innocence-**
 - Complaints relative to differences of opinion between a citizen and an arresting police officer regarding the guilt or innocence of that citizen will not be investigated but will be properly disposed of within the judicial system. If a citizen can furnish evidence that the arrest was malicious and/or illegal, the complaint may be investigated at the discretion of the Internal Affairs Division Commander.
 - Complaints relative to differences of opinion between a police officer and a citizen over the issuance of a traffic citation will not be investigated unless there is an allegation of a violation of law or departmental rules on the part of the officer.
- **Information Only-** A person may just be sending information or needing something from a member of the department. For instance, needing a detective to call them back about a case. A complaint about having to wait a long time for a police response to a 911 call may receive this sub-classification. Information is forwarded to division of responsibility.
- **More Information-** Person makes an allegation of misconduct, but the department needs more information to make determination on how to proceed.

- **No Violation-** Preliminary investigation is able to determine, based on evidence available, there is no violation of department procedures. Complaints involving a citizen's misunderstanding of departmental policy, which are resolved by a supervisor explaining the correct departmental policy and where the citizen is satisfied with the response, will not require investigation.
- **No Violation BWC-** Preliminary investigation is able to determine there is no violation due to review of officer's body worn camera.
- **Non-Employee-** Person makes allegation into misconduct of person who is not an employee of the police department.
- **Sixty Day-** Complaints are not typically accepted more than sixty days after the alleged incident, with the following exceptions:
 - When the complaint involves a criminal violation, the criminal statute of limitations will prevail.
 - When the complainant can show good cause for not making the complaint within the specified time limit.
- **Third Party-** Person complaining has no direct knowledge of incident. Often used when person sends an email or letter after seeing a negative news or social media story.

In all case, the citizen is sent a return letter to inform them that the information or complaint has been received and how it will be handled. If the department is not going to investigate, the reason is given with contact information on who they may call to discuss.

Memorandum Item 4



CITY OF DALLAS

DATE May 11, 2021

TO Members of the Community Police Oversight Board

SUBJECT Board Training: ‘When Communities Try to Hold Police Accountable, Law Enforcement Fights Back’

As the State of Texas and the City of Dallas are beginning to open up after the quarantines and restrictions related to the COVID-19 pandemic, CPOB Board members are preparing to do more community events.

With that in mind, Board Chairman Enobakhare, Jr. has asked Director McClary to develop a series of “mini trainings” for the Board that can be a segment of the Board’s monthly meeting agenda.

Director McClary will lead the Board through a discussion about the obstacles and challenges that oversight offices and oversight boards face.

The discussion will be based on a Washington Post article that was written on April 27, 2021 entitled, “When Communities Try to Hold Police Accountable, Law Enforcement Fights Back”.

Attached is a copy of the Washington Post article.

Director McClary will also reach out to the CPOB Board Training Subcommittee to see if they have any suggestions for topics for the mini training series.

Tonya McClary
OCPO Director

Cc: T.C. Broadnax, City Manager



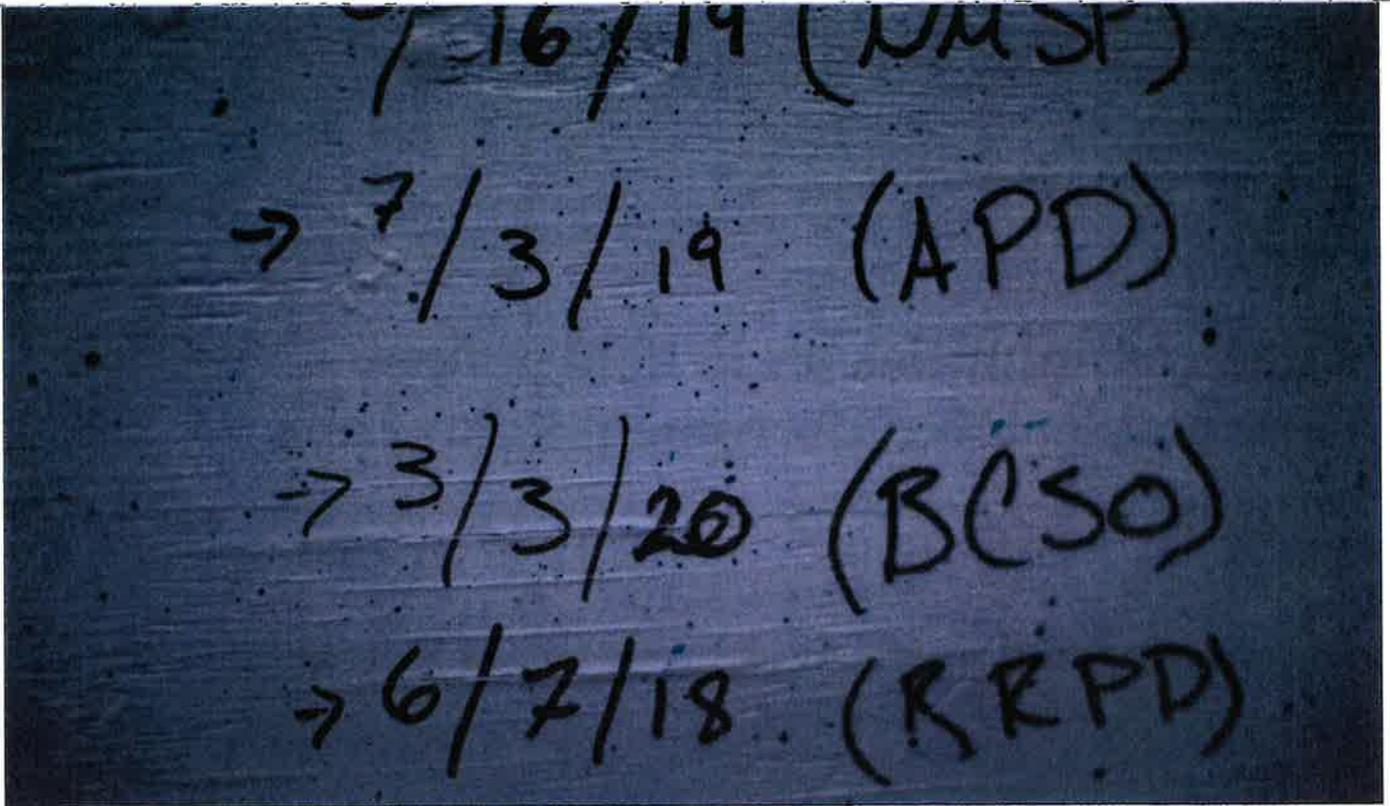
UNACCOUNTABLE

When communities try to hold police accountable, law enforcement fights back

Civilian oversight is undermined by politicians and police, who contend citizens are ill-equipped to judge officers



A painting of Valente Acosta-Bustillos is flanked by names and portraits of others who were fatally shot by law enforcement officers in New Mexico. It's outside the Albuquerque offices of the Southwest Organizing Project. (Adria Malcolm for The Washington Post)



A wall outside the Southwest Organizing Project, which is dedicated to empowering low-income communities of color, displays the dates when unnamed people were killed by police. (Adria Malcolm for The Washington Post)

By **Nicole Dungca** and **Jenn Abelson**

April 27, 2021

When the Justice Department in 2012 began investigating Albuquerque police, it found a department unaccountable to the city it served.

Over four years, police had fatally shot 20 people, including a mentally ill Hispanic man struck three times in the back outside his home. Justice officials discovered a pattern of unconstitutional and excessive use of force, and a civilian oversight office that had “simply been too forgiving of the department’s use of deadly force.”

Federal authorities demanded a wide range of reforms from the city — including a new civilian oversight agency with greater authority.



But many in Albuquerque fought change at every turn: The police union sued to block the new agency and later demanded the resignation of an agency board member who pushed to tighten the police department's use-of-force policy. The city council took four years to give the agency stronger subpoena power for its investigations. And veteran police officials pushed back against efforts to increase scrutiny of the department's use of force, creating a backlog of investigations that has prevented the agency and its board from completing their reviews of most fatal shootings.

"This was supposed to be the [board] that wasn't dysfunctional, and it ends up being just as dysfunctional, just as ineffective as the prior iteration," said Chelsea Van Deventer, the board member who was targeted by the union.

[The struggle in New Mexico's largest city](#) illustrates the challenge of asking civilians to check police powers. Police nationwide have frequently defied efforts to impose civilian oversight and, in turn, undermined the ability of communities to hold law enforcement accountable, according to a Washington Post review of audits, misconduct complaints, emails, lawsuits and interviews with dozens of current and former officials.

More than 160 municipalities and counties have implemented some form of civilian oversight through review boards, inspectors general and independent monitors. Another 130 localities are trying to do so, according to officials from the [National Association for Civilian Oversight of Law Enforcement](#), or NACOLE, though this represents a fraction of roughly 18,000 law enforcement agencies nationwide.



Chelsea Van Deventer resigned from the board of Albuquerque's Civilian Police Oversight Agency in the fall of 2019. (Adria Malcolm for The Washington Post)

The issue has gained new traction as part of the push to overhaul policing in the United States after the killings of Breonna Taylor and George Floyd, both unarmed and Black. Their deaths last year sparked massive demonstrations and reignited long-held skepticism about law enforcement's treatment of Black people and its tolerance for misconduct.

“This was supposed to be the [board] that wasn't dysfunctional, and it ends up being just as dysfunctional, just as ineffective as the prior iteration.”

— Chelsea Van Deventer, former Albuquerque oversight board member



Minneapolis, the current and former civilian oversight entities had fielded 12 complaints of alleged misconduct about former officer Derek Chauvin before he killed Floyd by pressing a knee into his neck. Last week, a jury found Chauvin guilty of murder and manslaughter in Floyd's death.

[Fatal Force: Explore The Post's police shootings database]

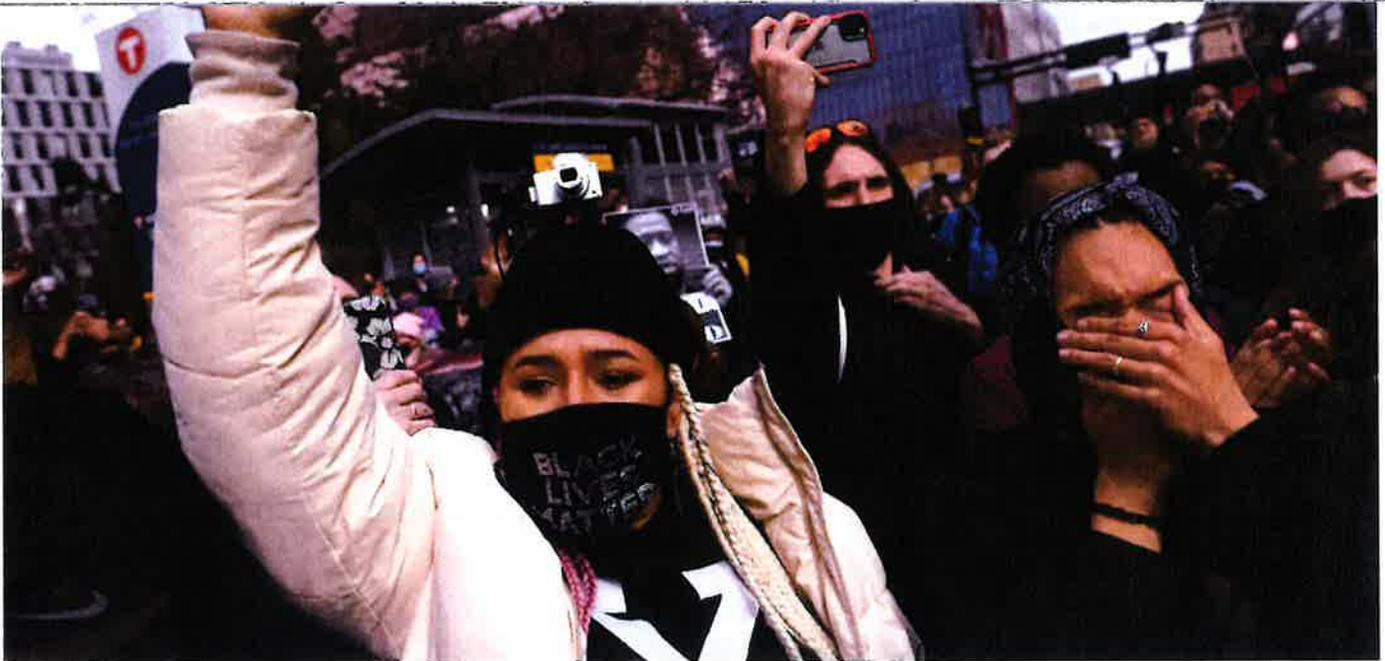
While many hailed the verdict as long-overdue justice, they also said much more needs to be done to address a systemic lack of accountability for police misconduct. An examination of civilian review boards shows that well-meaning reform attempts often end in failure and frustration.

The initial results of a survey by NACOLE found that 38 of the 64 oversight groups that responded have no independent investigative authority and are limited to doing audits or reviews to determine whether internal affairs investigators have been thorough or followed policies.

The survey, funded by the Justice Department, also found that 30 of the groups cannot issue subpoenas and that 23 have no access to open internal affairs files. Thirty-four have no authority even to recommend discipline. For those that can suggest disciplinary action, chiefs and arbitrators usually can reject their recommendations.

Sharon Fairley, who led one of Chicago's citizen oversight agencies from 2015 to 2017, said the groups can help build community trust with police but need power and resources to be effective.

"Civilian oversight is not a panacea for police misconduct," said Fairley, now a professor at the University of Chicago Law School who has studied such efforts nationwide. "Or else we wouldn't be seeing the problems that we're seeing."



People react in Minneapolis on April 20 after former police officer Derek Chauvin was convicted of murder and manslaughter in the death of George Floyd. (Joshua Lott/The Washington Post)

The modern push for civilian oversight began at the turn of the 20th century but came of age around the civil rights era, when communities, especially Black and Latino ones, successfully lobbied for civilian-run boards in cities such as New York and Washington. By the 2010s, the Justice Department regularly included civilian review entities as part of consent decrees or settlements with municipalities, including Albuquerque, where federal officials found patterns of excessive force or discriminatory policing. Congress has introduced “The George Floyd Justice in Policing Act,” which would enable the Justice Department to award grants to states to establish citizen oversight entities.

“It would be akin to putting a plumber in charge of the investigation of airplane crashes.”

— Jim Pasco, executive director of the national Fraternal Order of Police, on civilian oversight



cities, such oversight efforts have been limited by strict collective bargaining agreements with police unions and, in 22 states, through laws known as officers' bills of rights, according to the National Conference of State Legislatures. Maryland, the first state to enact such legislation, recently approved repealing the law.

Jim Pasco, executive director of the national Fraternal Order of Police, described civilian monitors as well-meaning but ill-equipped to judge police officers. He said citizens lack the expertise and experience of trained law enforcement professionals.

"It would be akin to putting a plumber in charge of the investigation of airplane crashes," he said. "It doesn't matter how good a plumber that he or she is. It gives no level of expertise in terms of evaluating the cause of a plane crash."

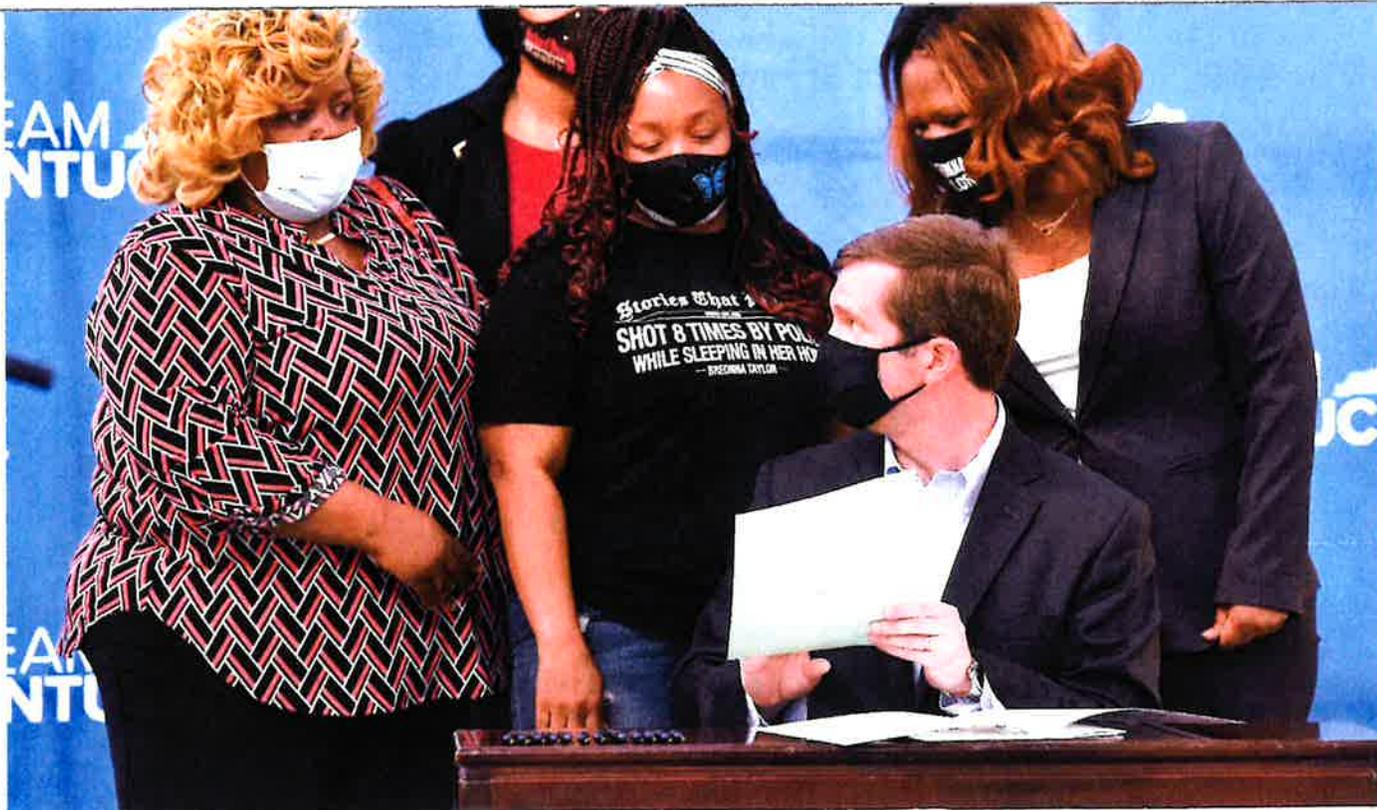
But Susan Hutson, who is the independent police monitor in New Orleans and also president of NACOLE, said that having an outsider's perspective on policing can be crucial in identifying and stopping officer misconduct. Many civilian boards include lawyers, auditors and others with relevant expertise.

"It really allows for a voice for community members who want ... to see whether the police department is really doing what it's supposed to be doing," she said. "Just having another set of eyes that is not part of the police department is value in itself."

Built to fail



Demonstrators in Louisville on March 13 protest the police killing of Breonna Taylor. (Joshua Lott/The Washington Post)



Kentucky Gov. Andy Beshear (D) speaks with relatives of Breonna Taylor, including her mother, Tamika Palmer, center, after signing a partial ban on “no-knock” warrants on April 9. (Timothy D. Easley/AP)

Across the country, civilian oversight has often been limited by design or even banned.

In Urbana, Ill., the police union secured an agreement with the city in 2007 that prevents the Civilian Police Review Board from conducting “independent third party investigations of an officer’s conduct. ... Inquiries and concerns of the CPRB will be addressed by the Chief of Police or his designee.”

In New Bedford, Mass., the police union’s contract since the 1980s has included this clause: “There will be no Civilian Review Boards in the New Bedford Police Department.”

Bruce Rose, a former president of the New Bedford chapter of the NAACP, said the prohibition “represents a conscious collusion on the part of the police department



In Louisville, the [fatal shooting of Breonna Taylor](#) last year brought into stark relief the limits of the city's civilian review board.

Taylor, a 26-year-old emergency room technician, and her boyfriend had been asleep when shortly after midnight on March 13, 2020, multiple police officers broke into her home with a battering ram as part of a narcotics investigation of her ex-boyfriend. Her boyfriend at the time of the raid said he feared that the police bursting in were intruders and shot at them. Officers then fired more than 30 shots, striking Taylor six times and killing her, according to Kentucky's attorney general. The city agreed to [pay \\$12 million to settle a lawsuit](#) filed by Taylor's family.

Prosecutors charged one of the officers on the raid with wanton endangerment for shooting into a neighbor's home. But no officer was charged in Taylor's death. [Three officers involved with the raid](#) were terminated, though they have appealed their findings, according to Louisville police.

Louisville's Citizens Commission on Police Accountability could do nothing. As set up, it could initiate no investigations or take complaints from citizens. It could only examine closed internal affairs investigations of police shootings to determine if they were adequate and recommend changes in policy or training. It could not recommend discipline for officers.



Public anger over Taylor's death pressured the city to give the group more teeth. In December, the mayor signed an ordinance that would replace the commission with a new inspector general post and a civilian review board with more investigative authority and the power to recommend discipline.

In Minneapolis, two months after Taylor was killed, George Floyd, 46, died when Chauvin pinned him to the street with his knee for more than nine minutes.



Ricky L. Jones, a member of Louisville's Citizens Commission on Police Accountability at the time of Breonna Taylor's killing, said the board was powerless. (Jon Cherry/The Washington Post)

Leading up to that moment, Chauvin had been the subject of at least 22 complaints of alleged misconduct from 2003 to 2015, according to data obtained by a local activist group called [Communities United Against Police Brutality](#).



that were sustained by one of the panels. A 2003 finding that Chauvin used derogatory and demeaning language led to oral reprimands from the department, according to the documents from Communities United.

Casper Hill, a spokesman for the city of Minneapolis, declined to discuss the complaints against Chauvin. But he said the Office of Police Conduct Review generally closes cases if they are dismissed, are duplicates or are forwarded to other jurisdictions.

Dave Bicking, who served from 2008 to 2010 on the city's previous civilian review board, said there is a long pattern of oversight groups failing to crack down on police misconduct. Out of more than 3,100 complaints filed by the public with the current oversight office from October 2012 through June 2020, only 16 officers were disciplined, according to a data analysis by Communities United, which Bicking now helps to lead.

“The tiny bit of discipline that comes from the Office of Police Conduct Review is not enough to change, to correct officers’ conduct or deter other officers,” he said. “It certainly didn’t correct the conduct of Derek Chauvin, and it didn’t make other officers feel like they had to do anything about it on the scene, either.”



Former police officer Derek Chauvin is taken away April 20 after being found guilty of murder and manslaughter in the death of George Floyd. (Pool/Reuters)

In Miami, about 1,400 of more than 2,300 allegations reviewed by the city's Civilian Investigative Panel from 2009 to 2020 were closed without any finding, according to data analyzed by The Post.

This outcome frequently happens because Miami police can take six to eight months to review a complaint before they send it to the panel, according to Cristina Beamud, executive director of the panel. By then, the complainants have often moved or changed telephone numbers. Others have lost motivation or feel discouraged by the initial findings of the police department, she said.

In the District of Columbia, the civilian oversight office is required by law to send some of the complaints it receives to police without investigation.

The D.C. Office of Police Complaints referred more than 1,100 misconduct allegations — or about 5 percent of the roughly 22,000 lodged between 2010 and



period is now 90 days). The agency also sent more than 2,000 misconduct allegations to police because it had no authority to investigate those cases, or the complaints were filed anonymously or were made by people other than the alleged victims or direct witnesses.

“There is a heightened need for independent investigations of all types of misconduct, not just what we are currently limited to under law,” said Michael Tobin, the D.C. agency’s executive director.

In Newark, Mayor Ras Baraka said the police union tried to block him [when he sought to make police reform](#) a cornerstone of his administration.

“The police departments have become political organizations,” Baraka said. “Because they’re a political organization, people tend to cater to them.”

In 2014, the year that Baraka was sworn in as mayor, the Justice Department concluded that Newark’s police department had a record of [excessive force and discriminatory policing](#), and called for federal intervention.



In Newark, Mayor Ras Baraka, second from left, marches to protest police brutality. (Michael Mancuso/NJ Advance Media/AP)

Baraka said that as a Black man growing up in Newark, he was handcuffed and assaulted by police when he and his mother went to the police station to check on his younger brother, who had been arrested for allegedly blocking the sidewalk and harassing pedestrians.

“There are boards all over the country, and police are still doing what they want to do without any redress.”

— Ras Baraka, mayor of Newark



accused of wrongdoing. The city council made the board permanent.

The Fraternal Order of Police sued the city, arguing that the board's powers violated state law and the union's contract. In 2020, the Supreme Court of New Jersey stripped the board of its subpoena power. The city filed an appeal in January to the U.S. Supreme Court. Baraka also is pushing for a state law to restore the board's powers.

The president of the Newark police union said he supports reform and transparency but called the mayor's efforts to change state laws "shocking."

"Hopefully, should such legislation be moved in Trenton, our elected politicians will do their due diligence and come up with a sound decision and not simply cave in to the anti-police piling on that is sweeping the country today," said James Stewart Jr., president of Newark's Fraternal Order of Police.

But Baraka said he isn't willing to compromise after seeing the shortcomings of civilian oversight in other municipalities.

"It's a waste of money and bureaucracy," he said. "There are boards all over the country, and police are still doing what they want to do without any redress."

Politics and pushback



A crowd in Petaluma, Calif., in October 2020 listens to information about a ballot measure to strengthen civilian oversight for the Sonoma County Sheriff's Office. (Talia Herman for The Washington Post)



People pray during an October 2020 rally in which Jerry Threet spoke about a proposed ballot measure that would give more power to the local oversight office. (Talia Herman for The Washington Post)

The pushback by police and a lack of political support for the civilian agencies has prompted many oversight officials to resign in frustration.

In Portland, Ore., Kristin Malone quickly learned the limitations of the city's Citizen Review Committee when she volunteered to serve on it in 2015: The committee couldn't conduct investigations and reviewed only appeals from those who were unhappy with the Portland Police Bureau's response to their complaints. The committee had no subpoena power and couldn't review cases involving police shootings and other in-custody deaths.

Malone, a lawyer, said she felt that the process gave "extreme deference" to police: The officer's supervisor would first rule on the merits of an officer's conduct, and the committee would then determine whether a "reasonable person" could reach the same conclusion.



showed the officer shocking the cyclist as he lay facedown on the pavement with three officers restraining him. After the department's internal affairs bureau determined that the officer had not violated policy, the cyclist appealed to the Citizen Review Committee, which found the opposite, according to Malone and public documents.

But the police chief at the time disagreed with the committee's decision, so the case, in a step rarely used, went to the city council for a final decision. The council declined to exonerate the officer or discipline him. A Portland Police Bureau spokesman declined to comment.

Malone said the difference in how a civilian and police officer interpreted the "reasonable person" standard allowed the officer to go unpunished.

"Ultimately, it felt like death by a thousand cuts," said Malone, who resigned from the committee in January 2020.

0:36

After Matthew Klug was tased by a police officer in Portland, Ore., he brought his case to the Citizen Review Committee. (Courtesy of Matthew Klug)



mayor. In September, as [protests against police brutality roiled Portland](#), three volunteers resigned within days.

“Ultimately, it felt like death by a thousand cuts.”

— Kristin Malone, former Portland oversight committee member

Asked about the resignations and committee members’ concerns, James Middaugh, a spokesman for the mayor’s office, said the city is “in the midst of significant public safety reform work.”

In November, voters approved a law that would replace Portland’s existing civilian oversight system with a community-led police oversight board that has the power to subpoena and impose officer discipline.

The police unions, however, have tried to stop the measure by filing unfair-labor-practice complaints and a grievance with the Portland Police Bureau.

Elsewhere, some oversight officials who were employed by municipalities said they faced threats, pressure and retaliation from law enforcement and politicians.

In 2018 in Sonoma County, Calif., Jerry Threet, then-director of the Independent Office of Law Enforcement Review and Outreach, prepared a report that criticized the sheriff’s internal affairs investigators for their handling of misconduct investigations. He found that [they had failed to interview witnesses](#) and didn’t consider the full list of complaints filed against officers.

Soon, the sheriff and local politicians pushed him not to release the findings, Threet said.

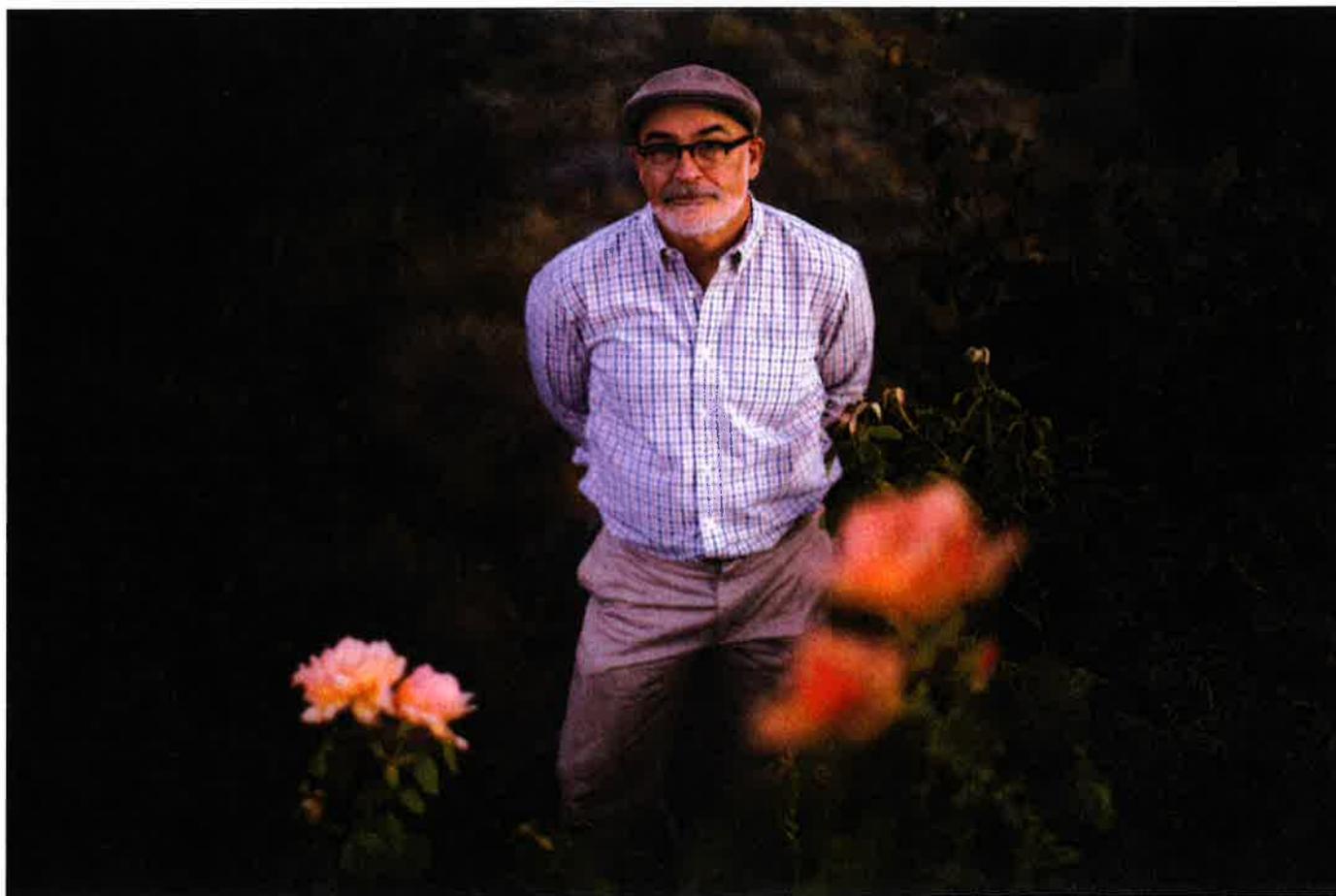


That summer, then-Sheriff Rob Giordano told the county board of supervisors that he objected to the report and was frustrated that Threet, a government employee, had not completed overdue audits. A few months later, Giordano recommended that Threet's office be disbanded and that future auditors be retained for only limited periods.

“If there is no expectation of employment beyond a specific period of time, there is no pressure or inherent need to justify [the office],” Giordano wrote in a response to Threet's annual report.

The Sonoma County Sheriff's Office declined to comment.

Threet said the stress was taking its toll. His doctor bluntly advised, “If I didn't quit this job, I was going to end up dead,” he said. He eventually left in 2019.





The next year, he helped pass an ordinance to give the oversight office more access to personnel records and body-camera footage from the sheriff's office. The Sonoma County Deputy Sheriff's Association, however, has filed a complaint with the state's Public Employment Relations Board to challenge the ordinance.

“If I didn't quit this job, I was going to end up dead.”

— Jerry Threet, former Sonoma County oversight official

Cristina Beamud, who now heads the Miami civilian panel, said she [resigned as executive director of Atlanta's Citizen Review Board](#) out of frustration in 2011. There, she said that a conflict of interest with city officials threatened the integrity of the board.

In September 2009, as part of a police investigation into allegations of public sex and drug sales, about two dozen police officers raided an Atlanta gay bar, using anti-gay slurs and forcing everyone to lie on the floor, according to an independent report later commissioned by the city. Employees were arrested on permit violations, but most of the cases fell apart.

Beamud's office sustained nearly all of the citizen complaints filed against officers that night, recommending discipline for every officer involved. But the police chief at the time rejected the recommendations as internal affairs continued its investigation.

When a group of bar patrons and employees sued the city and police chief alleging excessive force and other illegal conduct, the city's attorney argued that the raid was constitutional and defended the officers' actions.



deal of embarrassment to the city.”

Atlanta agreed to pay more than \$1 million to settle the case in 2010. Four officers involved in the raid were eventually fired and seven resigned or retired before the department completed its internal investigation. Four were disciplined and remain active with the department, according to a police spokesman.

Strong support by politicians and government leaders is what allowed an oversight office in Denver to flourish, despite objections from police.

In 2004, city officials eliminated an existing civilian commission that had been criticized as ineffective, replacing it with an independent monitor who works with a citizen board. Crucially, experts said the city gave the new office political and financial support.

The monitor, Richard Rosenthal, a former deputy district attorney from Los Angeles, issued blunt reports that faulted the police for inadequately disciplining officers and failing to quickly hand over records to his office. He helped the city’s public safety manager implement a new disciplinary system and made recommendations to weed out officers accused of misconduct.



Rosenthal, who left in 2012 to head up a civilian oversight agency in British Columbia, said that broad-based support in Denver was critical. “A lot of it has to do with just the strength of the community, and the political will within the community,” he said.

‘They should have lost their jobs’



In Albuquerque, Veronica Ajanel and her son, Jose Acosta, 9, comfort each other after looking at personal items of Ajanel's father, Valente Acosta-Bustillos. (Adria Malcolm for The Washington Post)



Veronica Ajanel displays an image of her father in a poster demanding accountability. (Adria Malcolm for The Washington Post)

In Albuquerque, the city's attempt to establish successful citizen oversight is its third in 30 years. An oversight board from the 1980s was dismantled in 1999 after another string of fatal shootings by police and replaced with a new oversight office that was supposed to be more effective.

"It was thought of as a joke," Mike Gomez, whose unarmed son Alan was shot and killed in 2011 by police, said of that era's civilian oversight. He said the group never issued a report related to his son's killing, and the city later [settled the family's lawsuit](#) for \$900,000.

Under the 2014 federal settlement, Albuquerque officials agreed to remake the civilian group into the Civilian Police Oversight Agency to help rein in the troubled department.



required to review all shootings and serious use-of-force cases after police officials have investigated them. The agency can also recommend punishment, but the police chief has the final say.

Trouble for the new agency started as soon as it was established.

The Albuquerque Police Officers' Association sued the city, asking the courts to invalidate parts of the ordinance that created the agency, saying it would violate the union's contract. The union dropped the suit after city councilors amended the ordinance to assure officers that the oversight board would keep certain internal police files secret.

In 2019, the union sent a letter to the president of the agency's board demanding that another member, Chelsea Van Deventer, resign. They accused her of anti-police bias based on her Twitter account. In one post, she used foul language in response to a bill that would have made assaulting police officers a hate crime. At the time, the local chapter of the American Civil Liberties Union said the union's demand "smacks of an attempt to dismantle systems of police oversight in Albuquerque."

Van Deventer resigned months later, she said, because she took a job as a prosecutor, which may have prohibited her from serving on the board.



union's 2015 lawsuit because some of the oversight agency's proposed powers "would have violated officers' rights." The union, he said, is opposed to allowing civilian boards to discipline or fire officers.

"We welcome civilian oversight and input and believe that discipline should remain with the chain of command within a police department," Willoughby said.

James Ginger, a court-appointed monitor who reviews the police department's progress under the federal agreement, has credited the independent agency and its board for providing oversight. But [in his latest report](#), in November, he said it was at a "straining point," likely needed more staffing and had produced several deficient investigations of civilian complaints.

Of the 27 fatal shootings by police since 2015, the civilian oversight agency and its board have completed reviews and issued findings for five cases, according to public documents. In all five, the board voted to exonerate the officers of violations related to using their weapons.

The oversight agency's failure to review use-of-force cases and inadequate investigations are two of the reasons Valerie St. John, a private investigator, [said she resigned](#) from the governing board in December 2019.

"I reached a point where I wasn't being effective, and you ask yourself, 'Why are you here?'" said St. John, who spent 2½ years serving on the old and new civilian oversight boards.

Veronica Ajanel said she is still waiting for the board to review the [March 30, 2020, killing of her father, Valente Acosta-Bustillos](#). The family had asked police to check on Acosta-Bustillos, whom officers knew from his previous episodes of mental illness. Officers followed him into his home to arrest him after they discovered he had an outstanding warrant. When an officer tried to use his Taser, Acosta-Bustillos swung a shovel at them and one of the officers shot the 52-year-old man, according to video from a body-worn camera.



Albuquerque police spokesman Gilbert Gallegos said that a criminal investigation ruled the shooting justified and that Acosta-Bustillos had “clearly lunged” at officers. The family has filed a wrongful-death lawsuit against the department.

“It’s like taking somebody’s life away, somebody’s parents, somebody’s kids,” said Ajanel. “There should be more consequences.”



parents, somebody's kids. There should be more consequences.”

— Veronica Ajanel, daughter of a man killed by Albuquerque police

It took three years for the oversight agency and board to review a 2015 shooting by police that left Rodrigo Garcia, a suspected car thief, severely disabled with a brain injury. In 2018, the board voted to recommend exonerating the 10 officers involved. The next year, the city agreed to pay Garcia and his family \$3.75 million to settle a lawsuit.

“They shouldn't have been exonerated,” Loretta Garcia, his mother, said. “They should have lost their jobs for doing that.”

Ginger, in his reports, at times has faulted the police department for shoddy and delayed use-of-force investigations. Ginger declined to comment.

Edward Harness, the executive director of the oversight agency, blamed his agency's delays on a police Force Review Board that was created to examine all serious use-of-force cases. That board, which didn't meet for two years while it was being overhauled, must review the cases before the oversight agency can.

In a letter last November to the federal judge overseeing the Justice Department agreement, Harness said that the Force Review Board frequently failed to hand over documents on shootings and other serious incidents within the required 15 days. Cases are held up, he said in an interview, because police need time to redact videos and documents to conceal officers' identities from the board.

The delays are “a concern, and it's still an ongoing process to make sure that the system functions the way it should,” he said.



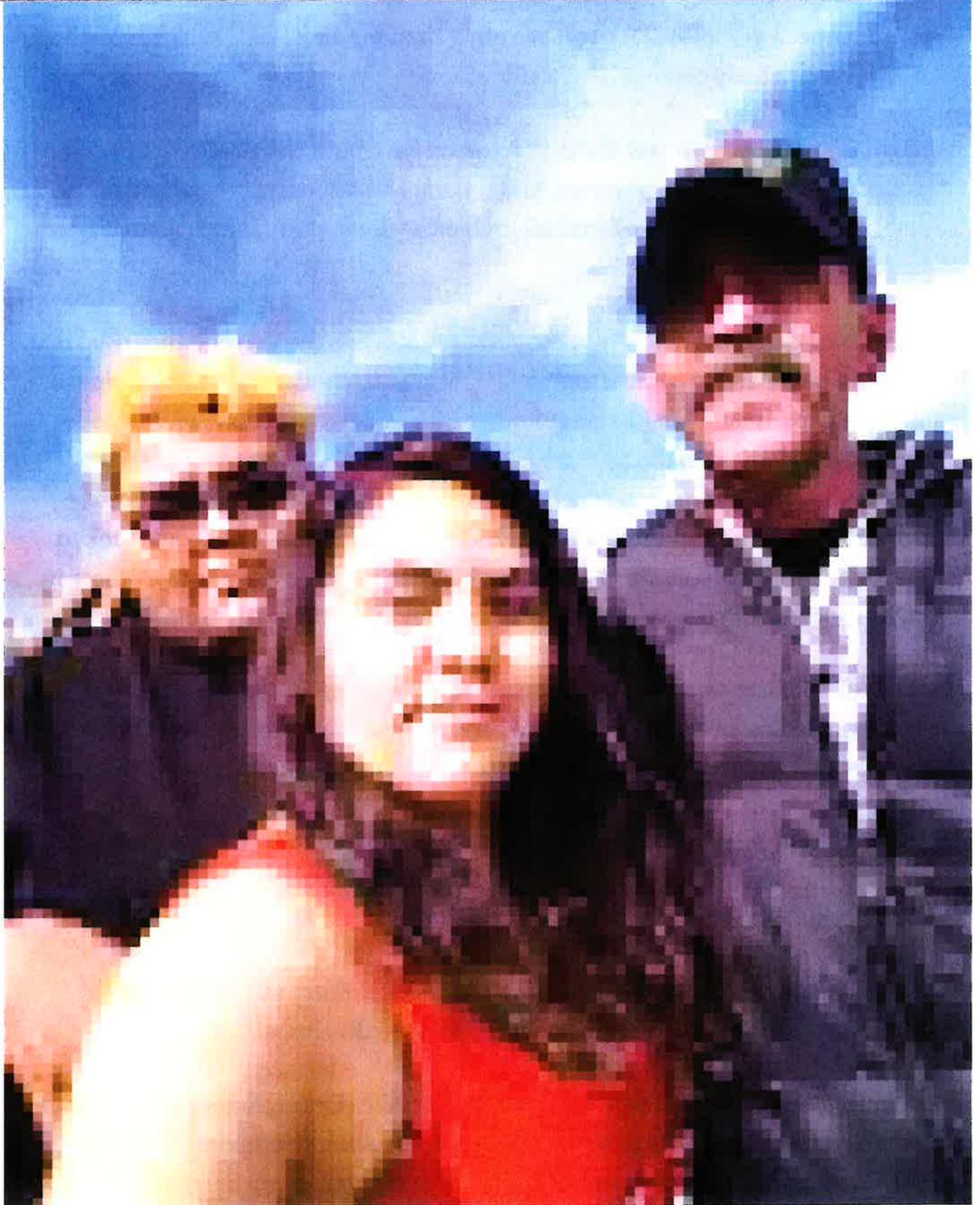
cases at a quicker pace. Over the past six years, the board has issued findings on at least nine nonfatal shootings and at least five fatal shootings by police that occurred before 2015, public records show.

“Any of the board members that were frustrated, I would have encouraged them to stay on the board and help us work through the problems as opposed to, you know, leaving and chirping from the sidelines,” Harness said.

Gallegos, the police spokesman, said the backlog was partly due to “the amount of time it took to revamp the use-of-force policy and get approval.”

Despite the delays, he said, “that doesn’t mean there is a lack of public scrutiny,” given the Justice Department settlement and Ginger’s reviews.

Overall, Gallegos said the police department’s rate of fatal shootings is “sometimes lower or sometimes higher” than the average of similar-size cities, according to his analysis of The Post’s fatal force database. He said that many of the fatal shooting victims had a weapon or tool at their disposal, or methamphetamine in their system.



Valente Acosta-Bustillos with son Valente Acosta-Bustillos Jr. and daughter Veronica Ajanel. (Courtesy of Veronica)



officers have been disciplined for reasons other than the shootings, such as violating policies related to body cameras and traffic stops.

Although Ginger's reviews over the past six years have both criticized and praised the police department on its progress, his stinging November report warned of "serious, meaningful, and near-terminal problems with departmental command and leadership at the highest levels."

When Michael Geier, the chief since 2017, retired last fall, the mayor announced new leadership would need to combat high crime rates and "challenges that continue to hamper the department." In March, the city named a longtime Albuquerque police officer, Harold Medina, as the new chief. Willoughby, the union president, said officers are hopeful Medina can lead the department through the reform efforts, though he "faces an almost impossible task." Last month, dozens of people took to the streets to protest Medina's appointment because while he was a patrol officer in 2002, he shot and killed a 14-year-old who was holding a BB gun.

Medina's use of force was found to be justified, according to Gallegos, the police spokesman. Medina said that he believed he was going to die during the incident but also that he had learned from the experience and that it has made him a better chief.

"The next chief at APD needs to step up, speak out, set and meet reform goals, and ensure that the management team supporting him, or her, are pulling together to ensure reform," Ginger wrote in November.

"Until that happens, change will be difficult to make. Reform will be difficult to implement. Effective, constitutional policing will remain elusive."

Andrew Ba Tran, John Sullivan, Matthew Kiefer, Alice Crites, Emma Brown, Beth Reinhard, Steven Rich, Nate Jones, Aaron Schaffer, Anna Brugmann, Tobi Raji, Keith Newell and Maya Smith contributed to this report.

About this story



requested police misconduct complaint data from roughly a dozen oversight agencies and analyzed the outcomes of thousands of cases. Reporters also examined studies on civilian oversight, including the initial results of a National Association for Civilian Oversight of Law Enforcement survey that provides details on the specific powers of agencies and boards nationwide.

Design and development by Jake Crump and Tara McCarty. Editing by [David Fallis](#). Produced by [Julie Vitkovskaya](#). Copy editing by Gilbert Dunkley. Photo editing by Robert Miller. Video editing by Jorge Ribas.

Nicole Dungca Follow

Nicole Dungca is an investigative reporter at The Washington Post.

Jenn Abelson Follow

Jenn Abelson is a reporter for The Washington Post's investigative team.



Memorandum Item 5



CITY OF DALLAS

DATE May 11, 2021

TO Members of the Community Police Oversight Board

SUBJECT 2021 Training Schedule for the Board

The CPOB is not only committed to community engagement, it is also committed to continued learning in the areas of oversight, policing, criminal justice and any other topics the Board deems relevant to its work.

Below is the CPOB Training Schedule for 2021.

2021 CPOB Training Calendar

January

- 27th = NACOLE Analyzing and Reporting Use of Force Statistics (1 ½ hours)

February

- 23rd = NACOLE Civilian Oversight of police Surveillance Technology (1 ½ hours)

March

- 3rd = NACOLE Death Anxiety and Police Culture (1 ½ hours)

April

- 6th = NACOLE Investigation and Systemic Review of Police Responses to Large-scale Protests (1 ½ hours)
- 13th = OCPO Board training: “How Can Civilian Oversight of Law Enforcement Help You?” (45 minutes)

May

- 11th = OCPO Board Training: “When Communities Try to hold Police Accountable, Law Enforcement Fights Back” (45 minutes)
- 18th = NACOLE National Initiative for Building Community Trust and Justice (1 ½ hours)

June

- 9th = NACOLE Role of the First-Line Supervisor in Facilitating Change in Law Enforcement Organizations (1 ½ hours)

Tonya McClary
OCPO Director

cc: T.C. Broadnax, City Manager

Memorandum Item 6



CITY OF DALLAS

DATE May 11, 2021

TO Members of the Community Police Oversight Board

SUBJECT Board Member Update on Scheduling Town Hall Meetings

Board members will provide an update on their efforts to schedule a town hall meeting in their district.

Cc: T.C. Broadnax, City Manager



City of Dallas

Community Police Oversight Board (CPOB)

2021 Schedule

City Hall
1500 Marilla Street
City Council Chambers, 6EN
Dallas, Texas 75201

Item 7

Community Police Oversight Board meetings are held every 2nd Tuesday of each month, unless noted otherwise. Meetings are held at Dallas City Hall, 1500 Marilla, City Council Chambers, 6EN or virtually. Meetings normally begin at 5:30p.m. unless noted otherwise.

January 12, 2021 – Video Conference at 5:30 p.m.

February 9, 2021 – Video Conference at 5:30 p.m.

March 9, 2021 – Video Conference at 5:30 p.m.

April 13, 2021 – Video Conference at 5:30 p.m.

May 11, 2021 – Video Conference at 5:30 p.m.

June 8, 2021 – City Council Chambers, 6EN

July 13, 2021 – City Council Chambers, 6EN

August 10, 2021 – City Council Chambers, 6EN

September 14, 2021 – City Council Chambers, 6EN

October 12, 2021 – City Council Chambers, 6EN

November 9, 2021 – City Council Chambers, 6EN

December 14, 2021 – City Council Chambers, 6EN