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MemorandumCITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

DATE April 8, 2014

TO Honorable Mayor and Members of the City Council

SUBJECT **FY 2012 – 2013 Annual Report: Citizens Police Review Board**

The members of the Citizens Police Review Board are pleased to submit to the City Council the Annual Report of activities for 2013.

If you have any questions, please advise.

A handwritten signature in black ink that reads "Carl Raines".

Carl Raines, Chair
Citizens Police Review Board

Attachments

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Rosa A. Rios, City Secretary
Warren M. S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Daniel F. Solis, Administrative Judge
Ryan S. Evans, Interim First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager

Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O' Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Assistant to the City Manager

Notice: A quorum of the Board/Commission may attend this Board/Commission Sub-Committee meeting. This notification is being posted in the event a quorum is present

Citizens Police Review Board



Annual Report 2013

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CITY OF DALLAS
CITIZENS POLICE REVIEW BOARD
FY Oct 2012 – Sept 2013
ANNUAL REPORT

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Tab 1
Board Members

DALLAS CITIZENS POLICE REVIEW BOARD
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Current Board Members

Board Member	Position	Original Appointment Date	Current Status
Janice Coffee	1	12-4-13	Appointed
Winnie Dixon	7	1-25-08	Reappointed
Miriam Dominguez	2	10-8-13	Appointed
Phil Foster	3	11-14-07	Reappointed
Frances Gonzalez	15	1-15-14	Appointed
Mario Gutierrez	6	2-2-12	Reappointed
Paul Hille	14	2-26-14	Appointed
Thomas Jefferson	10	5-23-08	Reappointed
Mike Pappas	11	9-3-2013	Appointed
Carl Raines, Chair	5	9-30-09	Reappointed
Felix Saucedo, Vice-Chair	9	12-2-10	Reappointed
Dwight Williams	8	4-13-12	Reappointed
VACANT	4	----	----
VACANT	12	----	----

Other Board Members Serving in 2012-13

Board Member	Position	Original Appointment Date	Current Status
Martin Birnbach	12	9-24-13	Resigned 2-11-14
Larry French	11	10-5-07	Termed out
David Hardt	14	10-5-11	Termed out
Tommy Hines	13	11-4-09	Forfeit position 3-7-14
Vickie Keene	1	11-14-07	Termed out
Jackie Staley	2	10-28-05	Termed out

Technical Advisory Committee:

Lt. James Smith
 Lt. Glen Edney

City of Arlington
 City of Ft. Worth

180047

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Tab 2

Staff Members

Staff Members

- City Manager's Office
 - Ryan S. Evans, First Assistant City Manager
 - Shun Session, Board Coordinator

- Dallas Police Department
 - Deputy Chief Gloria Perez, Internal Affairs
 - Lt. James Madison, Internal Affairs
 - Pavala Armstrong and Sylvia McClellan, Assistant City Attorney Office

Tab 3
Mission Statement

DALLAS CITIZENS POLICE REVIEW BOARD

Mission Statement

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

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

Tab 4 Objective

Objective

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

Tab 5

Guiding Principles

Guiding Principles

- Authority:** Dallas City Code, Chapter 37, Article III Dallas Citizens Police Review Board (CPRB) Section 37-31
- Members:** 15 members, one appointed by each member of the City Council
- All members shall be appointed for a term to expire on September 1. All subsequent appointments will be made in August of each odd-numbered year for a two-year term beginning on September 1. Members shall serve until their successors are appointed and qualified
- Qualifications:** No special qualifications for membership
- Officers:** Mayor appoints the chair, subject to confirmation by a majority of the City Council; full City Council appoints the Vice-Chair
- Functions:** The Citizens Police Review Board is primarily an advisory board. The Board hears complaints against Dallas Police Officers, where the citizen is not satisfied with the results of the Internal Affairs Division and Chain-of-Command (division level) investigations. The Board's powers are set by City ordinance.

WHAT THE REVIEW BOARD CAN AND CANNOT DO:

The Review Board **cannot**:

1. Overturn Internal Affairs and Chain-of-Command (division level) decisions.
2. Require the officer being complained of to appear before the Board.
3. Award money damages for citizens.
4. Discipline or recommend discipline of police officers.
5. Decide who was right and who was wrong in a particular case.
6. Dismiss tickets or charges against citizens.

The Review Board **can**:

1. Make recommendations to the City Manager's Office concerning officers that are the subject of a complaint.
2. Agree or disagree with an Internal Affairs or Chain-of-Command (division level) decision.
3. Request Internal Affairs or Chain-of-Command to conduct further investigations.
4. Do its own investigation or hire a third party investigator.
5. Subpoena Witnesses (other than the officer being complained of).

Tab 6 Training

Training

The ordinance requires that Board members are provided two training classes per term to become familiar with police procedures. Two training classes were accomplished during Fiscal Year 2012-13.

The following training sessions were conducted:

- Tuesday, March 12, 2013 - Dallas Police Department Employee Development Program
- Tuesday, May 14, 2013 – Dallas Police Department Advancing Police Technology Improvements

Tab 7
Attendance

Dallas Citizens Police Review Board
2013 ANNUAL REPORT

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**Dallas Citizens Police Review Board Attendance Record
Board Members for the period of October 2012 Through September 2013**

	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg	Reg
MEETING DATES	Oct 9, 12	No. 13, 12	Dec. 11, 12	Jan. 15, 2013	Feb. 12, 13	Ma. 12, 13	Apr. 9, 13	May 14, 13	June 11, 13	July	Aug 13, 13	Aug 13, 13	Aug 13, 13	Aug 13, 13	Aug 13, 13	Sep. 10, 13
Vickie Keene Dist. 1		A				A				CR						
Jackie Staley Dist. 2										CR						
Janice Coffee Dist. 3				A				A	A	CR						
Carl Raines Dist. 4										CR						
Phil Foster Dist. 5		A		A						CR						
Mario Gutierrez Dist. 6										CR						
Winnie Dixon Dist. 7					A					CR						
Dwight Williams Dist. 8							A			CR						
Felix Saucedo Dist. 9		A								CR						
Thomas Jefferson Dist. 10				A						CR				A		
Larry French Dist. 11								A		CR						
Tommy Hines - Dist. 13				A						CR				A		
David Hardt - Dist. 14	A									CR				A		
Dist. 12	V	V	V	V	V	V	V	V	V					V	V	V
Dist. 15	V	V	V	V	V	V	V	V	V					V	V	V

Legend: A = Absent, V = Vacant, CR = Council Recess, MC = Meeting Cancelled

Tab 8

Success Indicators

Dallas Citizens Police Review Board
2013 ANNUAL REPORT

SUCCESS INDICATORS
NUMBER OF CASES REVIEWED BY THE
Dallas CITIZENS POLICE REVIEW BOARD
OCTOBER 2012 - SEPTEMBER 2013

	2013												TOTALS
	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	
Monthly Summary of DPD Cases													
Cases investigated by Internal Affairs	31	35	46	27	43	32	35	42	18	47	53	42	451
Internal Affairs Referrals to Division	20	15	25	25	11	27	38	20	33	31	34	39	318
Total IAD/DR Cases Filed	51	50	71	52	54	59	73	62	51	78	87	81	769
Board Activity Detail													
Complainants scheduled to appear	4	5	5	3	3	3	4	4	6	-	6	6	49
Complainants that were a No-Show	4	5	4	2	2	2	3	3	3	-	5	2	35
Complainants 2 nd (final) notice case dismissed	1	1	4	0	0	1	1	1	0	-	3	2	14
Board Review of New Appeals	0	0	1	1	1	0	1	1	1	-	1	3	10
Board Review of Pending Appeals	0	0	0	0	0	1	0	0	2	-	0	0	3
Total Cases Reviewed By Board	0	0	1	1	1	1	1	1	3	-	1	3	13
FY Oct 2012 through Sept 2013													
Status Report on Pending Police Involved Shootings	0	0	0	0	0	0	0	0	0	-	0	0	0
Board Review of Completed Police Involved Shootings	0	0	0	0	0	0	0	0	0	-	0	0	0
Board Training Sessions	0	0	0	0	0	1	0	1	0	-	0	0	2
Board Case Conclusion													
Concur w/IAD or Division	0	0	1	1	1	1	1	0	3	-	0	2	10
Not Concur w/IAD or Division	0	0	0	0	0	0	0	0	0	-	1	1	2
Referred to CMO For Recommendation	0	0	0	0	0	0	0	0	0	-	0	0	0
Case Ret'd to IAD/Follow-up Report	0	0	0	0	0	0	0	1	0	-	0	0	1
Special Recognition of Dallas Police Officers	0	0	0	0	0	0	0	0	0	-	0	0	0

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

Tab 9
Annual Summary

ANNUAL SUMMARY

NUMBER OF TYPES OF CASE ALLEGATIONS REVIEWED BY THE Dallas CITIZENS POLICE REVIEW BOARD OCTOBER 2012 - SEPTEMBER 2013

The Citizens Police Review Board reviewed 13 Cases, which included 3 Division Referrals and 10 IAD investigations. These cases represent 27 different types of allegations. A complainant may make several allegations, so the total number of allegations may not be the same as the number of case complaints actually reviewed by the Board. In the majority of instances, citizens fail to appear at the first scheduled hearing. Consequently, the citizen's complaint is carried forward as pending business for Board review at the next regularly scheduled meeting of the Board. Therefore, this report reflects the volume of work performed by the Board.

Indicated below are the types of case allegations reviewed by the Citizens Police Review Board for October 2012 - September 2013:

Failed to fully investigate incident	1
False Report (Inaccurate)/Arrest	1
Handcuffs to tight	1
Improper Conduct	3
Engaged in inappropriate relationship	1
Excessive (Unnecessary) Force	6
Improper and no investigation	1
Improper Search of vehicle	1
Improper Search of complainant	2
Improper Statement	1
Inaccurate Report	1
Inappropriate advances	1
Inappropriate Comment (Racial comment)	3
Unprofessional Conduct	2
Ransacked Vehicle	1
Refused to give name/badge number	1
TOTAL (Type of case allegations)	27

Tab 10 Summary

SUMMARY

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

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

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

Tab 11

Board Certification

BOARD CERTIFICATION

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