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CITY OF DALLAS

Memorandum

DATE January 10, 2014

CITY SECRETARY
DALLAS, TEXAS

TO Honorable Members of the Public Safety Committee:
Adam Medrano (Vice Chair), Dwaine Caraway, Jennifer S. Gates, Sandy Greyson, Scott Griggs

SUBJECT **Public Safety Committee Meeting Agenda**

Monday, January 13, 2014, 11:00 a.m. - 12:30 p.m.

Dallas City Hall – Room 6ES, 1500 Marilla St., Dallas, Texas 75201

- | | |
|--|--|
| Call to Order | Sheffie Kadane, Chair |
| 1. Approval of December 9, 2013 minutes | Sheffie Kadane, Chair |
| 2. 2013 Crime Summary | Chief of Police David O. Brown Dallas Police Department |
| 3. Digital Video Recording Program Body Worn Cameras | Deputy Chief Andrew Acord Dallas Police Department |
| 4. Use of Force Team Overview | Deputy Chief Albert Martinez Dallas Police Department |

FYI:

- | | |
|---|---|
| 5. Upcoming Council Agenda Item Memos | |
| <ul style="list-style-type: none"> • Microwave Voice and Data Network Replacement (CIS) • Amendment to Dallas City Code, Chapter 42 Regarding Home Solicitation (DPD) • Tobacco Enforcement Program Supplemental Funds Acceptance (DPD) • Authorize Payment to Dallas County Sheriff's Office for the Dallas County Highway Traffic Program (DPD) • Acceptance of Office of Governor, Criminal Justice Division Internet Crimes Against Children (ICAC) Grant and Correction to Office of Governor, NIBIN Grant Resolution (DPD) | |
| 6. Administrative (Police) Reports Internal Affairs Division Cases | Deputy Chief Gloria Perez Dallas Police Department |

New Case Presentations:

Control # 2013-435

Control #2014-001

Sheffie Kadane, Chair
Public Safety Committee

NOTICE: A quorum of the Dallas City Council may attend this Council committee meeting.

January 10, 2014

Public Safety Committee Meeting – Monday, January 13, 2014

Page 2 of 2

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, Interim 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
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager

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

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

DRAFT

Public Safety Committee Meeting Record

The Public Safety Committee meetings are recorded. Agenda materials are available online at www.dallascityhall.com. Recordings may be reviewed/copied by contacting the Public Safety Committee Coordinator at 214-670-3246.

Meeting Date: Monday, December 9, 2013

Convened: 11:09 a.m.

Adjourned: 12:32 p.m.

Committee Members Present:

Sheffie Kadane, **Chair**
Dwayne Caraway
Jennifer Gates
Sandy Greyson
Scott Griggs
Adam Medrano, **Vice-Chair**

Executive Staff Present:

Ryan S. Evans, Interim First Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Chief of Police David O. Brown, DPD
Deputy Chief Christina Smith, DPD
Deputy Chief Jesse Reyes, DPD
Lt. Fernando Gray, DFR
Lt. John Madison, DPD
LaToya Jackson, Assistant Director, SCS
Zachery Kuentz, OFS

Non Committee Member Present:

Philip Kingston

PUBLIC SAFETY COMMITTEE AGENDA:

1. **Call to Order**

Presenter: Sheffie Kadane, Chair

Action Taken/Committee Recommendation(s):

Committee Chair Kadane called an open session of the Public Safety Committee Meeting to order at 11:09 a.m., Monday, December 9, 2013 at Dallas City Hall, 1500 Marilla, 6ES, Dallas, TX, 75201. A quorum was present.

2. **Approval of Meeting Record for November 18, 2013 Public Safety Committee Meeting**

Presenter: Sheffie Kadane, Chair

Action Taken/Committee Recommendation(s):

Motion made by: Councilmember Greyson

Item passed unanimously: X

Item failed unanimously:

Seconded by: Councilmember Medrano

Item passed on a divided vote:

Item failed on a divided vote:

3. **Dallas Police Department Crime Report**

Presenter: Chief of Police David O. Brown, Dallas Police Department

Police Chief Brown provided the committee with a progress report of the Police Department in crime.

The committee had the following areas of concern:

- Sexual assaults
- 3-5 year crime chart
- Robberies
- Aggravated assaults

4. **Dallas Police Narcotics Enforcement**

Presenter: Deputy Chief Christina Smith, Dallas Police Department

The purpose of this presentation is as follows:

- To provide an overview of the Narcotics Division
- To provide information regarding complaints and activity
- To provide an overview of the Narcotics Division's current initiative: Excalibur
- To provide an overview of plan for future money laundering squad

The committee had the following areas of concern:

- Drug Seizures YTD
- Excalibur – Current Initiative
- Methamphetamine
- Tour of Police property room
- Rental houses
- Southwest Border Anti-Money Laundering Alliance
- Financial Investigation Seizure Team (FIST)
- Process for seized weapons
- Directed Highway Enforcement
- Money Laundering Squad
- HIDTA Intelligence Section Commander
- Narcotics Division Activity YTD

5. **Police Athletic/Activities League (PAL)**

Presenter: Deputy Chief Jesse Reyes, Dallas Police Department

The purpose of this presentation is to provide an overview of the Police Athletic/Activities League:

- A youth crime prevention program that utilizes educational, athletic and recreational activities to create trust and understanding between police officers and youth
- Encourages youth to make better life choices and to avoid activities such as gangs, drugs, and criminal activity by offering positive, engaging experiences with law enforcement
- Dallas PAL became an active chapter of the National PAL in 2007

The purpose of PAL:

- Provide a safe environment for kids
- Change kids perception of police officers; make their communities safer
- Mold the leaders of tomorrow

The committee had the following areas of concern:

- 2013 PAL Statistics
- Age of youth contacted
- Number of TAGG related events
- Funding
- List of 592 PAL events
- List of PAL athletic activities
- D.I.S.D. partnership

6. **Next Step in Strategic Planning: Best Practices in Public Safety**

Presenter: LaToya Jackson, Assistant Director, Strategic Customer Services

The purpose of this presentation is as follows:

- To provide an overview of preliminary work from the Budgeting for Outcomes Public Safety Team in preparation for FY 14-15 strategies
- Community Survey Highlights
- SWOT Analysis within Public Safety Key Focus Area (KFA)
- Index Cities Overview
- Best Practices Analysis by Department
 - Police
 - Fire-Rescue
 - Court Services
- Summation of Findings

The committee had the following areas of concern:

- Funding
- ISO program
- Court System improvements
- Technology

7. **Upcoming City Council Agenda Item Memos**

Presenter: Sheffie Kadane, Chair

- FY 2013 Homeland Security Grants Award Acceptance (IGS)
- Radio Communication Master Switch Maintenance and Support (CIS)
- Authorize a contract for expansion of the vestibule located at the North entrance of Dallas City Hall – Big Sky Construction Co., Inc. (EBS)
- Authorize a Memorandum of Understanding with Dallas County for allowing Dallas Police Department to maintain defined access to the Juvenile Information System (DPD)
- Authorize a three-year consignment service contract for the sale of confiscated eight-liner gambling machines (DPD)
- Acceptance of the Financial Investigation/Seizure Team (FIST), Dallas Police North Texas Money Laundering Initiative Grant (DPD)
- Dallas Police Department Impaired Driving Mobilization (IDM) Grant (DPD)

Motion made by Councilmember Medrano to accept the upcoming council agenda items and recommend to full council for approval. Councilmember Griggs seconded the motion and it passed by unanimous vote.

The December 9, 2013 Public Safety Committee meeting adjourned at 12:32 p.m.

APPROVED BY:

ATTEST:

Sheffie Kadane, Chair
Public Safety Committee

Shun Session, Coordinator
Public Safety Committee

Memorandum

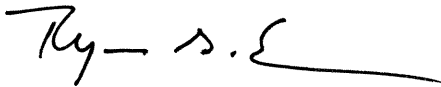


DATE: January 10, 2014

TO: Members of the Public Safety Committee

SUBJECT: **2013 Crime Summary**

Attached is the briefing material on the "2013 Crime Summary" to be presented to the Members of the Public Safety Committee on Monday, January 13, 2014.



Ryan S. Evans
Interim First Assistant City Manager

Attachment

cc: Honorable Mayor and Members of the Dallas City Council
A.C. Gonzalez, Interim City Manager
Warren M. S. Ernst, City Attorney
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Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor and Council

2013

CRIME SUMMARY

Public Safety Committee

January 13, 2014



www.dallaspolice.net

David O. Brown
Chief of Police

Purpose

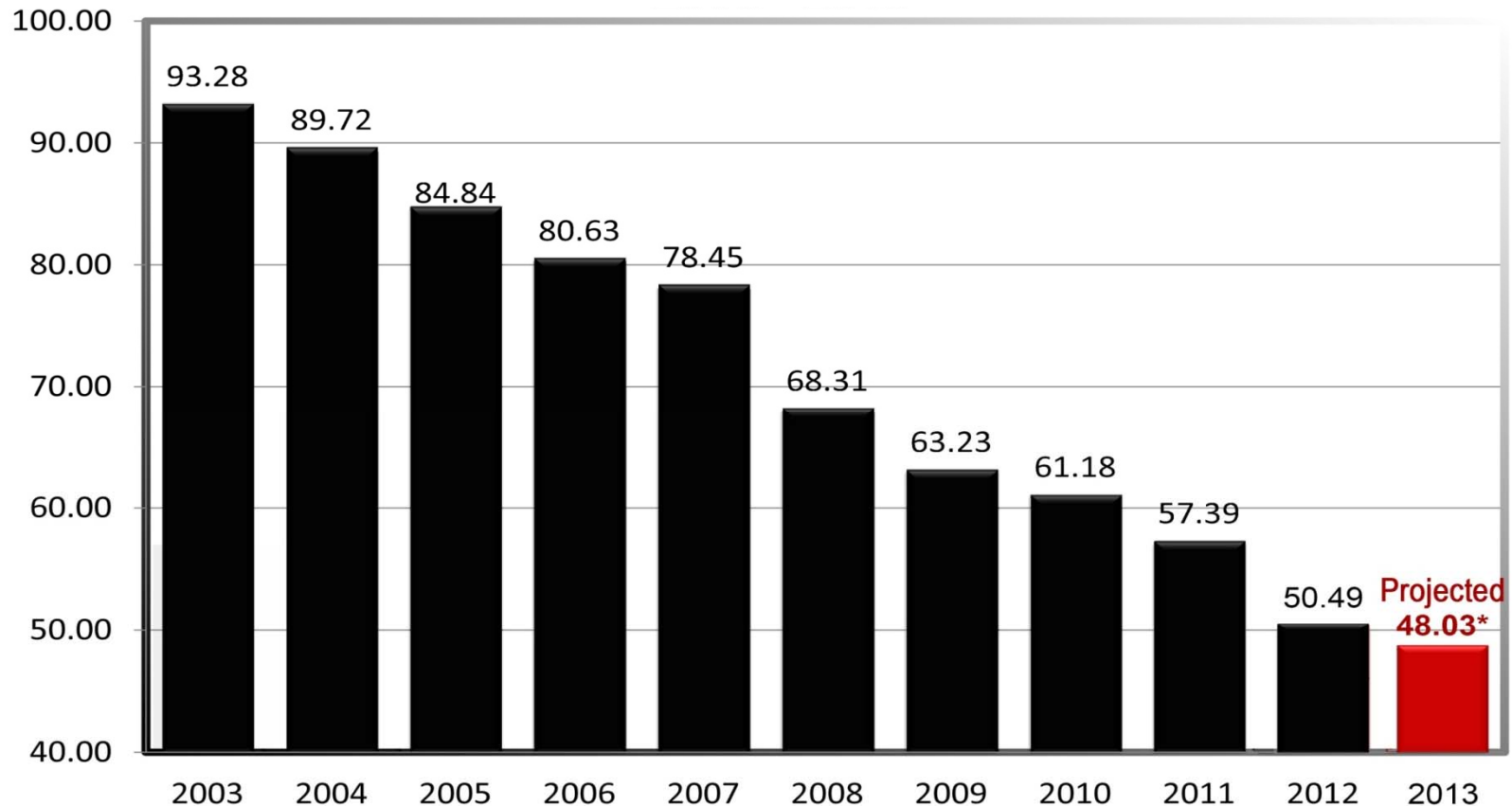
To provide a comprehensive 2013 annual crime report for the City of Dallas and show the department's crime reduction efforts for the last ten years.

An aerial photograph of a city skyline, likely Denver, Colorado, featuring a prominent bridge in the foreground and various skyscrapers in the background. The image is in grayscale.

10th

consecutive year of
overall crime reduction

City of Dallas Overall Part 1 Crime Rates 2003 - 2013



*These crime statistics are preliminary and are subject to reclassification according to the rules and regulations of the FBI's Uniform Crime Reporting (UCR).

These crime statistics are collected for inclusion in the FBI's Uniform Crime Reports program to document crime trends over time and include murder, rape, robbery, aggravated assault, burglary, theft, motor vehicle theft, and arson.

The FBI will publish all agencies offense data in June 2014 in a report titled, "Preliminary Annual Uniform Crime Report, January - December 2013".

The final offense data will be published in October 2014 in a report titled, "Crime in the United States, 2013".

Crime Reduction Comparison

| Offense | 2013 PRELIMINARY | 2012 | % CHG YTD | 4Yr % CHG | 10Yr % CHG |
|--------------------------------|---------------------|---------------|---------------|----------------|----------------|
| Murder | 142 | 154 | -7.79% | -15.24% | -31.39% |
| Sexual Assault | 549 | 486 | 12.96% | 14.14% | -27.02% |
| Robbery | 4,195 | 4,093 | 2.49% | -23.92% | -48.33% |
| Aggravated Assault | 3,481 | 3,647 | -4.55% | -14.45% | -54.88% |
| Total Violent Crime | 8,367 | 8,380 | -0.16% | -18.22% | -50.48% |
| Burglary | 14,496 | 16,071 | -9.91% | -25.32% | -26.21% |
| Theft | 30,354 | 31,148 | -2.55% | -26.73% | -46.72% |
| Auto Theft | 7,418 | 7,062 | 5.04% | -28.61% | -59.28% |
| Total Non-Violent Crime | 52,268 | 54,244 | -3.61% | -26.62% | -44.40% |
| Total Index Crimes | 60,635 | 62,680 | -3.26% | -25.57% | -45.30% |

10 Consecutive Years of Crime Reduction

2013 - Unprecedented decade of decline in the overall crime rate for homicides, violent crime and property crime

2013 - Lowest overall crime rate in 47 years

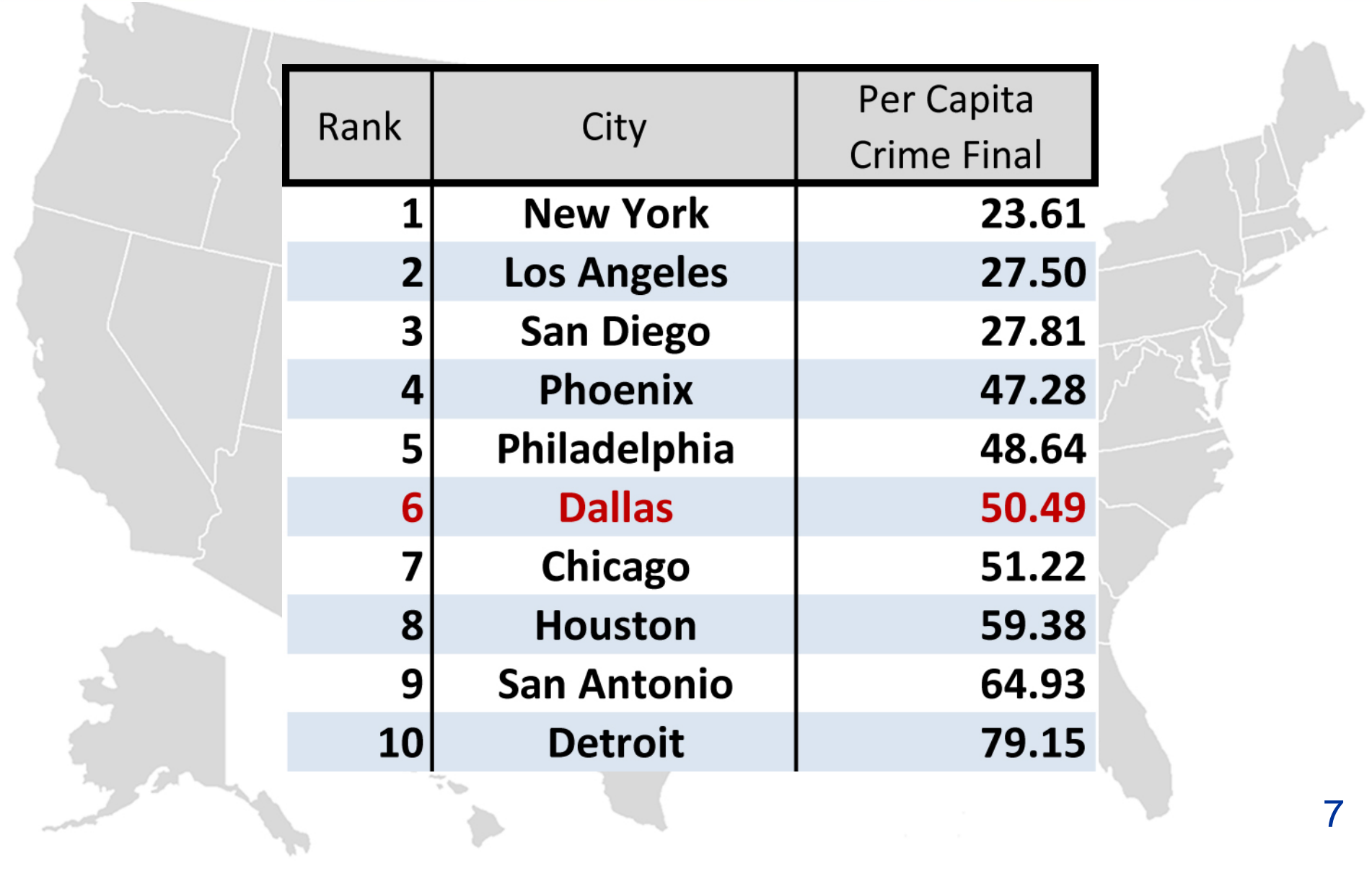
2003 - 2013 - 45% reduction in overall crime rate and a 50% reduction in violent crime in over ten years

2010 - 2013 - Lowest murder rate since the 1930's & 1950's

2011 - Lowest homicide rate in 55 years

2012 U.S. Crime Statistics

Major Cities



| Rank | City | Per Capita Crime Final |
|------|--------------|------------------------|
| 1 | New York | 23.61 |
| 2 | Los Angeles | 27.50 |
| 3 | San Diego | 27.81 |
| 4 | Phoenix | 47.28 |
| 5 | Philadelphia | 48.64 |
| 6 | Dallas | 50.49 |
| 7 | Chicago | 51.22 |
| 8 | Houston | 59.38 |
| 9 | San Antonio | 64.93 |
| 10 | Detroit | 79.15 |

The Most Significant Crime Reduction of Major Cities 2003 - 2012

| | |
|---------------------|----------------|
| DALLAS | -45.38% |
| LOS ANGELES | -42.57% |
| PHOENIX | -34.57% |
| DETROIT | -33.01% |
| SAN DIEGO | -30.73% |
| CHICAGO | -24.19% |
| NEW YORK | -17.13% |
| HOUSTON | -10.21% |
| PHILADELPHIA | -9.90% |
| SAN ANTONIO | -0.71% |

2014 Crime Report



PUBLIC SAFETY COMMITTEE BRIEFING Index Crime Year to Date 01/07/2014

| CRIME TYPE | 2014 YTD | 2013 LYTD | % CHG YTD | 4 yr % Change | 10 yr % Change |
|----------------------------|-------------|--------------|----------------|------------------|-------------------|
| Murder | 0 | 2 | -100.00% | -15.24% | -38.22% |
| Sexual Assault | 10 | 3 | 233.33% | 14.14% | -5.51% |
| Robbery | 71 | 85 | -16.47% | -23.92% | -47.25% |
| Aggravated Assault | 59 | 87 | -32.18% | -14.45% | -56.85% |
| Total Violent Crime | 140 | 177 | -20.90% | -18.22% | -50.29% |
| Burglary | 175 | 218 | -19.72% | -25.32% | -33.64% |
| Theft | 425 | 550 | -22.73% | -26.73% | -48.13% |
| Auto Theft | 139 | 154 | -9.74% | -28.61% | -57.31% |
| Total Non-Violent | 739 | 922 | -19.85% | -26.62% | -46.52% |
| Total Index Crimes | 879 | 1,099 | -20.02% | -25.57% | -47.07% |

Community Policing



Coffee with Cops



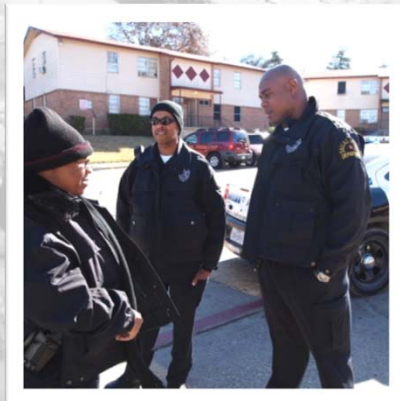
PAL – Youth Programs



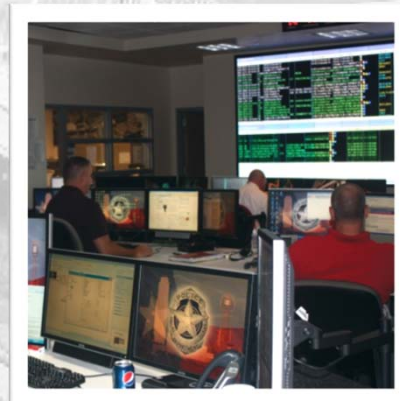
Working Together in 2014,
we will make it happen!



Body Cameras



Neighborhood Patrol



Technology



Community Engagement

An aerial photograph of a city skyline, likely Denver, Colorado, featuring a prominent bridge in the foreground and various skyscrapers in the background. The image is in grayscale, with the text overlaid in color.

10th

consecutive year of
overall crime reduction

Questions?

Memorandum

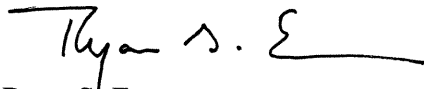


DATE: January 10, 2014

TO: Members of the Public Safety Committee

SUBJECT: **Digital Video Recording Program Body Worn Cameras**

Attached is the briefing material on the “Digital Video Recording Program Body Worn Cameras” to be presented to the Members of the Public Safety Committee on Monday, January 13, 2014.



Ryan S. Evans
Interim First Assistant City Manager

Attachment

cc: Honorable Mayor and Members of the Dallas City Council
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Digital Video Recording Program

Body Worn Cameras

Public Safety Committee

January 13, 2014



www.dallaspolice.net

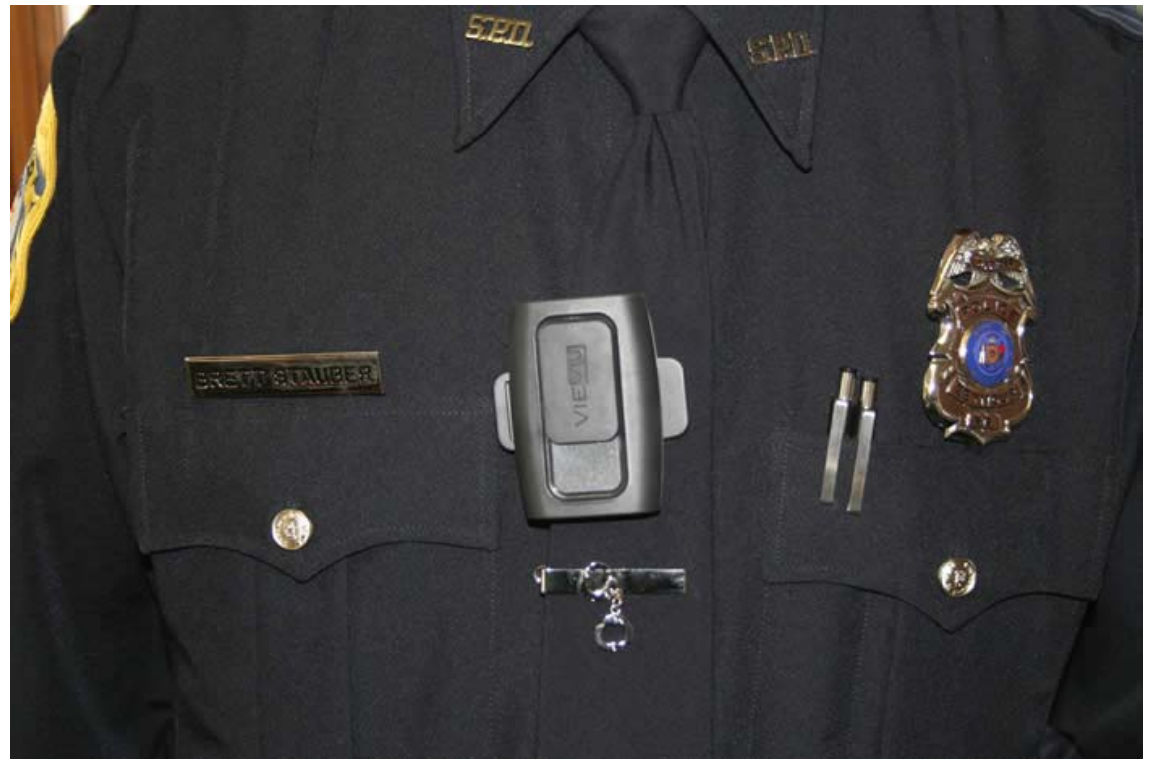
Purpose

- To increase department transparency, officer accountability, and build on the public's trust and confidence in the police department.
- To provide accurate documentation of encounters involving officers during the performance of their duties.
- Protect officers from false allegations.

Definitions

- Body worn camera (BWC) system is a camera that is affixed to an officer's uniform that can record audio and video of the event. BWCs are independent of the in-car camera system.
- In-car camera system is a audio/video recording system permanently mounted within a marked squad car; this system is currently in use.

Body Worn Camera System



Field Testing

- The department has 50 BWCs that are currently deployed to patrol stations to evaluate their utility and benefit.
- BWC systems go beyond the capabilities of the in-car system by recording audio and video of events that occur out of view of the in-car camera system.

Field Testing

- Officers are required to record enforcement actions and response to certain types of offenses such as but not limited to:
 - Family Violence calls
 - “In progress” emergency calls
 - Traffic/Pedestrian Stops
 - DWI enforcement
- Officers are prohibited from recording situations where there is an expectation of privacy such as:
 - Restrooms and locker rooms
 - Hospitals and doctor’s office
 - Work related activities such as meetings, details and administrative investigations

Field Testing

- Once a recording is made, the officer will not be able to edit or delete the recording.
- Recordings are retained for a minimum of 90 days unless flagged for future use, such as further investigation and prosecution.

Benefits

- Provide reporting, evidence collection and court room testimony.
- Enhance the ability to obtain convictions of criminal offenses and increase the number of guilty pleas prior to going to trial.
- Protect officers from false allegations.
- Deter violence or other negative behavior by a suspect who may otherwise choose to assault a victim or an officer.

Next Steps

- In addition to evaluating the 50 VieVu brand BWCs; the department has drafted a Request for Proposal (RFP) so that other camera vendors will provide cameras for evaluation.
- Evaluation will continue for approximately 6 months; BWCs will be rotated throughout various uniform assignments (Patrol, SWAT, Metro, Narcotics and Gang).
- After the evaluation period, a BWC system will be selected and deployed as funding becomes available.

Estimated System Cost

- The department's body camera program will ultimately be a multi-year program that will equip approximately 2,500 uniformed officers.
- BWC vendor prices per unit vary and are dependent on if a camera system is purchased as a stand alone device or as part of a multi-year agreement.
- Estimated equipment cost.
 - Varies from \$750 - \$4,700* per unit.

*The \$4,700 per unit cost is based on a 5 year service agreement with one vendor.

Summary

- ENHANCEMENT:
 - Prosecution of offenses
 - Officer safety
 - Officer training
 - Enhanced public confidence



Questions?

Memorandum

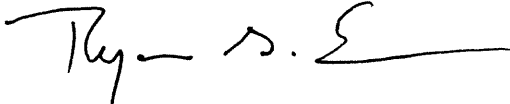


DATE: January 10, 2014

TO: Members of the Public Safety Committee

SUBJECT: **Use of Force Team Overview**

Attached is the briefing material on the “Use of Force Team Overview” to be presented to the Members of the Public Safety Committee on Monday, January 13, 2014.



Ryan S. Evans
Interim First Assistant City Manager

Attachment

cc: Honorable Mayor and Members of the Dallas City Council
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Elsa Cantu, Assistant to the City Manager – Mayor and Council



Use of Force Team Overview

Public Safety Committee

January 13, 2014



www.dallaspolice.net

David O. Brown
Chief Of Police

The Purpose of this Briefing

- Provide an overview of the changes being made to Dallas Police Use of Force training program:
 - Staffing changes
 - Timeline for the expected changes
 - Comparison of current training to the new training regimen

Use of Force Team Staffing Changes

| Current Staffing | New Staffing |
|---|---|
| Reality Based Training (RBT) – 8 Senior Corporals and 1 Sergeant | RBT change to 7 Sergeants |
| Defensive Tactics - 8 Senior Corporals and 1 Sergeant | Defensive Tactics – Staffing remains the same |
| Firearms – 16 Senior Corporals and 1 Sergeant | Firearms – One additional sergeant will be added to Staff These 3 teams overseen by 1 Lieutenant 1 Major being added to oversee transition |

Use of Force Team Staffing Changes

- Adding more Sergeants to training:
 - Adds management insight and a fresh perspective to
 - Training tactics
 - Reasonable alternatives, de-escalation
 - Policy compliance in training
 - Use of force policy and philosophy
 - Deadly force policy and philosophy
 - Training evolution and development
 - Use of Force Training and Investigations
 - Lessens peer – to – peer critique

Use of Force Team Staffing Changes

- Major (Project Manager)
 - Coordinate and facilitate transition
- Lieutenant :
 - Ensures Use of Force training tactics are uniform
 - Oversee the development of the training
 - National Best Practices
 - Officers Input
 - Community Input
 - Policy Compliance

Timeline for Change

- Immediate Change
 - Implement communications plan to officers for buy-in and input
 - Begin training of specialized teams
 - Monthly training compared to annual training
 - Such as Metro Task Force and Crime Reduction Teams
 - New Sergeants in Use of Force Team
 - Begin observation and learning curriculum
 - Get community input

Timeline for Change

- January through April
 - Confer with and Evaluate
 - Best Practices in Use of Force
 - Training by Police Executive Research Forum (PERF) and Institute for Law Enforcement Administration (ILEA) and other entities
 - New Staff Completes Instructor Certifications
 - Texas Commission on Law Enforcement (TCOLE) Basic Instructor
 - Reality Based Training Instructor Certification

Timeline for Change

- April through October
 - Begin implementing curriculum changes
 - Use of Force training in areas of Reality Based Training, Defensive Tactics and Firearms
 - Re-emphasize our policies, philosophies, and expected actions through training for both supervisors and officers

Focus on Training

Additional Trainers will be added to implement

- Use of Force Policy
 - De-escalation
 - Reasonable alternatives
- Deadly Force Policy
- Procedural Justice
- Critical Incident Training (Mental Health)
- Building Searches
- Traffic Stops
- Felony Stops

Summary

- The changes to the Use of Force Team and Training will:
 - Improve officer and citizen safety
 - Improve the public's trust and confidence in the Department
 - Increase Management overview of use of force training and policy application
 - Enhance opportunity to develop better field practices
 - Increase officers' and supervisors' awareness and understanding



Questions?



Dallas Police Department General Order

906.00 Use of Deadly Force

DAVID O. BROWN
CHIEF OF POLICE

Revised 06/19/09

906.00 USE OF DEADLY FORCE

906.01 Philosophy

- A. This philosophy is intended as a broad guide to the use of deadly force and as a moral and ethical approach to the use of deadly force policy. Although not intended as a strictly enforced set of rules, the philosophy statement describes the manner in which the procedures will be applied.
- B. Protection of human life is a primary goal of the Police Department; therefore, police officers have a responsibility to use only the degree of force necessary to protect and preserve life.
- C. Deadly force will be used with great restraint and as a last resort only when the level of resistance warrants the use of deadly force. The Dallas Police Department places a greater value on human life than on the protection of property; therefore, the use of deadly force is not allowed to protect property interests.

906.02 Use of Deadly Force Policy

- A. Justification for the Use of Deadly Force -In all situations, justification for the use of deadly force must be limited to the facts reasonably apparent to the officer at the time the officer decides to use the force.
- B. Definitions
 1. Reasonably Perceive - The facts or circumstances the employee knows, or should know, that would cause an ordinary and prudent peace officer to act or think in a similar way under similar circumstances.
 2. Reasonable Alternative - An action that may be taken by the officer that may allow the officer to avoid the use of deadly force.
 3. Reasonable Belief - A belief that would be held by an ordinary and prudent person in the same circumstances as the actor.
 4. Serious Bodily Injury - Bodily injury that creates a substantial risk of death, serious permanent disfigurement, or protracted loss of impairment of the function of any bodily member or organ.
- C. Avoiding the Use of Deadly Force
 1. At the point when an officer should reasonably perceive the potential exists that deadly force may be an outcome of any situation, the officer must use reasonable alternatives if time and opportunities permit. The reasonableness of the action is based upon the time available, the opportunity of performing the action, and the facts apparent to the officer prior to and during the incident.
 2. Planned and supervised hazardous entry situations are recognized as meeting the requirements of reasonable alternatives above.
 3. Officers will not fire their weapons under conditions that would unnecessarily subject bystanders or hostages to death or possible injury except to preserve life or to prevent serious bodily injury.
- D. Authorization to Use Deadly Force -Officers will only use deadly force to protect themselves or another person from imminent death or serious bodily injury.
- E. Drawing or Displaying Firearms - Officers may draw or display firearms when there is a threat or reasonable belief that there is a threat to life or they have a reasonable fear for their own safety and/or the safety of others.
- F. Discharging Firearms at Moving Vehicles -
 1. Discharging firearms at a moving or fleeing vehicle is prohibited unless it is necessary to prevent imminent death or serious bodily injury to the officer or another person.
 2. Officers will not voluntarily place themselves in a position in front of an oncoming vehicle where deadly force is a probable outcome.
 3. When confronting an oncoming vehicle, officers will move out of its path, if possible, rather than fire at the vehicle.
- G. Officers will not fire warning shots.
- H. Policy Restrictions - The restrictions of this policy shall not apply if an off-duty officer acts within the provisions of current state statutes to protect the employee's personal property. In this case the officer is acting as a private citizen.



Dallas Police Department General Order

901.00 Response Continuum

DAVID O. BROWN
CHIEF OF POLICE

Revised 06/16/11

901.00 RESPONSE CONTINUUM

901.01 Response Continuum – Philosophy

- A. The Response Continuum:
 - 1. Is a concept used in incident handling that simultaneously recognizes the level of subject resistance encountered and the level of control required for the situation.
 - 2. Is an overview that does not direct a particular officer on how much control to use in a particular situation.
 - 3. Gives direction in the escalation of resistance and the escalation of control necessary in police incidents.
 - 4. Explains that many variables are involved in situations where an officer must control a subject.
 - 5. The Dallas Police Department uses the Linear Response Continuum as its model. (see attached)
- B. Skillful use of the options identified in the Response Continuum decreases the necessity to respond with the use of force and increases the probability of bringing the incident to a successful conclusion. The amount of physical force used may range from the use of handcuffs in an arrest, strikes with an impact weapon, or the use of a firearm.
- C. In all cases the Dallas Police Department dictates that only *necessary* force is justified. Any force above that act would be unjustified and the goal of control violated.
- D. Officers will be in situations where the use of physical control techniques is necessary and justified. In all cases of physical control, the potential exists for injury to officers and subjects. Officers will ensure that as soon as subjects are brought under control, they are placed in an upright position (if possible) or on their side. Officers are responsible for rendering first aid to injured subjects. First aid will include:
 - 1. Monitoring the subject.
 - 2. Calming the subject through reassurance.
 - 3. Checking pulse and skin color.
 - 4. Checking for consciousness through the use of interviews.
 - 5. Applying direct pressure, if necessary.

901.02 Use of Force

- A. The Use of Force must be examined from two perspectives: resistance (Subject) and control (Officer). Both control and resistance can be in the form of verbal directives or physical action.
 - 1. Resistance - a subject's non-compliance to the officer. The amount and type of resistance varies based on a number of factors.
 - 2. Control - the force an officer uses to influence or neutralize a non-compliant subject. Officers are justified in using physical control methods in the following situations:
 - a. To protect the officer or another from injury or death.
 - b. To effect the lawful detention or arrest of a non-compliant subject.
 - c. To stop potentially dangerous and unlawful behavior.
 - d. To protect a subject from self-injury.
- B. The Dallas Police Department uses broad standards to measure the justification of an officer's use of force.
 - 1. The control methods used were initiated by a subject's resistance.
 - 2. The level of control used was necessary and reasonable considering the subject's resistance.
- C. A *Show of Control* (displaying tactical advantage to persuade the suspect to comply with verbal commands) is implemented to influence a subject to make positive decisions. A *Show of Control*:
 - 1. Reduces reaction time.
 - 2. Serves as a visual warning of potential use and imparts to a subject that resistance is futile.
 - 3. Adds intermediate steps to the DPD Response Continuum.
 - 4. Can be recalled or de-escalated to lower forms of control.
- D. *Use of Control* is an action that can result in tissue damage to a subject and when employed cannot be recalled, this is to include OC Spray.

901.03 Levels of Subject Resistance

- A. Psychological Intimidation: Non-verbal clues indicating the subject's attitude, appearance, and physical readiness.
- B. Resistive Dialogue: Verbal responses indicating unwillingness or threats.
- C. Passive Resistance: Physical actions that do not attempt to defeat the officer's attempt to control. The subject will not voluntarily comply with verbal and physical attempts of control.
- D. Defensive Resistance: Physical actions to impede arrest by attempting to prevent officer's control, but does not involve attempts to harm the officer. This means there has been physical contact between the officer(s) and suspect. Simply running from officers who have not made any previous physical contact with the suspect does not constitute defensive resistance.
- E. Active Aggression: Physical actions of assault toward officer. This includes a suspect who attempts to attack, grabs, punches, kicks, and/or wrestles with the officer.
- F. Deadly Force encounters.

Dallas Police Department General Order

901.00 Response Continuum

Revised 06/16/11

901.04 Levels of Control

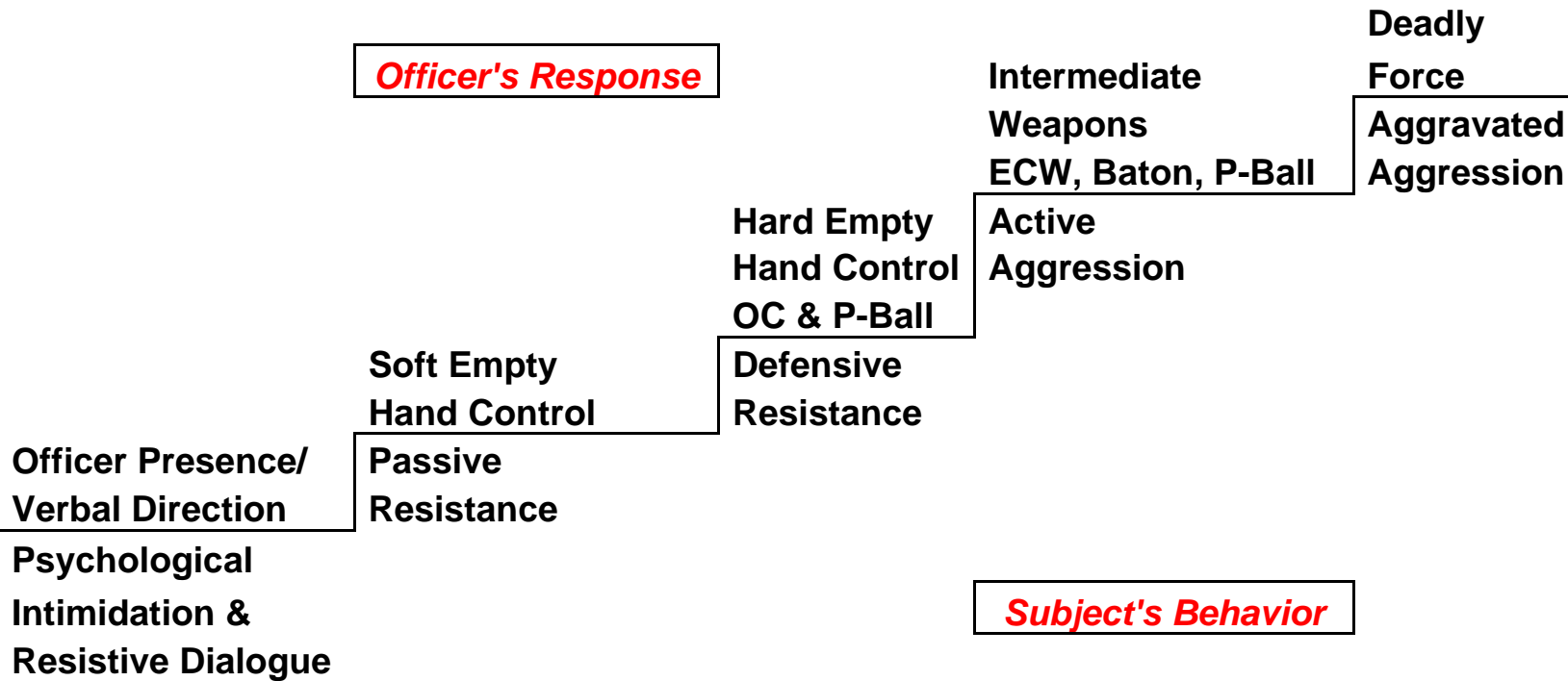
- A. Officer Presence: Bearing, confidence, poise, and perceivable effectiveness assisting the officer in incident interaction. Officer presence includes two essential elements that are implemented to control the situation from the onset:
 - 1. Cognitive Skills: Information, such as law and procedures, which gives the officer a foundation of preparation for incident interaction.
 - 2. Tactical Control: Use of skills and techniques, such as tactical approach, to avoid confrontation and minimize risk; use of cover support; tactical disengagement, and tactical withdrawal.
- B. Verbal Control: Communication skills used by an officer to enhance escalation prevention during incident interaction. (Commands of direction, control, or arrest.)
- C. Empty Hand Control: Empty hand control techniques depend upon the level of subject resistance. The three categories of empty hand control are:
 - 1. Soft Empty Hand Control (Techniques with a low probability of injury): Joint Locks, Pressure Points, Handcuffing. Note: If handcuffing is used as a control technique and the subject is subsequently not taken into custody, a handwritten or MDT generated MIR must be completed.
 - 2. Oleoresin Capsicum (OC) Spray (Technique that can result in tissue damage, allergic reaction, or respiratory distress).
 - a. Hand held aerosols
 - b. PepperBall area saturation
 - 3. Hard Empty Hand Control (Techniques with a probability of injury): Defensive Counterstrikes, Iron Wrist Take-down, and Brachial Stuns (use of personal weapons, i.e.: hands, feet, etc.)
- D. Intermediate Weapons: Use of intermediate weapons is justified for situations when the officer believes empty hand control will be ineffective, inappropriate, or when empty hand control has already failed.
 - 1. The use of intermediate weapons is categorized as follows:
 - a. Soft Intermediate Weapon Control: Impact weapon, joint locks, come-a-longs and blocks.
 - b. PepperBall system-direct contact
 - c. Hard Intermediate Weapon Control: Impact weapon strikes, jabs, and chops.
 - 2. Departmentally authorized batons (refer to General Order 802.23).
 - 3. Electronic Control Weapon
- E. Deadly Force: The use of force that will cause death or serious bodily injury. Deadly Force will only be employed in accordance with the Department's Deadly Force Policy (refer to Section 906.00).

901.05 Variables that Impact the Response Continuum

- A. The Response Continuum emphasizes various levels of control exercised by an officer in response to the levels of resistance exhibited by a subject. The appropriate level of control response will be determined by the facts that are reasonably apparent to the officer at the time of an incident and at the moment that a level of control is initiated.
- B. Officers must take into consideration four variables that impact Response Continuum use:
 - 1. Officer(s)/Subject(s) size, gender, and age.
 - 2. Environmental conditions.
 - 3. Reaction time.
 - 4. Totality of circumstances.
- C. In all situations, officers will use only that force necessary to control the situation. The Response Continuum provides a probability and not a guarantee that the level of force will not escalate.

Linear Use-of-Force Response Continuum

DALLAS POLICE DEPARTMENT



**Upcoming
Council Agenda Item Memos**

Memorandum



CITY OF DALLAS

DATE January 10, 2014

TO Members of the Public Safety Committee

SUBJECT Upcoming Agenda Item: Microwave Voice and Data Network Replacement

The January 22, 2014 Council Addendum will include an item to authorize **(1)** an acquisition contract for the purchase of microwave equipment to replace the City's existing microwave radio system in the amount of \$6,284,983, and **(2)** a five year service contract for maintenance and support of the new microwave system in the amount of \$ 1,825,255, total not to exceed \$8,110,238, financed with Homeland Security Grant Funds (\$6,595,070) and Current Funds (\$1,515,168) (subject to annual appropriations).

The overarching goal of the City of Dallas' Emergency Communications is to provide highly efficient, effective and interoperable public safety communications for city and county law enforcement, Fire and EMS agencies and the citizens they serve. The microwave communication system provides voice support for two-way radio communications used in Police, Fire, EMS, Water Utility, Streets, Sanitation, Aviation, Code, and other city departments that depend on reliable communications day-to-day, and during critical events.

Our current microwave network was built in 1996 and is outdated and limited in functionality in the following ways.

- No technical support and replacement parts for break/fix
- Will not support the future P25 standard based radio systems
- Not redundant, so when anything breaks the whole microwave network is inoperable
- Voice only, does not support data and video transmission

This contract will procure new a microwave communication system. Equipment procured will include microwave transmission antennas, receivers, cables, routers, security equipment, new auxiliary power supplies, and other IT related equipment. The design being proposed is a scalable solution to meet the growing demand of new data and voice solutions which will provide the following:

- A redundant solution for the network
- Three times the capacity of the existing system
- Flexibility to expand the network over the next several years, as an alternative to the traditional wired network for data and voice circuits
- Radio connectivity for all the City radios
- Compatibility with the proposed P25 radio network

Another benefit of the new network is that the vendor will assist the City with beginning to build a wireless voice and data microwave network. This initial network will replace telephone and internet land-line service at Police substations and Water Utility plants, thereby saving the cost of monthly land-line services. This network can be expanded in the future to cover additional City facilities.

DATE January 10, 2014
SUBJECT Microwave Voice and Data Network Replacement, Page 2

Please contact Bill Finch at 670-1890 if you have any questions.



Jill A. Jordan, P.E.,
Assistant City Manager

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, Interim City Manager
Warren M.S Ernst, City Attorney
Rosa Rios, City Secretary
Craig Kinton, City Auditor
Daniel F. Solis, Administrative Judge
Ryan S. Evans, Interim First Assistant City Manager
Forest 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
Frank Libro, Public Information Officer
William Finch, Director/CIO, Communications and Information Services
Elsa Cantu, Assistant to the City Manager

Memorandum



DATE: January 10, 2014

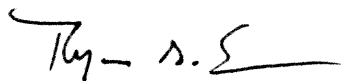
TO: Members of the Public Safety Committee

SUBJECT: Amendment to Dallas City Code, Chapter 42 Regarding Home Solicitation

Currently, there is limited regulation regarding persons conducting home solicitations in residential areas of the city. The city has received numerous complaints regarding door to door solicitors entering on property to sell products or services or to distribute commercial printed matter. Citizens have also expressed concerns that these home solicitations result in criminal activity and disturb their peace.

The proposed amendments to Chapter 42 of the Dallas City Code would create a registration process and other requirements for home solicitors, whether they are selling products or services or distributing commercial printed matter personally or through an agent. The registration would involve a background check and the issuance of an identification card that would be displayed by the solicitor. Some defenses to the registration requirement would be provided, such as for educational, charitable, religious, and political solicitations; solicitations conducted at the invitation or request of the property owner or occupant; and newspaper sales and deliveries requested by the property owner or occupant. The use of adhesives or other damaging materials to leave commercial printed matter on residential premises would be prohibited. A violation of the proposed ordinance would be punishable by a fine of up to \$500.

The City is seeking recommendation from the Public Safety Committee to amend Dallas City Code, Chapter 42 regarding home solicitation. The item was briefed and recommended by the Quality of Life and Environment Committee on December 9, 2013. This item will be placed on the City Council Agenda January 22, 2014



Ryan S. Evans
Interim First Assistant City Manager

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, Interim City Manager
Rosa A. Rios, City Secretary
Warren M. S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Judge Daniel F. Solis, Administrative Judge
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
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager

Memorandum



CITY OF DALLAS

DATE: January 10, 2014

TO: Members of the Public Safety Committee

SUBJECT: Tobacco Enforcement Program Supplemental Funds Acceptance

The City of Dallas has been awarded supplemental funding in the amount of \$15,000 for the 2013/2014 Tobacco Enforcement grant for the period of September 1, 2013 through August 31, 2014. The grant amount is increased from \$65,025 to \$80,025. This grant does not require a match from the City of Dallas.

This grant was created to enforce Subchapter H, Chapter 161, Texas Health and Safety Code, to reduce the extent to which cigarettes and tobacco products are sold and distributed to persons younger than 18 years of age. The grant will provide funding for the overtime salaries of vice personnel who will be conducting controlled buys and stings, and enforcement of minor in possession. Additionally, the grant will fund the payment of confidential informants used in controlled buys and for purchases of tobacco products by these informants.

The City is seeking recommendation from the Public Safety Committee to accept the supplemental award for the Tobacco Enforcement Grant. This item will be placed on the City Council Agenda for January 22, 2014.

A handwritten signature in black ink, appearing to read 'Ry - S. E'.

Ryan S. Evans
Interim First Assistant City Manager

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, Interim City Manager
Rosa A. Rios, City Secretary
Warren M. S. Ernst, City Attorney
Craig D. Kinton, City Auditor
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Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager

Memorandum



CITY OF DALLAS

DATE: January 10, 2014

TO: Members of the Public Safety Committee

SUBJECT: Authorize Payment to Dallas County Sheriff's Office for the Dallas County Highway Traffic Program

In January 2008, the Dallas County Sheriff's Office assumed primary freeway coverage responsibility in Southern Dallas County. This allows the Dallas Police Department to reallocate resources to focus more intently on neighborhoods, while the Sheriff's Office can provide a targeted regional response on the highways to achieve greater response times and enhanced response capabilities.

In FY 11-12, the City assisted Dallas County in meeting budgetary shortfalls for the Dallas County Highway Program by contributing \$1M in financing towards the program. In addition, the agreement modified the traffic management coverage areas for the Dallas Police Department and the Dallas County Sheriff's Office. Under this agreement, the Dallas Police Department managed traffic coverage in the following locations that were previously covered by the Dallas County Sheriff's Office:

| | |
|------------------------|--|
| <u>Loop 12</u> | from City of Irving City Limits to Illinois Ave. |
| <u>Spur 408</u> | from Illinois Ave. to Interstate 20 |
| <u>U.S. Highway 67</u> | from I-35/67 split to Cities of DeSoto/Duncanville City Limits |
| <u>Interstate 45</u> | from 45/175 split to Interstate 20 |
| <u>Interstate 35</u> | from 35/67 split to the Cities of DeSoto/Lancaster City Limits |

The FY 11-12 agreement required the Dallas County Sheriff's Office to provide additional coverage for I-35 from Woodall Rogers to the City limits (North of 635) by March 1, 2012.

During Fiscal Year 2012-13, the Highway Coverage between Dallas County and the Dallas Police Department remained the same and the City contributed \$800K to program expenses in FY 12-13.

During Fiscal Year 2013-14, the Highway Coverage between Dallas County and the Dallas Police Department will remain the same and the City is being asked to contribute \$600K to cover program expenses in FY 13-14. In addition to our support, the Dallas County Highway Traffic Program will receive additional financial support from the following Agencies: The Regional Transportation Council \$1,000,000 and Dallas County \$800,000.

The City is seeking favorable recommendation from the Public Safety Committee to authorize payment to the Dallas County Sheriff's Office for the Dallas County Highway Traffic Program. This item will be placed on the City Council Agenda for January 22, 2014.

Ryan S. Evans
Interim First Assistant City Manager

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, Interim City Manager
Rosa A. Rios, City Secretary
Warren M. S. Ernst, City Attorney
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Memorandum



DATE: January 10, 2014

TO: Members of the Public Safety Committee

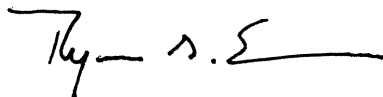
SUBJECT: Acceptance of Office of Governor, Criminal Justice Division Internet Crimes Against Children (ICAC) Grant and Correction to Office of Governor, NIBIN Grant Resolution

The Office of the Governor, Criminal Justice Division has awarded \$400,000 for the Dallas Police Department State of Texas ICAC Grant Number IC-14-A10-27451-01 for the period of October 1, 2013 through August 31, 2014. The total grant awarded to the City of Dallas is \$400,000. This Grant does not require a cash match from the City of Dallas.

This grant will provide one year funding for the full salaries and benefits of two detectives and one police research specialist. Funds will also be utilized to fund training, equipment and overtime to address the growing problem of technology facilitated child abuse and exploitation.

In addition, a correction to CR 13-1761 for acceptance of the NIBIN Grant, approved on October 8, 2013, is required to add language in the grant agreement to include a provision for repayment in the event of loss or misuse of the Criminal Justice Division funds.

The City is seeking a recommendation from the Public Safety Committee to accept the State of Texas Criminal Justice Division Internet Crimes Against Children Grant and correction of the aforementioned language for CR 13-1761. This item will be placed on the City Council Agenda January 22, 2014.



Ryan S. Evans
Interim First Assistant City Manager

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, Interim City Manager
Rosa A. Rios, City Secretary
Warren M. S. Ernst, City Attorney
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Judge Daniel F. Solis, Administrative Judge
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Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager

Memorandum



DATE: January 10, 2014

TO: Members of the Public Safety Committee

SUBJECT: Administrative (Police) Reports
I. A. D. Cases to be Presented to the Public Safety Committee on January 13, 2014

NEW CASE PRESENTATION:

Control #2013-435

Council District: 7
Involved Officers: (1) White Female
(1) White Male
(1) Hispanic Male
Suspect: (1) Black Male

On December 9, 2013, at approximately 2:15 p.m., the complainant called 9-1-1 and reported that multiple suspects had approached him in the 9500 block of Bruton Road at gunpoint and took his vehicle. The complainant stated as he ran from his vehicle the suspects fired at him twice. Based on information received from the complainant, Officer #1 made contact with the lien holder who informed him that based on the GPS tracking data, the vehicle showed to be in the 9500 block of Military Parkway. Covert officers responded to the area, located the vehicle and maintained surveillance of it. At approximately 3:10 p.m., the covert officers observed two suspects enter the vehicle and begin driving away. At this point, the covert officers radioed for uniformed officers to stop the vehicle. Officers #1 and #2, who were working in full police uniforms and driving marked police vehicles, were nearby and observed the carjacked vehicle driving southbound on St. Augustine Road from Military Parkway. Officer #3, who was one of the covert officers, repositioned to a location inside the St. Augustine Townhomes. Officer #2 activated her red lights in order to conduct a felony traffic stop. The vehicle, being driven by the suspects, increased in speed and turned right into the St. Augustine Townhomes and continued westbound through the complex. Officer #3, driving in the opposite direction, observed the suspect's vehicle being followed by Officer #2 driving toward him. The driver of the suspect's vehicle slowed down, opened the driver's side door, exited the vehicle, and began running. As the suspect ran, officers were giving loud verbal commands for the suspect to stop. Officer #3 pursued the suspect on foot. Officer #3 eventually stopped chasing the suspect and returned to the suspect's vehicle when he realized that Officer #2 had not followed him during the pursuit. After the suspect had jumped from the driver's side, the vehicle continued to move forward slowly. Officer #2 approached the vehicle in an attempt to stop its progression, unaware that a second suspect was seated in the front passenger's seat. Officer #2, perceiving the second suspect to be an imminent threat, drew her weapon and discharged it once, striking the second suspect. An independent civilian witness observed the shooting and was transported to the Crimes Against Persons Division where he provided a statement. No officers were injured during this incident.

STATUS: Complete

FINDING: At the conclusion of the Internal Affairs investigation, Officer #2 was "Sustained" on for violating departmental policies and procedures. As a result of her actions, Officer #2 was terminated from the Department.

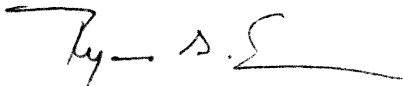
Control #2014-001

Council District: 14
Involved Officers: (3) White Males
(1) Hispanic Male
Suspect: (1) White Male

On January 2, 2014, at approximately 1:39 a.m., Officers #1 and #2, in full police uniform and driving a marked police vehicle, responded to a Burglary in Progress at 2728 McKinnon Street. The suspect, who resided in Apartment #1901, approached the witness, who is an employee at the location, and stated that his apartment was being burglarized. The witness called 9-1-1 and requested police assistance. The suspect then moved to an adjacent hallway and began barricading himself. Officers #1 and #2, who were the first officers on the scene, entered the lobby and spoke with the witness. The witness informed the officers that the suspect was armed and directed them to the suspect's location. According to the witness, as Officers #1 and #2 attempted to speak with the suspect, the suspect shot at the officers. Officers #1 and #2 retreated, took cover, and called for cover over the radio for assistance with an active shooter. Officers #1 and #2 continued to speak with the suspect in an attempt to deescalate the situation. The suspect then moved from the position where he was barricaded toward the officers. By this time Officers #3 and #4, who were also in full police uniform, had arrived at the location. When the suspect started toward the officers, Officers #1, #2, #3 and #4 fired several rounds from their duty weapons, striking the suspect. The suspect was pronounced deceased at the scene by Dallas Fire and Rescue. No officers were injured during this incident.

A female juvenile witness, who was also at the scene, is the daughter of the suspect. A weapon was recovered at the scene. A video recording from the building was obtained.

STATUS: Under Investigation



Ryan S. Evans
Interim First Assistant City Manager

cc: Honorable Mayor and Members of the City Council
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