

RECEIVED

COMMUNITY POLICE OVERSIGHT BOARD  
DALLAS CITY BOARDS AND COMMISSIONS AGENDA

2020 JULY 10 PM 5:27

CITY SECRETARY  
DALLAS, TEXAS

WEDNESDAY, July 15, 2020  
VIRTUAL MEETING VIA WEBEX  
5:30 P.M.– 8:00 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](http://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=e1e4441f6442601de61eb38c6885015a8>

AUDIO PHONE CONFERENCE LINE:

Event line: 408-418-9388|Access Code: 146 584 6748

Public Notice

CALL TO ORDER

200549

PUBLIC COMMENT/OPEN MICROPHONE

APPROVAL OF MINUTES

POSTED CITY SECRETARY  
DALLAS, TX

- 1. Approval of the June 9, 2020 Minutes [Board Chairman Enobakhare]

Attachments: Minutes

ACTION ITEMS

- 2. Monthly Activity Report [Police Monitor McClary, Office of Community Police Oversight]

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

3. Review Actions and Requests from Prior CPOB Meeting(s)

- a. Case Updates from Prior Board Meetings and Board Review [Police Monitor McClary, Office of Community Police Oversight]
  - i. Complaint against Police Chief U. Renee Hall Board Review and Discussion [Board Chairman Enobakhare]

Attachments: Chief Hall Complaint Update Memo

- b. Update on Board Discussion About Video Release Policy for Dallas Police Department [Police Monitor McClary, Office of Community Police Oversight]

**Attachments:** Video Release Policy Memo

- c. Update on Board Discussion and Motion Regarding Office of Community Police Oversight Getting Access to Dallas Police Department Systems [Police Monitor McClary, Office of Community Police Oversight]

**Attachments:** Access to DPD Systems Memo

- d. Update on Process for Adding Non-Board Members to CPOB Committees & Report of the CPOB Rules Committee and Vote for the Entire Board on Recommendations [Board Chairman Enobakhare]

**Attachments:** Report from the CPOB Rules Committee Memo & Rules Subcommittee Minutes

- e. Update on Recommendations to Change the Name of Two Board Committees [Police Monitor McClary, Office of Community Police Oversight]

**Attachments:** Report Back on the Changed Language in the CPOB Rules of Procedure

#### 4. New Discussion Items

- a. Discussion of 10-Point Plan from the Working Group Convened by Judge Clay Jenkins: *"10 New Directions for Public Safety and Positive Community Change"* [Board Chairman Enobakhare and Board Member Kristin Hernandez]

**Attachments:** Memo Detailing 10-Point Plan

- b. Discussion Regarding Defunding the Dallas Police Department [Board Chairman Enobakhare]

**Attachments:** Defunding the Police Memo

5. Board Member Update on Community Engagement Activity [All]

**Attachments:** Memo

### **UPCOMING MEETING**

6. August 11, 2020

**Attachments:** Schedule

### **PUBLIC COMMENT/OPEN MICROPHONE**

7. Executive Session pursuant to T.O.M.A. Section 551.071: *Ethelyn Ross v. City of Dallas, et al.*, Civil Action No. 3:20-CV-01690-E.

**BACK IN OPEN SESSION**

**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

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:** June 9, 2020

**Convened:** 5:18 p.m.

**Adjourned:** 9:48 p.m.

**Board Member(s) Present:**

Jesurobo Enobakhare, Jr., **Chair** – District 3  
Jose Rivas, **Vice Chair** – District 7  
Janice Coffee – 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  
Deatra Wadsworth – District 12  
Andre Turner – District 5  
Alan Marshall – District 14  
David Kitner – District 13  
Juan Olivo – District 15

**Board Member(s) Absent:**

District 11 – VACANT

**Staff Present:**

Mayor Eric Johnson, City Mayor's Office  
Casey Burgess, City Attorney's Office  
Chief U. Renee Hall, Dallas Police Department  
Tonya McClary, Police Monitor  
Ashley Anderson, Interim OCPO Board Coordinator/ Executive Assistant

**AGENDA:**

**Call to Order:** 5:18 p.m.

**Public Comment/ Open Microphone**

Public comments were received by two speakers.

**1. Approval of Meeting Record for March 10, 2020 Meeting**

A motion was made to approve the minutes from the March 10, 2020 Community Police Oversight Board meeting.

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

Motion seconded by Andre Turner  
 Item passed on a divided vote:  
 Item failed on a divided vote:

## **2. Monthly Activity Report**

Tonya McClary, Police Monitor provided an overview of the Office of Community Police Oversight March, April and May complaint summaries. She also gave the Board a summary of the number and types of complaints the OCPO had received since the last Board meeting.

## **3. Old Business: Review Actions and Requests from Prior Meeting(s)**

### **a. Case Reviews Being Conducted by the Office of Community Police Oversight**

Tonya McClary, Police Monitor provided general details regarding the ongoing investigations of the cases being reviewed by OCPO.

### **b. Case Update from Prior Board Meetings**

#### **i. Case Update: Diamond Ross Case**

Tonya McClary, Police Monitor provided details regarding the completed investigation by WhitneySmith Company of the case. Monitor McClary stated that she would send case review materials to the board at a later date. She also indicated that she would provide any additional assessment of the review from OCPO to the Board.

#### **ii. Complaint against Police Chief U. Renee Hall**

Tonya McClary, Police Monitor provided details regarding the completed investigation by Internal Affairs Dallas Fire Rescue Chief Mullins of the case. Monitor McClary documented the investigation's conclusions to the Board and stated that she would send the remaining case review materials to the Board at a later date. She also told the Board that she would be writing an assessment of the investigation and share it with the Board at an upcoming Board meeting.

### **c. Update Board Member Committee Structure**

The Chairman announced the Board member assignments to the five CPOB committees. There was some discussion of moving Board members to other subcommittees. The subcommittee assignments were then finalized.

## **4. New Business**

### **a. Status of Office of Community Police Oversight Set-up**

Tonya McClary, Police Monitor provided an overview of the Office of Community Police Oversight accomplishments and challenges since she began working on February 24, 2020.

A motion to fulfill the ordinance to allow access to Director McClary for independent and unfettered access to DPD data as it relates to civilian complaints and her own separate login for IAPro and Evidence.com.

Motion made by Kristin Hernandez  
Item passed unanimously: X  
Item failed unanimously:

Motion seconded by Andre Turner  
Item passed on a divided vote:  
Item failed on a divided vote:

**b. Endorsement of Dallas Community Police Oversight Coalition and The Leadership Conference Education Fund Letter Regarding Policing Issues during the COVID-19 Pandemic and Future Proposed Work on this Issue by OCPO**

This discussion was presented by Dallas Community Police Oversight Coalition Chair, Changa Higgins and Tonya McClary, Police Monitor. There was a discussion of concerns and patterns that have been happening regarding DPD and its policing practices during the COVID-19 pandemic.

Mr. Higgins asked the Board three things: 1) to request data on a daily basis of all arrest from the start of COVID, 2) to request data on a daily basis of all arrest from the start of protest and ongoing while there are still protests in the city and 3) send a request for partnership to independent groups including UT Dallas, SMU, Paul Quinn and others regarding data analysis and data analytics.

The Board members agreed and asked this to be referred to the Technology subcommittee to review and craft a motion to be acted, then present it before the Board.

**c. Recommendations to Change the Name of Two Board Committees**

Tonya McClary, Police Monitor asked the Board to consider changing the names of two of the Board's subcommittees to reflect the full depth and breadth of the work of the subcommittees.

A motion was made to change Technology committee to the Technology and Data Committee.

Motion made by Jose Rivas  
Item passed unanimously: X  
Item failed unanimously:

Motion seconded by Janice Coffee  
Item passed on a divided vote:  
Item failed on a divided vote:

A motion was made to amend the Board's rules and change the Community Engagement Committee to Community Engagement and Transparency Committee.

Motion made by Tami Brown-Rodriguez  
Item passed unanimously:  
Item failed unanimously:

Motion seconded by Janice Coffee  
Item passed on a divided vote: X  
Item failed on a divided vote:

**d. Recommendations for Adding Non-Board Members to CPOB Committees**

The Chairman asked the Board to consider allowing non-CPOB Board members to serve on the five CPOB subcommittee.

A motion allowing no more than three members of the community to be on any subcommittee.



Motion made by Andre Turner  
Item passed unanimously: X  
Item failed unanimously:

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

**e. Frequency of CPOB Meetings**

Tonya McClary, Police Monitor expressed to the Board some concerns she had about the frequency of the Board meetings being once a month given the amount of work that is being generated by the OCPO. The Board members will revisit the frequency of scheduled meetings in the future. However, they did agree that if an additional meeting needs to be called in a month they would be open to that.

**f. Reflection and Updates Regarding George Floyd and Policing Protest in Dallas**

Dallas Police Chief U. Renee Hall addressed DPD actions during the protests generally and the incident on the Margaret Hunt Hill Bridge. The Board members also requested that Chief Hall provide them with a copy of the After-Action Report she is generating regarding DPD's assessment of policing polices, tactics, etc. that occurred during the protests.

A motion was made to request the Police Monitor to do a full review the DPD Use of Force Policy.

Motion made by Tami Brown Rodriguez  
Item passed unanimously: X  
Item failed unanimously:

Motion seconded by Janice Coffee  
Item passed on a divided vote:  
Item failed on a divided vote:

A motion was made to request the Police Monitor to fully review Dallas' policy on protest.

Motion made by Kristen Hernandez  
Item passed unanimously: X  
Item failed unanimously:

Motion seconded by Ronald Wright  
Item passed on a divided vote:  
Item failed on a divided vote:

**5. Board Member Update on Community Engagement Activity [All]**

This item was not discussed as stated on the agenda.

**UPCOMING MEETING**

**6. July 15, 2020**

**Public Comment/ Open Microphone**

Public comments were received by several speakers.

**Adjourn: 9:48 p.m.**

**APPROVED BY:**

\_\_\_\_\_  
Chairman Jesuorobo Enobakhare  
Community Police Oversight Board

**ATTEST:**

\_\_\_\_\_  
Board Coordinator Ashley Anderson  
Community Police Oversight Board

# Memorandum



CITY OF DALLAS

DATE July 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT **Office of Community Police Oversight June Report**

Attached you will find the June 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 received by OCPO in June.

The external complaints for July 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



# Office of Community Police Oversight Complaints Received

## June 2020

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

The office opened in October 2019 and has received 384 complaints as of June 30, 2020. There were 109 complaints received by the office in June of 2020. Below are summaries of those complaints. They are broken into two categories:

- Actual complaints against the Dallas Police Department.
- Contacts 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.

## Complaints

June 1, 2020	Complainant alleged while handcuffed, DPD officers beat and choked him. The complainant also alleged assault, excessive force, attempted murder and a violation of his civil right.
June 1, 2020	Complainant submitted screenshots of Facebook messages between herself and DPD regarding how to file a complaint. OCPO requested specific information to help our office and Internal Affairs better investigate the case.
June 1, 2020	Complainant alleged a DPD Corporal is a member of a violent white supremacist street gang.
June 3, 2020	Complainant has been stalked by an individual for years and reported it to a DPD officer at the Northwest division, who is no longer on the force. The complainant has since made several attempts to contact the partner of the officer that is no longer with DPD but has been ignored.
June 3, 2020	While protesting on the Margaret Hunt Hill Bridge, the complainant was tightly detained in zip ties for 2 hours and placed in a paddy wagon without air condition for about 30 minutes. The complainant asked a DPD officer if she was being charged and the officer replied, "I don't know."
June 5, 2020	Complainant alleged DPD pulled their "live guns" on her and others while protesting and tightly zip tied her wrist, cutting off her circulation.



## Office of Community Police Oversight Complaints Received

	<p>The complainant began to choke from anxiety and her face mask blocked her air passage. One of the officers asked, “what are you even throwing up about?”. She was then placed in a hot van and taken to a parking garage to be booked, where a male officer uncomfortably stared at her. She was never given a reason for her arrest and or asked about her medical condition.</p>
June 8, 2020	<p>Complainant was arrested by DPD officers after a Caucasian male falsely accused the complainant of attempting to harm him with a knife. When DPD officers arrived at the scene, they learned the complainant did not have a knife and the accusation was false. The complainant felt the DPD officers were racist to arrest him, an African American bystander and not the Caucasian party who initiated the problem.</p>
June 9, 2020	<p>Complainant was jogging on the Katy Trail and felt unsafe because of a man harassing women who jogged by. The complainant notified two DPD officers on bicycles, one officer stated, “I can’t do anything until I get your full name and phone number.” The complainant felt very uncomfortable with this interaction and felt like the officer was flirting with her.</p>
June 11, 2020	<p>Complainant alleged her family has been reaching out to a DPD detective on behalf of her sister who was involved in a domestic violence situation and has not been contacted by the detective.</p>
June 12, 2020	<p>Complainant made an excessive noise call regarding his neighbors above him. When DPD arrived, they visited the complainant’s apartment and accused him of not providing the correct location of the noise. The complainant felt DPD put his life in danger by knocking and ringing his doorbell.</p>
June 12, 2020	<p>Complainant was involved in an automobile accident on Garland Road. The complainant alleged the responding DPD officers did not report the accident correctly nor did they investigate the other party involved for a complete statement as the DPD officer stated he had done.</p>
June 15, 2020	<p>Complainant is an entrepreneur at the West End Station. For approximately a year, the complainant alleges a DPD officer has bullied, oppressed, slandered his name and overused his authority daily by harassing customers/possible customers and attempting to revoke his permit.</p>
June 15, 2020	<p>Complainant called 911 during an altercation with her sister. When DPD arrived on scene, the complainant alleged DPD officers arrived two hours later, falsely issued her a citation for assault, continually addressed her by</p>



## Office of Community Police Oversight Complaints Received

	the incorrect pronoun (complainant is transgender) and would not listen to her side of the story.
June 15, 2020	In June of 2020, the complainant filed a complaint against a DPD Corporal for being a member of a white supremacist gang. The complainant now alleged he has received threatening communication from the leader of the gang regarding his complaint.
June 15, 2020	Complainant initially filed a vague complaint in May 2020 regarding a 911 call to report an altercation with her violent roommate who had been previously charged with assault and was ripping the chandelier from the ceiling. The responding DPD officers arrived over an hour later and stated, "I know things are stressful, but please try to get along." OCPO contacted the complainant for more information, such as the location of offense, date and time. OCPO received the information and updated the compliant.
June 16, 2020	In November of 2010 the complainant alleged DPD officers fraudulently filed multiple sex charges against him as they, "could not produce any of the following reports/records/items in both sex offenses: arrest reports, offense reports, complaint affidavits, probable cause affidavits, prosecution files.....no police investigation files and no physical or DNA evidence."
June 16, 2020	Complainant attempted to contact DPD detective regarding a victim complaint statement made to him in person at DPD headquarters in January 2020. Two weeks later the detective informed the complainant that he was no longer working on the case. In April, the complainant made two online complaints to Internal Affairs about the detective and was told they had not been received.
June 18, 2020	Complainant contacted 911 to have her son taken to the Dallas Behavioral Mental Hospital due to an altercation between her son and daughter. When DPD officers arrived on scene, the complainant alleged although her son complied with the officers, the officers tased, arrested and applied full body weight on top of him. The officers then drug the son outside barefoot and threw him against the police car. The complainant stated the officers were rude to her when addressing their behavior toward her son.
June 18, 2020	For approximately two months the complainant alleged she has made several attempts to contact the DPD detective assigned to her case and has left numerous voicemails but has not heard from him.



## Office of Community Police Oversight Complaints Received

June 18, 2020	Complainant stated there is high drug activity at the townhomes where he lives. He said the management is not concerned nor is DPD- as he has seen DPD in the area but no one is ever taken to jail.
June 20, 2020	Complainant alleged DPD officers entered her apartment at 3a.m., grabbed her by the throat and neck and hit her in the head.
June 21, 2020	Complainant was startled by DPD officers knocking on his door so forcefully, his keys were knocked from the hook. The complainant asked a couple of times who was at the door and no one responded which prompted him to unholster his weapon. He was able to peek and see two officers, at this time the complainant removed the magazine from the gun and placed the items on the table. By this time, the officers responded, "wrong apartment." The complainant is concerned about recent incidents where officers arrived at the incorrect location and it resulted in wrongful deaths. He feels officers need to read addresses and unit numbers more diligent and announce themselves when knocking on someone's door.
June 21, 2020	Complainant called 911 to report a fight occurring in the apartments above him, after forty minutes DPD officers had not arrived. The complainant called 911 again due to hearing someone screaming, "Help! Help Me!!" He was told the reporting officers would be updated. It had been over an hour and officers had still not arrived.
June 22, 2020	Complainant stated DPD officers arrived at her apartments due to a neighbor calling 911. The complainant alleged officers bruised her when arresting her, wrote a false police report, and did not Mirandize her.
June 23, 2020	Complainant stated he is a known panhandler who was crossing the street at Forest Lane and 635. While crossing, the complainant alleged DPD officers announced over the paddy wagon's loudspeaker, "you are a worthless fucking sex offender and pedophile."
June 24, 2020	Complainant alleged every morning since November of 2019, DPD drones have followed and harassed her from her place of employment to her home. The complainant also stated one day as she was entering the freeway, two or three officers sped past her almost "tearing the front bumper off her car" and did not stop to render aid.
June 25, 2020	Complainant alleged a DPD officer has sent her and her son threatening voicemails and text messages and he is mentally unstable. He has also told unethical lies about the complainant and shown up at her resident causing a scene.



## Office of Community Police Oversight Complaints Received

June 25, 2020	Complainant alleged an off-duty DPD officer abused his power. The complainant went into Aldi and came out to the officer running his license plate.
June 26, 2020	Complainant called 911 to report a hit and run parking lot accident and waited forty-five minutes for officers to arrive. Initially the complainant was only able to provide the color of the car and temporary tag information. On a later date, the complainant found the car that fled the scene and took more vehicle information to provide the officers. The officers came to the complainant's home to retrieve the information. Complainant alleged the DPD officers acted as if they did not want to take her information and made her feel like it was her fault that she was rear-ended. The complainant was also upset the officers did not tow the suspect's vehicle per her request, as it had a flat. She also had to pay \$8.44 for a blank crash report.
June 26, 2020	Complainant was offended by a DPD officer accusing him of exposing himself to juveniles and writing a false report.
June 26, 2020	Complainant called 911 to report his car was stolen. Later a DPD officer found it and had the suspect pulled over. The suspect called the complainant while pulled over by the officers to obtain vehicle registration information. The complainant's phone number was on the insurance card that was in the glove compartment of the vehicle. The complainant arrived at the scene because the suspect told the complainant where they were located when they called him. The complainant advised the officer that his car had been stolen by the suspect and he wanted to file a theft report and press charges. The complainant is upset the officer contacted the suspect's parents at the scene and released him to them at that time. He is also upset the officer took a falsified information report statement rather than a vehicle theft report. The complainant has made several failed attempts to contact the officer to amend the report. (The suspect in this matter was a juvenile).
June 30, 2020	Complainant was offended by a DPD officer stating, "I believe you went to the neighbor's house and exposed yourself to the kids." The complainant was arrested on two counts of indecency and criminal mischief, which were dropped. The complainant wants to file a report on the false charges and has spoken with several detectives, a sergeant and lieutenant with no help.
June 30, 2020	Complainant is a US postal employee and was on duty delivering mail when he was approached by a DPD officer who he feels "conveyed a tone of superiority and seemed to feel that his status as a man of the badge allows him the privilege of operating outside of ordinary protocols





## Office of Community Police Oversight Complaints Received

	<p>that everyday citizens abide by.” When the complainant returned to work the next day, he was informed by his manager that the DPD officer filed a complaint against him, which the complainant alleged is fabricated lies and slander to his name.</p>
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### Contacts Only

June 1, 2020	Individual contacted OCPO to express better policies should be enforced for protesters safety.
June 1, 2020	Individual contacted OCPO to report a suspect who burglarized her vehicle. OCPO provided DPD non-emergency contact number and DPD website information.
June 2, 2020	Individual contacted OCPO to voice his concerns about police violence enacted on unarmed, peaceful protesters. He did not understand why other cities allowed peaceful protest, but Dallas did not.
June 2, 2020	Individual contacted OCPO to inquire about the type of training offered to DPD officers. OCPO provided DPD non-emergency contact number and DPD website information.
June 2, 2020	A national broadcast service saw Police Monitor, McClary and the CPOB Chairman, Jesuorobo Enobakhare speaking on peaceful gatherings for protestors and reached out to OCPO to offer their services for a reduced monthly cost.
June 2, 2020	Individual contacted OCPO to report his wife for hacking and harassing him. OCPO provided DPD non-emergency contact number and website information.
June 2, 2020	Individual contacted OCPO to become involved in protesting. OCPO provided information about the Community Police Oversight Coalition.
June 2, 2020	Individual contacted OCPO to ask office related questions, such as: the start date, number of employees and the purpose of the office. OCPO provided answers to the questions.
June 2, 2020	Individual contacted OCPO to inquire when the next meeting would be held. OCPO advised individual to check our website for upcoming meeting information, as the past few meetings have been on a month to month basis.



## Office of Community Police Oversight Complaints Received

June 8, 2020	Individual contacted OCPO to introduce their company and what they represent; a company that addresses and develops remedies for police/community relations, police brutality, gun/gang and youth violence, stress/anger management, diversity, self-esteem as well as fatherless households.
June 8, 2020	Individual is a third party who submitted a photo of a DPD officer arresting a media reporter for disobeying the curfew, which he says, “the arrest was made in direct contravention of the Media Exemption of the Curfew Declaration and the First Amendment to the US Constitution.”
June 10, 2020	Individual contacted OCPO to report someone broke her window with a speaker and the manager of the apartment complex would not listen to her complaint. OCPO provided DPD non-emergency number to file a complaint.
June 11, 2020	Individual contacted OCPO for guidance on how to start the framework for an oversight committee. OCPO provided National Association for Civilian Oversight of Law Enforcement (NACOLE) website for information.
June 11, 2020	Individual contacted OCPO to share a link to an article about the need for community police oversight in certain communities.
June 13, 2020	Individual submitted a blank email to OCPO with the subject line “Harassment Complaint.” OCPO notified individual of the blank email, supplied a complaint form and the option to include the complaint in the body of the email. OCPO also informed the individual a complaint could be taken over the phone.
June 14, 2020	Individual from India contacted OCPO to report a woman on Instagram who fraudulent stole \$14,000 from him. OCPO provided DPD Financial Investigations Unit’s contact information.
June 14, 2020	Individual contacted OCPO to report a Farmers Branch officer. OCPO provided Farmers Branch Police Department contact number.
June 15, 2020	Individual contacted OCPO to report discrimination and racism by a church she attends. The individual followed up with an email stating the issue had been resolved.
June 15, 2020	Individual contacted OCPO to report suspicious activity, drug users and continuous gunfire in her neighborhood. OCPO provided DPD non-emergency number and advised her to contact 911 if immediate assistance was needed.
June 15, 2020	Four individuals contacted OCPO to explain their support and appreciation for officers. OCPO forwarded email to DPD.
June 15, 2020	Individual contacted OCPO to express her concern about a young African American girl missing from the Dallas/Lancaster area for over two weeks and how the entire city would have acknowledged the issue if



## Office of Community Police Oversight Complaints Received

	the girl was Caucasian. OCPO provided a complaint form and explained the mother could file a complaint if she would like.
June 15, 2020	Individual contacted OCPO to inquire about filing an open records request with DPD. OCPO provided DPD website information to file a request online.
June 15, 2020	Individual submitted a blank email to OCPO. OCPO notified individual of the blank email, supplied a complaint form and the option to include the complaint in the body of the email. OCPO also informed the individual a complaint could be taken over the phone.
June 16, 2020	Individual stated a dispute took place between her current and ex-husband. The complainant alleged the DPD detective assigned to the case falsely charged her husband with aggravated assault with a deadly weapon and allowed witness statements from two individuals who were not at the scene. Because DPD's current complaint policy does not allow third parties to file complaints OCPO asked her to have her husband file the complaint so it will be reviewed.
June 16, 2020	Individual contacted OCPO to follow-up on the Special Investigator position she applied for. The email was forwarded to the Police Monitor.
June 16, 2020	Individual contacted OCPO to inform U.S. citizens within the local area are using frequencies as a infrasound/ultrasound weapons. OCPO contacted individual to ensure the matter was not DPD related.
June 17, 2020	Individual from Chicago contacted OCPO to report public embarrassment and harassment by family members. OCPO provided Chicago Police Department phone number.
June 17,2020	Individual contacted OCPO to say a hate crime was committed against Muhlaysia Booker, a transwoman who was brutally assaulted by a group of men in Dallas. Individual wanted to know why DPD did not classify case as a hate crime. OCPO reached out to DPD to get a copy of their hate crime classification and policy.
June 17, 2020	Individual contacted OCPO to report \$20,000 worth of land was stolen by her sister. OCPO provided Dallas County property contact information and advised her to seek legal advice.
June 17, 2020	Individual contacted OCPO to report a person in a black Audi who was "getting people into trouble." OCPO provided DPD non-emergency contact number.
June 18, 2020	Council member's liaison forwarded an email to OCPO regarding an individual's inquiry to volunteer with OCPO. The email was forwarded to the Police Monitor.
June 18, 2020	Individual contacted OCPO to report possible law enforcement involvement with gambling and organized crime. OCPO contacted individual to confirm if referenced law enforcement was DPD.



## Office of Community Police Oversight Complaints Received

June 18, 2020	Individual submitted a video of Tony Timpa being arrested by DPD officers.
June 18, 2020	Individual contacted OCPO in hopes of contributing her expertise. She is in the process of completing a phase of her master's degree in Counseling and has worked training as a mental health professional for two years. Email was forwarded to the Police Monitor.
June 19, 2020	Individual contacted OCPO to 1) report her boyfriend's truck had been broken into for the past couple of nights but nothing was stolen and 2) request more surveillance in the area. OCPO provided DPD non-emergency contact number to file a report and request an increase in surveillance.
June 19, 2020	CPOB member forwarded a resident's information who is seeking to volunteer with OCPO. The email was forwarded to the Police Monitor.
June 22, 2020	Individual contacted OCPO to report neuroscience assault. In 1991, individual worked for the VA Research Corporation with the Psychiatric Research Department where they planted electronics into the brain of lab rats to study chemical dependency; this method is now conducted on humans. OCPO contacted individual to confirm they did not have a complaint against DPD and provided DPD non-emergency contact number to seek advice about filing a report.
June 23, 2020	Managing partner with Law Enforcement Asset Group submitted an officer's poem to OCPO. OCPO forwarded poem to DPD.
June 23, 2020	Individual was scammed out of \$15,530 and contacted OCPO to file a report. OCPO provided DPD Financial Crime Unit contact information.
June 23, 2020	Individual requested to speak with CPOB regarding a news article on new budget allocated to troop carriers from homeland security.
June 24, 2020	Individual contacted OCPO to add additional information to his open case. OCPO provided DPD non-emergency number to call and update his case.
June 24, 2020	Special Investigator with the Department of Family Protective Services is assisting CPS with a case and needed to verify an Internal Affairs officers was currently employed with DPD. OCPO provided DPD human resources contact number to confirm employment.
June 24, 2020	Individual contacted OCPO to complain about handicap access at Dallas Love Field. OCPO provided Dallas Love Field police contact number.
June 24, 2020	Individual submitted a viral video of a man being tackled by DPD as he walked away from a protest. OCPO informed individual the incident was being reviewed by DPD.
June 25, 2020	Individual contacted OCPO to file a police report. OCPO provided DPD non-emergency contact number to file a report.
June 25, 2020	Individual was arrested and posted bond at the jail. The individual was granted time served and told he would be refunded his money, which he



## Office of Community Police Oversight Complaints Received

	<p>later learned had been falsely signed and deposited by someone else. OCPO provided DPD non-emergency contact number to file a report and advised him to notify his bank.</p>
June 25, 2020	<p>Individual contacted OCPO on behalf of her son who is incarcerated in Dallas County and wants to file a complaint. The individual is not certain which agency her son wants to file on. OCPO provided the City and County complainant information for the son to file a complaint, as well as, description aids to determine agency affiliation.</p>
June 26, 2020	<p>Individual had trouble filing a theft report on the DPD website. OCPO provided DPD non-emergency number to file a report.</p>
June 26, 2020	<p>Individual contacted OCPO to report a Haitian person driving a black Cadillac who is scamming people. OCPO provided DPD non-emergency number to file a report.</p>
June 26, 2020	<p>Individual is being blackmailed and contacted OCPO to request a restraining order. OCPO provided DPD non-emergency number to file a report and request a restraining order.</p>
June 26, 2020	<p>Individual contacted the Police Monitor to schedule a meeting and submitted several supporting documents and audio. She wanted to make sure the Monitor understood how DPD operates regarding complaints. She has been filing complaints with DPD since 2009.</p>
June 26, 2020	<p>Individual contacted OCPO to suggest officers patrol the intersection at North Buckner and North Highlands. OCPO provided DPD non-emergency number to make his suggestion.</p>
June 28, 2020	<p>Individual contacted the American Embassy in Bahrain, where he resides to report a woman on Instagram blackmailing and threatening to expose him for \$1,500. The Embassy advised him to contact dallaspolice.net, where he found OCPO's contact information. OCPO provided DPD non-emergency number to inquire about filing a report.</p>
June 29,2020	<p>Individual contacted OCPO stating Donald Trump raped his mother and possesses his mother's anniversary ring which he stole and wants Trump charged for theft. The individual also shared several web photos of Sharon Osbourne, diamond rings, and presidents. OCPO ensured individual did not have a complaint against DPD.</p>
June 30, 2020	<p>Individual submitted a viral video of looters assaulting a Dallas business owner during the protests</p>
June 30, 2020	<p>Individual contacted OCPO to seek reason(s) for a fine increase on a parking violation he paid within three days of receiving it. OCPO provided the contact information for the Oak Cliff Municipal Court on East Jefferson as they handle parking violations.</p>

**External Administrative Complaints Received October 1, 2019 through June 30, 2020**

<b>Total External Complaints by Source</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>
<b>DPD Total</b>	<b>93</b>	<b>67</b>	<b>69</b>	<b>58</b>	<b>81</b>	<b>82</b>	<b>66</b>	<b>68</b>	<b>159</b>
External Email	43	18	34	30	32	33	39	44	115
External Fax	0	0	0	1	0	0	0	0	0
External Letter	9	5	7	4	5	8	3	4	9
External Online Form	0	9	7	6	15	16	15	15	24
External Walk-in DPD	41	35	21	17	29	25	9	6	11
<b>OCPO Total</b>	<b>3</b>	<b>3</b>	<b>25</b>	<b>21</b>	<b>27</b>	<b>46</b>	<b>23</b>	<b>15</b>	<b>109</b>
External Email OPO	1	3	15	12	12	28	3	0	59
External Fax OPO	0	0	0	0	0	1	0	0	0
External Letter OPO	1	0	1	0	2	0	0	0	0
External Online Form OPO	1	0	8	9	10	16	19	15	15
External Walk-in OPO	0	0	1	0	3	1	0	0	0
External Phone OPO									23
External Follow-up to Complaints already filed	0	0	0	0	0	7	13	17	12
<b>Grand Total</b>	<b>96</b>	<b>70</b>	<b>94</b>	<b>79</b>	<b>108</b>	<b>128</b>	<b>89</b>	<b>83</b>	<b>268</b>

**External Complaints Processed by Internal Affairs as of 6/30/2020**

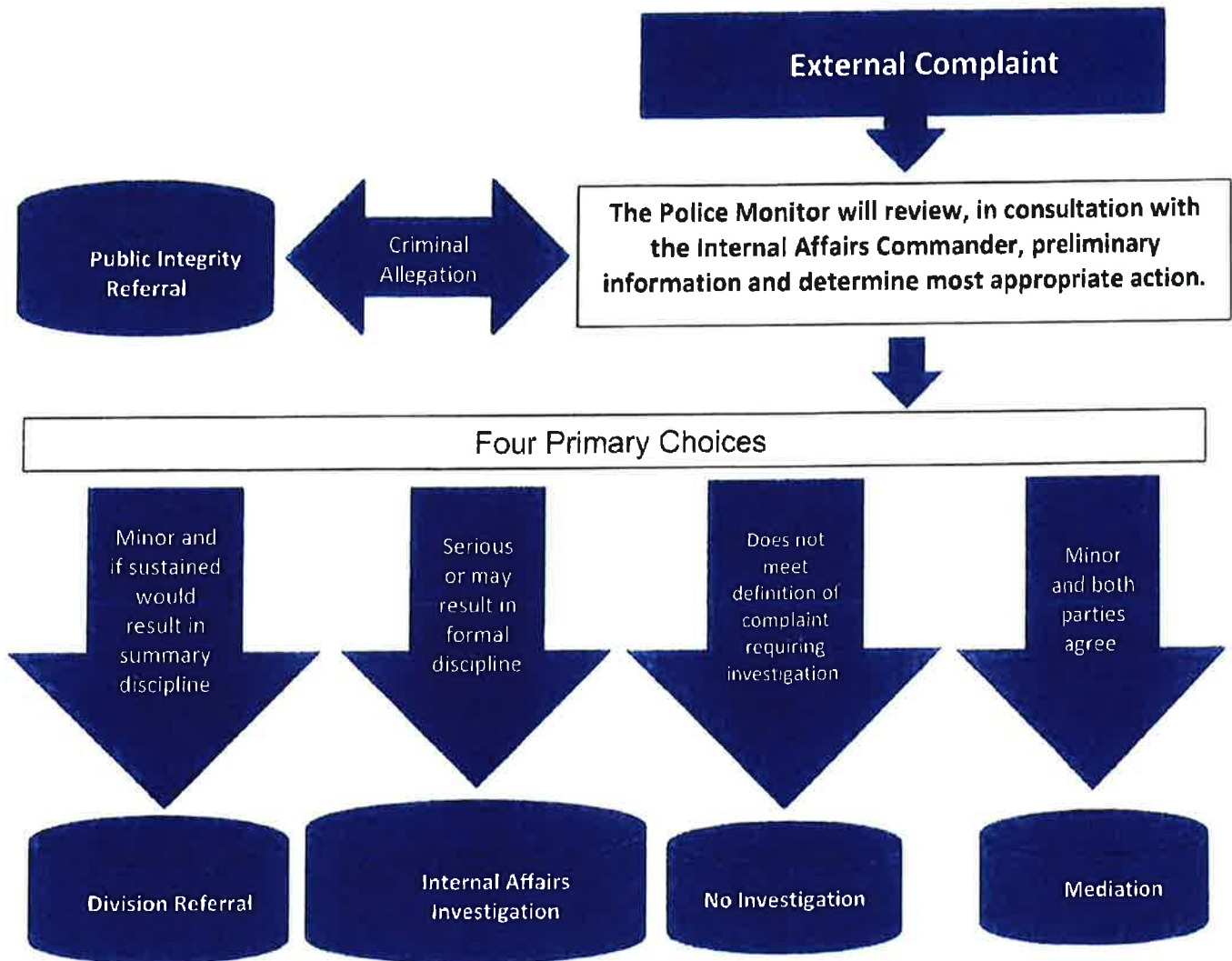
<b>Divisional Investigations with Category</b>	<b>29</b>	<b>22</b>	<b>21</b>	<b>19</b>	<b>17</b>	<b>18</b>	<b>14</b>	<b>7</b>	<b>2</b>
Discourtesy or Unprofessionalism	10	7	6	7	7	7	10	5	1
Fail to Complete Reports	2	1	1	3	1	2	0	1	0
Improper Action	7	8	7	2	5	3	2	3	1
Improper Comments	1	1	3	0	0	0	0	0	0
Improper or No Investigation	9	5	4	7	4	6	3	2	0

<b>Internal Affairs Investigations and Category</b>	<b>10</b>	<b>3</b>	<b>6</b>	<b>7</b>	<b>12</b>	<b>6</b>	<b>5</b>	<b>3</b>	<b>4</b>
Abuse of Authority	0	0	1	1	1	1	1	1	1
Dispatch/911 Violation	0	0	0	1	0	0	0	0	0
Failed to Secure Property	0	0	1	1	0	0	0	0	0
False Report or Citation	0	0	0	0	0	0	0	0	0
Improper Action	0	0	0	2	5	3	2	3	1
Improper or No Investigation	2	0	0	0	1	0	1	0	0
Improper or False Arrest	1	0	2	0	0	0	0	0	0
Improper Release of Information	1	0	0	0	0	0	1	0	0
Incomplete or Erroneous Report	0	0	0	1	0	0	0	0	0
Lost/Damaged Citizen Property	0	1	0	0	0	1	0	0	1
Mistreatment of Citizen	2	2	0	0	4	0	0	0	0
Racial Profiling	2	0	0	0	1	0	0	0	0
Use of Force	2	0	2	1	0	1	0	0	1

<b>Public Integrity Investigation Referral</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
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<b>No Investigation Conducted and Reason</b>	<b>57</b>	<b>40</b>	<b>67</b>	<b>51</b>	<b>78</b>	<b>99</b>	<b>61</b>	<b>54</b>	<b>51</b>
Did not meet criteria	1	0	3	0	0	0	0	0	0
Duplicate Complaint	4	3	1	0	2	0	0	1	2
Fail to Articulate	6	11	25	22	16	43	26	24	13
Guilt or Innocence	2	2	5	3	4	11	12	7	0
Information Only	0	4	2	0	1	5	3	0	0
More Information	4	4	5	4	6	7	6	5	3
Need Signature	0	0	1	0	0	0	0	0	0
No Violation	8	6	9	9	18	11	2	7	7
No Violation BWC	14	6	10	6	11	8	5	6	9
Non Employee	14	3	4	6	14	10	6	3	4
Sixty Day	3	0	1	1	2	1	1	1	1
Third Party	0	1	0	0	4	3	1	1	12
Unknown Officer	1	0	1	0	0	0	0	1	0

# 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



CITY OF DALLAS

DATE July 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT Dallas Police Department Video Release Policy Update

At the March 10, 2020 CPOB meeting, Police Monitor Tonya McClary brought to the Board her desire for the Dallas Police Department (DPD) to have a robust video release policy. At that time the DPD General Orders just had a very scarce policy (one line) which primarily stated that the release of video footage to the public was at the discretion of the Chief of Police.

After hearing from Monitor McClary, the Board began a discussion about a video release policy and tasked Monitor McClary with researching best practices within police departments across the county and bringing them back proposed language for a video release policy for DPD.

Because of the COVID-19 pandemic, the CPOB did not meet in April and May of 2020, however, Monitor McClary started reaching out to various police departments and oversight agencies across the country. She also spoke with various DPD personnel about what she was doing and enlisted their support in her efforts.

On June 4, 2020, City Manager T.C. Broadnax presented to City Council the “One Dallas: R.E.A.L. Change (Restore Trust and Build Relationships in Policing)” plan that he worked on with Chief Hall. In that plan it called for the “creat[ion] and implement[ation of] a body and dashcam policy to release critical incident videos by June 30, 2020.”

Later in the month of June, Monitor McClary was contacted by Police Chief Hall to solicit her input into the components of the new policy. Monitor McClary was also contacted by the City Attorney’s Office for the same reason. Monitor McClary worked with Chief Hall and the City Attorney’s Office to give input and feedback into the policy. Monitor McClary was able to contribute many ideas and wording into the creation of the final policy.

**Monitor McClary is please to announce to the CPOB and the Dallas community that General Order 317.00 now includes a public release video recording policy. This is the formal title now of General Order 317.00, “Officer Involved Shootings or Other Critical Incidents Resulting in Serious Injury or Death; Public Release of Video Recording.” This policy went into effect on June 30, 2020.**

There were a few clauses that Monitor McClary requested that did not make it into General Order 317.00, however, Monitor McClary is working with Chief Hall to hopefully get those provisions added. Monitor McClary acknowledges that for some members of the Dallas community this policy does not go far enough. However, she stated that it is a step in the right direction into DPD being more transparent.

Some highlights of the policy include:

- Public release of video footage involving officer involved shootings, other uses of force that result in serious bodily injury or death and death in custody cases within **72 hours** of the incident.
- An opportunity for an injured person or the next of kin (when a death is involved) to see the video footage before it is released publicly.
- An opportunity for the Director of OCPO to see the video footage before it is released publicly.
- Notification to the Director of OCPO if the Police Chief is not going to release video footage of an incident.

Monitor McClary is excited about the injured person or the next of kin provision to see the video footage before it is released to the public when possible, because many families in Dallas never had the opportunity to see the video footage related to the incident they were involved in or their loved one was involved in. Monitor McClary has been assured and the General Order states that “all efforts” will be made to provide this opportunity.

Monitor McClary will update the CPOB and the Dallas community of her efforts to get additional language into the policy.

Tonya McClary  
Police Monitor

cc: T.C. Broadnax, City Manager



## Special Order #2020-25

### “General Order 317.00 Officer Involved Shootings or Other Critical Incidents Resulting in Serious Injury or Death; **Public Release of Video Recording**”

#### **317.01 Assigned Investigative Unit**

- A. The Special Investigations Unit (SIU) of the Investigations Division will be the assigned investigative unit any time an officer discharges their firearm (except during firearms qualifications and training).
  1. The Special Investigations Unit, will conduct a criminal investigation and produce a shooting summary when, in the City of Dallas an involved employee is:
    - a. Seriously injured or killed in the performance of police-related duties.
    - b. Is fired upon but not injured.
    - c. Any other person is seriously injured or killed as a result of a firearms discharge or use of any physical force by an involved employee, acting in the performance of police-related duties or within the scope of employment while on or off duty.
    - d. A person is seriously injured or dies while in the custody of Dallas police officers and city marshals except as outlined below in Section **6B**.
    - e. An investigation will be done when a person is seriously injured or killed as a result of a firearms discharge or use of physical force by any local, state or federal law enforcement agent when working with Dallas Police Officers, except those incidents occurring within jail facilities.
  2. The Special Investigations Unit will not assume primary investigative responsibility for incidents occurring outside the jurisdiction limits of the City of Dallas. The Special Investigations Unit will offer assistance when requested by the agency having jurisdiction and with approval of the Investigations Division Commander. In all cases, primary responsibility for filing criminal charges and making presentations to the Grand Jury will remain with the agency having jurisdiction.
  3. The Special Investigations Unit of the Investigations Division will respond to all firearm discharges. If there is no criminal culpability determined, the incident does not result in physical injury or property damage, the investigation will be referred to the Internal Affairs Division for follow-up.

- B. The Traffic Section will be the assigned investigative unit when, in the City of Dallas, any person is seriously injured or killed as a result of a motor vehicle accident with an involved employee acting within the scope of employment while on or off duty.

### **317.06 Firearms Discharge Review Team (FDRT)**

- A. The Firearms Discharge Review Team is established to review and provide an initial evaluation, based on facts known at the time, of incidents of intentional and accidental firearm discharge by any member of the Dallas Police Department. They will also review other incidents as requested by the Chief of Police. The main purpose will be to prevent similar situations from occurring in the future. Incidents occurring while members are acting within the scope of their employment with the City of Dallas, either on or off duty will be subject to review.
- B. The objective of the Firearms Discharge Review is to brief the Chief of Police and the Director of Office of Community Police Oversight (OCPO) concerning firearms discharge or other incidents as ordered by the Chief of Police based on the following:
  - 1. Adequacy of policy.
  - 2. Adequacy of training.
  - 3. Adequacy of equipment.
  - 4. Adequacy of supervision.
- C. The Firearms Discharge Review Team
  - 1. Will be comprised of the following members:
    - a. A major designated by the Chief of Police to serve as the FDRT chairperson.
    - b. A lieutenant from the Special Investigations Unit.
    - c. A lieutenant from the Internal Affairs Division.
    - d. A lieutenant from the In-Service Training staff, and the Departmental Range Master.
    - e. If the above members are not available, substitutions will be made by the respective Division Commanders.
  - 2. Will meet to discuss the incident when called by the FDRT chairperson.
  - 3. Will only be concerned with adequacy of issues listed in 371.06 (B) and not procedural violations.
  - 4. Will be prepared to brief the Chief of Police and the Director of the Office of Community Police Oversight within 72-hours of the incident.
  - 5. Will provide a final review after all criminal and administrative investigations of the incident are completed.

### **317.07 DPD Critical Incident Monitoring by Director of Office of Community Police Oversight**

- A. The Chief of Police shall provide the Community Police Oversight Board and the Director of the Office of Community Police Oversight timely notification of all DPD critical incidents.

- B. The Director of the Office of Community Police Oversight may monitor the criminal investigation of any DPD Critical Incident.
1. The Director may attend or observe any portion of the on-scene investigation.
  2. The Director may participate in preliminary briefings relating to the DPD critical incident.
  3. The Director may observe witness interviews (from a separate room).
  4. The Director may review documentary and physical evidence, including relevant police data, of any criminal investigation of a DPD Critical Incident.
  5. The Director may meet with the Chief of Police throughout the criminal investigation to ask questions and discuss any areas of concern identified while monitoring the investigation.
  6. Before the conclusion of a criminal investigation of a DPD Critical Incident, the Director may meet with the Chief of Police to hear preliminary findings and provide feedback about the investigatory process. The Director may provide the Chief of Police with a recommendation on the outcome of the criminal investigation.
  7. The Media Relations Unit will provide the Director with a copy of any publicly released video recording related to a DPD Critical Incident.

### **317.08 Public Release of Video Recording regarding DPD Critical Incidents**

- A. **Purpose:** The Dallas Police Department's commitment to the public is to be transparent and accountable regarding DPD Critical Incidents. The department respects the interest of the public to be informed in a timely manner with the most accurate information available. In the continuous effort to foster public trust, the department acknowledges its responsibility to educate the public on the department's procedures and the conduct of its employees, especially when an officer's use of force results in serious injury or death of an individual.

Recognizing that a video recording may not tell the whole story, the department will provide context, if necessary, when releasing video recordings to the public to provide the most accurate depiction of the police encounter based on the information known at the time.

The department strives to balance its commitment to transparency and accountability to the public with the privacy interest of individuals, applicable laws regarding confidentiality, preservation of the integrity of any related investigations. Such circumstances may necessitate the blurring of images or the delay or deviation from the standard release procedure.

- B. A video recording that depicts a police encounter related to a DPD Critical Incident regarding an Officer Involved Shooting will be publicly released within 72 hours of the incident, after the Chief of Police and Director Briefing, as stated in 317.06C. The internal briefing will occur within 72 hours after the incident.

- C. A video recording that depicts a police encounter related to a DPD Critical Incident regarding Use of Force resulting in serious bodily injury or death or a Death in Custody will be publicly released within 72 hours after the incident.
- D. **Applicability:** This procedure applies to a video recording of a police encounter related to the following:
1. DPD Critical Incident, meaning an officer-involved shooting or a use of force incident that results in serious bodily injury or death of an individual;
  2. All deaths while an arrestee/detainee is in the custody of DPD, unless there is no preliminary evidence of any misconduct, use of force, or act committed by the arrestee/detainee that depicts the individual intended to cause his own injury or death; or
  3. Any other DPD police encounter where the Chief of Police determines that the release of the video recording is in the public's interest.
- E. Video Recording Release Procedures
1. The assigned investigative unit will obtain any video evidence related to a DPD Critical Incident.
  2. The assigned investigative unit will coordinate with the Media Relations Unit to prepare a video recording of the police encounter for public release.
  3. The Media Relations Unit will provide a copy of the publicly released video recording to the Open Records Unit for response to any Public Information requests. The Media Relations Unit will maintain a copy of the publicly released video recording for three years from the date of the incident.
  4. The assigned investigative unit will make all efforts to provide the injured individual (or next of kin of a deceased individual) an opportunity to view the prepared video recording of the police encounter prior to release. If the injured individual (or next of kin of the deceased individual) seeks to review the video recording prior to release to the public, the injured individual (or next of kin of a deceased individual) will be allowed to view the video recording prior to release to the public.
    - a. At the request of the injured individual (or next of kin of a deceased individual) to be present with the requestor for the viewing of the prepared video recording, the Chief of Police or designee, at the Chief's discretion, may be present during the viewing.
  5. The assigned investigative unit may provide the appropriate District Attorney's office an opportunity to view the video recording of the police encounter prepared for public release. If the District Attorney's office seeks to review the video recording prior to release to the public, the assigned investigative unit will make the video recording available to the District Attorney's office within 72 hours after the assigned investigative unit has possession of the video recording.
  6. The assigned investigative unit may provide the Director of the OCPO an opportunity to view the video recording of the police encounter prepared for public release. If the Director of OCPO seeks to review the video recording prior to release to the public, the assigned investigative unit will make the video recording

available to the OCPO within 72 hours after the assigned investigative unit has possession of the video recording.

7. The Media Relations Unit may notify the involved officer of the video recording of the police encounter prepared for public release and provide an opportunity for the involved officer to view the prepared video recording prior to release.
8. The Chief of Police has discretion to publicly release, in whole or in part, any video recording related to a DPD Critical Incident, Death in Custody, or any other DPD police encounter in the interest of transparency and public trust.
  - a. If the Chief of Police determines that a video recording of a police encounter related to a DPD Critical Incident or Death in Custody will not be released to the public, in accordance with this General Order, the Chief of Police will notify the Director of the OCPO.

F. Release – Limited Waiver

1. The release of any specific video recording related to a DPD Critical Incident does not waive the department's right to withhold other audio or video recordings or investigative materials in the same or any other case, as permitted by departmental procedures or as permitted or required by law.
2. The public release of any video recording shall only be made in accordance with the General Orders and Standard Operating Procedures of the department.

\*The words in **RED** indicate changes and/or additions to the policy.



# Memorandum



CITY OF DALLAS

DATE July 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT Office of Community Police Oversight's Access to  
Dallas Police Department Systems

At the June 9, 2020 Community Police Oversight Board (CPOB) meeting, Monitor Tonya McClary gave an update about how the development of the Office of Community Police Oversight (OCPO) was progressing. Monitor McClary had several concerns about obstacles she was facing; one of them being denied independent and/or no access to several Dallas Police Department systems. Monitor McClary expressed the importance of independent access to her work and the overall development of oversight mechanisms and offices generally.

After having a discussion of Monitor McClary's concerns, the Board passed the following motion:

A motion to fulfill the ordinance to allow access to Director McClary for independent and unfettered access to DPD data as it relates to civilian complaints and her own separate login for IAPro and Evidence.com.

To follow-up on this conversation and the motion passed by the Board, Chairman Enobakhare, Jr. sent a letter to City Manager T. C. Broadnax on July 1, 2020 enlisting his support in getting Monitor McClary access to DPD systems<sup>1</sup>. Below is an excerpt from the letter:

"Mr. Broadnax, as Chairman of the CPOB, I am asking that you support me and the other members of the CPOB in getting Director McClary and the OCPO the unfettered access it needs to complete the vital work that the City of Dallas and the residents have entrusted the office to do".

In support of this request Chairman Enobakhare, Jr. cited to a recent press release<sup>2</sup> generated by the National Association of Civilian Oversight of Law Enforcement that stressed the kind of access that oversight offices across the country should have. The Chairman also reminded Mr. Broadnax of the audit requirements of the OCPO regarding DPD and complaints<sup>3</sup>. Therefore,

<sup>1</sup> A copy of the letter is attached to this memorandum.

<sup>2</sup> A copy of the press release is attached to this memorandum.

<sup>3</sup> "We recommend the City Manager ensure segregation of duties by requiring: A.6.The Director of the recently created Office of

access to the DPD systems was crucial for OCPO to be able to do that body work in a precise and judicious manner.

Only July 7, 2020 City Manager T.C. Broadnax sent a written response via email to Chairman Enobakhare, Jr. stating in short that the request of the Board would be honored<sup>4</sup>. Below is an excerpt from his email:

“DPD will provide Ms. McClary with access to Evidence.com, which houses the department’s body camera videos, and read only access to the IAPro database which is used by the internal affairs division. I’ve instructed my Team to work with the Information Technology Solutions Department to have this completed by no later than Wednesday July 15, 2020”.

Although Monitor McClary has worked with both programs before, she will have to complete some training before being able to access the systems. She is working to get the training scheduled ASAP and hopes this can be done by the end of July 2020.

Monitor McClary will keep the Board and the City Manager updated on her process and/or obstacles in accessing the systems mentioned above.

Tonya McClary  
Police Monitor

Cc: T.C. Broadnax

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Community Police Oversight to annually reconcile the numbers of all received, investigated, and adjudicated citizen complaints”.  
*Audit of the Dallas Police Department’s Complaint Process. City Auditor November 25, 2019. Pg.6.*

<sup>4</sup> A copy of the email is attached to this memorandum.

# Community Police Oversight Board

City of Dallas



JESUOROBO ENOBAKHARE, JR.  
BOARD CHAIR

June 25, 2020

Dear Mr. Broadnax,

I hope this correspondence finds you well and safe during this pandemic. I am writing as a follow-up from the Community Police Oversight Board's (CPOB) last meeting which was held on June 9, 2020. During that meeting, Tonya McClary, the Director of the Office of Community Police Oversight (OCPO) shared with the CPOB the problems she has been encountering working with the Dallas Police Department's (DPD) leadership to get independent access to crucial databases and web based programs under DPD control, so that she can conduct her work in a thorough and independent manner.

Specifically, Ms. McClary has identified a need for independent log-in credentials for IPro, Blue Team and Evidence.com. Ms. McClary also noted that there may be other databases and systems that she may need to access in the future. She informed the CPOB that she would keep them informed as other needs come up.

After a very robust discussion among members of the CPOB, a motion was presented and passed unanimously to give Ms. McClary and the Office of Community Police Oversight independent access to the systems she has identified so far. Below is the motion that was passed unanimously by the CPOB:

"A motion to fulfill the ordinance to allow access to Monitor McClary to have independent and unfettered access to DPD data as it relates to civilian complaints including body worn camera and dash cam footage, as well as her own account for IPro and Evidence.com Internal Affairs software".

On June 2, 2020, before the CPOB meeting on June 9<sup>th</sup>, the National Association for Civilian Oversight of Law Enforcement (NACOLE)<sup>1</sup> issued a press release in the wake of what was happening in the policing world as a result of George Floyd's death. Below is an excerpt from that press release. A copy of the entire press release is attached to this letter.

"We strongly recommend that oversight entities have unfettered access to department data and records, personnel files, and police, jail, and prison facilities, so that they can carry out their existing mandates".

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<sup>1</sup> The National Association for Civilian Oversight of Law Enforcement's (NACOLE) mission is to create a community of support for independent, civilian oversight entities that seek to make their local law enforcement agencies more **transparent, accountable, and responsive** to the communities they serve.



Community Police Oversight Board

1500 Marilla Street, Room 1AN | Dallas, Texas | 75201  
Phone (214) 670- 3882 | Email [OCPO@dallascityhall.com](mailto:OCPO@dallascityhall.com)

Since the June 9<sup>th</sup> CPOB meeting the City Controller's Office (CCO) has reached out to Director McClary to get an update on her progress with the goals that were set forth for the OCPO in the "Audit of the Dallas Police Department's Complaint Process" report that was released November 25, 2019. While reviewing the audit report with Director McClary, CCO office staff noticed a specific recommendation that will not be able to be achieved unless the OCPO has access to IAPro and Blue Team. See below:

"We recommend the City Manager ensure segregation of duties by requiring:  
A.6. The Director of the recently created Office of Community Police Oversight to annually reconcile the numbers of all received, investigated, and adjudicated citizen complaints".

Given the problems that were highlighted in the audit, it is imperative that Director McClary and her staff be able to complete this annual audit function.

To give additional support to the recommendation of the CCO for the OCPO to have access to IAPro and Blue Team to perform this important annual audit, I am including another excerpt below from the June 2, 2020 NACOLE press release:

"We strongly recommend that oversight agencies have the authority to investigate, take testimony, audit or review internal investigations or processes, and make policy recommendations that will allow law enforcement departments to begin to serve communities in a truly just and unbiased way".

Mr. Broadnax, as Chairman of the CPOB, I am asking that you support me and the other members of the CPOB in getting Director McClary and the OCPO the unfettered access it needs to complete the vital work that the City of Dallas and the residents have entrusted the office to do.

I look forward to discussing this with you in the very near future and will work with you any way I can to make sure this access is granted in an expeditious way.

Sincerely,

  
U:\Community\Enobakhare, Jr.; Date: 8/23/2020 10:05:00 AM

Jesuorobo Enobakhare, Jr.  
Chairman, Community Police Oversight Board

Cc: Kimberly Tolbert

## McClary, Tonya

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**From:** Broadnax Jr, TC  
**Sent:** Friday, July 10, 2020 9:08 AM  
**To:** jesuorobo@gmail.com  
**Cc:** Tolbert, Kimberly; McClary, Tonya; Office of Community Police Oversight; Anderson, Ashley  
**Subject:** Letter to CM Broadnax Regarding Independent Access for Police Monitor

Chair Enobakhare,

Thank you for your recent letter regarding independent and unfettered access to DPD body and dash cam data, as well as a user account for Ms. McClary to the IAPro database and Evidence.com software.

DPD will provide Ms. McClary with access to Evidence.com, which houses the department's body camera videos, and read only access to the IA Pro database which is used by the internal affairs division.

I've instructed my Team to work with the Information Technology Solutions Department to have this completed by no later than Wednesday July 15, 2020.

The Police Department will work directly with Ms. McClary to schedule a time that is best suited for her to complete the mandatory training and instruction as required by Occupation Code 1701.656 for access to Evidence.com. We are required to follow the law as the Department was a grant recipient from the State of Texas Governor's Office.

With access to these programs, we are confident Ms. McClary will be able to provide the Board with substantial information to ensure fair acceptance and processing of external administrative complaints and investigations.

As always, feel free to contact me if you have questions or additional concerns.

Thank you and the Board for your ongoing support and cooperation.



**T.C. Broadnax**  
*City Manager*  
**City of Dallas | DallasCityNews.net**  
City Manager's Office  
1500 Marilla St., 4EN  
Dallas, TX 75201  
O: 214-670-3297 | F: 214-670-3946  
[tc.broadnax@dallascityhall.com](mailto:tc.broadnax@dallascityhall.com)



**\*\*OPEN RECORDS NOTICE:** This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.\*\*

Media Release  
Contact Information:  
NACOLE  
Liana Perez  
Director of Operations  
(317)721-8133  
perez@nacole.org



## **CIVILIAN OVERSIGHT OF LAW ENFORCEMENT NECESSARY FOR MEANINGFUL REFORM**

June 2, 2020 - The National Association for Civilian Oversight of Law Enforcement (NACOLE) and its members are angry and grieving after yet another senseless, unjustified death of a human being at the hands of those sworn to protect and serve. The death of George Floyd, captured on video, caused by the actions of a seemingly calm, armed, and uniformed officer, now charged with murder, is devastating for all of us, and we must continue to speak up, protest, and diligently work to end the systemic racism that plagues our criminal justice system – and indeed our entire society.

NACOLE was founded on the belief that policing should be fair and consistent, and that independent civilian oversight leads to more effective policing and safer communities. We applaud the thousands of professionals practicing civilian oversight of law enforcement nationally, who have dedicated their lives and careers to accountable policing. We support agencies such as the Office of Police Conduct Review and the Police Conduct Oversight Commission in Minneapolis. Despite the progress law enforcement oversight agencies across the country have made, much work remains if we hope to achieve lasting and meaningful law enforcement and criminal justice reform.

To start, NACOLE strongly recommends that the U.S. Department of Justice once again conduct systematic and thorough pattern-or-practice investigations.

We strongly recommend that legislatures repeal laws that conceal police disciplinary records from public view.

We strongly recommend changes to state licensing laws and the mandatory use of a national de-certification index to prevent bad officers, terminated from one police force, from getting a job at another.

We strongly recommend that state and local laws and law enforcement policies and procedures require the greatest possible transparency of internal processes, community inclusion, and strong accountability mechanisms.

We strongly recommend that oversight entities have unfettered access to department data and records, personnel files, and police, jail, and prison facilities, so that they can carry out their existing mandates.

We strongly recommend that oversight agencies have the authority to investigate, take testimony, audit or review internal investigations or processes, and make policy recommendations that will allow law enforcement departments to begin to serve communities in a truly just and unbiased way.

*Established in 1995, NACOLE is a nonprofit organization that works to build accountability, transparency, and community trust in law enforcement. In the United States, NACOLE is the preeminent civilian oversight association and our membership, board of directors, and staff consists of leading experts in the civilian oversight*

*field. Our training events bring together the growing community of civilian oversight practitioners, law enforcement officials, community advocates, and other accountability experts to meet and exchange information and ideas about issues facing civilian oversight and law enforcement. In addition, NACOLE provides member support and training throughout the year with regional training opportunities, pertinent and ongoing research and outreach, and advises jurisdictions on creating oversight and reviewing the authority of civilian oversight agencies.*

*More information and resources can be found at [NACOLE.org](http://NACOLE.org)*

**###**

# Memorandum



CITY OF DALLAS

DATE June 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT Update on Process of Adding Non-Board Members to the CPOB Subcommittees and a Report of the Rules Subcommittee

At its June 9, 2020 meeting, the CPOB passed a motion to add non-CPOB members to its subcommittees. This was the Board motion that passed:

*A motion allowing no more than three members of the community to be on any subcommittee.*

CPOB Chairman Enobakhare, Jr. tasked the Rules Subcommittee with developing the rules for implementing this process.

Attached are the DRAFT minutes from the Rules subcommittee meeting held on June 22, 2020.

At the Rules Subcommittee meeting, members made a motion to adopt the rules they developed. That motion will be brought before the full Board for consideration and vote.

Tonya McClary  
Police Monitor

Cc: T.C. Broadnax



# Community Police Oversight Board- Rules Subcommittee Meeting Minutes

The Community Police Oversight Board meetings are recorded. Agenda materials and recordings may be reviewed/copied by contacting the Board Coordinator at 214-670-3882.

**Meeting Date:** June 22, 2020

**Convened:** 6:38 p.m.

**Adjourned:** 7:34 p.m.

**Board Member(s) Present:**

Jesuorobo Enobakhare, Jr., **Chair** – District 3  
Jose Rivas, **Vice Chair** – District 7  
Loren Gilbert-Smith – District 4  
Kristian Hernandez – District 6  
Deatra Wadsworth – District 12  
David Kitner – District 13

**Board Member(s) Absent:**

**Staff Present:**

Bertram Vandenberg, City Attorney's Office  
Tonya McClary, Police Monitor  
Ashley Anderson, Interim CPOB Board Coordinator

**Call to Order: 6:38 p.m.**

The purpose of the meeting was to discuss implementation of the following motion that was passed by the CPOB at it's June 9, 2020 meeting:

“A motion allowing no more than three members of the community to be on any subcommittee”.

The Rules subcommittee discussed four categories to implement the motion.

**1. Membership**

- a) A community member can only serve on one subcommittee.
- b) A city council district can only have one member on each subcommittee.
- c) The member will serve a term of 1 year. When the term is up, the member can re-apply with no term limits.

**2. Attendance**

- a) A subcommittee member absent from 3 subcommittee meetings will be removed from the committee.

**3. Steps to Join a Subcommittee**

- a) Community members must email their request to join any subcommittee to the OCPO and copy their board member.
- b) The full board should decide who joins the subcommittee and the board member of the city council district of the applicant must advocate for them.
- c) A board member can sponsor someone from another city council district. The person will represent that district.

**4. Removal**

- a) Members who violate board decorum can be removed by two-third votes of the full board.
- b) Subcommittee member absent from 3 subcommittee meetings will be removed from said subcommittee.

At the end of the meeting the Rules Committee made the following motion:

A motion to adopt the subcommittee rules as discussed.

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

Motion seconded by David Kitner  
 Item passed on a divided vote:  
 Item failed on a divided vote:

These rules will go before the full board at the CPOB meeting on July 15, 2020.

At the end of the meeting there was a motion to adjourn the meeting.

Motion made by Deatra Wadsworth  
 Item passed unanimously: X  
 Item failed unanimously:

Motion seconded by David Kitner  
 Item passed on a divided vote:  
 Item failed on a divided vote:

**Adjourn: 7:34 p.m.**

**APPROVED BY:**

**ATTEST:**

\_\_\_\_\_  
 Chairman Jesuorobo Enobakhare  
 Community Police Oversight Board

\_\_\_\_\_  
 Board Coordinator Ashley Anderson  
 Community Police Oversight Board

# Memorandum



CITY OF DALLAS

DATE July 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT Name Change for the CPOB Community Engagement Subcommittee Update

At the June 9, 2020 meeting, Monitor Tonya McClary asked the Board to consider changing the names of two of its subcommittees based on feedback she had been hearing from members of the community. After hearing from Monitor McClary, the Board discussed the suggestions. Below are motions that came from that discussion. Both motions passed.

- (1) A motion was made to change the Technology Committee to the *Technology and Data Committee*.
- (2) A motion was made to amend the Board's rules and change the Community Engagement Committee to the *Community Engagement and Transparency Committee*.

Because the Community Engagement Committee was formally enacted in the Community Police Oversight Board Rules of Procedures, the Board in its motion also voted to amend the Community Police Oversight Board Rules of Procedures in order to make the committee name change effective.

On June 16, 2020 Casey Burgess, Executive Assistant City Attorney notified Monitor McClary via email that he had updated the CPOB Rules of Procedure based on the motion to change the name of the Community Engagement Committee. In the email Attorney Burgess specifically stated, "I amended the name of the standing committee to: "community engagement and transparency".

Attached is page 12 of the CPOB Rules of Procedure that were amended on June 9, 2020. It now reflects the formal name change of the committee.

Tonya McClary  
Police Monitor

Cc: T.C. Broadnax

- (C) Corrections to the minutes may be submitted to the secretary of the Board at any time up until the second official meeting after the meeting at which the draft was distributed.
- (D) Unless the corrections address changes in the registration of votes or changes in the wording of a motion, the secretary shall incorporate the changes.
- (E) If corrections address changes in the registration of votes or changes in the wording of a motion, the secretary shall prepare the portion of the official record relied on in the preparation of the draft and present it to the Board. The Board shall vote, after hearing the record, whether to accept the correction as submitted, modify the correction, or let the minutes stand.
- (F) The approved minutes shall be filed in the office of the city secretary within five days after the meeting at which the minutes were approved. [City Code, Sec. 8-8.]

#### SECTION 15. COMMITTEES.

(A) Committees established.

- (1) The following standing committees are established:
  - (a) Board training.
  - (b) Policy review.
  - (c) Community engagement and transparency.
  - (d) Rules.
- (2) Each standing committee shall review matters in its area of responsibility that are referred to it by the Board, the police monitor, or an individual Board member. A standing committee may recommend action to the Board, but a committee recommendation is not necessary for a matter to be placed on the Board agenda. The committee chair may make a statement on behalf of the committee on an item in a meeting of the Board.

(B) Appointment.

- (1) A standing committee shall consist of not less than three members appointed by the Chair.
- (2) Standing committees shall select a committee chair and vice chair.
- (3) The Chair may remove and reassign committee chairs and members to and from the various standing committees.

# Memorandum



CITY OF DALLAS

DATE July 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT Discussion of 10-Point Plan from the Working Group Convened by Judge Clay Jenkins: "10 New Directions for Public Safety and Positive Community Change"

Judge Clay Jenkins convened a Facebook-streamed meeting with representatives from the CPOB, Mothers Against Police Brutality; Our City, Our Future; North Texas Dream Team, Faith In Action, MWIW, and faith leaders including Imam Omar Suleiman, Pastor Freddie Haynes, Rev Michael W. Waters, Pastor George Mason.

CPOB member Kristian Hernandez attended that meeting. From that meeting 10 Points were developed to help steer public safety in a new direction to create positive community change. The document is entitled, "*10 New Directions for Public Safety and Positive Community Change.*"

CPOB member Hernandez would like to discuss with the Board supporting the 10 Points outlined in the document. She acknowledges that some of points are not only city-specific (some are county as well), however, she thinks the bulk of the proposal is in line with the purpose of the Board to increase oversight in policing.

CPOB member Hernandez and Chairman Enobakhare, Jr. will lead the Board in this discussion.

A copy of "*10 New Directions for Public Safety and Positive Community Change*" is attached to this document.

Tonya McClary  
Police Monitor

Cc: T.C. Broadnax

## **10 New Directions for Public Safety and Positive Community Change**

During the current coronavirus pandemic, in which Black people have been disproportionately killed by COVID-19, the police are still killing us. George Floyd's killing by officer Derek Chauvin, which has sparked nationwide unrest, occurred in Minneapolis, where the police department considers itself to be a champion of community policing, training on implicit bias, de-escalation, and early intervention to identify problematic officers. Yet that same department has for decades faced accusations of excessive force, particularly from Black residents. When we honestly face the recent history of Dallas — the killing by police of Botham Jean in 2018, Jason Harrison in 2014, and Clinton Allen in 2013, and countless others over the past half-century — we know that our own city might well have been the center of such a storm. We need to change policing in Dallas. This statement outlines policy changes affecting police use of force, including deadly force, and budget priorities that differ from the status quo in their approach to public safety and community well-being.

### **Divest from the Police and Invest in the Community**

1. DPD shall not be the first responder to mental health calls, unless a firearm is involved. Jointly, the City of Dallas and Dallas County shall create a program that assigns teams of mental health professionals or, as appropriate, other professionals in counseling and social work as first responders to mental health calls unless a firearm is involved outside of the police department. If a firearm is involved, these mental health teams will provide support to police officers responding; the mental health team may take the lead in a joint police/health response when appropriate (for example, threatened suicide with firearm).
2. City and County officials shall increase investment in alternatives to police response. The County Judge and the City of Dallas shall create a task force to identify and recommend alternative ways to respond to harm and to increase safety in the community, with budget allocations to sponsor the first initiatives in the coming budget year.

For example, DPD should not seek to deploy Texas state troopers in high crime neighborhoods, which floods an area with troopers who don't know the community, whose typical work is much different than local police work, and which led to a deadly officer-involved-shooting (OIS) last summer in South Dallas. Instead, DPD should invest in alternative approaches, such as community-based violence prevention and interruption programs.

City and County officials should invest in practical ways to improve household income and living conditions in impoverished communities. Examples: • funding to employ benefits advocacy

counselors, who would interview and consult with households in a particular area regarding their eligibility for public benefits and assist households with necessary applications and paperwork.

- funding to employ housing assistance counselors in each Justice of the Peace court to assist tenants facing evictions with relocation expenses and helping with the cost of establishing a new residence.

- funding for employment counselors to provide hands-on assistance for residents to obtain work or better paid work, such as obtaining a commercial driving license, certification as a dental assistant, learning to program, etc.

- funding for social workers to provide hands-on assistance for residents to obtain a "medical home", that is, a regular health care provider, and to obtain health insurance, and related health services.

- funding for small-scale practical neighborhood services provided by community groups, such as a van to carry seniors to and from the grocery store; lawn mowing services employing youth in the summer, etc.

- funding to increase environmental pollution monitoring, clean-up (for example, Shingle Mountain in Joppe), and restoration.

The coronavirus pandemic has caused economic distress beyond its immediate health threats. Instead of laying off staff during the current pandemic, the City and County should train and employ workers in contact tracing, which to be effective will require thousands. City and County employees are already vetted and have their paperwork in place, which should help streamline the startup of this essential initiative.

The City and County should provide funding for 24-hours recreation centers, with sports programs staffed by coaches and athletes, instead of police officers; should increase funding for arts programs, libraries, cultural centers; should provide funding for employment specifically of diverse groups of youth (trans, LGBTQ).

3. Dallas has become number one in deportation of immigrants, with the highest number of any U.S. city, and these deportations have impacted Black immigrants from Haiti and African nations disproportionately. The City of Dallas and Dallas County shall discontinue their intergovernmental service agreement (IGSA) with Immigration and Customs Enforcement (ICE) and implement incarceration prevention measures for minor offenses — for example, broken tail light, driving without valid license, failure to signal, other non-violent offenses — that currently warrant booking, impounding a vehicle, or pretrial incarceration, which by triggering

deportation lead to much more severe consequences than the original minor offense would bring to other residents.

### **Increase Safety and Accountability Measures**

4. The City of Dallas and Dallas Police Department will adopt specific policies restricting the use of deadly force. Officers shall not shoot their firearms 1) if a suspect is unarmed; 2) if a suspect is running away or attempting to withdraw; 3) if a suspect is driving away or sitting in a parked car; 4) if a suspect is not armed with a firearm — for example, when a suspect is holding a knife, screwdriver, or blunt object; and 5) if the officer is alone — for example, after a solo foot chase. In the event that deadly force is used, officers shall not shoot multiple times at a suspect without re-evaluating the necessity of additional deadly force.

5. DPD shall remove from armed patrol any officer involved in a use of deadly force incident until such time as all investigations have been completed, including review by a Dallas County Grand Jury.

6. DPD, in conjunction with the District Attorney's office, shall review all fatal police shootings for the period 2000-2018. Reviewers will identify any policy changes that might have prevented a particular shooting, as well as recommending charges for any unlawful police activity uncovered.

7. DPD shall fire or furlough officers whose testimony for whatever reason is not credible enough to be used by prosecutors in court ("Brady" list of officers) or officers who have multiple complaints of excessive force.

8. DPD and Dallas County Sheriff's Department shall create/review/reinforce policies concerning the "duty to intervene" to prevent officer misconduct and the "duty to render aid" when a person needs first-aid assistance as a result of officer conduct.

Duty to intervene: Officers have an obligation to protect the public. It shall be the duty of every officer to intervene when a fellow officer is using excessive force, inappropriate levels of force, or force that is no longer required to apprehend a suspect.

Duty to render aid: Officers have an obligation to protect the health and safety of any person held in custody. It shall be the duty of every officer to render timely and appropriate first-aid assistance needed as a result of officer use of force or health conditions aggravated by officer use of force. Officers shall be required to immediately determine the extent of a person's



injuries or health needs and to provide reasonable assistance until emergency medical technicians (EMTs) arrive or the person is otherwise provided for.

9. The Dallas County Sheriff's Department and the Dallas County Commissioners Court, until such time as an effective vaccine and treatment are available for COVID-19, shall release from custody persons in Dallas County jail facilities who are aged 65 and older; who require quarantine because of a positive coronavirus test result; or who have existing health conditions that make them more susceptible to the coronavirus: chronic lung disease, asthma, diabetes, heart condition, liver disease, and other conditions identified by health professionals in ongoing research. The ability or inability of any current inmates to pay money bail shall not prevent their release under these conditions.

Dallas County officials shall commit to making every effort to reduce the jail population to the point where adequate social distancing is possible. For all remaining inmates, Dallas County officials shall guarantee adequate hand soap, hand-sanitizer, masks, testing, and effective social distancing.

10. City and County law enforcement must respect the diverse communities in the Dallas area, and effective policing depends upon awareness of the needs and circumstances of specific marginalized populations. For example, Dallas leads the nation in violence against transgender people. Moreover, recently on numerous occasions, Dallas police officers were found to publish on social media racial stereotypes, Islamophobic comments, and jokes about brutality against community members. As an important and reasonable accommodation for historically — and often currently — maligned groups, DPD and Dallas County Sheriff's Department shall document their interactions with any and all disenfranchised members of our community.

# Memorandum



CITY OF DALLAS

DATE June 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT Discussion Regarding Defunding the DPD

Since the death of George Floyd, Breonna Taylor, Andres Guardado, Rayshard Brooks and others there have been demands across the country to defund police departments. Some of those same discussions are being held here in Dallas.

Many members of the CPOB have been hearing from constituents in their districts mixed emotions about this issue and various understandings of what it means to “defund the police department”.

CPOB Chairman Enobakhare, Jr. will lead CPOB members in a discussion regarding this important and timely issue.

Tonya McClary  
Police Monitor

Cc: T.C. Broadnax, City Manager

# Memorandum



CITY OF DALLAS

DATE June 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT Board Member Update on Community Engagement Activity

The Board will discuss and provide an update on Community Engagement Activities.

cc: T.C. Broadnax, City Manager



**City of Dallas**

## **Community Police Oversight Board (CPOB) 2020 Schedule**

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

Community Police Oversight Board meetings are held every 2<sup>nd</sup> Tuesday of each month, except for the month of July. Meetings are held at Dallas City Hall, 1500 Marilla, City Council Chambers, 6EN. Meetings begin at 5:30p.m.

January 14, 2020 – City Council Chambers, 6EN

February 11, 2020 – City Council Chambers, 6EN

March 10, 2020 – City Council Chambers, 6EN

April 14, 2020 – City Council Chambers, 6EN

May 12, 2020 – City Council Chambers, 6EN

June 9, 2020 – Video Conference at 5:00p.m.

July 15, 2020 – Video Conference at 5:30p.m.

August 11, 2020 – City Council Chambers, 6EN

September 8, 2020 – City Council Chambers, 6EN

October 13, 2020 – City Council Chambers, 6EN

November 10, 2020 – City Council Chambers, 6EN

December 8, 2020 – City Council Chambers, 6EN

# Memorandum



CITY OF DALLAS

DATE July 15, 2020

TO Members of the Community Police Oversight Board

SUBJECT Diamond Ross Case Update

At the June 9, 2020 Community Police Oversight Board (CPOB) meeting, Police Monitor Tonya McClary reported to the CPOB that Whitney Smith Company had recently completed its investigation of the Diamond Ross case and submitted a report to Monitor McClary for her review. The report produced by WhitneySmith Company is 71 pages. The scope of their report addressed the following seven questions:

1. Did the action taken by Moody and Ortega from the time Ross was arrested and transported to CDC comply with the DPD Code of Conduct, Chapter VI and DPD General Order (313.00) Arrest Policies?
2. What was Ross' physical and emotional state from the time she was brought into CDC by Moody and Ortega through the time she was removed from CDC and transported to Baylor Scott & White by DFR?
3. Did the actions taken at the CDC by Moody, Ortega, and other personnel follow policies and procedures of the Dallas Police Department?
4. Did it appear that all personnel involved acted within the scope of their duties?
5. Did there appear to be any negligence involved in the handling of Ross?
6. Did the discipline taken against Moody appear to be reasonable for his actions?
7. Did the Dallas Police Department handle the internal investigation objectively and without favoritism?

Monitor McClary also let the CPOB know that she would be meeting with WhitneySmith Company later in June to work on a presentation to the CPOB regarding the findings and recommendations in the report. Monitor McClary was also planning to provide the CPOB a copy of the findings of the Dallas Police Department's investigation so the Board members could compare both investigations. Her hope was to provide everything to the Board prior to their July 15, 2020 meeting.

Monitor McClary was preparing to send all the materials to the CPOB for their consideration and deliberation of this matter when a lawsuit was filed on behalf of the Ross family; *Ethelyn Ross v. City of Dallas, et al., Civil Action No. 3:20-CV-01690-E*. Because there is now pending litigation in the matter, discussions about this case and any updates will be held in Executive Session. The OCPO is disappointed not to be able to discuss this matter with the CPOB and the community in an open session. This type of

open discussion is prohibited by the Ordinance that created the OCPO and the new CPOB when there is pending litigation in a case.

Tonya McClary  
Police Monitor

Cc: T.C. Broadnax