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FILE NUMBER: 10-0051

DATE: March 31, 2010

SUBJECT: ANNUAL REPORT – CITIZENS/POLICE REVIEW BOARD

ABSTRACT: The 2008/2009 Annual Report for Citizens/Police Review Board submitted to the City Secretary's Office in accordance with Dallas City Code, Chapter 8-1.1 (a) (b).

RETENTION: PERMANENT (1000-03A)

Placing this material in the official files of the City of Dallas is approved as being in accordance with procedures authorized by the City Secretary.

DEBORAH WATKINS, City Secretary

By: 

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CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

Memorandum

DATE March 26, 2010
TO Honorable Mayor and Members of the City Council
SUBJECT **FY 2008 – 2009 Annual Report: Citizens/Police Review Board**

The attached report meets all of the criteria set forth in the City Code, Section 8-1.1.

If further information or clarification is needed or desired, please advise.

A handwritten signature in black ink, appearing to read 'Ryan S. Evans'.

Ryan S. Evans
First Assistant City Manager

Attachments

c: Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Tom Perkins, City Attorney
Craig Kinton, City Auditor
C. Victor Lander, Administrative Municipal Judge
Jill A. Jordan, P.E., Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Forest E. Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Helena Stevens-Thompson, Assistant to the City Manager/City Council Office

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

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

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Citizens Police Review Board



**Annual Report
2009**

CITY OF DALLAS
CITIZENS POLICE REVIEW BOARD
2009 ANNUAL REPORT

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MISSION STATEMENT

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DALLAS CITIZENS POLICE REVIEW BOARD

Mission Statement

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

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

OBJECTIVE

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DALLAS CITIZENS POLICE REVIEW BOARD

OBJECTIVE

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

BOARD MEMBERSHIP

100051 DALLAS CITIZENS POLICE REVIEW BOARD
2009 Annual Report
Membership List

<u>Board Member</u>	<u>Council Representative/District</u>
1. De'On Collins	Appointed by Mayor Leppert
2. Winnie Dixon	Appointed by Carolyn Davis – District 7
3. Phil Foster	Appointed by Vonciel Jones Hill – District 5
4. Larry French	Appointed by Linda Koop – District 11
5. Val Haskell	Appointed by David Neumann - District 3
6. Tommy Hines	Appointed by Ann Margolin – District 13
7. Thomas Jefferson	Appointed by Jerry Allen – District 10
8. Vicki Keene	Appointed by Delia Jasso – District 1
9. Robert Young	Appointed by Ron Natinsky – District 12
10. James Nowlin	Appointed by Angela Hunt – District 14
11. Carl Raines, Chairman	Appointed by Mayor Pro Tem Dwayne Caraway - District 4
12. Jacqueline Staley, Vice-Chair	Appointed by Deputy Mayor Pro Tem Pauline Medrano - District 2
13. Nancy Wilson	Appointed by Sheffie Kadane – District 9

Council Representative Vacancies (2):
Councilmember Steve Salazar – District 6
Councilmember Tennell Atkins – District 8

Technical Advisory Committee:

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

City of Arlington
City of Ft. Worth
Collin County

Administrative Staff:

Ryan S. Evans, First Assistant City Manager
Jackie Middlebrooks, Assistant City Attorney
Deputy Chief Nancy Kirkpatrick, Dallas Police Department, Internal Affairs Division
Shun Session, CMO Executive Assistant

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PROGRAMS

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DALLAS CITIZENS POLICE REVIEW BOARD

PROGRAMS

The ordinance requires that Board members attend two training class per term. Three training classes were conducted during the Fiscal Year 2008-09. There was no member of the Board attended less than one-half of the scheduled training sessions.

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SUCCESS INDICATORS

SUCCESS INDICATORS

NUMBER OF CASES REVIEWED BY THE CITIZENS/POLICE REVIEW BOARD OCTOBER 2008 - SEPTEMBER 2009

	2009												
	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	TOTALS
Monthly Summary of Case Complaints													
Cases investigated by IAD	30	27	40	21	38	60	43	33	41	37	30	34	434
IAD Referrals to Division	38	20	16	17	16	35	37	38	34	31	30	21	333
Total IAD Cases Filed	68	47	56	38	54	95	80	71	75	68	60	55	767
Board Review of New Appeals	3	4	1	3	0	3	1	1	1	-	2	2	21
Board Review of Pending Appeals	0	0	1	0	0	0	0	1	0	-	1	0	3
Board Review of Shootings	0	0	0	0	0	0	0	0	0	-	0	0	0
Total Cases Review By Board	3	4	2	3	0	3	1	2	1	-	3	2	24
Legal Opinions/Requests: From Board Attorney	0	0	0	0	0	0	0	1	1	-	0	1	3
Training Sessions													
Case Disposition By The Board													
Concur w/IAD or Division	1	4	2	3	0	3	1	1	1	-	3	2	21
Not Concur w/IAD or Division	0	0	0	0	0	0	0	0	0	-	0	0	0
Referred to CMO For Recommendation	0	0	0	0	0	0	0	0	0	-	0	0	0
Dismissed (No-Show)	1	0	4	1	3	2	4	2	2	-	0	2	21
Dismissed for Lack of Jurisdiction/No issue To Consider/No Action	0	0	0	0	0	0	0	1	0	-	0	0	1
Second/Additional Notices	1	4	5	0	0	0	0	0	0	-	2	0	12
Case Ret'd to IAD/Follow Report	2	0	0	0	0	0	0	0	0	-	0	0	2
Pending Litigation	0	0	0	0	0	0	0	0	0	-	0	0	0
Special Recognition of Dallas Police Officers	0	0	0	0	0	0	0	0	0	-	0	0	0

Notes: All complainants receive at least two notifications of the date and time scheduled on the agenda by regular mail and certified mail. If the complainant does not attend after the second notification, the Board may remove their name from the agenda with or without prejudice.

*Total number of cases scheduled to be reviewed by the Board totaled --, but -- cases were actually presented. Other cases were "No Show".

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ANNUAL SUMMARY

Number of Types of Case Indicators

ANNUAL SUMMARY**NUMBER OF TYPES OF CASE ALLEGATIONS REVIEWED BY THE
CITIZENS/POLICE REVIEW BOARD
OCTOBER 2008 - SEPTEMBER 2009**

The Citizens Police Review Board reviewed 24 Cases, which included 13 Division Referrals and 11 IAD investigations. These cases represent 55 different types of allegations. A complainant may make several allegations, so the total number of allegations may not be the same as the number of case complaints actually reviewed by the Board. In the majority of instances, citizens fail to appear at the first scheduled hearing. Consequently, the citizen's complaint is carried forward as pending business for Board review at the next regularly scheduled meeting of the Board. Therefore, this report reflects the volume of work performed by the Board.

Indicated below are the types of case allegations reviewed by the Citizens/Police Review Board for October 2008 - September 2009:

Breath test was not administered/offered	1
Changed Arrest Report	1
Civil Rights Violated	1
Conducted personal business while on duty	1
Constitutional Rights Violated	1
Damage of Personal Property	1
Denied Medical Treatment	3
Excessive Force/Physical Abuse	7
Failed to fully investigate	4
Failed to file charges against an individual	1
Failed to file an assault offense report	1
Failed to follow established procedures	1
Failed to make a report on stolen dog	2
Failed to provide reason for contact	1
Failed to include important info on accident report	1
False Report (Inaccurate)/Arrest	5
Improper Conduct	3
Improper Search	2
Improper Use of Authority	1
Physically Intimidating	1
Racial Profiled	4
Refused to give name/badge number	2
Rude	5
Unprofessional Conduct	3
Verbal Abuse/Used Profanity	2
TOTAL	55

SUMMARY

SUMMARY

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

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

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

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

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**SIGNATURE
and
CERTIFICATION**

SIGNATURE AND CERTIFICATION

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

Carl Raines

Carl Raines, Chairman
Dallas Citizens/Police Review Board

3/9/10

Date