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## Memorandum

CITY SECRETARY  
DALLAS, TEXAS



CITY OF DALLAS

DATE February 12, 2013  
TO Honorable Mayor and Members of the City Council  
SUBJECT **FY 2011 – 2012 Annual Report: Citizens Police Review Board**

The members of the Citizens Police Review Board are pleased to submit to the City Council the Annual Report of activities for 2012.

If you have any questions, please advise.



Carl Raines, Chair  
Citizens Police Review Board

### Attachments

cc: Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Rosa A. Rios, City Secretary  
Thomas P. Perkins, Jr., City Attorney  
Craig D. Kinton, City Auditor  
Daniel Solis, Administrative Judge Municipal Court  
A.C. Gonzalez, First Assistant City Manager  
Ryan S. Evans, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Forest E. Turner, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Frank Libro, Public Information Office  
Stephanie Cooper, Assistant to the City Manager

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

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CITY OF HOUSTON  
CITY CLERK

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

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

# Citizens Police Review Board



## Annual Report 2012

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CITY OF DALLAS  
CITIZENS POLICE REVIEW BOARD  
**FY Oct 2011 - Sept 2012**  
ANNUAL REPORT

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**Tab 1**  
**Board Members**

**DALLAS CITIZENS POLICE REVIEW BOARD**  
**FY Oct 2011 – Sept 2012**  
**Annual Report**

### Current Board Members

Board Member	Position	Original Appointment Date	Current Status
Janice Coffee	3	4-17-10	Reappointed
Winnie Dixon	7	1-25-08	Reappointed
Phil Foster	5	11-14-07	Reappointed
Larry French	11	10-5-07	Reappointed
Mario Gutierrez	6	2-1-12	Appointed
David Hardt	14	10-5-11	Appointed
Tommy Hines	13	11-4-09	Reappointed
Thomas Jefferson	10	5-23-08	Reappointed
Vicki Keene	1	11-14-07	Reappointed
Carl Raines, <b>Chair</b>	4	9-30-09	Reappointed
Felix Saucedo	9	12-2-10	Reappointed
Jacqueline Staley, <b>Vice-Chair</b>	2	10-28-05	Reappointed
Dwight Williams	3	4-13-12	Appointed
VACANT	12	----	----
VACANT	15	----	----

### Other Board Members Serving in 2011-12

Board Member	Position	Original Appointment Date	Current Status
John Dean	15	2-9-11	Resigned 4-3-12
Anne Villarreal	12	4-6-11	Termed out 7-1-2012

#### Technical Advisory Committee:

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

City of Arlington  
 City of Ft. Worth  
 Collin County



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**Tab 2**  
**Staff Members**

## **Staff Members**

- City Manager's Office
  - A.C. Gonzalez, First Assistant City Manager
  - Shun Session, Board Coordinator
  
- Dallas Police Department
  - Deputy Chief Christina Smith, Internal Affairs
  - Lt. David Graham, Internal Affairs
  - Lt. Tammie Hughes, Internal Affairs
  - Jackie Middlebrooks, Assistant City Attorney

**Tab 3**  
**Mission Statement**

## DALLAS CITIZENS POLICE REVIEW BOARD

**Mission Statement**

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

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

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# **Tab 4 Objective**

## **Objective**

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

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**Tab 5**  
**Guiding Principles**

## Guiding Principles

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

### WHAT THE REVIEW BOARD CAN AND CANNOT DO:

The Review Board **cannot**:

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

The Review Board **can**:

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



# **Tab 6 Training**

## **Training**

The ordinance requires that Board members are provided two training classes per term to become familiar with police procedures. Five training classes were accomplished during Fiscal Year 2011-12.

The following training sessions were conducted:

- Tuesday, November 8, 2011 - Dallas Police Department Force Continuum presentation/demo
- Thursday, February 23, 2012 – Tour of 911
- Saturday, March 3, 2012 – Training Cntr. (Tactical, Mounted, Motorcycle, Helicopter and K-9 Unit)
- Tuesday, June 12, 2012 – Dallas Police Department Summer Initiative presentation
- Tuesday, September 11, 2012 – Dallas Police Department Crimes Against Persons Division presentation

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# **Tab 7 Attendance**

Dallas Citizens Police Review Board  
2012 ANNUAL REPORT

**Dallas Citizens Police Review Board Attendance Record  
October 2011 Through September 2012**

MEETING DATES	10/11/11	11/8/11	12/13/11	1/10/12	2/14/12	3/13/12	4/10/12	5/8/12	6/12/12	July	8/14/12	9/11/12
Janice Coffee - Dist. 3 Griggs						MC			A	CR		A
John Dean - Mayor Rep	A					MC	Resigned 4/3/12	V	V	CR	V	V
Winnie Dixon - Dist. 7 Davis	A					MC				CR	A	
Phil Foster - Dist. 5 Hill		A				MC				CR		
Larry French - Dist. 11 Koop						MC				CR		
Mario Gutierrez- Dist. 6 Alonzo						MC		A		CR		
David Hardt - Dist. 14 Hunt						MC				CR	A	
Tommy Hines - Dist. 13 Margolin						MC				CR		
Thomas Jefferson- Dist. 10 Allen			A			MC		A		CR		A
Vicki Keene - Dist. 1 Jasso						MC				CR		
Carl Raines (CHAIR) Dist. 4 Caraway						MC				CR		
Felix Saucedo - Dist. 9 Kadane		A		A		MC			A	CR		
Staley, Jacqueline (Vice -Chair) Dist. 2 MPT Medrano						MC				CR		
Anne Villarreal- Dist. 12 Greyson				A	A	MC				CR	V	V
Dwight Williams - Dist.8 Atkins						MC				Forfeit 7/1	V	
David Hardt - Dist. 14 Hunt						MC				CR		

**Legend:**  
A-Absent  
V-Vacant  
CR-Council Recess  
MC-Meeting Cancelled

**Tab 8**  
**Success Indicators**

# SUCCESS INDICATORS

## NUMBER OF CASES REVIEWED BY THE DALLAS CITIZENS POLICE REVIEW BOARD OCTOBER 2011 - SEPTEMBER 2012

	2012												
	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	TOTALS
<b>Monthly Summary of Case Complaints</b>													
Cases Investigated by Internal Affairs	35	48	37	28	36	42	46	42	56	62	29	28	489
Internal Affairs Referrals to Division	11	32	19	34	08	22	13	23	24	08	14	19	227
<b>Total IAD Cases Filed</b>	46	80	56	62	44	64	59	65	80	70	43	47	716
<b>Board Activity Detail</b>													
Board Review of New Appeals	2	0	2	1	2	0	1	2	0	-	1	2	13
Board Review of Pending Appeals	0	1	1	0	0	0	1	0	1	-	0	0	4
<b>Total Cases Reviewed By Board</b>	2	1	3	1	2	0	2	2	1	-	1	2	17
FY Oct 2011 through Sept 2012													
Status Report on Pending Police Involved Shootings	0	0	0	0	0	0	0	1	1	-	1	1	4
Board Review of Completed Police Involved Shootings	0	0	0	0	0	0	0	0	0	-	0	0	0
Board Training Sessions	0	1	0	0	1	1	0	0	1	-	0	1	5
<b>Case Disposition By The Board</b>													
Concur w/IAD or Division	2	1	3	1	2	0	2	2	1	-	1	2	17
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
Complainant's that were a No-Show	4	4	2	4	2	0	2	2	4	-	4	2	30
Dismissed for Lack of Jurisdiction/No issue to Consider/No Action/No Show	0	2	0	1	0	0	0	1	0	-	0	1	5
Second Notification Letters	1	3	2	1	2	0	1	1	1	-	3	0	15
Case Ref'd to IAD/Follow Report	0	0	0	0	0	0	1	0	0	-	0	0	0
Complainants w/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

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

\*March 13, 2012 Board meeting cancelled

**Tab 9**  
**Annual Summary**

## ANNUAL SUMMARY

### NUMBER OF TYPES OF CASE ALLEGATIONS REVIEWED BY THE Dallas CITIZENS POLICE REVIEW BOARD OCTOBER 2011 - SEPTEMBER 2012

The Citizens Police Review Board reviewed 17 Cases, which included 9 Division Referrals and 8 IAD investigations. These cases represent 45 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 2011 - September 2012:

Assault	1
Association with a convicted felon	1
Damage of Personal Property	2
Denied Medical Treatment	2
Excessive (Unnecessary) Force/Physical Abuse	5
Failed to fully investigate	1
Failed to file charges against an individual	1
Failed to file an assault offense report	1
Failed to follow established procedures	2
Failed to provide reason for contact	1
Failed to include important info on accident report	1
False Report (Inaccurate)/Arrest	3
Improper Conduct	3
Improper Search	2
Improper Use of Authority	1
Inappropriate Comment	4
Intimidated	1
Precipitated, caused and escalated a disturbance	1
Refused to give name/badge number	2
Rudeness	2
Used Taser (Violated the Electronic Control Weapon Policy)	1
Unprofessional Conduct	5
Verbal Abuse/Used Profanity	2
<b>TOTAL</b>	<b>45</b>



# **Tab 10 Summary**

## SUMMARY

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

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

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

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

**Tab 11**  
**Board Certification**

## **BOARD CERTIFICATION**

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