

# Memorandum



CITY OF DALLAS

DATE March 6, 2020

TO Members of the Community Police Oversight Board

SUBJECT **Case Update: Diamond Ross**

During the December 10, 2019 Community Police Oversight Board meeting, a motion was made and adopted to initiate an independent investigation concerning the Diamond Ross incident, pending the conclusion of all finding, recommendations, and related actions of the Internal Affairs division<sup>1</sup>.

At the time of the motion, the Police Monitor had not been hired. The Community Police Oversight Board worked with the City of Dallas (specifically Assistant City Manager Jon Fortune) to hire an independent company to complete the review of the Police Department's Investigation.

After reviewing several proposals from various companies, the Community Police Oversight Board and the City of Dallas hired the Whitney Smith Company which is located in Fort Worth, Texas. Attached is the engagement letter outlining the scope of work and the rate of payment for the Whitney Smith Company.

As the Whitney Smith Company conducts their review of the Dallas Police Department's investigation of the Diamond Ross incident, they will be in touch with the Police Monitor. Once their review is completed, they will submit their final report to the Police Monitor. The Police Monitor will provide a copy of Whitney Smith Company's findings to the Community Police Oversight Board for review, comments, recommendations and further action if needed.

Tonya McClary  
Police Monitor

C:TC Broadnax, City Manager

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<sup>1</sup> Minutes from the Community Police Oversight Board Meeting Record—December 10, 2019.



G. Whitney Smith  
President

Wednesday, January 15, 2020

Mr. Jon Fortune, Assistant City Manager  
City of Dallas  
City Manager's Office  
1500 Marilla Street  
Dallas, TX 75201

Re: Engagement Letter

Dear Jon,

WhitneySmith is pleased to provide you with an engagement letter for the purpose of conducting an independent investigation. It is our understanding that the scope of this independent investigation will be to review and develop an opinion of an investigation conducted by the internal affairs division (IAD). This will include our review of all related documentation and interviews with those individuals involved in the investigation.

Therefore, per section 37-2(a)(3) conduct an independent investigation into the internal affairs division investigation (IAD) of a critical incident that occurred on August 8, 2018 when Diamond Ross was in police custody and died shortly thereafter. On June 26, 2019, Dallas IAD completed their investigation of Senior Corporal Larry Moody and Officer William Ortega regarding their failure to secure a prisoner with a seat belt during transport and failure to obtain medical treatment for their prisoner when she remained unresponsive.

Our fee for this independent investigation will be set at \$330 per hour not to exceed \$15,000.

I look forward to hearing from you and beginning the investigation.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Whit Smith', is written over a light blue horizontal line.

Whit Smith  
President