



City of Dallas

Understanding What Community Police Oversight Is & Why It's Important In The City of Dallas

**Community Police Oversight
Board (CPOB) & The Office of
Community
Police Oversight (OCPO)
October 7, 2020**

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for the City of Dallas

Presentation Overview



- The Presentation will be in three parts:

Part 1:

- Background/History of the Community Police Oversight Board (CPOB)
- Purpose
- Board Structure
- Board Duties and Functions
- Board Accomplishments



Presentation Overview (cont.)



Part 2:

- Background/History of the Office of Community Police Oversight (OCPO)
- Purpose
- Office Structure
- Office Duties and Functions
- Office Accomplishments



Presentation Overview (cont.)



Part 3:

- Overview of Civilian Oversight of Law Enforcement
 1. It's Principles and Role
 2. 13 Principles for Effective Civilian Oversight
 3. Defining and Recommending Effective Practices for Civilian Oversight
- Next Steps



Background/History CPOB



- April 2019, City Council voted unanimously to amend Ch. 37 renaming the Citizens Police Review Board to the Community Police Oversight Board and creating the Office of Community Police Oversight.
- This was not the simple renaming of a board. This was the creation of an entirely new board.





Purpose

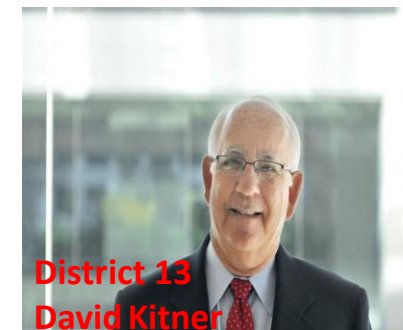
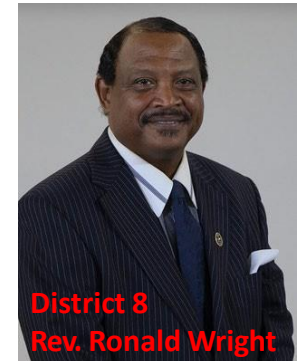
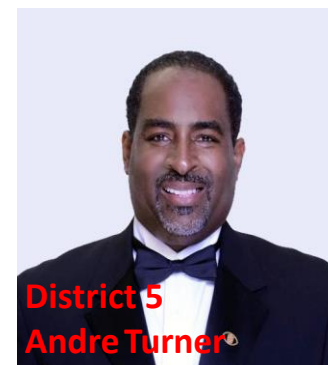
- The purpose of this portion of the briefing is to reintroduce and present the functions and accomplishments of the Community Police Oversight Board.



Board Structure



- Board Name: Community Police Oversight Board (CPOB)
- Board Size: 15 members appointed by the Mayor and City Council



Board Duties

- Provide accessible process for fair acceptance and processing of complaints
- Direct the OCPO director to initiate an independent administrative investigation
- Provide annual report to appropriate City Council committee
 - Board, OCPO, and DPD to establish metrics for transparency
- Engage in community outreach
 - Creating community awareness about complaint process
 - Generating discussion about community & police relationships



Board Functions

Subject to procedures set forth in the ordinance:

- Review facts and evidence of critical incidents or external administrative complaints against a DPD officer after:
 - Completion of all findings and recommendations of Internal Affairs Division (IAD);
 - Final decision by the department on disciplinary action; and
 - Conclusion of all grand jury proceedings, if anticipated.



Board Functions (cont.)



- Accept written citizen complaints
- Direct the Director/Monitor to initiate independent investigation of critical incidents or external administrative complaints, if not satisfied with IAD findings.
- Subpoena witnesses other than the police officer or city employee.
- Request statements from police officers or city employees through the Office of Community Police Oversight.



Board Functions (cont.)



- Take sworn testimony from witnesses relating to an independent investigation of a critical incident or external administrative complaint
- Request City Manager to review disciplinary action
- Recommend improvements in department procedures to the Police Chief and City Manager
- Act as advisory board to the Police Chief, City Manager, and City Council



Board Accomplishments

- Requested an independent investigation of the events that led to the passing of Diamond Ross while in DPD custody.
- 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
- A motion was made to request the Police Monitor do a full review of the DPD Use of Force Policy.
- A motion was made to request the Police Monitor to fully review Dallas' policy on protest.



Board Accomplishments (cont.)



- A motion to allow for the video release policy for Dallas Police Department to be applied retroactively prior to June 30.
- Partnering with Dallas Residents by allowing members of the community to join the Established Board Subcommittees to assist in providing community driven solutions:
 - Rules
 - Policy
 - Board Training
 - Community Engagement and Transparency
 - Data and Technology



Background/History OCPO



- April 2019, City Council voted unanimously to amend Ch. 37 renaming the Citizens Police Review Board to the Community Police Oversight Board and creating the Office of Community Police Oversight.
- The creation of OCPO was a long fought victory for the residents of Dallas who had been demanding oversight for 40+ years.



Purpose



- The purpose of this portion of the briefing is to reintroduce and present the functions and accomplishments of the Office of Community Police Oversight.



Office Structure



- Office Name: Office of Community Police Oversight (OCPO)
- Office Size: Fiscal Year 2019-2020 = 3 staff (Director, Investigator & Executive Assistant)
- Fiscal Year 2020-2021 = 2 additional staff (Mediation Coordinator & Complaint Intake Specialist)



Office Duties Per Ordinance

- Provide support and technical assistance to the Community Police Oversight Board



Director/Monitor Duties Per Ordinance



- Provide functional support to the Community Police Oversight Board
- Ensure that the Community Police Oversight Board can fulfill its duties
- Make such reports as may be required by the City Manager and the Community Police Oversight Board
- Perform such other duties as may be required by the City Manager, by ordinance of the City Council, or the Community Police Oversight Board in accordance with Article III of Chapter 37 of the Dallas City Code





Director/Monitor Duties To Realize Goals of Ordinance

- Develop and facilitate a mediation program that will engage DPD officers and civilians that have filed a complaint
- Monitor DPD investigations of officer involved shootings (OIS) and other critical incidents
- Conduct independent reviews of DPD's investigations of officer involved shootings (OIS) and other critical incidents
- Monitor and review external complaints filed by civilians against DPD
- Conduct independent investigations of civilian complaints after DPD has completed their investigation



Director/Monitor Duties To Realize Goals of Ordinance (cont.)

- Develop and maintain a centralized complaint system for civilian complaints
- Yearly audit of DPD complaints
- Revamping OCPO and CPOB websites
- Production of an Annual Report
- Community outreach to raise awareness of OCPO and CPOB



Director/Monitor Duties To Realize Goals of Ordinance (cont.)



- Develop programs that teach members of the public about their rights and how to safely encounter the police (community, schools, religious institutions, etc.)
- Review all DPD policies/general orders to make recommendations regarding “best practices” for the Dallas Police Department



OCPO Accomplishments



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- OCPO staff has been at the scene of every OIS in 2020.
- Director McClary has independent and unfettered access to DPD data as it relates to civilian complaints and her own separate login for IAPro and Evidence.com
- OCPO has done intake on 750+ complainants and/or inquiries between October 1, 2019 and August 31, 2020.
- OCPO is currently conducting 8 independent investigations of civilian's complaints including the complaint filed against Police Chief U. Renee Hall stemming from the October 2019 CPOB meeting. *(These complaints have been completed & closed by DPD).*
- OCPO has conducted 30+ media interviews in 2020.

OCPO Accomplishments (cont.)

- Director McClary worked with the Police Chief and the City Attorney's Office to draft and finalize the newly implemented video release policy for DPD.
- OCPO hosted the first video showing to a family of a OIS after the institution of the DPD Video Release Policy.
- OCPO and CPOB worked with the Police Chief to outline parameters for making the viewing of videos retroactive for families who had a loved one killed and/or seriously injured by DPD prior to June 30, 2020.
- OCPO staff attended & monitored approximately 60% of the protest in Dallas related to policing.



OCPO Accomplishments (cont.)

- Director McClary is working with DPD to review their use of force and protest policies.
- Since February 26, 2020, OCPO staff meets weekly with IAD to discuss and decide what happens to complaints filed by civilians.
- OCPO has been involved in 20+ community speaking engagements in 2020.
- OCPO along with the Dallas Community Police Oversight Coalition developed a legal observer program for the protest and provided legal observation to approximately 70% of the protest regarding policing.
- OCPO along with the Dallas Community Police Oversight Coalition set-up a hotline for protestors and documented testimony of experiences of protestors.

**Hey Dallas.
Have you been out in
the streets?**

We want to hear about your
experience with the Dallas Police
Department during recent protests.

**tinyurl.com/dallasprotestline
or call (469) 701-0349**

This is a volunteer legal effort coordinated by
the Dallas Community Police Oversight Coalition &
the Dallas Office of Community Police Oversight



Civilian Oversight of Law Enforcement Its Principles and Role



Civilian oversight alone is not sufficient to gain legitimacy. Without it, however, it is difficult, if not impossible, for the police to maintain the public's trust.



CIVILIAN OVERSIGHT DEFINED



- Civilian oversight may be defined as the following:
 - Investigates, audits, or reviews internal law enforcement investigations or processes, including community complaints and use of force incidents.
 - Conducts ongoing monitoring of law enforcement agencies' policies, procedures, training, management, and supervision practices.
 - Includes any agency or process that involves active participation in the above by persons who are **not sworn law enforcement**.



CIVILIAN OVERSIGHT HAS PROACTIVE ELEMENTS



- Civilian oversight often includes **PROACTIVE** elements:
 - Explores problems proactively (e.g., investigation, collection, and analysis of data)
 - Identifies underlying issues and causes
 - Focuses on organizational change
 - Concentrates on reduction and prevention of misconduct
 - Builds partnerships with law enforcement
 - Creates connections and strengthens relationships between law enforcement and the greater community



WHY IS OVERSIGHT NECESSARY?

- **Protects** human rights
- **Promotes** constitutional policing
- **Increases** public confidence and trust in the police
- **Builds** bridges between law enforcement and the public
- **Supports** effective policing
- **Ensures** greater accountability
- **Enhances** risk management



COMMON GOALS OF OVERSIGHT



- To ensure that the police complaint process is **accessible** to all and that there are few, if any, barriers to the filing of complaints
- To ensure that investigations are **fair** and thorough, that findings are reasonable, and discipline is appropriate
- To improve public **confidence** in the police
- To enhance the **transparency** of police organizations by publicly reporting on the department's efforts in holding officers **accountable**



COMMON GOALS OF OVERSIGHT (cont.)



- **Improve** the policies, practices, training, and management of law enforcement agencies by analyzing patterns in complaints and other police-related data.
- Deter officers from engaging in misconduct through the creation of more **effective and consistent** investigation and disciplinary processes.
- **Reduce** legal liability associated with officer misconduct.
- Improve the public's **understanding** of police policy, training, and practices



THIRTEEN PRINCIPLES FOR EFFECTIVE CIVILIAN OVERSIGHT



- Independence
 - Public reporting and transparency
- Clearly defined and adequate jurisdiction and authority
 - Confidentiality, anonymity, and protection from retaliation
- Unfettered access to records and facilities
 - Community outreach
- Access to Law Enforcement executives and Internal Affairs staff
 - Community involvement
- Full cooperation
 - Sustained stakeholder support
- Procedural justice and legitimacy
 - Adequate funding and resources
- Policy and pattern analysis



Next Steps



- City Council Actions
 - City Council Members that have any committees that are centered around reforming policing, partner with OCPO and the CPOB.
 - Direct any residents with policing reform suggestions to OCPO and CPOB.
 - Host a Town Hall meeting with your CPOB representative and OCPO to help your constituents understand police oversight and to open more dialogue about policing in Dallas.





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