

COMMUNITY POLICE OVERSIGHT BOARD
DALLAS CITY BOARDS AND COMMISSIONS AGENDA

RECEIVED

2020 DEC -4 PM 5:34

TUESDAY, December 8, 2020
VIRTUAL MEETING VIA WEBEX
6:00 P.M. – 9:00 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.

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=e12feecf79fcb39e2e634b15e932403de> Access Code: cpob2020

AUDIO PHONE CONFERENCE LINE:

Event line: 408-418-9388|Access Code: 146 631 1412

CALL TO ORDER

PUBLIC COMMENT/OPEN MICROPHONE

APPROVAL OF MINUTES

1. Approval of the November 10, 2020 Minutes [Board Chairman Enobakhare, Jr.]

Attachment: Minutes

ACTION ITEMS

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

- a. CPOB review and discussion of OCPO Alvin Jones complaint investigation [Police Monitor McClary & Special Investigator Williams, Office of Community Police Oversight]

Attachment: Memo and OCPO Investigation Report ---Alvin Jones

- b. Report and voting on recommendations from Rules Subcommittee regarding the process for adding City of Dallas community members to CPOB Subcommittees [CPOB Chairman Enobakhare, Jr and Rules Subcommittee Chairman Kitner]

Attachments: Memo

Public Notice

200962

POSTED CITY SECRETARY
DALLAS, TX

A quorum of the City Council may attend this board meeting

- c. Discussion of candidates and voting for City of Dallas community members who will sit on the 5 CPOB subcommittees [Board Chairman Enobakhare, Jr. and Rules Subcommittee Chairman Kitner]

Attachment: Slate of Candidates for each CPOB Subcommittee

3. New Discussion Items

- a. CPOB Chair & OCPO Director Monthly Meeting with the DPD Chief of Police U. Renee Hall Police [CPOB Chairman, Enobakhare, Jr. & Monitor McClary, Office of Community Police Oversight]

Attachment: Memo

- b. Introduction of OCPO Misdemeanor Enforcement & The Community Project [Police Monitor McClary, Office of Community Police Oversight]

Attachment: Memo

- c. Monthly Activity Report [Police Monitor McClary & Complaint Intake Specialist Woods, Office of Community Police Oversight]

Attachments: Monthly Activity Report Memo
OCPO November Complaint Summaries
Monthly Activity Chart

- 4. Board Training Schedule [Board Chairman Enobakhare, Jr.]

Attachment: Memo

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

Attachments: Memo

UPCOMING MEETING

- 6. January 12, 2021

Attachments: 2021 Schedule

PUBLIC COMMENT/OPEN MICROPHONE

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: November 10, 2020

Convened: 5:54 p.m.

Adjourned: 9:08 p.m.

Board Member(s) Present:

Jesuorobo Enobakhare, Jr., **Chair** – District 3
Jose Rivas, **Vice Chair** – District 7
Zandra Ellis – 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
David Kitner – District 13
Alan Marshall – District 14
Juan Olivo – District 15

Board Member(s) Absent:

Andre Turner – District 5
Ejike E. Okpa - District 11
Deatra Wadsworth – District 12

Staff Present:

Lieutenant Phyllis Nobles, Internal Affairs
Kanesia Williams, City Attorney's Office
Casey Burgess, City Attorney's Office
Tonya McClary, Police Monitor OCPO
Kevin Williams, Special Investigator OCPO
Taylor Woods, OCPO Board Coordinator/ Complaint Intake Specialist

AGENDA:

Call to Order: 5:45 p.m.

Public Comment/ Open Microphone

Public comments were received by one speaker.

1. Approval of Meeting Minutes for October 13, 2020 Meeting

A motion was made to approve the minutes from the October 13, 2020 Community Police Oversight Board Meeting with the correction of adding CPOB Member Zandra Ellis as being present.

Motion made by David Kitner
Item passed unanimously: X
Item failed unanimously:

Motion seconded by Tami Brown Rodriguez
Item passed on a divided vote:
Item failed on a divided vote:

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

a. Approval of CPOB Subcommittee Meeting Minutes

i. Board Training Subcommittee September 28, 2020 Meeting Minutes [Jesuorobo Enobakhare, Jr]

A Motion was made to approve the Board Training Subcommittee Meeting Minutes that was held on September 28, 2020

Motion made by David Kitner
Item passed unanimously: X
Item failed unanimously:

Motion seconded by Ezekiel Tyson
Item passed on a divided vote:
Item failed on a divided vote:

ii. Policy Subcommittee October 1, 2020 Meeting Minutes [Subcommittee Chair Ezekiel Tyson]

A Motion was made to approve the Policy Subcommittee Meeting Minutes that was held on October 1, 2020 (with the corrections of spelling of Loren Gilbert-Smith's name)

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

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

iii. Data and Technology Subcommittee October 5, 2020 Meeting Minutes [Subcommittee Chair Alan Marshall]

A Motion was made to approve the Data and Technology Subcommittee Meeting Minutes that was held on October 5, 2020 (with the corrections of spelling of Loren Gilbert-Smiths name)

Motion made by Alan Marshall
Item passed unanimously: X
Item failed unanimously:

Motion seconded by Loren Gilbert-Smith
Item passed on a divided vote:
Item failed on a divided vote:

iv. Community Engagement and Transparency Subcommittee October 8, 2020 Meeting Minutes [Subcommittee Chair Juan Olivo]

A motion was made to approve the Community Engagement and Transparency Subcommittee Meeting Minutes that was held on October 8, 2020

Motion made by Juan Olivo
Item passed unanimously: X
Item failed unanimously:

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

b. Discussion of Community Candidates for the CPOB Subcommittees & Next Steps. [Chair Jesuorobo Enobakhare, Jr]

Chairman goes through all the candidates submitted by CPOB members. Board members discussed their candidate(s) and told the full Board why they felt the candidate should be on the subcommittee.

A motion was made to have board members provide a summary consisting of 5 sentences of their candidate's attributes to be placed on the voting slate.

Motion made by Alan Marshall
Item passed unanimously: X
Item failed unanimously:

Motion seconded by Zandra Ellis
Item passed on a divided vote:
Item failed on a divided vote:

A motion was made to refer to the Rules Subcommittee on how the voting will take place for the subcommittee candidates.

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

Motion seconded by Loren Gilbert-Smith
Item passed on a divided vote:
Item failed on a divided vote:

A motion was made to have the candidate summaries to Director McClary by November 19, 2020

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

Motion seconded by Jose Rivas
Item passed on a divided vote:
Item failed on a divided vote:

c. CPOB Review and Discussion of Alvin Jones Complaint Investigation. [Police Monitor McClary and Special Investigator Kevin Williams, Office of Community Police Oversight]

Special Investigator Kevin Williams (OCPO) and Lieutenant Phyllis Nobles (DPD) discussed their findings in the Alvin Jones case. Both agreed that there are no DPD policy violations by the officer.

A motion was made that the Board agree with the findings of the first complaint allegation made by OCPO as unfounded.

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

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

A motion was made to table the voting on of complaint allegation number two made by Mr. Jones until the next meeting that will be held on December 8, 2020.

Motion made by Alan Marshall
Item passed unanimously:
Item failed unanimously:

Motion seconded by Tami Brown Rodriguez
Item passed on a divided vote: X
Item failed on a divided vote:

d. Dallas Police Ordinance Reform Request [CPOB Member Rev. Wright and Justice Seekers Members Tracy Armstrong, Rev Willie Cochran, and Anita Burnett]

CPOB member Rev. Ronald Wright and Justice Seekers members presented a Police Ordinance Reform to the Board and requested endorsement.

A motion was made to send the Police Ordinance Reform Request to the Policy Subcommittee so it can be further reviewed.

Motion made by Juan Olivo
Item passed unanimously:
Item failed unanimously:

Motion seconded by Tami Brown Rodriguez
Item passed on a divided vote: X
Item failed on a divided vote:

3. New Discussion Items

a. CPOB Chair & OCPO Director Monthly Meeting with DPD Chief of Police Renee Hall Police [CPOB Chairman, Jesuorobo Enobakhare, Jr and Monitor McClary]

Police Monitor McClary updated the Board on what DPD is working on. DPD wants to do a culture assessment for what is going internally with the police department and what is going on externally out in the community.

b. OCPO Staffing Update [Police Monitor McClary]

Police Monitor McClary updated the Board on her new hire Taylor Woods. Taylor will now be the permanent Complaint Intake Specialist for OCPO and still the Interim Board Liaison until that position is filled.

c. Monthly Activity Report [Complaint Intake Specialist Taylor Woods]

OCPO has received 18 complaints and 36 inquiries for the month of October. The complaints are either cleared by body worn camera, sent as a division referral for investigation, or stayed with Internal Affairs for investigation.

4. Board Training Schedule

The latest training Board members had was NACOLE's Training October 20, 2020: Approaches to Handling Demonstrations to Protest

5. Board Member Update on Community Engagement Activity

Zandra Ellis Dist. 1 – Nothing to report

Jonathon Maples Dist. 2 – Spoke with senior citizens in his community.

Jesuorobo Enobakhare Dist. 3 – Participated in an event that Casey Thomas entitled "Civics 101" with Police Monitor McClary.

Loren Gilbert-Smith Dist. 4 – Spoke to two HOA and got insight on how to do more outreach to the community.

Andre Turner Dist. 5 – ABSENT

Kristian Hernandez Dist. 6 – Nothing to report

Jose Rivas Dist. 7 – Met with local PTO

Rev Ronald Wright Dist. 8 – Nothing to report

Tami Brown Rodriguez Dist. 9 – Attended HOA meeting via Zoom and educated people on how to file a complaint and spoke with members of her district on how to stay engaged with CPOB and OCPO during these times.

Ezekiel Tyson Dist. 10 – Engaged the community at Parks and YMCA to get the word out about CPOB.

Ejike E. Okpa Dist. 11 - ABSENT

Deatra Wadsworth Dist. 12 - ABSENT

David Kitner Dist. 13 – Nothing to report

Alan Marshall Dist. 14 – Nothing to report

Jose Rivas Dist. 15 – Nothing to report

6. Upcoming Meeting

December 8, 2020

Public Comment/ Open Microphone

There were no public comments.

Motion to Adjourn:

Motion made by Alan Marshall

Item passed unanimously: X

Item failed unanimously:

Motion seconded by Loren Gilbert-Smith

Item passed on a divided vote:

Item failed on a divided vote:

Adjourn: 9:08 p.m.

APPROVED BY:

ATTEST:

Chairman Jesuorobo Enobakhare
Community Police Oversight Board
Board

Board Coordinator Taylor Woods
Community Police Oversight

Memorandum Item 2A



CITY OF DALLAS

DATE December 8, 2020

TO Members of the Community Police Oversight Board

SUBJECT OCPO Alvin Jones Complaint Investigation Continued

On Tuesday November 10, 2020 OCPO presented its findings to the CPOB regarding the Alvin Jones complaint against the Dallas Police Department (DPD).

There were two allegations that were made against the Dallas Police Department by Mr. Jones. See below:

1. Complainant alleged that on January 16, 2020, Dallas Police Officer Daniel K. Kim, Badge #10987 provided inaccurate and false information on his accident report.
2. Complainant alleged that on January 16, 2020, Dallas Police Officer Daniel K. Kim, Badge #10987 body worn camera footage and audio had been tampered with and manipulated.

OCPO found both allegations unfounded.

The CPOB agreed with OCPO regarding allegation number one being unfounded in a divided vote of the Board. However, the Board tabled its decision regarding allegation number two until their December 8, 2020 meeting to give Board members an opportunity to review the video footage in question that did view it before the meeting.

A copy of the OCPO investigation is attached with this memo.

Tonya McClary
Police Monitor

Cc: T. C. Broadnax, City Manager

Office of Community Police Oversight
City of Dallas



TONYA D. Mc CLARY, ESQ.
POLICE MONITOR

CPOB Agenda Item 2C

DATE: November 2, 2020

TO: Community Police Oversight Board
Major of Internal Affairs Division
Alvin Jones, Complainant

From: Director of the Office of Community Police Oversight

Subject: Investigation of Complaint # EC2020-0169 Involving a Traffic Accident

Precinct: Southeast Patrol Div. /4 Patrol Bureau / S-4th Watch
IA Case #: EC2020-0792
Date of Incident: January 16, 2020
Time of Incident: 6:46pm
Location of Incident: 8900 N. Jim Miller Street, Dallas Texas 75217
On Duty: Yes
Uniform: Yes

Involved Officer(s): Daniel K. Kim, Badge #10987
Years of Service: Three years, 7 months

Witness Officer(s): Jonathan R. Munsell, Badge #11311
Years of Service: Three years, 5 months

Complainant: Mr. Alvin Jones

Complaint Summary

On July 9, 2020 Mr. Alvin Jones submitted a complaint to the Dallas Police Department's (DPD) Internal Affairs Division (IAD). On that same day Mr. Jones sent a letter via certified mail to Dallas Police Chief U. Renee Hall requesting her help. Mr. Jones stated in the letter to Chief Hall, "[a]ll the information was sent to you by way of email on March 2, 2020 to r.hall@dallascityhall.com in regards to the same reference matter, but no response".¹ Mr. Jones

¹ See attachment 1 for complete copy of the certified letter from Mr. Alvin Jones to DPD Chief U. Renee Hall

also stated in the letter that he had also, “spoken to Lieutenants, Sergeants and officers at your department with no positive results.”²

Mr. Jones complaint to IAD contained one allegation against DPD Officer Daniel K. Kim, Badge #10987 stemming from a vehicle accident he responded to on January 16, 2020 that involved Mr. Jones. In his complaint, Mr. Jones stated that the accident was a hit and run which caused damage to the rear bumper of his vehicle. Mr. Jones stated that Officer Kim provided a false and inaccurate report of the accident. The complaint was based on the vehicle accident report written on Thursday January 16, 2020 at approximately 6:46pm at 8900 North. Jim Miller St. After a review of the evidence in the case, IAD concluded that no investigation was warranted because Mr. Jones accusations were unfounded based on Officer Kim’s body worn camera (BWC) footage. IAD also concluded that there were no Dallas Police Department policy violations committed by Officer Kim.

After Mr. Jones received correspondence in the form of a letter from the Dallas Police Department regarding the results of the investigation of his complaint, he wrote several letters to various members of the Dallas Police Department’s leadership. Those letters were addressed to: (1) DPD Chief U. Renee Hall, (2) DPD Sergeant Thomas Fry and (3) DPD Lieutenant Leroy Quigg of the Southeast Patrol Division. Mr. Jones also wrote letters to Dallas City Mayor Eric Johnson and Dallas City Manager T.C. Broadnax expressing his displeasure regarding the Dallas Police Department’s investigation of his complaint. The Dallas City Mayor and The Dallas City Manager forwarded Mr. Jones letters of concern to the Office of Community Police Oversight (OCPO) to investigate the allegation against Officer Daniel Kim. In those letters Mr. Jones, articulated a new allegation that was not a part of his original complaint to DPD. OCPO addresses Mr. Jones second allegation in its review of the complainant investigation. The allegations are listed below:

Complainant Allegations

1. Complainant alleged that on January 16, 2020, Dallas Police Officer Daniel K. Kim, Badge #10987 provided inaccurate and false information on his accident report.
2. Complainant alleged that on January 16, 2020, Dallas Police Officer Daniel K. Kim, Badge #10987 body worn camera footage and audio had been tampered with and manipulated.³

Incident Summary

Below is the complainant that Mr. Jones filed with the Internal Affairs Division of DPD. It details the incident that took place on January 16, 2020:

² See attachment 1 for complete copy of the certified letter from Mr. Alvin Jones to DPD Chief U. Renee Hall’

³ Mr. Jones did not raise this allegation in his original complaint to DPD. However, OCPO will address it in this report.



On January 16, 2020, I [Alvin Jones] was involved in a hit and run accident. I was hit from behind and pushed upon a curb therefore striking a telephone pole. There were three different ladies that came to my aid and began to question me as to if I was ok. At this point I could not call for help so I was assisted and gave my phone to the black lady to call my family to let them know what had happened and that I was going to be transported to the emergency room. At no point did I state to the attending officer [Officer Kim] that I hit any object in the road. To my remembrance there was nothing in the road as I again was hit from behind and pushed forward. I was hit by a light white or grey truck Dodge Ram Truck and the truck kept going and failed to stop.

Part A: Evidence in the Case

1) Officer's Crash Report

Officer Kim completed a Texas Peace Officers Crash Report. In the crash report it stated the following:

Driver of unit #1 Dallas Fire and Rescue stated that Mr. Alvin Jones was traveling northbound in the 3900 Block of Jim Miller Rd in the far left lane when he hit an unknown object on the road causing him to veer left and collide front to the light pole causing damage. (*emphasis added*).

2) Office of Community Police Oversight Complainant Interview

At 11:00 a.m. on August 8, 2020 Mr. Alvin Jones met with the Special Investigator for the Office of Community Oversight, K.A. Williams. This is a summary of that conversation:

Complainant stated that the accident report taken on January 16th, 2020 was false and inaccurate and that the body worn camera footage of Officer Kim had been manipulated. "I was hit from behind and pushed on the curb, forced into a light pole by a light-colored Chevy or Dodge Ram 4 door cab, hit on the right side of my vehicle. I was going 35 mph". Complainant also stated that once he got out of his vehicle he walked back to his vehicle and saw that his right-side bumper had been damaged. Mr. Jones stated that Mr. Torres hit him "his bumper damaged was proof". Mr. Jones saw a black bumper in the road in the BWC video. During Mr. Jones's interview, he stated that it was rainy, heavy fog and the road was wet; "I was aware of what was going on. I said I was hit from behind." Mr. Jones was concerned because he stated that Officer Kim's body camera was not on, and the witness at the scene were not in the BWC footage. He was also concerned because there was no report of the black woman that made a phone call for him, the white woman who had the white Ford Edge car or the black man who talked to him in his vehicle. He also expressed that Officer Kim provided inaccurate and false information on his accident report.



3) Summary of Body Worn Camera Footage of Officer Kim

Officer Kim's BWC shows him engaging with one witness and several bystanders asking what happened. The witness, Mr. Torres stated in the footage, "I was behind him", referring to Mr. Jones. The BWC shows Mr. Torres as the only witness that saw Mr. Jones accident. However, Officer Kim spoke with everyone at the scene that was assisting Mr. Jones. Mr. Torres stated, "I was behind him (Mr. Jones) keeping good distance and suddenly, I saw him go over and kind of go into the curb and into the light pole". Mr. Torres does not say that he saw another vehicle hit Mr. Jones from behind. In fact, Mr. Torres does not mention Mr. Jones car encountering another car at all before the crash.

4) Bystanders

According to Officer Kim's BWC footage, there were three bystanders that assisted Mr. Jones after his collision: (1) 1 Caucasian American female, (2) 1 African American male and (3) 1 African American female. The African American female made a phone call for Mr. Jones to his family who could not be reached at the time of the accident. None of the bystanders saw the actual collision.

5) Dallas Fire and Rescue

Dallas Fire and Rescue (DFR) first responder Kristin McKinney was on scene after the accident and rendered aide to Mr. Jones. She is captured on body worn camera giving a statement to Officer Kim after she asked Mr. Jones what happened. First responder McKinney stated that Mr. Jones told her that he hit something in the road which pushed him to the curb and into the light pole. (emphasis added).

Part B: OCPO Analysis and Recommendations

What follows is the Office of Community Police Oversight's analysis of the DPD investigation of the complaint filed by Mr. Alvin Jones and his two allegations.

- 1. Complainant alleged that on January 16, 2020, Dallas Police Officer Daniel K. Kim, Badge #10987 provided inaccurate and false information on his accident report.**

Dallas Police Department Code of Conduct 8.7, states that:

No employee shall knowingly falsify any report document or record or cause to be entered any inaccurate false, or improper information on records documents or reports of the Department or of any alter any recorded, document or report except by a supplemental record, document or report. No employee shall remove or destroy or cause the removal or destruction of any document or record, without authorization.



On January 16, 2020, DPD Officer Kim arrived on the scene of an accident and tried to piece everything together. He spoke with Mr. Jones the complainant; he spoke with Mr. Torres the witness and three bystanders who stopped to render aid after the accident. Officer Kim also spoke with DFR first responder Kristen McKinney. With all the information he had, he pieced together what he thought happened. There is no evidence that OCPO reviewed that showed an intent on the part of Officer Kim to knowingly provide false and/or inaccurate information in his crash report.

a) Officer Kim's BWC footage, frame 0.05:14 to 0.05:23 shows the accident information statement by first responder Kristin McKinney of the Dallas Fire and Rescue Department related to Mr. Jones accident. Mr. Jones statement to her was that he hit something in the road.

If Mr. Jones wants to accuse anyone of making a false statement it would be first responder McKinney. Officer Kim wrote down what he was told regarding the conversation between McKinney and Mr. Jones. This was not information that Officer Kim made up of his own volition.

However, OCPO does not have any evidence to substantiate that first responder McKinney made up the statement. In the BWC footage you see McKinney rendering aide to Mr. Jones. There is nothing that points to a reason she would have to make up the content of the conversation she had with Mr. Jones when rendering aide. There is nothing that eludes to an ulterior motive for a misstatement of the conversation. The statement was given in the context of rendering aide to Mr. Jones.

OCPO found the statement of first responder McKinney credible and that is part of the information that Officer Kim relied on when writing his crash report.

b) Witness Torres also gave a statement to Office Kim on scene. According to Mr. Torres he was driving behind Mr. Jones when the accident happened. Mr. Torres stated, "I was behind him (Mr. Jones) keeping good distance and suddenly, I saw him go over and kind of go into the curb and into the light pole". Mr. Torres does not say that he saw another vehicle hit Mr. Jones from behind. In fact, Mr. Torres does not mention Mr. Jones's car encountering another car at all before the crash.

Mr. Torres statement regarding what he witnessed corroborates what Mr. Jones told first responder McKinney on scene.

As part of its investigation, OCPO received photographs from Ms. Cyprus at the City of Dallas Impound facility where Mr. Jones vehicle was taken. The pictures were emailed to OCPO Special Investigator K. A. Williams, by Ms. Cyrus on the behalf of Mr. Jones via cell phone from the City of Dallas tow facility.

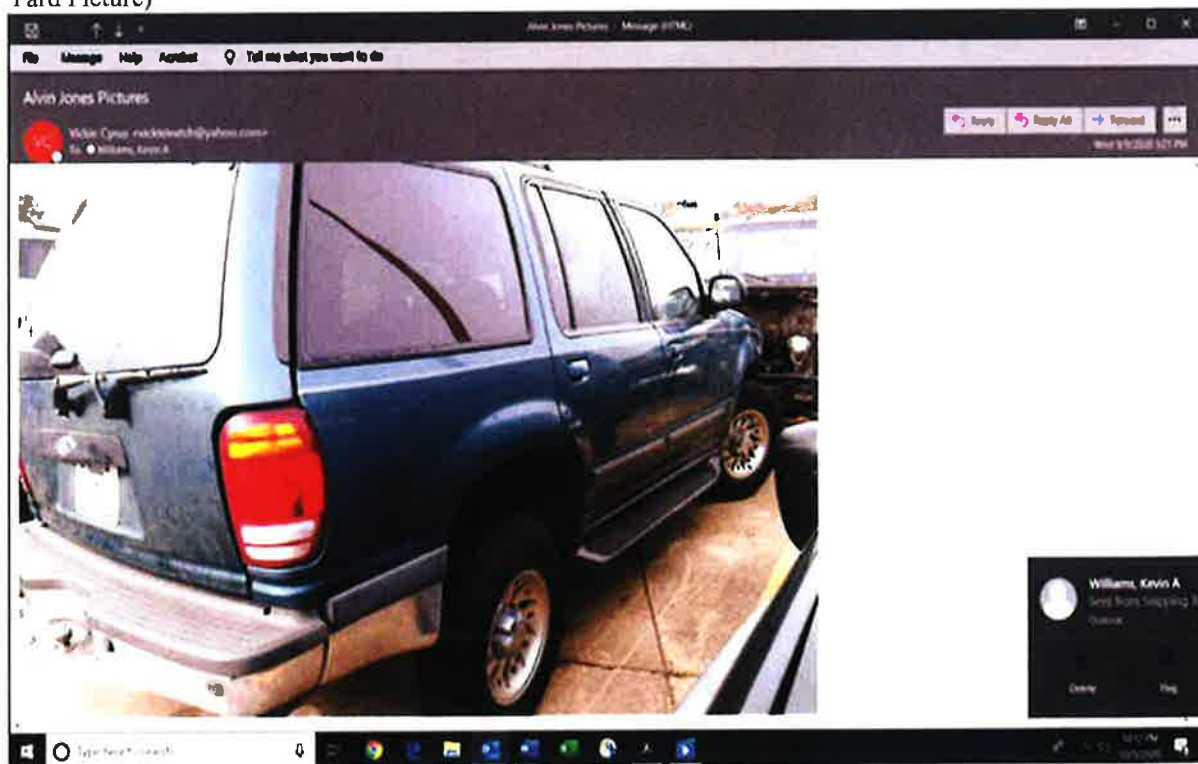


When examining the photographs, there appears to be very little damage to Mr. Jones vehicle on the rear right-side of his Ford Explorer bumper. Despite the fact the according to Mr. Jones he was traveling at least 35 mph when he was hit from behind by a truck and that he observed damaged to the rear of his car.

Photo 1: Close up right side of Mr. Jones bumper (City of Dallas Tow Yard Picture)



Photo 2: Right backside of Mr. Jones Ford Explorer and right rear area bumper (City of Dallas Tow Yard Picture)



Officer Kim's BWC footage at frames 0.:137., 0.:439 and 0.:534 also shows little damage to the back bumper of Mr. Jones vehicle.

When looking at the totality of the circumstances and all the evidence, OCPO does not find that Officer Kim provided inaccurate and false information on his accident report. Therefore, the allegation is **unfounded**. OCPO also agrees with DPD that there were no departmental policies violated by Officer Kim regarding this accident.

2. Complainant alleged that on January 16, 2020, Dallas Police Officer Daniel K. Kim's, Badge #10987 body worn camera footage and audio had been tampered with and manipulated.

Dallas Police Department General Order 332.00 Body Worn Cameras general order #5 states:

Officers will not edit, alter, erase, duplicate, copy or otherwise distribute in any manner body worn camera recording without proper authorization.

When Mr. Jones filed his original complaint with DPD he did not include this allegation. However, after receiving a copy of the BWC footage related to his case via the Open records Act, he has raised this allegation.

OCPO was able to view the original BWC footage stored by DPD and the version of the BWC footage given to Mr. Jones and they are identical. The concern that Mr. Jones has is that there is no audio during the first 30 seconds of the video which means that the footage was manipulated.

OCPO Special Investigator K.A. Williams reached out the DPD to understand why there is no audio during the first 30 seconds of Officer Kim's BWC footage on the DPD version or the version received by Mr. Jones. This was the response he got:

The Dallas Police Department Standard Policy Configuration is that there is a 30 second audio delay play back to the previous footage on body worn cameras.

Special Investigator Williams also did further research into this issue by looking at the settings on Axon BWC's. Axon is the company that supplies DPD and many police departments across the country with BWC's. Here is what he found:



Buffering Mode⁴



With the camera turned on, the Axon system is in the BUFFERING mode. When BUFFERING begins:

- The Operation LED on the camera will blink green.
- The camera will be capturing video but no audio and will not record to permanent memory while in BUFFERING mode.
- Buffered video duration is up to 30 seconds (00:00:30).

When you activate the EVENT mode, the buffered video (not audio) captured directly before the event, up to 30 seconds, will be saved and attached to the event in permanent memory. This feature is intended to capture the video of an incident just before your activation of EVENT mode.

Because the system does not capture audio in BUFFERING mode, the first 30 seconds of a recorded event will be video-only. Buffering mode starts only after the Axon Body camera is turned on. The system does not record when the camera is turned off.

Other than the sound missing in the first 30 seconds of the BWC footage, there is clear and direct conversations with Mr. Jones, the bystanders, DFR first responders and the witness Mr. Torres all captured on Officer Kim's BWC between 0.0030 through 0.0718. Therefore, OCPO finds this allegation **unfounded**.

⁴ Axon Help Center: Axon Body—Operating Modes <https://help.axon.com/hc/en-us/articles/221132167-Axon-Body-Operating-modes>



Recommendations:

While OCPO finds both allegations of the complaint unfounded, there are some things Officer Kim could have done that may have helped avoid getting a complaint regarding this issue. While OCPO also does not find there are any DPD policy violations, it is concerned with community relations between DPD and civilians. The suggestions below although not required may have helped improve the interaction between Officer Kim and Mr. Jones related to this incident:

- Officer Kim could have been more vigilant in retrieving all person's information at the scene of Mr. Jones accident. This would have established the witnesses and bystanders at the scene.
- Officer Kim could have retrieved statements himself from Mr. Jones regarding what happened to him instead of relying on the statement of first responder McKinney.
- Officer Kim could have clarified what was said by the victim, witnesses, and bystanders in writing. Although the body worn camera footage collected most of this information, it was not written on the accident report, leaving questions to be asked by the complainant Mr. Jones as to who made what statements during the accident investigation.

Sincerely,

/s/ K. A. Williams

K.A. Williams
Special Investigator
Office of Community Police Oversight



Memorandum Item 2B



DATE December 8, 2020

CITY OF DALLAS

TO Members of the Community Police Oversight Board

SUBJECT Report and Voting on Recommendations from Rules Subcommittee Regarding the Process for Adding City of Dallas Community Members to CPOB Subcommittees

At the CPOB November 10, 2020 meeting the Board discussed the slate of nominees for consideration to serve on the five CPOB subcommittees. The Board also discussed needing a process for selecting the community members.

By a unanimous vote of the Board it was tasked to the Rules Subcommittee to develop and recommend a process for the Board to vote on the slate of community members.

The Rules Subcommittee meet on November 23rd and November 30th to develop a process for voting in community members to the CPOB subcommittees.

The Rules Subcommittee made a motion that reflects the process they are recommending. The motion was passed unanimously by the members of the Rules Subcommittee that were present. Below is the process that the Rules Subcommittee is recommending the Board to follow to select the community members:

1. The board will not have to vote using polling on the Rules or Board Training Subcommittees because of the number of nominees for each of those subcommittees. The Board will vote by acclamation for those two subcommittees.
2. On the other 3 subcommittees (Data & Technology, Community Engagement and Transparency and Policy) we will have a WebEx ballot that will list all nominees for each district, and you will vote for your top 3. If a Nominee receives the majority of the vote, they will take the first seat on the subcommittee.
3. After that we will take the top 5 nominees that were selected and then vote for your top 2, so on and so forth until 3 seats have been selected for each Board subcommittee.

Tonya McClary
Police Monitor

Cc: T.C. Broadnax, City Manager

Memorandum Item 2C



CITY OF DALLAS

DATE December 8, 2020

TO Members of the Community Police Oversight Board

SUBJECT Nominees for CPOB Subcommittees

At the November 10, 2020 CPOB meeting, members reviewed the slate of candidates presented to them for consideration to service on the five CPOB subcommittees. The Board will be vote on the candidates at their December 8, 2020 meeting.

Below is the slate of nominees for each subcommittee and some biographical information about each of them.

CPOB Rules Subcommittee Nominees	
District	Name of Nominee
One	None
Two	None
Three	None
Four	None
Five	None
Six	None
Seven	None
Eight	None
Nine	None
Ten	None
Eleven	None
Twelve	None
Thirteen	Mr. Ryan Moore is a lawyer who specializes in estate planning and tax with the law firm of Wick Phillips. He is a North Texas native but was in California and Hawaii until 2018 when he returned to Dallas. In San Diego he served on a board that sounded very similar to the Police Oversight Board. As Chairman of the Rules Subcommittee I endorse him completely.
Fourteen	Mr. Bryan Tony is an established advocate and versatile policy professional. I have worked at two nonprofit membership associations with adopted by-laws and operating procedures. I am a lifelong North Texan who holds dual degrees in Political Science and Economics from Texas Christian University and a Master's of Public Administration with an emphasis in Urban Nonprofit Agency Management from UT-Arlington and currently resides in Old East Dallas.
Fifteen	None

CPOB Policy Subcommittee Nominee

District	Name of Nominee
One	None
Two	None
Three	Mr. Roger Sashington is a business professional and business owner. His skillset include but is not limited to Organizational Leadership, Project Management, Process Improvement, and Culture Building; skills that will be needed when it come to the Policy Subcommittee which will be tasked with creating policy reform recommendations that will impact policing in Dallas. Roger's prior board experience as a Dallas City Board of Adjustments Member uniquely positions him with expertise on how to get policy initiatives accepted by the City Council.
Four	None
Five	None
Six	None
Seven	Ms. Shalondria Galimore
Eight	None
Nine	Mr. Conrad Guevara lives in and grew up in District 9. He has extensive professional experience working in numerous countries and cultures, including Belize, the Dominican Republic, Italy, and Germany. He has an extensive background as a litigation coordinator and has refined his skill of detail orientation. He, in addition, he holds a psychology degree from SMU, which further adds to his qualifications for this subcommittee.
Ten	Ms. Lori Kelly is a very engaged and motivated 7-year citizen of Dallas. She has been following the board since its inception and immediately reached out when subcommittees were proposed. She has over 10 years in the federal government doing oversight, policy, and governance.
Eleven	None
Twelve	None

Thirteen	Ms. Christina Wise is a licensed psychologist (Ph.D. from the University of Georgia) who over the last 10 years has primarily worked for the Momentous Institute (a nonprofit community agency) as well as Child Protective Services doing assessments of both adults and children. Her resume shows a long history of speeches, articles, and training on a broad range of topics which should be very helpful in formulating policy for the CPOB. In particular, she has a professional history of studying and consulting within systems, including the justice system, business communities and schools. Christina would bring to the subcommittee the ability to professionally understand all sides and views and to develop solutions on a collaborative basis. I believe Christina would bring to the subcommittee just what we said was needed for our subcommittee members – knowledge and experience in an area that would not otherwise be available to us.
Fourteen	Ms. Maurine Dickey Social policy has been my strong interest ever since I obtained my masters in Social Work in 1991. This interest resulted in over 6 years spent on the TX Board for Child Protective Services. In addition, I spent 6 years on the Board of Parkland Health and Hospital System. I chaired both of these boards. I served 8 years as Dallas County Commissioner. Although child abuse, mental illness, medicine, and County Government are different disciplines, they all encompass social policy for families and communities. Instant messages and email sent to or from this contact will be recorded by the Luther King Capital Management Compliance system and are subject to archival, monitoring, and/or disclosure to someone other than the recipient. This message and any attached documents contain information which may be confidential.
Fifteen	None

CPOB Data & Technology Subcommittee Nominees

District	Name of Nominee
One	Ms. Onyejiaka would be perfect for Data and Technology or Community Engagement and Technology. She has extensive professional experience working in the IT field in auditing and is a graduate of the Pratt Institute. She understands how to evaluate risks and identify process improvements and operational efficiencies, all performed in accordance with professional standards. Her specialization in this field, along with her strong civic engagement in local social justice nonprofits will allow for a reflective continuum of observation that will allow for the committee to be able to identify whether interventions are working, while also staying involved in the community in a relevant manner. She will be able to marry data analysis, technology, and community outreach in an understandable way to promote more community engagement and accountability.

Two	Mr. Manuel Valles Tellez is Chair and Founder of Autocare Haven a 501(c)(3) whose goal is to ease the financial burden of North Texans by providing vehicle repairs so they can get back on the road and on with their lives! Former Chair and Co-Founder of Community Bail Fund of North Texas a non-profit bail fund which provides free bail to incarcerated individuals who cannot afford it so they can fight their cases from a place of freedom. Former Board member of Permit License & Appeal Board. Writer for Reformdallas.io and Moderator for Reform Dallas Facebook group. First-generation college Hispanic student graduated in 2006 from Texas Tech University with a Bachelor's in Economics and dual minor in Psychology and Math. Marketer with 14 years of experience working with technology companies.
Three	None
Four	None
Five	None
Six	None
Seven	Mr. Changa Higgins has been a longtime organizer for police reform, and racial justice in the Texas and Oklahoma region. For over 20 years, he has founded and led strategic organizations including The Harambee Brotherhood, Unify South Dallas, and Dallas Action. He brings a unique perspective to organizing, blending years of research, design thinking, and human-centered design practices to engage communities to work for new solutions to policing. Currently, Changa is leading the Dallas Community Police Oversight Coalition, which spearheaded the creation and implementation of Dallas' new Office of Police Oversight in October 2019. He also serves as the Dallas campaign manager for the Data and Policing Project with The Leadership Conference Education Fund.
Eight	None
Nine	Mr. Richard Dunks is a data analytics educator with Johns Hopkins University, where he teaches data science, information visualization, data governance, and performance management to governments and non-profit entities (NGOs). He is a subject matter expert in data management, with a focus on identification and remediation of data collection issues and integration of data integrity controls. He has worked with several police departments, including NYPD, to navigate data and refine analytics for oversight. He understands fully how to leverage data for decision making and operational success and the importance of communicating data-driven information to the community for oversight.

Ten	Mr. Tom Giboney -Worked in Baghdad with a team that developed biometric scanning technology. This technology allowed US troops and our allies to quickly identify enemy combatants in 40 secs or less. He has worked locally with DPS and Collin County. Mr. Giboney has a wealth of technological aptitude.
Eleven	None
Twelve	None
Thirteen	None
Fourteen	Mr. Jeff Baran as a professional engineer by day and graduate business student on the weekends, I analyze various types of data across many platforms daily as a factor in helping to make decisions. While all numbers/statistics need context, they are a great place to start to have discussions surrounding just about any issue. I look forward to being able to utilize my unique skill set to contribute to my community. Thank you for the opportunity.
Fifteen	Mr. Luis Macias arrived in Dallas from Mexico as a kid, and only has shown commitment to the city he's called home for most of his life. A graduate from UT Arlington, his community involvement began with local municipal and state level campaigns as it dealt with effective outreach based on data. He currently works for Dallas ISD as an AP teacher at Trinidad Garza Early College High School. Geographic Information System mapping software is what is used today to analyze spatial and geographic data and it's the type of know-how he brings to the table; this will prove essential to expanding our understanding of data with our monthly reports and trends in the police department. His knowledge on GIS and capability to effortlessly process numbers will be of critical assistance for our utilization of data as it pertains to in-house collected data and what is provided by the city.

CPOB Board Training Subcommittee Nominees

District	Name of Nominee
One	Ms. Elaine Brown is a college graduate, proud educator, and outreach worker with extensive experience in community engagement, training, and developing training. Her passion for education and justice reform would be a perfect match to help the board not only connect with cross-educational opportunities with local nonprofits and organizations, but also identify effective training that will be able to help officers and the community as a whole. Ms. Brown has worked for the ACLU and is passionate about dismantling the school-to-prison pipeline and helping those who need safe spaces to heal. I believe she has extensive experience in community outreach to help the committee tap immediately into local experts to help the board but more efficient at creating trainings around the data collected by the data subcommittee in a way that is understandable to the board and population as a whole.
Two	None
Three	None
Four	None
Five	None
Six	None
Seven	None
Eight	None
Nine	Ms. Maria Monteverde reached out to us through the Chamber of Commerce and is an IT professional with over 15 years of program and project management experience. She has a strong ability to use her broad-based leadership experience to join diverse groups to get them to their end goals. She has experience implementing large-scale training programs and deploying new programs. Maria is also a Court Appointed Special Advocate (CASA) volunteer and is highly engaged in the community. Having a heartbeat on the underserved community as a CASA volunteer is a true value to our subcommittee.
Ten	None
Eleven	None
Twelve	None
Thirteen	Ms. Empress Lindsay is retired military with 50 years of experience in organizing and community service. She is currently involved with the Texas Organizing Project which is a grassroots project to train minority women for service in issues-based campaigns. She describes herself as a fierce community advocate.
Fourteen	None
Fifteen	None

CPOB Community Engagement & Transparency Subcommittee Nominees

District	Name of Nominee
One	<p>Mr. Arash Farasat is a great representative of what it means to get involved in all stages, no matter what circumstances one may face. Mr. Farasat understands what it is like to be housing insecure and disenfranchised as a voter. His passion for making sure that others do not experience the same spurred him to become extremely active in getting marginalized people involved in the political process. Mr. Far sat is an avid, local activist who would be perfect for Community Engagement. Mr. Farasat has worked on various community projects such as the last housing code rewrite, ICE out of Dallas County jail campaign, paid sick leave and the rest break ordinance for construction workers, and voter registration drives in connection with organizations like Texas AFL-CIO, Workers Defense in Action PAC, and the Dallas Deputy Voter Registrar's Office.</p>
Two	<p>Mr. Phil Honoré Executive Director, Dallas West End Association. I represent property owners, business owners and citizens who are members of the Association within D2 & D14. 23+ years in civilian law enforcement (served as Patrol Officer, Police Sergeant, Special Agent, Division Chief, Deputy Director) in combination with the DC Metropolitan Police Department, Washington, D.C. / Pentagon Force Protection Agency; graduated from 3 law enforcement academies. 13 years of supervisory and management experience surrounding law enforcement personnel rules, federal labor laws and resolution of internal affairs cases (criminal and administrative) within law enforcement agencies. 3 years; Senior Manager, Public Safety and Security and now Executive Director of a Public Improvement District, within the Central Business District Downtown Dallas. Veteran of the United States Coast Guard and Coast Guard Reserves. Established community relations in each public position held by establishing rapport and relationships with stakeholders to resolve issues, gain respect and establish understanding. Ability to discern facts objectively. Formulate final decisions based on facts, rules, policies and or procedures established by law. Ability to give instructions to others based on my personal law enforcement and civilian experience. Strong believe that governmental agencies should have meaningful dialog with the public and engage in ways to promote change, trust, and respect.</p>

Three	Ms. Verna G. Brown Mitchell is a retired educator with over thirty-five years of service and deep roots within not only District 3 but also the City of Dallas. Verna's membership in several professional, civic, social, and religious organizations such as: Delta Sigma Theta Sorority, Links Inc, African American Museum Board, Friendship West Baptist church shows that she has the experience to hit the ground running as a member of the Community Engagement and Transparency Subcommittee with social/professional networks that will allow the Community Police Oversight Board to build lasting relationships with members of the greater Dallas civilian community.
Four	Ms. Ola Allen is a retired DISD teacher, she has been an Election Judge for 8 years, Alternate Judge for 7 years, and previously a clerk for 6 years. As a grassroots community organizer, she has served as President of the Marsalis Park Neighborhood Association for 26 years. She was the PTA President at Skyline High School, Clara Oliver Elementary School, and TL Marsalis. Ms. Allen recently served on the Citizens Police Advisory Board and completed South Central Citizens Crime Watch training.
Five	None
Six	None
Seven	Ms. Yulna Sigler
Eight	None
Nine	Mr. Erich Kirk is an experienced marketing and branding professional who currently works in the non-profit sector growing cause-based organizations using "heart & science" strategies to develop genuine customer connections and help brands find purpose. His previous experiences at Southwest Airlines and Frito-Lay involved large-scale rebranding efforts and outreach to build cohesive messaging. One of the things we were brainstorming about was his ability to cultivate our OCPO brand and how we could create strategies for inclusiveness for all community members. I think his heart is to be in service to his community and using his brand strategy insight would be a tremendous benefit for us.
Ten	Mr. Bobby Ballard -Graduate of Southern University School of law. Mr. Ballard works in risk compliance, in both the nonprofit and corporate arenas. Mr. Ballard has always been involved in whatever community he has lived in and takes community service very seriously. Mr. Ballard is extremely excited about the opportunity to engage with the community and serve thru this subcommittee.
Eleven	Ms. Dionna La'Fay

Twelve	<p>Ms. Jandis Price is an influential team-oriented community advocate. Her belief in servant leadership through fostering strong partnerships, valuing relationships and building trust within the community is something that the Community Police Oversight Board vitally needs to impact the Dallas community. Janis's prior board experience as a member of the Dallas Municipal Library Board means she is no stranger to Municipal Boards operations. Her V.I.P. certification with the Dallas Police Department gives her a unique perspective that would bring value to the <u>Community Engagement and Transparency Subcommittee</u>.</p>
Thirteen	<p>Ms. Sara Hignite has spent 20 years working in the nonprofit sphere, including community outreach and strategy, in particular as relates to food insecurity, poverty, racial and social injustice, and criminal justice reform. She is currently volunteering as a strategy advisor to a Texas based innocence group working to free Jeremy Busby, who has been incarcerated for more than 20 years. What has impressed me most is that Sara has been following our Board since attending in person the meeting in December (she learned of CPOB while advocating for the exoneration of Rodney Reed) and has continued to stay engaged through the monthly virtual meetings. That dedication and enthusiasm for what we do leads me to believe she will be an invaluable member of this subcommittee.</p>
Fourteen	<p>Mr. Eli Hernandez have been a Dallas resident for most of my life, moving here from south Texas when I was just a few years old. I have grown up in this city and am looking for ways to make a positive impact on my community, specifically in hopes of promoting greater transparency between DPD and the citizens they serve. Professionally, I am the CHRO for an automotive group in Texas and the CHCO for a nonprofit organization that promotes bipartisan dialogue called Divided We Fall. I have a number of experiences in mobilizing community members including registering Dallas residents to vote, campaigning for political candidates, and even serving as a precinct chair for the Dallas County Democratic Party. If selected, I would work diligently to ensure the goals of this subcommittee are achieved.</p>

Fifteen	<p>Mr. Christopher Enriquez is born and raised in Dallas and is a jack-of-all-trades with public relations. A graduate of UT Arlington's Public Relations program, his work began with volunteerism with the League of United Latin American Citizens in Dallas. He has experience, including, but not limited to, working with grassroots organizations as it related to 2012 Obama's DREAM Act community engagement, local municipal and state level electoral campaigns, and non-partisan outreach on behalf of nonprofits. He currently holds the title of Digital Strategist for Workers Defense overseeing the organization's outreach to the community via email, social media, and other direct contact. His skills as it relates to OBS Studio, Photoshop, Premiere Rush, Mailchimp, and other software, paired with his experience with community engagement, will take us where we need to be.</p>
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Tonya McClary
Police Monitor

Cc: T.C. Broadnax, City Manager

Memorandum Item 3A



CITY OF DALLAS

DATE December 8, 2020

TO Members of the Community Police Oversight Board

SUBJECT CPOB & OCPO Monthly Meeting with DPD Police Chief

On the second Tuesday of each month CPOB Chairman Enobakhare, Jr. and OCPO Director McClary have a meeting with DPD Police Chief U. Renee Hall.

The Chair will inform CPOB members of what was discussed at their December 8, 2020 meeting.

Tonya McClary
Police Monitor

Cc: T. C. Broadnax, City Manager

Memorandum Item 3B



CITY OF DALLAS

DATE December 8, 2020

TO Members of the Community Police Oversight Board

SUBJECT OCPO Misdemeanor Enforcement & The Community Project

The Office of Community Police Oversight (OCPO) is working on a joint research project/report with the Leadership Conference on Civil and Human Rights Education Fund's New Era of Public Safety Campaign.

Below are details regarding the joint project.

Goals of Project:

1. Reduce interactions between the police and community members that could potentially escalate into a higher charge or police violence.
2. Decriminalize laws that criminalize people of color, poor people, and homelessness.
3. Reduce the burden on officers by removing responsibilities that are not suitable for a sworn police officer.

Research/Background (These are the areas OCPO & The Leadership Conference are exploring in the data analysis)

- a. Proof of racial disparities in misdemeanors
- b. Proof of racial disparities in traffic violations
- c. Proof of racial disparities in drug cases
- d. Proof of criminalizing homelessness
- e. Costs of low-level enforcement

The report that will be completed as a result of this project will be authored by OCPO. The goal is to have the report completed in January 2021 at which time OCPO will share the full report which will include findings and recommendations with the CPOB.

Tonya McClary
Police Monitor

Cc: T.C. Broadnax, City Manager

Memorandum Item 3C



CITY OF DALLAS

DATE December 8, 2020

TO Members of the Community Police Oversight Board

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

Attached you will find the November 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 and inquiries received by OCPO in November.

The external complaints for December 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

External Administrative Complaints Received in IAD as of October 1 2020 to November 30 2020 for Fiscal Year 2020-2021

	Oct		Nov		Dec		Jan		Feb		March		April		May		June		July		Aug		Sept	
Total External Complaints by Source	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO	DPD	OCPO
DPD Total	68	0	78	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External Email	38		36																					
External Fax																								
External Letter	7		5																					
External Telephone	1																							
External Online Form	5		27																					
External Walk-in DPD	17		10																					
OCPO Total	21	0	3	28	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External Email OCPO	1		2	13																				
External Fax OCPO																								
External Letter OCPO	2		1	2																				
External Telephone OCPO				13																				
External Online Form OCPO	18																							
External Walk-in OCPO																								
Grand Total	89	0	81	28	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External Complaints Processed by Internal Affairs as of 12/1/2020																								
Divisional Investigations with Category	20	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discourtesy or Unprofessionalism	15		3																					
Fail to Complete Reports	1																							
Improper Action	2		2																					
Improper Comments																								
Improper or No Investigation	2		3																					
Internal Affairs Investigations and Category	6	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Abuse of Authority	1		1																					
Adverse Conduct	1		1																					
Dispatch/911 Violation																								
Discourtesy to Other Employees																								
Failed to Complete Report on Time																								
Failed to Secure Property																								
Harassment																								
Improper or False Arrest	1																							
Improper or No Investigation	1																							
Improper Release of Information			1																					
Incomplete or Erroneous Report			1																					
Inquiry																								
Lost/Damaged Citizen Property																								
Mistreatment of Citizen			1																					
Placed Citizen in Danger																								
Racial Profiling																								
Use of Force	2																							
No Subclass																								
Public Integrity Investigation Referral	4																							
No Investigation Conducted and Reason	63	0	79	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Did not meet criteria	1																							
Duplicate Complaint	1		3																					
Fail to Articulate	4		3																					
Guilt or Innocence	7		1																					
Information Only	6		3																					
More Information	5		4																					
Need Signature																								
No Violation	24		24																					
No Violation BWC	6		5																					
Non Employee	8		2																					
Other																								
Possible																								
Sixty Day	1		1																					
Third Party																								
Unknown Officer																								
OCPO Investigation																								
Recent EC's under review (as of 12/1/2020)			33																					
Grand Totals	89	0	92	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

*Data available in IAPRO as of 12/1/2020. The data for October was re-verified.



Office of Community Police Oversight Complaints & Inquiry's

November 2020

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

The office opened in October 2019 and has received 659 complaints as of November 30, 2020. There were 70 complaints and inquiries received by the office in November of 2020. Below are summaries of those complaints and inquiries.

- Actual complaints against the Dallas Police Department. (28)
- Inquiries 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. (42)

Complaints

11/4/2020	Complainant feels he was wrongly arrested when his car broke down on the side of the freeway. When IAD investigated the case, they discovered it happened in Duncanville. Case was reviewed by IAD and OCPO and has been sent to Duncanville Police Department.
11/5/2020	Complainant sent in a video recording from his cellphone of multiple officers doing a traffic stop and arrest in front of his building. None of the officers were wearing a mask. Case was reviewed by IAD and OCPO and will need more information because the complaint did not give any details regarding the date and time of the incident. He also did not provide the address of his building.
11/5/2020	Complainant saw an officer doing traffic stops on Lovers Ln and was not wearing a mask. Case was reviewed by IAD and OCPO and has been sent as a Division Referral to the North East Subdivision.
11/6/2020	Police officer harassed complainant at a traffic stop and accused her of having drugs in the car. Complainant felt the officer escalated the situation on purpose. Also, what the officer thought was drugs ended up being an old bag of pennies. Case was reviewed by IAD and OCPO and has been sent as a Division Referral to the North West Subdivision.
11/6/2020	Complainant was arrested and has not had any help locating any of his property now that he has been released from jail. Case was reviewed by IAD and OCPO and has been sent as a Division Referral to the South West.



Office of Community Police Oversight

Complaints & Inquiry's

11/6/2020	Complainant said DPD tried to get her to speak against her boyfriend after the police were called during an argument they had outside of their home. Complaint insists that no physical abuse took place between her and her boyfriend. However, DPD asking her if her boyfriend had hit her. Case was reviewed by IAD and OCPO and it was determined that there would be no investigation because the case was cleared by Body Worn Camera.
11/10/2020	Complainant was driving down the service road and saw someone step out with what was assumed to be a gun but was a police officer with a radar gun. Officer did not have on a reflective jacket or anything to help identify that it was a police officer doing a traffic stop. Case was reviewed by IAD and OCPO and has been sent as a FYI to traffic.
11/10/2020	Complainant says DPD Officer and aunt is trying to make him look crazy by recording him unplugging his refrigerator. Case was reviewed by IAD and OCPO and will not be investigated.
11/12/2020	Complainant says he was mistreated by DPD during a car accident. He was charged with interfering with police duties after seeking assistance from DPD. Case was reviewed by IAD and OCPO and was sent to the Public Integrity Unit.
11/13/2020	Complainant says someone gave her a fake cashier check during a transaction and she traced the person back to Dallas. She says DPD is not doing anything to help her. Case was reviewed by IAD and OCPO and will not be investigated.
11/16/2020	Complainant says because she has assault against an officer on her record DPD refused to do the right thing to help her in a case against someone who has stolen her identity along with other things. She arrested and felt she was man handled by DPD. Case was reviewed by IAD and OCPO and was cleared by body worn camera. OCPO does not agree with IAD's findings.
11/17/2020	Complainant says she was confronted by a DPD officer at a stop light and was given a ticket because her seat belt was under her arm and not around her chest. She feels like she was targeted by the officer. Case was reviewed by IAD and OCPO and there will be a no investigation because it is considered a Guilt or Innocence case; meaning the complainant will have to deal with this in court.
11/18/2020	Complainant says DPD is blocking two lanes near his office/home that is stopping other drives from safely passing. Case was reviewed by IAD and OCPO and will be a no investigation. OCPO does not agree with IAD's findings.
11/19/2020	Complainant says she got in a car accident and the police report that the officer filled out was wrong and had false information. Case was reviewed by IAD and OCPO and there will be no investigation because case was cleared by body worn camera.



Office of Community Police Oversight Complaints & Inquiry's

11/19/2020	Complainant says he called the police because he saw a burglar entering his apartment building through his surveillance camera and ended up being attacked by police. Case was given to IAD and OCPO and was determined that it will be investigated by IAD.
11/20/2020	Complainant says he heard gunshots near his apartment building and says he waited an hour for police to come and they never showed. Case was reviewed by IAD and OCPO and will be no investigation because there are no policy violations. DPD came to the residence, however it was 3 hours after the call.
11/24/2020	Complainant says she called DPD because her downstairs neighbor was breaking in her home and sexually abusing her. She says that the neighbor enters her apartment sometimes by clawing through his ceiling to get into her apartment. She feels DPD did not do anything to help her and gave her bad advice. Case was reviewed by IAD and OCPO and will be sent as a FYI to the Right Care Team. Complainant had been contacted by the sex assault unit.
11/24/2020	Complainant says she was being abused at a shelter and called DPD numerous times about it. She was later approached by a DPD officer who yelled at her and told her to stop calling 911. Case was reviewed by IAD and OCPO and will be sent as a Division Referral to Central.
11/30/2020	Complainant was pulled over by a police officer for not using his turn signal within 100 feet of making a turn. He feels that he was specifically targeted. Case was reviewed by IAD and OCPO and has been cleared by body worn camera.
11/30/2020	Complainant got a flat tire and pulled over at a park. A DPD officer stopped for her asked her to get out of her vehicle and then physically started abusing her and arrested her. Case was reviewed by IAD and OCPO and will stay with IAD for investigation.

Inquiry

11/4/2020	Individual filled a police report and wanted to know how he could find it. OCPO gave him the non-emergency number and showed him where he can get it on DPD website.
11/5/2020	Individual says her son was arrested because police pressured his girlfriend to file a false report. OCPO talked with her and told her the correct way the complaint needs to be filled. A complaint was filled.
11/5/2020	Individual says he continues to be harassed by a homeless man that lives in the woods next to his house. OCPO told him whenever he sees the man again to call the police immediately and gave him the non-emergency number to have an officer dispatched out to him so he could file a police report.



Office of Community Police Oversight Complaints & Inquiry's

11/6/2020	<i>Follow-up:</i> Individual had a case that was presented in front of the Civilian Review Board and wanted an update on the case. OCPO investigated her concern and helped her get the information she needed.
11/6/2020	Individual wanted to know how he logs in to speak at CPOB Meeting. OCPO walked him through each step of how to log in and made sure his audio and visual would be up to par for the day of the board meeting.
11/6/2020	Individual says she saw someone taking pictures of license plates in a parking lot. OCPO told her to call the police immediately when she sees something wrong.
11/6/2020	<i>Follow-up:</i> Individual is not happy with the outcome of his complaint sent to Internal Affairs. OCPO suggested that if he were not happy, he could fill a complaint review to have CPOB and OCPO investigate the case.
11/9/2020	Individual wants to know how to find a warrant that was issued for him and wanted to know how he could handle it. OCPO showed him how to look up his warrant under Courts and Detention Services.
11/10/2020	<i>Follow-up:</i> Individual wants to check on his complaint that was sent to IAD about a protest he was a part of. OCPO investigated his request and tried to get more information from the individual.
11/10/2020	<i>Follow-up:</i> Individual filed a complaint and wanted an update on her case. OCPO told her the outcome of her case
11/10/2020	Individual wants to anonymously know the process of filing a complaint against a police officer and the process the complaint goes through if she does agree to file. OCPO gave her the information.
11/10/2020	Individual says that his wife is being mistreated in jail by guards and wants to know who to call. OCPO gave him the number to the Sheriff's Department.
11/10/2020	Individual says she has packages that were stolen from her porch. OCPO gave her the non-emergency number and showed her how to file a complaint online.
11/10/2020	Individual says he witnessed someone pulling a gun out on pedestrians. OCPO informed him to always call 911 in cases of an emergency. OCPO also gave him the non-emergency number so he can pass on the information he knows to the police.
11/10/2020	Individual wants information on OCPO to start an office in another state. OCPO gave him Police Monitor McClary email and number.
11/10/2020	<i>Follow-up:</i> Individual wants an update on her complaint filed in the previous week. OCPO updated her with the information of her case.



Office of Community Police Oversight Complaints & Inquiry's

11/12/2020	Individual wants DPD to do a better job in figuring out what happened to the rapper Mo3 that was killed on a Dallas freeway. OCPO thanked them for the email and informed them if they had a complaint against a police officer to fill out a complaint form.
11/12/2020	Individual is looking for a car accident report that was filled out months ago and is upset that she has not heard back from DPD Open records. OCPO informed her of open records current position due to COVID-19 and gave her the contact number to that department.
11/13/2020	Individual says DPD car hit debris on the road and it flew and hit his car and he wanted to know who to contact. OCPO gave him the number to Risk Management to file the proper paperwork.
11/14/2020	Individual sent a video of rapper Mo3 being killed. OCPO informed him that if he has any evidence on case to call 911 and if he has a complaint against a police officer to file a complaint through our office.
11/16/2020	Individual wants to file a complaint against a jail guard at Lew Sterrett. OCPO gave her the number to the Sheriff's Department.
11/16/2020	Individual wants to know if there is any program the City of Dallas offers for families that have been a victim of gun violence. OCPO gave her the number to DPD's Victim's Services and showed her where she can find the information online.
11/17/2020	Individual called to set up an interview with OCPO Special Investigator.
11/17/2020	<i>Follow-up:</i> Individual has questions about the complaint she sent in to IAD. OCPO gave her the number to a sergeant with IAD who helped her with her case.
11/18/2020	Individual has a complaint against Lew Sterrett officer. OCPO gave her the number to the Sheriff's Department.
11/18/2020	Someone has scammed this individual's card and is taking money out of his account. OCPO gave him the non-emergency number and showed him how to go online and file a fraud report to DPD.
11/18/2020	Individuals have a complaint against someone who hit their car and left the scene. OCPO gave them the non-emergency number and informed them that when they get in an accident it is best to call 911 right away.
11/19/2020	Individual has an Army soldier who was raped when she came to Dallas. OCPO gave her the number to DPD Lamar Headquarters and suggested she file a criminal report.



Office of Community Police Oversight Complaints & Inquiry's

11/19/2020	Individual is looking for the number to the Auto Pound. OCPO gave her the number and told her where she can find the proper information needed to pick up the vehicle online.
11/19/2020	Individual is looking for the detective on his case so he can sign off on paperwork. OCPO gave him the non- emergency number to DPD and looked up his detective's name and gave him his work number.
11/19/2020	Individual has a question about the car accident paperwork she received. OCPO gave her the non-emergency number to DPD so she can get her questions answered.
11/20/2020	<i>Follow-up:</i> Individual wants an update on the complaint form he filled out last week. OCPO updated him on his case and informed him that if he was not happy with the decision, he could fill out a review form.
11/20/2020	Individual believes she has information on the murder involving Dallas rapper MO3. OCPO gave her the non-emergency number to DPD and the Criminal Investigation and Homicide Units.
11/20/2020	Individual believes he is being watched and harassed by his next-door neighbor. OCPO gave him the non- emergency number and was informed that if he ever feels his life is in danger to call 911 immediately.
11/21/2020	Individual wants police to increase patrol in her area due to car speed racing. OCPO gave her the non- emergency number to DPD so she can file a report and informed her to call police as soon as it is taking place.
11/21/2020	Individual wants to file a report because his tires where slashed. OCPO informed how to file a report online and gave him the non-emergency number.
11/22/2020	Individual says someone is charging her card and she believes to know who it is. OCPO gave her the non-emergency number and showed her where she can file a fraud complaint at online.
11/23/2020	Individual wants to pay a citation but does not want to go to Frank Crowley Court. OCPO showed him how to settle the citation online and gave him the number to Municipal Court to pay over the phone.

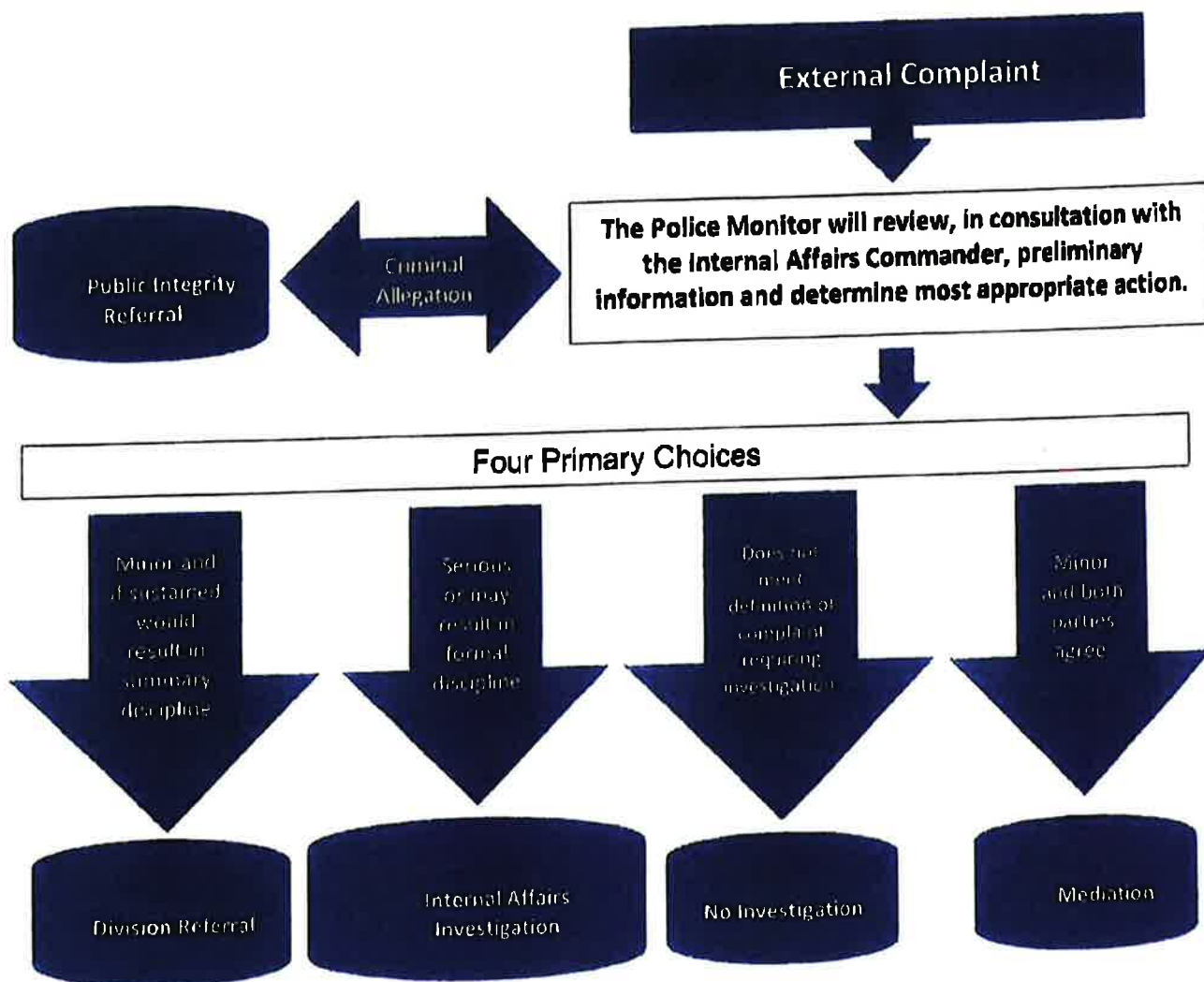


Office of Community Police Oversight Complaints & Inquiry's

11/30/2020

Individual was harassed by police officer after she locked her keys in the car. It was not a DPD officer, so OCPO gave her the number to Rockwall police to file her complaint with the correct department.

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 Item 4



CITY OF DALLAS

DATE December 8, 2020

TO Members of the Community Police Oversight Board

SUBJECT Training Schedule for the Board

The CPOB is not only committed to community engagement, it is also committed to continued learning in the areas of oversight, policing, criminal justice and any other topics the Board deems relevant to its work.

Below is the CPOB Training Schedule for 2020.

Calendar of CPOB Training 2020

January

- 16th = Implicit Bias Training (2 ½ hours)

June

- 17th = United Nations Tackles Police Violence & Racism
- 23rd = NACOLE Critical Incident Review in Policing: Preventing Errors and Learning from Mistakes (1 hour)
- 24th = WPFW podcast: Policing with Dr. RaShawn Ray (1 hour)

July

- 1st = NACOLE Civilian Oversight 101 (1 hour)
- 2nd = Black Lives Matter Community Conversation on Justice (1 ½ hours)

August

- 3rd = NACOLE Annual Conference: Oversight of Deaths in Custody (1 ½ hours)
- 4th = NACOLE Annual Conference: Police, Police Oversight, and Our Youth: Young People A Voice in Police Oversight (1 ½ hours)
- 5th = NACOLE Annual Conference: Media: Does their camera report the truth, the whole truth, and nothing but the truth? (1 ½ hours)
- 7th = NACOLE Annual Conference: Dolores Huerta (1 hour)

- 10th = NACOLE Annual Conference: What went Wrong: Deficiencies in the Investigation of an Officer Involved Shooting (1 ½ hours)
- 12th = NACOLE Annual Conference: Calming a Crisis: Strategies to Reduce of Force (1 ½ hours)
- 13th = NACOLE Annual Conference: School Police: Concerns, Strategies, and the Role of Oversight (1 ½ hours)
- 18th = NACOLE Annual Conference: Oversight and Our Youth: Programs Addressing Impacting the School to Prison Pipeline (1 ½ hours)
- 24th = NACOLE Annual Conference: Why Oversight Engagement of the Sex Worker Community is Important (1 ½ hours)
- 25th = NACOLE Annual Conference: How to Listen For, Recognize, and Break Down Assumptions and Conclusory Language (1 ½ hours)
- 27th = NACOLE Annual Conference: Inclusion of Oversight in Settlement Agreements (1 ½ hours)

September

- 1st = NACOLE Annual Conference: Innovations in Police Education (1 ½ hours)
- 2nd = NACOLE Annual Conference: Conducting Effective Interviews (1 ½ hours)
- 3rd = NACOLE Annual Conference: Are you Ready to Work with Complainants with Disabilities or Those Who Do Not Speak English? The ADA and Title VI for Oversight Entities (1 ½ hours)
- 8th = NACOLE Annual Conference: Partnerships in Civilian Oversight of University Police (1 ½ hours)
- 9th = NACOLE Annual Conference: An Examination of Police-Initiated Neck Restraints (1 ½ hours)
- 14th = NACOLE Annual Conference: Innovative Approaches to Seeking Racial Equity in Law Enforcement Oversight (1 ½ hours)
- 15th = NACOLE Annual Conference: From Protest to Policy to Sustainable Reform (1 ½ hours)
- 16th = NACOLE Annual Conference: Community Perspective: Does Oversight Even Work? (1 ½ hours)
- 21st = NACOLE Annual Conference: Staying Effective in the Fight: Vulnerabilities, Trauma, Resilience, and Self-Care for Those in Oversight (1 ½ hours)
- 22nd = NACOLE Annual Conference: The Thirteen Principles of Civilian Oversight and the Path to Creating Effective Practices and Standards (1 ½ hours)

October

- 6th = NACOLE Screening Emmy-Award Winning Documentary: Erne & Joe: Crisis Cops (1 ½ hours)
- 20th = NACOLE: Approaches to Handling Demonstrations and Protests

November

- 12th = ILEAA: Accountability & Transparency in Law Enforcement Conference

Tonya McClary
Police Monitor

cc: T.C. Broadnax, City Manager

Memorandum Item 5



CITY OF DALLAS

DATE December 8, 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)

2021 Schedule

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

Community Police Oversight Board meetings are held every 2nd Tuesday of each month, unless noted otherwise. Meetings are held at Dallas City Hall, 1500 Marilla, City Council Chambers, 6EN or virtually. Meetings normally begin at 5:30p.m. unless noted otherwise.

January 12, 2021 – City Council Chambers, 6EN

February 9, 2021 – City Council Chambers, 6EN

March 9, 2021 – City Council Chambers, 6EN

April 13, 2021 – City Council Chambers, 6EN

May 11, 2021 – City Council Chambers, 6EN

June 8, 2021 – City Council Chambers, 6EN

July 13, 2021 – City Council Chambers, 6EN

August 10, 2021 – City Council Chambers, 6EN

September 14, 2021 – City Council Chambers, 6EN

October 12, 2021 – City Council Chambers, 6EN

November 9, 2021 – City Council Chambers, 6EN

December 14, 2021 – City Council Chambers, 6EN