

## **Use of Force Committee Meeting 06/30**

Attendees: Rev. Dr. David Fox, Angelina Jackson, Jacob Wourms were present in person. Dr. Carmen Culotta, Cheryl Scroggins, and Dr. Kevin Watt attended via Zoom. Donald Domineck was absent. Torey Hollingsworth, Anastasia Stowers, Barbara Doseck, Chief Kamran Afzal, Lt. Col. Eric Henderson, Major Jimmy Mullins, Major Brian Johns, Sgt. Sally Jones (for FOP), Andy Sexton and Tara Shafner were present as City of Dayton staff. Mayor Mims, Commissioner Darryl Fairchild and Will Smith also attended.

Angelina Jackson called the meeting to order at 5:45 p.m.

Torey Hollingsworth read the roll call.

Ms. Jackson asks for a motion to approve the April 25, 2022 meeting minutes.

Mr. Wourms makes the motion and Rev. Fox seconds the motion.

April 25, 2022 minutes were approved 6-0.

**Barbara Doseck, Director of the Law Department, and Chief Kamran Afzal, Major Brian Johns and Andy Sexton of the Dayton Police Department gave a presentation on the joint recommendation of Law Department and Police Department related to the outstanding use of force recommendations from the Police Reform Use of Force Working Group.**

- Timeline presented on the Law Department's review of the proposed Use of Force Policy changes and the internal stakeholders consulted
- Data comparisons (i.e., the percentage of citizens that had interactions where force was used)
- Showed comparison of language proposed by working group with the Law/Police recommendations. Presenters stated that a majority of proposed language utilized in their recommended policy.
  - \*DYT Police Department Rule of Conduct cover and overlays all policy including Use of Force\*
  - Key distinctions between working group recommendations and the Law/Police recommendations are:
    - "Necessity" is not included in the Law/Police recommendation because it is already within the rule of conduct
    - Several specific use of force prohibitions were not included because the Law/Police work group believed they were covered through the prohibitions on unreasonable force in the rules of conduct.
  - Rule of Conduct existed prior to the police reform process EXCEPT following language:
    - Principles on chokeholds and neck restraints
  - De-escalation policy utilized language from training committee and created separate policy for it.
    - DPD said it belongs as a standalone policy because it covers situations beyond when force is used.
  - Once Final policy is approved, the entire department will be trained (expected timeline is 12-18 months)
    - Training involves going through practical scenarios

- Barbara suggests taking this time to dissect information efficiently and effectively
- Dr. Kevin Watt expressed a concern about Police trying to circumvent the working groups recommendations
  - Barbara Doseck clarified that the Law Department reviewed proposals based on recommendations of working group and put forward their recommendation based on their analysis and discussions with DPD, who would have to put it into use
  - Torey Hollingsworth clarified that the Law Department always weighed in on the police reform recommendations, but this process took longer because of the complexity of the proposal, among other factors. Commission will make ultimate decision evaluating both the original working group and the Law Department proposal. The Use of Force Committee weighing in is an additional step to allow for greater community input.
- Questions
  - Angelina Jackson
    - Who are the several urban police departments that were spoken with?
      - Most serious conversations were with Cleveland, which had shift in policy recently and discussions were brought up about it. Their department took 3-5 years to implement change.
    - Can you talk about independent research conducted?
      - Barbara had conversations with Jackson as a source, looked through previous policies and actions, and the initial working groups information.
    - Why proportionality rather than necessity?
      - Necessity is already covered in Rule of Conduct and there felt like there should have not been a need to continue to repeat that information. (Chief Kamran)
      - There were 6-7 meetings on policy, Rule of Conducts, and all recommendations where they worked through the language.
  - Dr. Carmen Culotta
    - What's a quick takeaway on the significance of the policy shift if the Law/Police proposal is adopted?
      - Chief Kamran: There sanctity of human life is emphasized more than in current policy. It will not be radical change, but it will encourage officers to be more conscientious. It will also explain what language means and where rule of conduct and policies lie.
    - If it is not radical, then why is it taking a while to implement it?
      - Brian- de-escalation is totally new to navigate through training which is why it takes a long time. We do not want to go too far to cause officers to not react to detrimental consequential situations.
  - Angelina Jackson
    - Any internal discussions to break this down to smaller policy to address concerns of policy?

- That is possible. Working group can provide feedback to city commission on creating policy that is readable.
- Jacob Wourms
  - Will any of this have legal implications?
- Cheryl
  - In the presented data are you using numbers that show the number of officers that are engaged in interactions or the number of interactions themselves?
    - Data captures the universe of interactions, not officers

Angelina Jackson asks for a motion to adjourn meeting.

Revered Dr. Fox makes the motion. Jacob Wourms seconds the motion.

Meeting adjourned at 7:04 p.m.

DRAFT