

### Use of Force Minutes 10/3:

Attendees: Rev. Dr. David Fox, Donald Domineck and Joe Parlette were present in person. Jacob Wourms, Cheryl Scroggins and Dr. Kevin Watt attended via Zoom. Angelina Jackson was absent. Torey Hollingsworth, Sarah Fenton, Chief Kamran Afzal, Lt. Col. Eric Henderson, Srgt. Halburnt, Lt Sheldon, Andy Sexton were present as City of Dayton staff. Dr. Carmen Culotta and Commissioner Shenise Turner-Sloss also attended via zoom.

Mr. Wourms called the meeting to order at 5:32pm

Ms. Hollingsworth read the roll call.

Mr. Wourms asks for a motion to approve the September 1st, 2022 meeting minutes.

Ms. Scroggins makes the motion and Dr. Watts seconds the motion

September 1st, 2022 minutes were approved 6-0.

Mr. Wourms asks for a motion to approve the September 19th, 2022 meeting minutes.

Mr. Domineck makes the motion and Ms. Scroggins seconds

September 19th, 2022 minutes were approved 6-0.

Mr. Wourms proceeded to the first agenda item which was the Use of Force report 2021. Dr. Fox had questions regarding the report. Dr. Fox asked why Canine use of force doubled in two years and also if DPD used any kind of tracking system to flag officers for repeated use of force incidents. He said he asked because the officer in Columbus who killed Donovan Lewis had 58 prior use of force investigations.

Dr. Culotta also asked for insight from police department as to why that might be the case . Srgt. Halburnt explained his background in narcotics and in the field. He explained that the police department started operations with canines to pursue criminals fleeing on feet in 2019. He said based on his experience in the field, that he feels that may be a big reason as to why it increased. Chief Afzal asked his staff if more canines were trained and maybe that is something for his staff to dig into more. Sgt. Halburnt stated that use of canine's in pursuit of fleeing criminals is often safer for civilians and officers. Dr. Fox mentioned a young man who's leg was missing due to dog that had chased him

-Dr. Culotta discussed providing context to the data. She advised DPD to contextualize the Use of Force report for the public so they can better interpret it, just like they did with canine data. She stated that is her concern about the transparency portal because people don't have context to the data presented and may draw conclusions based off the data that is not the full scope of what's actually happening. She said she believed what was missing was proportions – like arrest data. Chief Afzal was in agreement with Dr. Culotta. He asked Dr. Culotta what recommendations she had on where to put context information within the report. Dr. Culotta stated that formatting is always difficult for her as well, but typically a short narrative with an appendix that contains numbers and figures is usually the format she uses. Chief Afzal stated that he and his staff will work on that.

-Dr. Fox revisited his question as to whether there is a way to track or map officers who have multiple use of force occurrences. Lt. Sheldon clarified there is a system in place and explained the system they have in place to track officer use of force occurrences.

-Mr. Domineck asked about why there are times of day when there is higher use of force— specifically the 2:00pm to 11:00pm shift. Lt. Sheldon said there is more police/civilian interaction at that time, police calls are up , more crime etc. Mr. Domineck commented that could be good to contextualize in the report. Chief Afzal said that this is exactly the purpose of this meeting so they can see what contexts they need to provide in order for the report to be translatable to the public.

-Dr. Fox asked if all of the use of force incidents events involve only one officer or multiple. He mentioned that one event could involve multiple officers. Sgt Halburnt clarified that there is a table that reflects that number. Chief Afzal clarified that most use of force interactions involve two officers since they work in pairs, so the number of officers is larger than incidents for that reason. Dr. Culotta stated that the Chief's comment is important to contextualize within the report.

- Dr. Fox asked about situations involving multiple jurisdictions and how that is represented within the data. Lt. Sheldon said that this is recorded as "witness officer" in their report/narrative. As a separate agency, the neighboring Police Department would have a report and they would attach that report to their report here at DPD. Sgt. Halburnt talked about report process that the police has in terms of investigation of use of force.

-Mr. Domineck wanted explanation about parameters surrounding a hot pursuit situation. Mr. Domineck explained that he experienced a circumstance where police were granted forced entry without a warrant in his home due to a hot pursuit circumstance. Lt. Sheldon clarified forced entry situation is usually when the police are right behind the culprit. Chief Afzal explained that hot pursuit there is a continuous pursuit/action involved in regards to catching the criminal fleeing.

-Dr. Culotta asked if there is any other policy changes that account for the data trends/changes. She stated that if so, that this information is important to include and contextualize within the report. The number of use of force incidents that occur from pursuits was mentioned. Chief Afzal said pursuit policy is pretty restrictive, and has been in place for several years. He agreed that policy changes are important to note since those outside department won't know that, but this year would not be as applicable.

- Dr. Culotta asked for more clarification in terms of tracking officers. She asked if DPD would be able to let the Committee know what officers got the "red light" and what happened as a result. Dr. Culotta said their data does reflect that most of officers were cleared of wrongdoing in use of force incidents, but she brought up that public may want to know what is happening to the officers who are not cleared . She asked what is happening to the bad apples and officers who get "red flagged"? Chief Afzal discussed officers who have displayed patterns and looking at interactions in this context vs red flag. Also, he stated that sometimes the incident could be cleared of use of force but other policy issues were a problem. Chief Afzal wanted to talk offline with Dr. Culotta about transparency and what can department do to be more transparent but also accurate to what is happening. He said it may be helpful to explain checks and balance system they have in place when a use of force incident occurs in the report to help provide context. Dr. Culotta further stated that some information may live in other reports that she is not aware of.

-Dr. Culotta brought up a chart on page 10, which stated that 99% of calls do not result in use of force incidents. She said that public is looking for of the times when use of force happens and why is it happening. This statistic may rub people the wrong way, she suggested looking at some way to balance that. Chief Afzal said he disagrees, it's not to undervalue use of force incidents. Chief said that they take those incidents very seriously and unlike a lot of other departments they actually go in person to investigate the scene. He said that if the public has an issue with that statistic, then they need to understand their (DPD's) context.

-Ms. Scroggins commented that from the report, it appears that there are a small number of use of force incidents. She talked about that this small number is what the Committee is looking at to make sure there is no outliers. She proposed possibly comparing statistics to a similar municipality of similar size as well. She also asked about the process for citizens making a complaint related to force. Lt. Sheldon mentioned that the Community Appeals Board records that piece of information and that is also part of their numbers. Ms. Hollingsworth mentioned the independent accountability auditor. She stated that person would be tasked with reporting to the Community Appeals Board and City Commission. Ms. Hollingsworth proposed talking offline about the independent accountability auditor or at a different time, so this committee has more context about that role.

- Dr Watts asked for clarification about the calls for service statistic, he asked if these were all the calls that have been answered or calls that came in, even if they were not able to respond. Chief Afzal said that the calls for service statistic are all calls they respond to. Mr. Wourms commented that he appreciated separating show of force and use of force and asked if there a separate report for show of force incidents. Sgt. Halburnt and Chief Afzal replied that it can be generated.

-Mr. Wourms asked what the scope of committee was- can the Committee vote to include things in the report? What is their directive. Ms. Hollingsworth clarified that when the Committee was formed, the idea was to have a group working with police, looking at their use of force data. She further commented that the idea was a citizen group informing on how to present information better. The conversation that was just had is exactly the intention of the group, essentially how does DPD make the data make sense and translatable to the public.

- Mr. Wourms asked if there is an internal timeline of when the report is to be completed and available to the public. Ms. Hollingsworth said some of the reports out of police reform process do have a statutory deadline, but this one does not. The 2022 Use of Force Report can come out sometime in beginning of 2023. Chief Afzal clarified stating that the report coming out in the May-June timeframe is usually what they (DPD) aim for. He said the important thing isn't as much the timeline, but rather, that the report makes sense to people. Mr. Parlette commented that the important thing is to get it right. This first report it's important that they take their time, get feedback and get it right. Mr. Domineck asked if this report will be part of transparency portal. Ms. Hollingsworth stated that it can be.

-Dr Culotta had a question about statistics on page 11 regarding assault on a police officer, resisting arrest, and obstructing official business arrests by race. Dr. Culotta asked if these can be disaggregated. She stated that there is a public perception, whether true or not, that Black community members are over targeted relative to their proportional representation of the population. Mr. Sexton asked about a single incident sometimes encompassing all those charges (assault on an officer, resisting arrest etc.). Chief Afzal said his staff may take a look to see if any single incident is resulting in three separate charges so they can better represent the data. Dr. Culotta stated she is happy to assist in that process and do the analysis, including cross tabs (looking at one variable in relation to another).

-Mr. Domineck asked how many Black officer's there were. Chief Afzal said about 6% of their officers were black. Mr. Domineck asked if there were plans to recruit black officers. Chief Afzal said they welcome all recruits and have been working to increase diversity. He said that this conversation is not part of this working group, but they can talk offline. Mr. Parlette commented that the latest pool of applicants has the biggest diversity statistics they had ever seen, the challenge they face is that it is hard to get applicants to show up to take the test after they apply.

-Dr Watt asked why only four years worth of data was present in the report. He stated that 5-10 years of data may be better, in his opinion, to get a fuller picture of the trends. Lt. Sheldon stated that the

retention period for that information is 4 years. Dr. Watt stated that may not be acceptable to public. Chief Afzal said he will take a look at that with his staff. Dr Fox commented that DPD can solve that issue starting this year and just add on another year for next years report. Chief Afzal said he would talk offline to staff about that.

-Chief Afzal stated he wanted to send data to Dr. Culotta about "non-compliance" label and may incidents were labelled that but were not reflective of the incidents. Lt. Sheldon citizens resistance instead of in terms of non-compliance would provide more context.

-Mr. Wourms brought up item number four on the agenda, which was Dr. Culotta's analysis. The Committee is pushing this agenda item to next meeting because Dr. Culotta needs a few more weeks to finalize her report.

-Ms Scroggins made a comment about the scope of the Committee. She stated that the answer earlier in the meeting was assisting police department with the 2022 Use of Force Report, but she said that the scope of the Committee within the charter is also making recommendations about policy and making recommendations about use of force. Ms. Hollingsworth clarified that she was just answering Mr. Wourms question in regards to the report, but making recommendations and on policy is part of their Committee's role as well.

-Mr. Wourms talked about upcoming meeting schedule - committee consensus was November 17th for November meeting instead of November 7th.

Mr. Wourms asks for a motion to adjourn meeting.

Mr. Domineck makes the motion. Dr. Fox seconds the motion.

Meeting adjourned at 6:41pm