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CITY of DAYTON, OHIO
OFFICE OF THE CITY COMMISSION

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October 7, 2020

To: Mayor Nan Whaley
Commissioner Jeffrey J. Mims, Jr.
Commissioner Christopher L. Shaw
Commissioner Darryl Fairchild

From: Commissioner Matt Joseph

Re: Police Reform Working Group Recommendations- Oversight
Committee

On October 7, 2020 the Oversight Working Group, co-chaired by Mr. Brandon McClain and myself, voted to put forward the following recommendations regarding police misconduct complaints to the Dayton City Commission. The committee recommends that the city:

1. Offer an 'ethics line' for individuals to call and make anonymous complaints. Our website could indicate that our policy says that anonymous complaints are accepted and investigated to the fullest extent.
2. Provide the opportunity to submit complaints in paper, electronic, and telephonic form.
3. Conduct an education and outreach program to ensure members of the public know about the complaint process. Social media is a cost-effective outlet to get information out to citizens. We could place posters in neighborhoods and gathering places, like recreation centers. We could have *de facto* partnerships in the community to relay information through brochures and flyers: these would include Gem City Market, religious institutions, libraries, Dayton Urban Young Life, NAACP, Daybreak, the local health care system, neighborhood organizations, and others. The courts could include instructions on filing complaints as a part of the regular resource sheets they provide people, perhaps during arraignment. We could distribute information about how to submit a complaint in a variety of ways to make sure that the people who need to make a complaint are able to.

4. Provide access to the complaint process to accommodate individuals with disabilities, for example, a text-to-voice capability on the website.
5. Expand the distribution of and access to data about the complaint process in a number of ways. Some possibilities include:
 - We could follow the example of the City of Chicago, which publishes data on their complaint process. They maintain confidentiality by publishing in “ranges” rather than exact numbers.
 - We could mandate that information be shared about the process at the first contact with the complainant. Such information might include a description of the process and a timeline for investigating the complaint.
 - We could establish reporting standards (such as quarterly and annual reports of the number of cases, disposition, and number and disposition of appeals).
 - We could utilize software to automatically send updates and store information in an investigation. Most databases also track and create reports/data that might be helpful moving forward.
6. Establish a goal for issuing a cause finding. This goal would be subject to change due to the circumstances of the complaint. For example, the Human Relations Council (HRC) has a 100-day goal to investigate and get a probable cause/no probable cause finding in our civil rights investigations. The timeline may need to take into consideration the ongoing criminal investigation and/or the complexity or type of the complaint.
7. Mandate that investigators send routine status updates to the parties, as possible, including at key milestones. There is also software that could be used to automatically send updates.
8. The city provide complainants with easy access to a status report on their complaint, maybe through issuing them a case number.
9. Retain records of some investigations longer than the currently mandated 4 years. All PSB investigations into police conduct will be retained for 4 years if the disposition of the investigation is Not Sustained, Exonerated or Unfounded. All PSB investigations into police conduct involving use of force violations will be retained for 10 years if the disposition of the investigation is Sustained.
10. Publish online and in print the procedures that we will follow for every investigation, so complainants can follow the process.
11. Design a complaint submission system that makes it easy to evaluate the performance of the complaint process through metrics.

12. Provide a complaint submission system that provides access in multiple language formats and that is user-friendly and easy to use for people of all backgrounds.
13. Establish a single point of contact for incoming complainants to ensure the complaint is collected, status updates are communicated, and assistance is provided as needed throughout the process, and to ensure complainants do not have to contact several people to file a complaint or check for status updates. This point of contact would utilize a single unified data system. This point of contact will respond to complaint inquiries as soon as practicably possible, given regular working constraints.
14. Name the Human Relations Council (HRC) as the third party organization (not police or City Manager's office), and require them to appoint someone as the single point of contact to gather complaints, and to provide complainants with status reports on existing cases. This single point of contact must be knowledgeable with potential types of complaints and the complaint process, ready to address issues with complaints, and skilled in personal interactions.
15. The Dayton Mediation Center will work with the complaint intake authority and police to set up a process to be assigned and mediate appropriate complaints.
16. Convene local agencies and organizations who might receive complaints, and ask them all to use a standard process to submit the complaints. Complaints would all be funneled into one intake app and database, to make the process easier to track and to evaluate. The multi-agency Homeless Solutions Policy Board intake process application is an example of this.
17. Utilize Dayton Delivers or a similar app as a "one-stop-shop" for information and complaint intake, and train employees and partner organizations to perform data entry into the app. This app would feed data into the new single database of complaint information.

Per the working group's charter, the Dayton City Commission has 30 days to respond to the group with one of three options: accept the recommendations, reject the recommendations, or ask the group for further information to be able to evaluate the recommendations.

We understand that accepting a recommendation does not mean that it will be implemented within the 30 day time window. Instead, it means that the City Commission directs the City Manager, Dayton Police Department, or other applicable entity to take action to implement these recommendations as soon as is practicable.

Thank you for your consideration of these recommendations.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. [unclear] [unclear]". The signature is fluid and cursive.

Matt Joseph
Commissioner

Cc: Ms. Dickstein
Mr. Parlette
Ms. Lofton
Ms. Doseck
Ms. Walker
Chief Biehl