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May 12, 2021

TO: Police Reform Working Group- Recruitment, Promotion, and Discipline

FROM: Ariel Walker  
Director, Office of the City Commission

RE: Recommendations on Recruitment

On March 29, 2021 the Recruitment, Promotion, and Discipline Working Group voted to put forward the following recommendations to the Dayton City Commission:

Recommendations regarding polygraph:

1. Ensure multiple polygraphists are available to conduct polygraph tests, including the option of engaging outside agencies if necessary.
2. Explore creating training opportunities within the city organization for new polygraphists.
3. Allow an applicant to immediately request a second polygraph if they fail a portion of the test or show inconclusive results.
4. Ensure that an applicant is aware of the civil service appeals process if they are disqualified from hiring due to a failed or inconclusive polygraph.
5. Conduct polygraph tests in neutral site.
6. Require a second polygraphist to verify a result that indicates deception and/or is inconclusive.
7. Create explicit focus on weeding out candidates with problematic views or violent tendencies. Include questions that probe authoritarian or violent tendencies or racial animus.
8. Reevaluate the use of the polygraph and the guardrails in one year and continue to explore the use of alternatives.

Recommendations regarding Chief Hiring:

9. Involve community members in the creation of the position description and include a reform orientation as a requirement of the position.
10. Involve community members in the interview process. Use police reform working groups as a discussion question for interviews.
11. Pull community members from police reform working groups where trust and report have already been built between the community and police.

Recommendations regarding marijuana policy:

12. Align the prohibition on marijuana use with the prohibition on nicotine for recruits.

In reference to recommendations 1 and 2, regarding multiple polygraphists and training opportunities for new polygraphists, the City Commission Agrees. The goal of these recommendations is to expand the diversity of the individuals conducting the polygraph examination. Ideally, this expansion of polygraphists options could happen through the recruitment of diverse candidates to the police force. If these goals cannot be reached through recruitment, the organization will consider outsourcing to a firm that can provide diverse services. The City Commission directs the City Manager to work with the DPD and Civil Service to identify options for expanding diversity among polygraphists.

In reference to recommendation 3 to allow for a requested second polygraph, the City Commission Agrees. The City Commission directs the City Manager to work with the Dayton Police Department to develop a policy to insure that recruits who have questionable results to a first polygraph test are given the opportunity to request a second test, while still protecting the community conduct that would be unacceptable for a representative of law enforcement.

In reference to recommendation 4, ensuring that applicants are aware of the Civil Service appeals process the City Commission Agrees. The City Commission Directs the City Manager to work with Dayton Police Department and the Civil Service Board to ensure that applicants are aware of the Civil Service Appeals process if they are disqualified from hiring due to a failed or inconclusive polygraph.

In reference to recommendation 5, to conduct polygraph tests in a neutral site the City Commission Agrees. The City Commission directs the City Manager to continue working with Dayton Police and Civil Service on their work to identify and build-out a neutral space to conduct polygraph tests for recruits.

In reference to recommendation 6, regarding a second polygraphist to verify the results that indicate deception or is inconclusive the City Commission Agrees. The City Commission directs the City Manager to work with Dayton Police to implement a review process for all polygraph results.

In reference to recommendation 7 to create explicit focus on weeding out candidates with problematic views or violent tendencies and include questions that probe authoritarian or violent tendencies or racial animus, the City Commission Agrees. The City Commission directs the City Manager to strengthen the current process to focus on violent tendencies and racial animus.

In reference to recommendation 8 to review and reevaluate the use of the polygraph and the guardrails in one year and continue to explore the use of alternatives the City Commission Agrees. The City Commission directs the City Manager to work with Dayton Police to reevaluate the use of the polygraph in one year.

In reference to recommendation 9 to involve community members in the creation of the position description and include a reform orientation as a requirement of the position, the City Commission Agrees. The City Commission directs the City Manager to create a process for community engagement in the creation of the job description and include an orientation regarding the reform process as a requirement of the position.

In reference to recommendation 10 regarding the involvement of community members in the interview process and develop discussion questions regarding the police reform working groups, the City Commission Agrees. The City Commission directs the City Manager to develop a process for community engagement in the interview process and develop questions regarding the police reform working groups.

In reference to recommendation 11 regarding the utilization of community members from police reform working groups where trust and report have already been developed between community and police, the City Commission Agrees. The City Commission directs the City Manager to use members of the police reform process as part of the Police Chief hiring process.

In reference to recommendation 12, to align the prohibition on marijuana use with the prohibition on nicotine for recruits, the City Commission Agrees with clarifications. The Ohio Peace Officer Training Commission (“OPOTC”) governs basic peace officer training in Ohio. An applicant must pass the state mandated drug screen prior to participating in a Peace Officer Basic Training (this includes nine different drugs including marijuana). Additionally, the Ohio Administrative Rules prohibit an individual from attending the Ohio Peace Officers Training Academy that is convicted of or pleaded guilty to the illegal possession, use, sale or distribution of marijuana within three years prior to attending the academy. However, the City Commission Agrees to work with the Civil Service Board to eliminate Civil Service Rule 8, Section 5(H) and modify (I), which requires removal from a public safety force eligibility list for any individual who has personally used marijuana within one year of the date of the written exam. This would remove any backward-facing requirements for personal usage. The recruit would still however have to pass the drug test prior to attending the academy.

As all five Reform Committees continue their work and make recommendations, the City Commission is committed to providing updates during the due diligence and implementation process.

Thank you for your work on behalf of the City of Dayton.

Sincerely,

A handwritten signature in blue ink that reads "Ariel Walker". The signature is written in a cursive, flowing style.

Ariel Walker

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