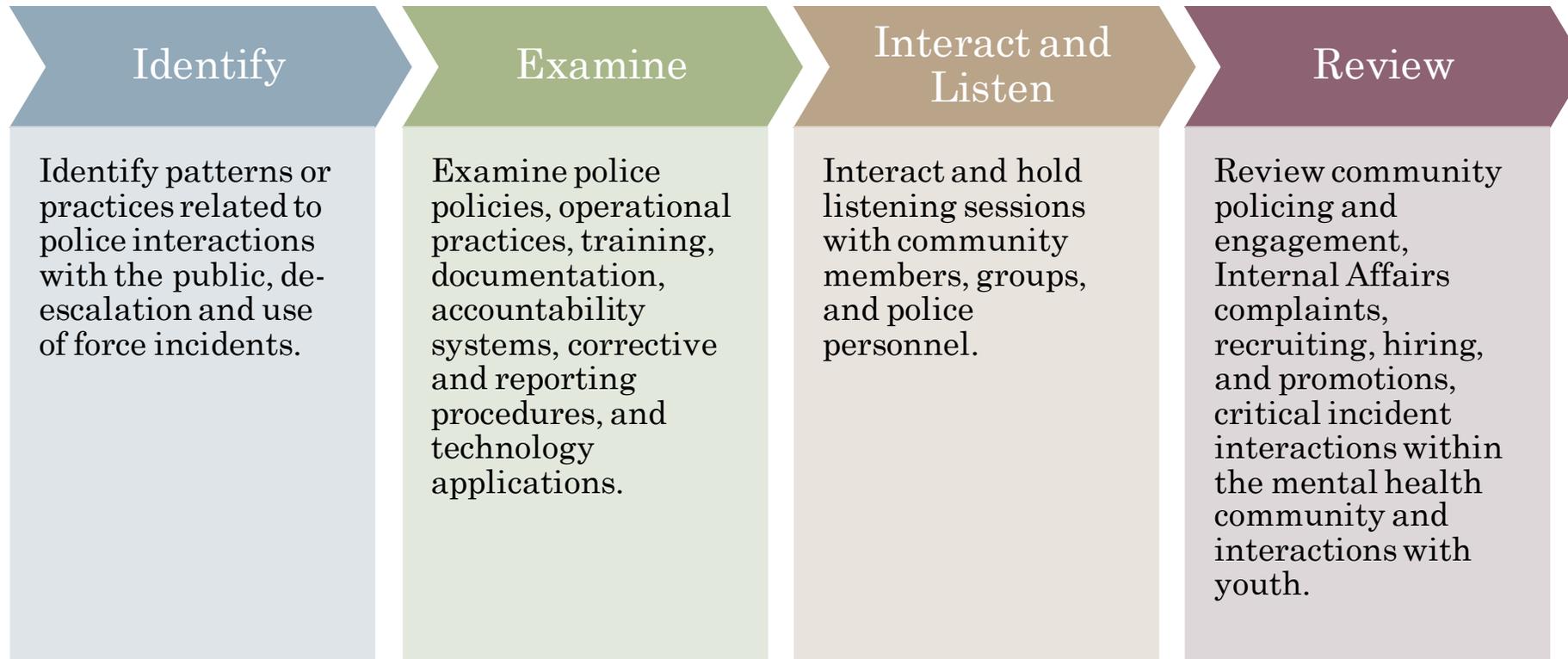




Why the City Commissioned this Review

Following the death by police of Ms. Atatiana Jefferson, the Fort Worth City Manager David Cook, appointed a panel of experts to review specific areas of the Fort Worth Police Department.

Review Panel Objectives





Independence

City committed that report was independent. Conclusions and findings were not directed or changed by City.

Panel Members

Chairs

Dr. Alex del Carmen

Dr. Theron Bowman

Members

Lynda Garcia

Emily Gunston

Thomas Petrowski

Rashida Ogletree-George

Jonathan M. Smith

Marcia Thompson

Dr. Rita J. Villareal-Watkins



Preliminary Review

- A Preliminary Report with Observations and Recommendations Regarding Use of Force, Internal Affairs and Community Oversight was produced and published on July 31, 2020.
- This preliminary report included recommendations for the FWPD to consider adopting in an effort to address immediate areas of concern.
- The leadership of the FWPD began implementing the recommendations made in the Panel's preliminary report right away.
- This led to an immediate improvement on some of the areas discussed in the preliminary report.

Some members of the Panel moved on to other job opportunities so the review Panel was reconfigured.

The members that remained in place were Drs. Alex del Carmen and T. Bowman, Mr. Jonathan Smith and Mr. Tom Petrowski.

Ms. Rashida Ogletree-George was incorporated as an additional expert to the review Panel.

The Panel continued to focus, beyond the Preliminary Review Report, on use of force, training and the review process.

Beyond the Preliminary Review

Pandemic Related Challenges

The Covid-19 pandemic emerged during the initial stages of the Panel review.

This affected the manner in which the Panel was able to obtain information and interact with community members and police officers.

Despite this, the review Panel obtained and analyzed information related to Use of Force, Crisis Intervention, Internal Affairs, Community Engagement and Civilian Oversight Board and Recruitment and Training.



January 2021 Draft Report & the Final Report

- Throughout the Fall and Winter of 2020 and 2021 the Panel continued its review and assessed changes made in response to the July 1 report
- The Draft Report was provided to the City in January 2021.
- In the Summer of 2021 the Panel was contracted to draft a final report. Throughout the winter and Spring, the Panel again assessed changes made by the Department and provided its final report to the City on June 20, 2022
- Panel has not updated findings or assessed changes made since June 20, 2022
- Given scheduling conflicts, the earliest date for this presentation was September 6, 2022

Ongoing Efforts by the Fort Worth Police Department to Reform

The City of Fort Worth and the Fort Worth Police Department has long recognized the need for change to create greater trust and legitimacy.



The City and Department should be commended for this sustained effort

Sources of Information for Review

Department Policies and Procedures

Stop, Arrest Data, and other data

More than 200 use of force, warrant execution, Internal Affairs, Critical Incident Review Board files, including body-worn and in car camera video

Interviews with members of FWPD at all levels

Review of training materials and observations of a limited number of training sessions

Community meetings

Interviews of Police Monitor

FWPD gave Panel members complete access to all requested information

Methodology

Identify patterns of conduct that violate policy or civil rights or that tend to undermine community trust or FWPD legitimacy

Did not attempt to qualify to statistical certainty concerns – looked for repeated conduct validated by interviews to support findings

Once patterns identified, reviewed policy, training, accountability, and supervision for causes of conduct or failure to correct the conduct

Recommendations based on best practices and reform efforts in other jurisdictions

Context for Findings

Issues confronting FWPD are not unique. Many large departments across the nation are experiencing similar challenges

FWPD has made critical investments in technology

FWPD has modern policies that are consistent with national practices with a few exceptions

FWPD changed its academy from a boot camp to a classroom approach

FWPD has the necessary internal committees and structures

Nevertheless, Panel found that officers do not always meet the standards expected by the Department or community and are not held accountable. The project before FWPD is one of culture change.

Conclusions & Recommendations: Use of Force and De-escalation

Key Observations

- The Department has taken steps to strengthen its use of force policies, training, and review processes.
- In practice, good policy and training is not followed by robust accountability.
- Without accountability, policy is not translated into practice

- The Panel observed patterns of use of force that include:
 - Significant incidents of officers failing to de-escalate encounters or engaging in conduct that escalates
 - In a smaller number of incidents, officers using force that was not authorized by law or policy
 - Force used as retaliation
 - Officers making tactical errors that created dangers to the officers and community and making force necessary
- Additional areas of concern include the display of Tasers, punching, and retaliatory uses of force.
- Area of great concern officers and supervisors do not appear to understand or embrace de-escalation principles

De-Escalation and Force Concerns

Conclusions & Recommendations: Use of Force and De-escalation

Key Recommendations:

It will take sustained effort over time to align behavior with policy.
The Panel's recommendations include the following:

Adopt the LEED Model (Listen and Explain with Dignity and Equity)

Implement a formal bystander intervention program

Develop additional guidance on when force is permitted and how to de-escalate

Audit implementation of policies on reporting and review of use of force

Enforce changes to the disciplinary matrix (de-escalation and tactical violations)

Key Observations:

- The department has undertaken initiatives to improve its accountability systems:
 - Expansion of Internal Affairs
 - Consolidation of the use of force review process through the creation of the Force Analysis Unit
- The lack of meaningful supervisory review of force remains a serious issue. Misconduct is missed or supervisors are discouraged from addressing.
- The failure to de-escalate is very rarely addressed.
- Abusive language and other non-force conduct issues are not addressed.

Key Recommendations:

- Strengthen supervisor and chain of command reviews. Supervisor and chain of command reviews essential for accountability
- Create an office of auditor or inspector general
- Create a police legal advisor position

Conclusions & Recommendations: Accountability Systems

Key Observations:

- The Department has taken significant steps to improve its no-knock and warrant execution practices.
 - Avoidable no-knock warrants were used as de facto training exercises. This practice appears to have ceased.
 - The SWAT team executed 154 no-knock warrants with forceful entry in 2018 and 90 in 2019. No such warrants were executed in 2021.
- The Department has not adopted some important policy changes.

Key Recommendations:

- Update the no-knock warrant policy to reflect case law and the legal standard
- Carefully track and document the use of no-knock warrants
- Limit search warrant executions to the daytime

Conclusions & Recommendations: Search Warrants

Key observations:

- The Department has made investments in its crisis intervention programs, including:
 - Expanding the Crisis Intervention Unit from six to 20 persons
 - Providing 40-hour crisis intervention training to all officers
 - Convening a Behavioral Health Advisory Board
- Despite these investments, the City continues to have a significant shortage of non-police responses to crisis.

Key recommendations:

- Develop and increase community-based services
- Renew efforts to work with the Advisory Board
- Revise crisis training to focus on de-escalation to minimize the use of force
- Conduct a gap analysis to identify what services are most needed
- Train 911 dispatchers to identify calls that should be diverted

Conclusions & Recommendations: Crisis Intervention

Key Observations:

- The Department's Neighborhood Police Officer (NPO) program delivers highly responsive community policing services.
 - In practice, the community policing philosophy and activity is almost exclusively the domain of NPOs.
- There is a disconnect between what policies describe, what officers do, and what the community expects and experiences.
- Patrol officers are not afforded beat accountability nor held accountable for community policing activities.

Key Recommendations:

- Revise management, performance and accountability systems around a robust community policing philosophy
- Design police service delivery systems around geography
- Provide beat accountability

Conclusions & Recommendations: Community Policing

Key Observations:

- Females, Blacks, Latinx, and Asians are under-represented in the Department's sworn workforce.
 - Disparities are evidenced in promotions, transfers, disciplinary actions, hiring and terminations.
 - There has been a slight increase in the representation of Latinx police officers. However, African American representation as a percentage of total officers has declined.
- The Department has failed to assign Black, Latinx, and female officers to specialized units.

Key Recommendations:

- The Department should invest in continuous recruitment
- Consider barriers-removing programs
- Data-drive the recruitment process

Conclusions & Recommendations: Diversity on the Force

Key Observations:

- The Department has made significant progress in implementing phase 1 of the EIS.
- Phase 1 appears to follow best practices.

Key Recommendations:

- Capture the types of complaints made against officers and establish threshold limits for certain allegations
- Provide frequent updates to the EIS to establish thresholds in real time

Conclusions & Recommendations: Early Intervention System (EIS)

Key Observations:

- There continues to be a lack of clear guidance on the Police Monitor's role. For example:
 - The Police Monitor's unrestricted access to the Department and its personnel is not reflected in policy.
 - The Police Monitor has not been assured that removal can be for cause only.
- The Police Monitor's independence is limited by the position's integration into the Department's UOF review board.

Key Recommendations:

- Review the structure and independence of the Police Monitor
- Review the Office of the Police Oversight Monitor's budget to ensure it has adequate resources to perform assigned tasks

Conclusions & Recommendations: Office of the Police Oversight Monitor

Conclusion

The Panel commends FWPD and the City for its commitment to making the necessary changes to create trust and legitimacy in all Fort Worth communities

Important steps and investments have been made

But more work needs to be done

At core, what is necessary is to create a culture of accountability in FWPD and transparency to the community