

To the Mayor and Members of the City Council

September 14, 2021

**SUBJECT: Office of Police Oversight Monitor (OPOM) Update and Mutual Accountability Working Group's Recommendation regarding the proposed community policy advisory board**

The purpose of this Informal Report is to update the City Council about the activities and progress of the Office of Police Oversight Monitor (OPOM) since its last update as of December 2020. OPOM was established in February 2020 to be the designated community oversight agency empowered to act fairly and impartially, ensuring greater accountability of and public trust in Fort Worth law enforcement. It was formed pursuant to a recommendation from the City's Task Force on Race and Culture in December 2018. OPOM is an independent office that reports directly to the City Manager.

STAFF

The office is comprised of five full-time staff, and four part-time interns. The full-time staff consists of the Director (Police Monitor), Deputy Director (Deputy Police Monitor), Senior Policy Advisor, Policy Advisor and Senior Administrative Assistant. The four part-time interns are through the OPOM's partnership with Texas A&M School of Law's Externship Program in order to expose students to public policy and legal implications as well as provide research support regarding community oversight of law enforcement. Earlier this year, OPOM was awarded a \$21,600.00 grant from the Fund to Advance Racial Equity at North Texas Community Foundation to employ two of the four part-time interns. The interns' projects include researching and benchmarking promising policing policies and practices including, community-police engagement, community problem-oriented policing, use of force, pursuits, stops, searches, body worn cameras and other recording/video systems, recruitment and training, as well as researching and drafting a state-of-the-art community-police restorative justice mediation program.

PROFESSIONAL TRAINING

To date, staff has attended over fifty professional training classes including: Police Ride-Alongs, Internal Affairs Investigations, Use of Force, Use of Force Analyses and Reporting, Procedural Justice, Implicit/Unconscious Bias, Community Oversight of Law Enforcement, Active Bystandership as well as internal citywide training.

UNFETTERED ACCESS TO FWPD

The OPOM Director meets biweekly with the Chief of Police to discuss recommendations to Fort Worth Police Department's (FWPD) General Orders, successes and challenges, based upon in-depth reviews of current and past Internal Affairs and Use of Force cases. Approved OPOM recommendations included, but were not limited to, a formal FWPD documentation process of all complaints; timely notifications to complainants; documentation and diligent investigations of all community members' complaints; inclusion of timeliness of investigations in monthly case audits; revision of de-escalation policy to provide more guidance for officers to make decisions and effective interaction with community members; duty to report added to the duty intervene mandate in the FWPD's General Orders; changes to language in Use of Force General Order to take into account officers' duties and responsibilities to community members; revisions to Body Worn Camera General Order to address supervisory review and ensure greater accountability of officers' activation and deactivation of their cameras; revisions to early intervention process; OPOM

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monitoring of Use of Force Review Board; OPOM monitoring Oral Boards for new, potential recruits; Internal Affairs interviews of involved officers of critical police incidents. OPOM recommendations under consideration include:

- Foot Pursuit Policy, draft provided by OPOM
- Training of in-service personnel regarding the duty to intervene and report
- Specific OPOM use of force reviews be reviewed by Internal Affairs
- Changes to recruitment and oral board process for new, potential recruits
- Active Bystandership Training for FWPD officers
- Changes to the composition of the Use of Force Review Board

Additionally, OPOM continues to recommend changes to FWPD policies and procedures as it continues its review and monitoring of FWPD operations.

OPOM attends periodic meetings involving FWPD Executive Team, Internal Affairs, Patrol Action, and monitors FWPD's Use of Force Review Board, Critical Police Incident Review Board and the Recruitment Oral Boards.

CITIZEN COMPLAINTS

To promote police accountability and transparency, OPOM accepts and reviews community members' complaints and identifies potential allegations. OPOM then forwards the complaint to the FWPD Internal Affairs Unit for investigation. OPOM confers with FWPD to monitor their investigation, conducts an independent investigation and provides recommendations, as appropriate. Since the office was formed, at least 50 complaints have been submitted directly to OPOM. Additionally, OPOM received and addressed approximately 100 inquiries regarding FWPD. In mid-August 2021, electronic notification of community member complaints from Internal Affairs to OPOM commenced.

USE OF FORCE CASE ANALYSIS

Since January 2021, more than 800 use of force reports have been reviewed by OPOM to ensure practices are reflective of departmental policies, identify patterns and trends, and to recommend changes to the FWPD General Orders.

COMMUNITY ENGAGEMENT

OPOM continues to provide opportunities to receive feedback from neighbors, community leaders, criminal justice professionals and advocates about how to build stronger community-police relationships continued. To date, OPOM has conducted over 250 virtual and in-person meetings, Lunch & Learns, Collaborative Conversations, and Summer Open Houses. Staff also conducted more than 90 community presentations. The next series of virtual Community-Police Collaboration sessions are planned for fall 2021.

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OPOM is currently working on its community engagement plan for 2022.

Neighbors or organizations interested in having a member of the OPOM speak at a community event are encouraged to email the office at policeoversight@fortworthtexas.gov.

INFORMATIONAL MATERIALS

OPOM has created various materials to inform the community about the Office as well as update the community regarding its progress. The materials include:

- Complaint Form
- Complaint/Commendation Contact Card
- Brochure
- Informational Sheet that includes a flowchart of the complaint monitoring process
- Newsletter

All materials are available in English and Spanish.

MUTUAL ACCOUNTABILITY WORKING GROUP

On December 31, 2020, a Mutual Accountability Working Group was formed by OPOM to work with FWPD and other City leaders to create a recommendation as a first step to build community oversight of Fort Worth law enforcement. Members included:

- Estrus Tucker, Facilitator
- Pastor Dr. Cedric N. Belcher Sr., Grace Temple Seventh Day Adventist Church
- Cristal Hernandez, Hispanic Women's Network of Texas
- Felix Alvarado & Alberto Govea, League of United Latin American Citizens, Fort Worth Council
- Estella Williams, National Association for the Advancement of Colored People, Fort Worth/Tarrant County Branch
- Felipe Gutierrez, One Safe Place
- Pamela Young, Tarrant County Coalition for Community Oversight
- Fort Worth City Attorney's Office, Police Department, and Office of Police Oversight Monitor

The working group collaborated for eight months to reach consensus on recommendations to enhance police oversight with the creation of a board of appointed community members. Their recommendations include:

Purpose of the Proposed Board

To collaborate with OPOM and FWPD to develop a more transparent police department through review of and recommendations to FWPD policies and procedures.

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Volunteer, Advisory

Name

Community Police Oversight & Accountability Board

Mission

To provide community participation in reviewing Fort Worth law enforcement activities, recommend viable solutions to improve law enforcement conduct and create a system of internal and external checks and balances aimed at ensuring that Fort Worth law enforcement carry out their duties properly, fairly and equitably, and are held responsible if they fail to do so.

Vision

To promote transparency and accountability from the FWPD, and fair and equitable policing in every neighborhood through effective oversight.

Appointments, Removal Authority & Terms

City Council would appoint and confirm a maximum of up to 15 board members. City Council could remove any member per the majority recommendation of the board, based upon criteria established by the City Council. Removal criteria should be included in the board's bylaws or SOPs.

Each City Council member would appoint 1 member of the board (total of 8). OPOM would appoint a maximum of 3-5 members. 2 of these positions will be transferred to the new Council districts after elections are held in 2022. Moving forward, OPOM would appoint no more than 3 members.

Board members would serve 2 years, with a maximum of 2 terms. Appointments would be staggered, consisting of a 1-year term for first appointments and a 2-year term for second appointments. Volunteers should be requested to serve as initial 1-year appointments.

Board Appointee Criteria

- Must be a City of Fort Worth resident, and at least 18 years of age.
- Must be able to pass a criminal background check.
- Must have expertise or experience with a diverse community perspective such as advocates in the areas of civil rights, mental health, disability, immigration, homelessness, LGBTQ, legal education and marginalized communities (incarcerated, diverse racial/ethnic communities).
- Must sign and adhere to a Standard of Professional Conduct Agreement.
- Must be available to attend and perform board duties.

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- FWPD personnel should not serve on the board, but could serve as subject matter experts.

Board Training Requirements

Training should be conducted on a biennial basis and include topics such as:

- Review of FWPD - Authority, Structure, Policy Creation and Management (General Orders and SOPs), Use of Force overview, Department Orders and Directive System, BWC overview, Investigatory Stops overview, Searches/Consent Searches overview, etc.
- Law Training - FWPD Mission Statement, Open Meetings Act, Public Information Act, Chapter XI of the City Charter and Chapter 27 of the City Code (FWPD Enabling Laws), Meet and Confer Agreement, etc.
- Other Training - Procedural Justice, Overview of OPOM (history of police oversight), Community and Cultural Awareness (communities most impacted by policing in CFW), Bias Free Policing, Overview of City-authorized reports, i.e., Expert Review Panel
- Potential Training Exercises - FWPD Ride-Ins, Simulation, Mock Villages, etc.

The ultimate goal for the group was to compile information discussed through consensus building, provide considerations for proposed ordinance and, upon Mayor and Council support, request Law draft a proposed ordinance to share with the Mutual Accountability Working Group for further input.

OPOM Director Kim Neal will present additional information about the Working Group and the proposed community policy advisory board to Mayor and City Council during the September 21, 2021 Work Session.

PLANNING AHEAD**Know Your Rights Education Campaign**

In 2022, OPOM will partner community stakeholders, FWPD, local school districts and area agencies to provide education to community members about how to respond when interacting with a police officer. Curricula will include live scenarios to allow an opportunity to view the other's perspective in a safe, controlled environment. Tailored sessions will also be offered to youth.

Restorative Justice Mediation

OPOM has been working on creating a restorative justice mediation program. It has also established a partnership with the Dispute Resolution Program of Tarrant County to create and provide mediation training to community members interested in assisting with a proposed community-police mediation program. More information will be provided via further updates.

28th Annual NACOLE Conference

OPOM collaborated with Visit Fort Worth to propose Fort Worth as the location for the National Association for Civilian Oversight of Law Enforcement's (NACOLE) 2022 Annual Conference. NACOLE is a non-profit organization that brings together individuals and agencies working to establish or improve

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accountability and transparency of law enforcement. In August 2021, we received the great news that Fort Worth was ultimately chosen as the host site by NACOLE's Board of Directors. The 28th Annual NACOLE Conference will occur in Fall 2022 in downtown Fort Worth.

Each year, NACOLE brings together the ever-growing community of civilian oversight practitioners, community members, law enforcement officials, academics, journalists, elected officials, students, and others to meet and exchange information and ideas about issues facing civilian oversight and law enforcement. For more information about the organization, visit <https://www.nacole.org/>.

Communication

Updates about OPOM and new opportunities to participate in Collaborative Conversations or Town Halls are shared via City News, the Community Engagement Weekly Bulletin, Faith-Based Leaders Quarterly Bulletin, La Voz Hispana de Fort Worth, NextDoor, Facebook, Twitter, OPOM Quarterly Newsletters and OPOM listserv.

Neighbors are encouraged to email policeoversight@fortworthtexas.gov to receive the fall edition of the OPOM Quarterly Newsletter. A comprehensive OPOM 2020/21 Annual Report will be shared in January 2022.

Information about OPOM can be found on its website, <https://www.fortworthtexas.gov/departments/opom>.

Additionally, questions should be directed to Director Kim Neal, policeoversight@fortworthtexas.gov or 817-392-6535.

David Cooke
City Manager