

**To the Mayor and Members of the City Council****October 18, 2022**

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SUBJECT: OFFICE OF POLICE OVERSIGHT MONITOR (OPOM)'S MUTUAL ACCOUNTABILITY WORKING GROUP'S RECOMMENDATION REGARDING THE PROPOSED COMMUNITY ADVISORY BOARD

This Informal Report provides Mayor and City Council with the proposed community advisory board recommendations from the Mutual Accountability Working Group and OPOM's related outreach efforts.

HISTORICAL BACKGROUND

December 1, 2020: OPOM presented to Mayor and City Council updates on its progress, its community engagement efforts thus far, recommendations received thus far regarding enhanced civilian oversight of law enforcement and survey results regarding civilian oversight moving forward. It was recommended an ad hoc Mutual Accountability Working Group be created to propose the initial community accountability (oversight) model focus on review and recommendations to policing policies, procedures and training as well as review identified policing patterns. Open (public) policy-making allows law enforcement to benefit from community review and input regarding police policies, which can address systemic issues proactively, i.e., anticipation of problems to avert crises before they occur.

December 31, 2020: Initial meeting of the Mutual Accountability Working Group.

July 27, 2021: Last meeting of Mutual Accountability Working Group.

September 14, 2021: Informal Report to Mayor and City Council regarding OPOM Update and Mutual Accountability Working Group proposal.

September 21, 2021: Presentation to Mayor and City Council regarding Mutual Accountability Working Group proposal.

October 14, 16, 20, 2021 and November 13, 18, 22, 2021: Fall 2021 OPOM Community Conversations included Update on Mutual Accountability Working Group recommendations.

MUTUAL ACCOUNTABILITY WORKING GROUP MEMBERS

- 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

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SUBJECT: OFFICE OF POLICE OVERSIGHT MONITOR (OPOM)'S MUTUAL ACCOUNTABILITY WORKING GROUP'S RECOMMENDATION REGARDING THE PROPOSED COMMUNITY ADVISORY BOARD**MUTUAL ACCOUNTABILITY WORKING RECOMMENDATION**

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

Purpose of the Proposed Board

To collaborate with OPOM and Fort Worth Police Department (FWPD) to develop a more transparent police department through an independent review of and recommendations to FWPD policies and procedures by a board of community members. Note: FWPD General Order 201.01: Policy Advisory Committee suspended due to the creation of OPOM.

Name

Community Police Oversight & Accountability Board

Objective

To listen to and promote the community's voice in policing and public safety by ensuring fairness and equity in police policies, procedures and practices.

Vision

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

Board Type

Volunteer, Advisory

Duties

- Review and be familiar with FWPD policies and procedures.
- Gather, evaluate and discuss information relative to recommending changes to policies and procedures or confirming that specific policies and procedures are acceptable.
- Identify policing issues suitable for further review as requested.

Appointments, Removal Authority & Terms

Appointment of members should be independent of FWPD.

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.

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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 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.
- FWPDP 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 FWPDP - 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 - FWPDP Mission Statement, Open Meetings Act, Public Information Act, Chapter XI of the City Charter and Chapter 27 of the City Code (FWPDP 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 - FWPDP Ride-Ins, Simulation, Mock Villages, etc.

Meeting Considerations

- At a minimum, meetings occur quarterly.
- Diversity of stakeholders should be considered when deciding meeting schedule and venue.
- Proposed board should create bylaws/SOPs.



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Board Administration

- Oversee by OPOM (Additional FTE needed.)

Other Considerations

- Some Working Group members believed the proposed board should accept complaints.
- No consensus reached regarding board members with felony convictions.

The ultimate goal for the Working Group was to deliberate information 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 prior to Mayor and City Council deliberation.

NEXT STEPS

- Mayor and City Council discuss and accept the proposal, discuss possible revisions to proposal or reject/defer the proposal.
- Mayor and City Council reach a consensus on the path forward.
- If accepted (with or without revisions), Mayor and City Council direct the City Attorney's Office to draft the enabling ordinance.
- At subsequent meeting, draft ordinance is presented, vetted and finalized. Mayor and City Council vote on adoption of ordinance.
- Upon adoption, OPOM collaborates with City Attorney's Office and City Secretary's Office to address board requirements, application process and appointment process.
- OPOM collaborates with stakeholders to create training curriculum.
- Commencement of appointment process for Board including staggered appointments.
- OPOM onboards new board members.
- OPOM/FWPD coordinate training requirements.
- OPOM collaborates with new Board to establish Bylaws/SOPs.
- Commencement of Board's duties in 2023.

BENEFITS/IMPLICATIONS

- Identification of a potential issue to solve or an opportunity to improve
- Obtaining review and input from stakeholders, i.e. the proposed board
- Collaboration with subject matter experts and practitioners to determine best viable solution(s)
- Policy and procedure recommendations with stakeholder involvement proposed to Police Chief
- If recommendations adopted, next step consists of stakeholders' reviewing implementation practices, i.e., training
- Periodic updates to community, Mayor and City Council regarding proposed board's recommendations, progress and status



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- Increased awareness of policing policies, procedures and training
- Overall, fostering improved and collaborative community-police relationships through mutual accountability

OPOM COMMUNITY ENGAGEMENT EFFORTS

Five OPOM Virtual Community Conversations were held October 14 - November 18, 2021. Sessions were hosted via WebEx, showed live and recorded on FWTW and/or viewed simultaneously on Facebook Live. Sessions were scheduled during weeknight evenings, weekday lunch hours and Saturday mornings. Attendees were also provided an option to call-in and participate via text during the sessions.

Outreach Efforts

Dates, times, login and viewing information for each meeting were placed on the City website's calendar and the OPOM webpage. Promotional flyers were shared with internal and external partners including:

Social Media

- Facebook - CFW City Hall, CFW Office of Police Oversight Monitor (OPOM), CFW Public Library, CFW Neighborhood Services, CFW Community Centers, Fort Worth Young Professionals Group and Fort Worth Housing Solutions
- NextDoor – CFW Community Engagement Office
- Twitter - CFW City Hall and CFW Office of Police Oversight (OPOM)

Emailed Invitations

- City Leaders
- Community Engagement Weekly Bulletin for Neighborhood Leaders
- Community Engagement Faith-Based listserv
- OPOM Stakeholders listserv

Media

- CFW City News articles
- WFAA reporter in attendance during the October 18, 2021 session
- NBC DFW interview with OPOM Director was shared on-air, highlighting the upcoming sessions

Mutual Accountability Working Group

- Special thanks to members of the Working Group for leveraging various medium and other networking platforms to encourage attendance and completion of the survey.



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Community Participation

Attendees shared their questions and/or comments via chat, text or email, both during or after each session. Attendees were strongly encouraged to share their opinions using a feedback survey link, shared during the presentation, via social media and email.

Meeting recordings, the presentation and a link to the feedback survey were also shared via Facebook, Twitter, NextDoor, the Community Engagement Weekly Bulletin, the OPOM webpage and email.

- 97 people attended at least one live session via WebEx, phone, FWTV or Facebook live.
- 112 people viewed a recording of at least one session via social media, FWTV or from an OPOM email.

Community Frontline also hosted a community forum with OPOM to share information about the office, proposed board and future opportunities to collaborate with the community.

- 47 people shared the Community Frontline session and feedback survey link via Facebook.

Community Feedback Survey Results

- 20% of participants responded to the survey.
- 75% of participants felt there is a need for a civilian review board to review policy.
- 75% of participants also feel that the board should receive and review complaints or commendations.

The feedback was consistent with what has been articulated during previous surveys and meetings. The community wants more collaboration, accountability and transparency. They believe that a cross-section of community interests and leaders should be reflected in the creation of any police oversight entity, and the entity should be independent. Some concerns expressed include the legitimacy of the OPOM, whether the office has the necessary resources to perform the job some feel it should do, or whether the office or board should exist at all.

There was also a small number of consistent, but negative comments. Those comments tend to reflect a lack of awareness of actual concerns fellow citizens have in other parts of the city.

Overall, OPOM was commended by community for the work it has done thus far.

OPOM also shared updates regarding the proposed community advisory board via community engagements throughout 2021 and 2022.



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Questions should be directed to Director Kim Neal, policeoversight@fortworthtexas.gov or 817-392-6535, and more information about OPOM can be found on its website, <https://www.fortworthtexas.gov/departments/opom>.

David Cooke
City Manager