

To the Mayor and Members of the City Council

November 12, 2019

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**SUBJECT: POLICE DEPARTMENT POLICIES, PRACTICES, TRAINING & IMPLEMENTATION REVIEW PANEL**

The City Manager's staff has reviewed background and experience information of over a dozen professionals and firms that are nationally known for work related to police policy development and review. A final panel of individuals has been developed and is being recommended to the Mayor and City Council for approval of individual contracts to conduct the overall review.

The review will identify patterns and practices related to police interactions with the public during investigative stops, searches, arrests, and use of force incidents. The panel will examine police policies, operational practices, training, documentation, accountability systems, corrective and reporting procedures, and technology applications. Substantial interaction and listening sessions with community members, groups, and police personnel is an integral part of the process. Other areas the panel is expected to review include community policing and engagement, Internal Affairs complaints, recruitment, hiring, promotions, critical incident interactions with the mental health community and interactions with youths. Ultimately, it is expected that recommendations developed by the panel will provide a roadmap and focus areas for police department change and oversight.

The panel will be led by two locally based professionals, **Dr. Alex del Carmen** and **Dr. Theron L. Bowman**. Both have strong local and national ties with extensive police reform experience. Other panel members include:

- **Jonathan Smith** – Washington Lawyers' Committee and former USDOJ Civil Rights Division Chief;
- **Emily Gunston** – Washington Lawyers' Committee and former USDOJ Civil Rights Division Deputy Chief;
- **Lynda Garcia** – Policing Campaign Director, The Leadership Conference on Civil and Human Rights;
- **Tom Petroski, JD** - former FBI Dallas Chief Legal Counsel;
- **Marcia Thompson, Esq** – law enforcement and civil rights attorney and consultant;
- **Dr. Rita Watkins** - Executive Director of the Law Enforcement Management Institute of Texas.

Bios of each panel member are attached. Additional information on each panelist is available at their respective organization websites.

It is expected that a resolution will be placed on the City Council meeting agenda for November 19<sup>th</sup> to approve the creation of a panel of experts as outlined above. Following approval of the formation of the panel, the City Manager will enter into contracts with each consultant or associated organization for a total of up to 1500 hours at a negotiated rate of \$250. The panel members will bill on an hourly basis, plus expenses related to travel and accommodations when appropriate. Dr. del Carmen and Dr. Bowman will lead the efforts to assign each panelist with work based on their specialty and expertise. The initial steps of reviewing current policies and practices along with the community listening and information gathering sessions will inform the subsequent phases as the review moves forward. No individual member of the panel is guaranteed a specific amount of work. The co-leads will have the pool of experts to consult with and bring in as needed.

The review process will begin immediately upon contracts finalization and it is expected to continue for several months resulting in periodic reports with recommendations on changes and improvements. A more structured schedule will be developed and refined once the preliminary phases have been undertaken.

If you have any questions concerning this information, please contact Jay Chapa, Assistant City Manager at 817-392-5804 or [Jesus.Chapa@fortworthtexas.gov](mailto:Jesus.Chapa@fortworthtexas.gov)

**David Cooke**  
City Manager

## **Police Policies Review Scope of Work**

In anticipation of the hiring of the Police Monitor, who will be responsible for leading the activities and operations of the Police Oversight Office, and in response to recent officer involved shootings, the City Manager will engage a third-party review of Police Department policies and practices as outlined below. This review will be conducted by national experts with knowledge and experience in police applications of procedural justice, biased based policing, investigative best practices and use of force.

### Phase I

**Goal:** Identify patterns and practices related to police interactions with the public during investigative stops, searches, arrests, and use of force incidents.

- A review and report of the evolution/changes of Police policies related to Stops, searches, arrests, Use of Force, Implicit Bias, De-escalation and Procedural Justice from 2014 to 2019.
- Detailed review of current Stops, searches, arrests, and Use of Force related policies and practices to include training, documentation, accountability, audit, corrective and reporting procedures and technology applications with recommendations on potential improvements.
- Detailed review of policies, training and accountability systems related to achieving biased free policing with recommendations on potential improvements.
- Detailed review of current De-escalation policies, practices and training with recommendations on potential improvements.
- Initiation of community engagement program, conduct community listening sessions, engage community leaders from diverse communities.

### Phase II

**Goal:** Review overall other police policies, general orders and practices related to interactions with the public and citizens to identify opportunities to improve trust and confidence in the police department. These should include Community Policing and Engagement, Misconduct complaints (The apparatus for receiving and acting on internal and external police complaints), Recruitment, Hiring, and Promotions, Critical Incident Interactions (Mental Health) and Interactions with Youths.

- A review of training associated with traffic stops and other more routine police- community interactions. Provide recommendations for improvement.
- A review of accountability and discipline related procedures.
- Our reach throughout the Ft. Worth community to engage diverse community members and develop confidence in the recommendations and reform process.
- Publish report of conclusions and recommendations.

## **REVIEW PANELIST BIOS**

### **Dr. Theron L. Bowman (Team Leader)**

Dr. Theron Bowman began his public service career in 1983 as an officer with the Arlington (TX) Police Department and served in numerous positions before being appointed police chief in 1999. He later served for five years as a Deputy City Manager and Director of Public Safety before retiring in 2017. He is a police practices expert and President/CEO of The Bowman Group.

He has led, managed and participated in police practices investigations and audits in multiple locations, including Albuquerque, NM, Baltimore, MD, Battle Creek, MI, Chicago, IL, Cleveland, OH, Los Angeles County, CA, Maricopa County, AZ, Meridian, MS, Newark, NJ, New Orleans, LA and Seattle, WA. He is a federal court-appointed consent decree deputy monitor in Baltimore, MD, and a multidisciplinary law enforcement expert on the New Orleans, LA and Memphis, TN monitoring teams. His oversight areas include Policies, Training, First Amendment, Stops, Searches and Arrests, Bias-Free Policing, Misconduct Complaints, Recruitment, Hiring, and Promotions.

Dr. Theron Bowman's recognitions include the African American Peace Officer Association of Arlington "Officer of the Year," Proclamation of Achievement from the Texas State Senate and the U.S. House of Representatives, a University of Texas at Arlington "University Scholar and Distinguished Alumni." Theron Bowman assumed the duties of Police Chief in Arlington, Texas in 1999, and in 2003, was presented by the John Ben Shepperd Public Leadership Institute with the Outstanding Local Leader Award. In 2004, the Police Executive Research Forum (PERF) presented him with the Gary P. Hayes Award. In 2005, Chief Bowman was elected to chair the Texas Intelligence Council, and he began his service as a CALEA Commissioner in 2006. He served as an IACP Executive Committee member for more than ten years. Dr. Bowman was inducted into the Evidence-Based Policing Hall of Fame located at George Mason University in 2012. Today he serves as a Director for the National Commission on Crime and Delinquency.

Dr. Bowman received three degrees from the University of Texas at Arlington, a bachelor's in biology, a master's in public administration and a doctorate in urban and public administration.

### **Alex del Carmen, Ph.D. (Team Leader)**

Alex del Carmen received a Ph.D. in Criminology from the College of Criminology at the Florida State University. He is considered an authority on the topic of race and crime with particular emphasis on racial profiling in law enforcement. Dr. del Carmen has written numerous articles in internationally recognized journals and published several books. Among these is the nationally recognized book titled "Racial Profiling in America", which he published with Prentice Hall. Dr. del Carmen has presented his research findings throughout the world (Scotland, Belgium, Slovenia, Spain, United Arab Emirates, and Italy). Over the past 21 years, he has trained thousands of police officers including all the Texas Police Chiefs. In addition, he is responsible for creating the Texas racial profiling statistical template widely used by law enforcement agencies throughout the state.

Dr. del Carmen served as a Federal Monitor for two of the most significant police reform cases in the nation. Dr. del Carmen has resided in the Dallas Fort Worth Metroplex for the past 21 years and continues to engage in consulting on racial profiling and biased based policing with police agencies throughout the country. He was recently named as a Fulbright Specialist by the United States Department of State. This was followed by an invitation by the Czech Republic to train their police personnel at the police academy in Prague. Dr. del Carmen currently serves as a member of the International Association of Chiefs of Police (IACP) Civil Rights Committee.

## **REVIEW PANELIST BIOS**

### **Marcia K. Thompson, J.D.**

Marcia K. Thompson is an attorney and law enforcement practitioner with over 20 years working in the criminal justice field. As a Vice President within the Hillard Heintz Law Enforcement Consulting practice, she provides oversight, management and technical assistance on various law enforcement assessments, trainings and reviews. Marcia has served as a law enforcement administrator within the Department of Safety at the University of Chicago Police Department, where she oversaw professional standards, accreditation, compliance, training, records management, recruitment, field training, in- service training, leadership development, succession planning, community engagement, youth outreach and the community advisory committee in support of the universities transparency and inclusion initiative. Marcia is a Virginia Supreme Court certified mediator as well as a collaborative problem- solver, change management facilitator, and equal employment opportunity (EEO) and civil rights professional. For many years, Marcia has served as a federal fact finder, EEO counselor, trained EEO investigator and hearing officer, providing neutral hearings and drafting administrative appellate determinations.

### **Dr. Rita J. Villarreal-Watkins**

Dr. Rita J. Villarreal-Watkins is the Executive Director of the Law Enforcement Management Institute of Texas (LEMIT). Before her appointment as Executive Director in 2001, she served as the Project Manager for LEMIT's Leadership Command College. Her academic background includes a Bachelor of Science in Criminal Justice from Sam Houston State University, a Master of Public Administration from Texas A&M University, and a doctorate in Educational Leadership and Counseling from Sam Houston State University.

Watkins worked in the criminal justice field for 17 years prior to joining the LEMIT staff. While she began her career as a juvenile probation officer, her move into policing came in 1984 with the College Station Police Department, and finally as Chief Deputy for the Brazos County Sheriff's Office. She is *instructor certified* by the Texas Commission of Law Enforcement Officer Standards and Education as well as an alternative dispute resolution mediator. In 1996 she graduated from the Leadership Command College and in 1995, the 182nd FBI National Academy, where she was selected *section representative* of the academy class. Her teaching and research are concentrated in the areas of cultural diversity issues, leadership development, interpersonal communication, conflict resolution, investigative techniques, and diverse workplaces.

### **Tom Petrowski, J.D.**

Mr. Tom Petrowski is a consultant, practicing attorney and a Visiting Assistant Professor in the School of Criminology, Criminal Justice and Strategic Studies at Tarleton State University.

Mr. Petrowski retired from the FBI after 23 years of diverse service. He spent approximately half of his career in the FBI Legal Program. He was assigned to the Legal Instruction Unit, FBI Academy, Quantico VA, where he was the primary use of force legal instructor and taught law to New Agent Trainees, FBI employees attending in-service training and state and local law enforcement managers and officers attending the National Academy and other specialized legal instruction. He served as the Chief Division Counsel in the Dallas FBI Field Office for approximately five years. As a Division Counsel he provided legal counsel on all criminal and national security programs, policy compliance and internal/administrative and legal training matters. In 2016 he received the *Manuel J. Gonzalez Ethics Award*, the FBI's highest award for ethics presented annually to one of the Bureau's 35,000+ employees.

In addition to his tours in the FBI Legal Program, His FBI national security experience includes leading a counterterrorism team in Iraq in 2004, supervising the North Texas Joint Terrorism Task Force for six years and being detailed to the CIA Counterterrorism Center at Langley, VA. For his service at the CIA, he was awarded the *George Bush Award for Excellence in Counterterrorism* – the CIA's highest counterterrorism award. Mr. Petrowski started his government service as a U.S. Army Officer and served exclusively in Special Forces.

## **REVIEW PANELIST BIOS**

### **Jonathan M. Smith (Washington Lawyers' Committee)**

Jonathan M. Smith was appointed executive director of the Washington Lawyers' Committee for Civil Rights and Urban Affairs on July 1, 2016. Immediately prior to joining the Committee, Mr. Smith was the Associate Dean of Experiential and Clinical Programs at the University of the District of Columbia David A. Clarke School of Law.

Mr. Smith was the Chief of the Special Litigation Section of the Civil Rights Division of the United States Department of Justice from 2010 to 2015. The Section was responsible for pattern or practice investigations of civil rights violations by law enforcement, correctional, juvenile justice, and mental health and developmental disability agencies. Under his leadership, the Section conducted the civil investigation of the Ferguson, Missouri Police Department following the death of Michael Brown. Prior to his government services, Mr. Smith was the executive director of the Legal Aid Society of the District of Columbia, the Public Justice Center in Baltimore, Maryland, and the D.C. Prisoners' Legal Services Project. In each of these positions, in addition to providing program leadership, he has handled individual, class action and impact litigation, engaged in legislative advocacy and in institutional reform efforts. He started his career as an associate to Virginia civil rights lawyer Victor Glasberg.

### **Emily Gunston (Washington Lawyers' Committee)**

Emily Gunston is a Deputy Legal Director at the Washington Lawyers' Committee for Civil Rights and Urban Affairs where she directs and supervises the Committee's criminal-legal-system reform work. Prior to joining the Committee, Ms. Gunston was a Deputy Chief in the Special Litigation Section of the Civil Rights Division of the United States Department of Justice where she helped lead the Division's group conducting pattern or practice investigations of police departments, including litigating and negotiating settlement agreements to resolve investigative findings. Ms. Gunston led the investigation of the Chicago Police Department and played leadership roles in the investigation of and work to reform other police agencies, including the New Orleans Police Department and the Cleveland Division of Police. During her nine years with the Special Litigation Section, Ms. Gunston also investigated and litigated cases regarding jails and prisons. Ms. Gunston was a public defender in Contra Costa County, California from 2001-2009.

### **Lynda Garcia**

Lynda Garcia is the policing campaign director for The Leadership Conference on Civil and Human Rights. In this role, she oversees the New Era of Public Safety initiative to promote fair, safe, and effective policing through collaborative reform. Before joining The Leadership Conference and The Education Fund, Lynda served as a trial attorney in the Special Litigation Section in the Civil Rights Division of the Department of Justice, where she conducted pattern-or-practice investigations of law enforcement agencies and enforced consent decrees to ensure constitutional, bias-free policing. Prior to the Civil Rights Division, Lynda worked at the ACLU national office and the ACLU of New Jersey — challenging discriminatory police practices in communities of color.

In her role as a civil rights attorney and policing expert, Lynda has worked collaboratively with communities and police officials across the country. She brings a breadth of experience centered in the belief that stakeholders with disparate interests and concerns can find common ground. She has testified before Congress on best practices in policing and conducted House and Senate congressional briefings to promote new era of public safety and advance 21<sup>st</sup> century best practice in policing. In addition to authoring the *New Era of Public Safety*, Lynda is the co-author of *Marijuana in Black and White*, a national study documenting racial disparities in marijuana arrests.