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**CITY of DAYTON, OHIO**  
**OFFICE OF THE CITY COMMISSION**

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November 24, 2020

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

FROM: Ariel Walker  
Director, Office of the City Commission

RE: Recommendations on Recruitment Age and Pre-Employment

On October 27, 2020 the Recruitment, Promotion, and Discipline Working Group voted to put forward the following recommendations to the Dayton City Commission:

1. Increase the police recruitment cut-off age to 40
2. Explore options for allowing recruits from other police departments to shorten or bypass the re-employment process and be recruited directly into the police Academy.

In reference to increasing the police recruitment age to 40, the City Commission Requests Additional Information regarding this recommendation. It is our understanding that the Working Group made this recommendation to align with the State of Ohio statute. However, ORC 124.41, Police Department Qualification, states that “no person is eligible to receive an original appointment when the person is thirty-five years of age or older”. The City Commission will provide staff from the Law Department to review this recommendation with the Working Group, and if the Working Group still wishes to move forward, the City Commission will consider this recommendation at that time.

In reference to the recommendation to provide recruits from other police departments a process to shorten or by-pass the pre-employment process, the City Commission Cannot Accept this recommendation.

In 2004, the City changed procedures to create a Professional Firefighter classification to allow for a separate hiring process for individuals that already had their EMT Certification and their Firefighter 1 and 2 Certifications. Changing the process dramatically reduced the number of eligible minority applicants because a smaller percentage of minorities had the required certifications. As a result, in

2008, the Department of Justice filed a lawsuit against the City alleging that the hiring process violated Title VII. The City was required to pay over \$450,000 in damages and enter into a consent decree with the Department of Justice that lasted almost five years.

It is our belief that a similar program for the Dayton Police Department would also be found to violate Title VII because it will reduce the pool of eligible minority applicants. As such, the Dayton City Commission cannot accept this recommendation.

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,



Ariel Walker

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