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CITY of DAYTON, OHIO
OFFICE OF THE CITY COMMISSION

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March 12, 2021

To: Mayor Nan Whaley
Commissioner Matt Joseph
Commissioner Jeffrey J. Mims, Jr.
Commissioner Christopher L. Shaw

From: Commissioner Darryl Fairchild

Re: Police Reform Working Group Recommendations- Training Committee

On March 9th, the Training working group voted to put forward the following recommendations to the Dayton City Commission:

- 1.) Adopt the finalized de-escalation policy as part of the use-of-force policy. Please see the finalized policy below.
- 2.) Include the following items in the Community Orientation portion of the academy:
 - a. Historical significance and acknowledgement of causes of systemic/structural racism
 - b. Citizen voices
- 3.) Community members and police will work together to create a 36- hour curriculum to develop skills related to community engagement and cultural competency. This curriculum should include:
 - a. 16 hours of OPOTA Community Diversity Training
 - b. Community Orientation as described in recommendation two
 - c. Trauma-informed policing training
 - d. Multicultural communications training
 - e. History of the city and demographic information as described in the first recommendation
 - f. Learning phrases/commands in non-English languages commonly spoken in Dayton
 - g. Scenario-based training

- h. Relationship building (Similar to community policing curriculum from DOJ)
- 4.) Require annual cultural competency training
- 5.) Require cultural competency training in roll call
- 6.) Encourage development of cultural competency skills as a part of ongoing professional development. Activities that demonstrate these skills include:
 - a. Seeking advice from diverse community members including but not limited to Black, Hispanic/LatinX, LGBTQ+, Muslim, and/or any other underserved communities members
 - b. Seeking to understand those who are different than their own culture, learn the demographics of their assigned area and become familiar with customs and language
 - c. Striving to learn more, ask questions and form relationships with the citizens they serve

Per the working group's charter, the Dayton City Commission has 30 days to respond to the group with one of three options: accept the recommendation, reject the recommendation, or ask the group for further information to be able to evaluate the recommendation.

Accepting this recommendation does not mean that it will be implemented within the 30 day time window. Instead, it means that the City Commission directs the City Manager, Dayton Police Department, or other applicable entity to take action to implement this recommendation as soon as is practicable.

Thank you for your consideration of these recommendations.

Sincerely,



Darryl Fairchild
Commissioner

Cc: Ms. Dickstein
Mr. Parlette
Ms. Lofton

Ms. Doseck
Ms. Walker
Chief Biehl

II. DE-ESCALATION

It is the policy of the Dayton Police Department that officers hold the highest regard for the sanctity of human life and the inherent dignity, liberty, and worth of all individuals. De-escalation is a desired outcome achieved by utilizing decision-making, communication, and tactics to resolve conflict, or potential conflict, ethically based on the preservation of life and the life priority system. It is understood that at times situations and circumstances warrant that an officer must exercise control of a violent or resisting subject in order to make an arrest, or to protect the officer, other officers, or the public from the risk of imminent harm.

De-escalation tactics and techniques are actions used by officers, when safe and feasible without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance.

De-escalation may take the form of scene management, team tactics, and/or individual engagement. Even when individual engagement is not feasible, de-escalation techniques including scene management and team tactics such as time, distance, and shielding, should still be used unless doing so would create undue risk of harm to any person due to the exigency/threat of a situation.

Clearly, not every potentially violent confrontation can be de-escalated, but officers have the ability to impact the direction and the outcome of many situations that they encounter, based on their decision-making and the tactics that they choose to employ. Officers are expected to recognize that their approach, such as tone and body language, to a civilian interaction may influence whether a situation escalates to the need of using force. It is the policy of the Dayton Police Department that officers resolve situations in an impartial manner, free of bias, and in accordance with applicable laws and the policies of this department.

A. General De-escalation considerations

When feasible, officers should collect information and attempt to assess the situation, threats, and risks posed by the scene. Officers shall approach the situation so as not to precipitate an unnecessary, unreasonable, or disproportionate use of force by placing themselves or others in undue jeopardy.

B. De-escalation options

Selection of de-escalation options should be guided by the totality of the circumstances with the goal of attaining voluntary compliance. Officers should be cognizant of tactical positioning. Scene stabilization assists in transitioning incidents from dynamic to static by limiting access to unsecured areas, limiting mobility and preventing the introduction of non-involved community members. Considerations include:

1. **Communication:** Officers are safer and more effective when they can use words and other communications skills to their tactical advantage. Officers should use techniques intended to gain voluntary compliance, such as:
 - a. Verbal persuasion: Advisements and warnings should be given in a calm and explanatory manner.
 - b. Clear instructions. Officers should ask questions or make requests clearly, and one at a time.
 - c. Using verbal techniques such as active listening, verbal judo, or use of open-ended questions to establish rapport, calm an agitated subject, and promote rational decision-making
 - d. Avoiding language, such as taunting or insults, that could escalate the incident
 - e.) Officers should consider whether any of the following factors may contribute to a subject's non-compliance or if their non-compliance is a deliberate attempt to resist:
 - (1) Medical conditions

- (2) Mental impairment
- (3) Developmental disability
- (4) Physical limitation
- (5) Language barrier
- (6) Drug interaction
- (7) Behavioral crisis
- (8) Fear or anxiety
- (9) Past history/ experiences

2. **Time:** Officers should attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution. Distance and cover also add to officers' time to react to person's actions.
 - a. Avoiding or minimizing physical confrontation, unless necessary (for example, to protect someone, or stop dangerous behavior)
 - b. Calling extra resources or officers to assist, such as CIT or non-lethal munitions
3. **Distance:** Maximizing tactical advantage by increasing distance to allow for greater reaction time. Officers should recognize that they may withdraw or reposition to a location that is tactically more secure or allows them greater distance in order to consider or deploy a greater variety of force options.
4. **Shielding:** Utilizing cover and concealment for tactical advantage, such as:
 - a. Using existing barriers in the immediate environment
 - b. Placing obstructions between an uncooperative subject and officers

C. **Team De-escalation**

Team approaches to de-escalation are encouraged and should consider officer training and skill level, number of officers, and whether any officer has successfully established rapport with the subject. Where officers use a team approach to de-escalation, each individual officer's obligation to de-escalate will be satisfied as long as the officer's actions complement the overall approach

D. **Supervisors role in De-escalation**

The prospect of a favorable outcome is often enhanced when supervisors become involved in the management of an overall response to potential violent encounters by coordinating resources and officers' tactical actions. Supervisors should possess a good knowledge of tactics and supervise officers under their command in regard to proper training standards. As a good practice, supervisors will acknowledge and respond to incidents in a timely manner where law enforcement use of force is probable.