



# *News Release*

## **Dallas Police Department**

**Police Media Relations Unit**

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### **Message from Dallas Police Chief David O. Brown**

Today, I reviewed a copy of the policy and procedure recommendations made by Mother's Against Police Brutality. I share many of their concerns and agree on a number of the recommendations that were brought forth. I look forward to working with this group, and moving forward towards positive changes for our department.

I would like to address each individual recommendation that was presented:

**1. Implement and enforce a real preservation of life policy.**

Response: "Protection of human life is a primary goal of the Police Department; therefore, police officers have a responsibility to use only the degree of force necessary to protect and preserve life." This is the philosophy of the Dallas Police Department's current Deadly Force Policy.

**2. Grant meaningful subpoena power to the Dallas Police Civilian Review Board.**

Response: The Dallas Police Department does not have the authority to grant subpoena power to the Dallas Police Civilian Review Board. This would require Council action.

**3. Assign independent investigators to the Civilian Review Board to prepare cases concerning police misconduct and excessive force.**

Response: The Dallas Police Department does not govern the Dallas Police Civilian Review Board and does not have the authority to assign independent investigators.

**4. Amend the deadly force policy from shoot to kill to shoot to disable.**

Response: The Dallas Police Department's deadly force policy does not include terminology that reflects "shoot to kill." The response to question number 1 above, will appropriately address this concern.

**5. Implement training for officers on how to properly interact with minority person, including, but not limited to use of force in annual and periodic training.**

Response: The Dallas Police Department currently provides all new officers training in multiculturalism and human relations along with the use of reasonable alternatives.

The department believes that we can always improve in this area of training. The department will work with Mothers Against Police Brutality and other groups to improve and enhance our current curriculum to include best practices from departments and agencies around the country. In addition, the department is in the process of “field testing” body cameras to be worn by all field officers.

- 6. Make statistics available on the race of civilian and police officer publicly available, including but not limited to publication digitally of DPD’s encounters involving use of force and officer involved shootings.**

Response: See attached chart.

- 7. Agree to maintain the records of implementation of above steps for the next 10 years.**

Response: Agree

- 8. Allocate state and federal resources to create a community-based, independent task force to research best practices that have come from critical incidents or institutional failures in public safety from around the nation. This task force will conduct a review of the recommendations stemming from the 1988 Congressional Hearing that occurred in Dallas. This task force should be comprised of members of the Dallas Police Civilian Review Board and community group of stakeholders.**

Response: The Dallas Police Department’s Planning Unit is currently conducting a review of the recommendations stemming from the Congressional Hearings. We are also reviewing the policies of Las Vegas, Philadelphia and Seattle along with other major cities.

- 9. Review and revoke the new shooting investigation policy that allows officer involved in shootings 72 hours to view available video footage, evidence and grants them access to investigative reports done by DPD before making an official report.**

Response: All officers have a constitutional right to due process. The policy that was implemented is fair and balanced with studies on critical incident stress related to officer’s memory. In police involved shootings, officers have the right to refuse to talk to investigators as a part of the criminal investigation. The Department can compel officers to provide a statement to Internal Affairs as a part of the Administrative Investigation; however, by law, the statement cannot be used against an officer in criminal proceedings.

- 10. Immediate implementation of policy changes DPD Chief Brown announced in 2012 to address community concerns of excessive force and misconduct to minority citizens, namely:**

- a. **Implement and formalize a process of concurrent investigative review with the FBI Civil Rights Office of all officer involved shootings.**
- b. **Implement a comprehensive Response to Resistance reporting system for a more detailed analysis of incidents involving violence against officers and their response.**
- c. **Develop a formalized foot pursuit policy.**

- d. **Fully re-activate the Digital Video Recorder (DVR) Review Team to build public confidence that the Department proactively examines office performance to ensure compliance with departmental and public expectations.**
- e. **Implement a mandatory electronic control weapon (Taser) training policy for all officers.**
- f. **Enhance the Department's consensual search policy to include the requirement of written and/or recorded consent.**

Response: All of the policy changes have been implemented.

- 11. **Dallas District Attorney's provide investigators on the crime scene to immediately investigate complaints and office involved shootings from the onset, rather than waiting for DPD Internal Affairs to supply them with evidence.**

Response: We believe that the FBI's formal review process appropriately addresses this concern.

### **Second Update on Officer Involved Shooting from 12/9/13**

On December 9, 2013, covert officers located a second vehicle that was taken in a violent carjacking on December 8, 2013 (311021-A). This vehicle was parked near the vehicle that was carjacked in this incident, which became occupied by Subject Walker and the unknown suspect driver. The second vehicle was recovered by detectives and maintained as evidence, processed and released to its owner. There were two other Aggravated Robbery Offenses that occurred in the vicinity that are believed to be related to the violent carjacking that led to this shooting.

On December 10, 2013, detectives conducted an additional canvass of the St. Augustine Town Homes where the officer involved shooting occurred. Additional witnesses were identified and interviewed by detectives. These witnesses stated that they heard but did not observe the incident. Additional suspects are being sought.

DPD efforts to enhance the in-car dash video of the incident are ongoing.

Subject Walker remains in critical condition at last report. Detectives plan to interview Subject Walker once he is able to speak with them. He has not been charged with a criminal offense at this time.

Officer Wilburn is currently on Administrative Leave. She is scheduled to interview with detectives on Friday, December 13, 2013.

### **Officer Involved Shooting from 12/9/13**

On December 9, 2013, at about 3:05 p.m. Dallas Officers Amy Wilburn, #8111, Jason Correa #9314 and Matthew Terry #8915 responded to a motor vehicle taken in an Aggravated Robbery. The victim reported multiple suspects approached him at gunpoint and he was shot at twice as he ran from his vehicle at 9500 Bruton Road (Case Number 311447A). The complainant had recently purchased the vehicle.

Officer Correa made contact with the lien holder, who then informed him of its location based on GPS data at 9500 Military Parkway. Covert officers responded to the area and located the vehicle and maintained surveillance. Shortly thereafter, covert officers observed two males enter the vehicle and begin driving away. They radioed for uniform officers to make a traffic stop.

Officers Wilburn and Correa, who were in full uniform and in marked squad cars, were nearby and observed the carjacked vehicle driving south on St. Augustine Road from Military Parkway. Officer Wilburn activated her red lights in order to conduct a felony traffic stop. The suspect vehicle increased speed and turned right into the St. Augustine Town Homes and continued west bound in the complex. The driver of the suspect vehicle slowed, opened the driver's side door, exited and began running as officers gave loud verbal commands to stop. This unknown suspect was not apprehended. The carjacked vehicle was left in gear and continued to move forward. Officer Wilburn approached to stop its progression unaware that Kelvion Walker B/M/19 was in the front passenger seat. Officer Wilburn perceived Walker to be an imminent threat, drew her weapon and discharged it once striking him.

An independent civilian witness observed the shooting and was brought to Police Headquarters to provide a statement. The witness reported Walker was reclined in the front passenger seat and appeared to be holding both hands up at the time of the shooting.

DPD is reviewing in-car dash-cam video of the incident. Efforts are on-going to enhance the video to assist in the investigation. No weapon was located at the scene.

Subject Walker was transported to an area hospital where he remains in critical condition at last report. He has not been charged with a criminal offense at this time.

Officer Wilburn has been placed on Administrative Leave. She is a twelve year veteran of the Department assigned to the Southeast Patrol Division.