
From: Kingston, Philip [mailto:philip.kingston@dallascityhall.com]
Sent: Sunday, December 01, 2013 09:20 AM
To: Brown, David
Subject: RE: officer-involved shootings

I understand your reasoning, but it seems to support the idea of treating all witnesses this way.

From: Brown, David
Sent: Sunday, December 1, 2013 9:18 AM
To: Kingston, Philip
Subject: Re: officer-involved shootings

This is a best practice...consistent with their due process legal right...officers are still required to make verbal statements to us at the scene in what's called the "walk through" but aren't required to write out their statement in a sworn affidavit....

Its important to remember that our officers like any other citizen have the write to remain silent because the statements they write can be used against them in a court of law....

Employment law allows the department to compel officers to give statements but then it can't be used against them in a criminal trial...

I've taken the position to criminal charge officers in these situations instead of just terminate their employment so it becomes important to insure they are given their due process rights with the appropriate time experts say is needed to be the most accurate

From: Kingston, Philip [mailto:philip.kingston@dallascityhall.com]
Sent: Sunday, December 01, 2013 09:04 AM
To: Brown, David
Subject: officer-involved shootings

Is this a good idea? It looks bad. Would we allow a non-officer witness 72 hours to think about a statement? If your statements about memory are true, I guess we should.

<http://www.dallasnews.com/news/metro/20131127-dallas-police-chief-david-brown-quietly-changes-shooting-investigations-policy.ece>

From: Brown, David
Sent: Sunday, December 01, 2013 9:35 AM
To: Kingston, Philip
Subject: Re: officer-involved shootings

If they are criminal defense attorneys they wouldn't want their client speaking with us without them present or writing anything down in a sworn statement without their review and deliberation...they will want to take more than the three days we are giving officers...

From: Kingston, Philip [<mailto:philip.kingston@dallascityhall.com>]
Sent: Sunday, December 01, 2013 09:24 AM
To: Brown, David
Subject: RE: officer-involved shootings

Believe it or not, I always try to contact our folks before I do anything with the media. And response on Sunday is not necessary.

2 lawyer friends of mine jumped me about this issue last night. They hate it.

From: Brown, David
Sent: Sunday, December 1, 2013 9:22 AM
To: Kingston, Philip
Subject: Re: officer-involved shootings

Thanks for contacting me instead of just reacting to what you read in the paper...reporters can't always get the whole story in the space they have

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From: Brown, David
Sent: Sunday, December 01, 2013 9:37 AM
To: Kingston, Philip
Subject: Re: officer-involved shootings

I appreciate that

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Sent: Sunday, December 01, 2013 09:04 AM
To: Brown, David

From: Brown, David
Sent: Tuesday, November 26, 2013 12:34 PM
To: [REDACTED]
Subject: Re: Police shooting investigations

The walk through process is unchanged

From: Hallman, Tristan [mailto:[REDACTED]]
Sent: Tuesday, November 26, 2013 12:21 PM
To: Brown, David
Subject: Re: Police shooting investigations

Thank you very much.

One more thing, if you don't mind -- how does this policy impact officers' walk-throughs at the scene? In other words, do the officers still give public safety statements so investigators can begin their work piecing together what happened? Or do they wait until an attorney is present and then decide what to say and what not to say?

Have a good vacation and a good Thanksgiving. Thank you again for responding so promptly.

Tristan Hallman
Reporter
The Dallas Morning News
214.977.2995

On Tue, Nov 26, 2013 at 11:57 AM, Brown, David <david.brown@dpd.ci.dallas.tx.us> wrote:
I'm on vacation this week so If you don't mind I'll send you my comments via this email...

It is my belief that this decision will improve the investigation of our most critical incidents. While there is no consensus among the Chiefs of the major cities in this area, the science of memory is fairly conclusive on this issue.

Sent from my iPad

On Nov 26, 2013, at 9:42 AM, "Hallman, Tristan" <[REDACTED]> wrote:

Hey Chief,

I'm working on a story about your recent change the police policy to give officers involved in shootings (those who fired and those who witnessed the shooting) 72 hours and the chance to see any available video before they make their statements.

I've talked to a few memory experts who believe you've made the right call. But I was hoping to talk to you about it today if you have the chance. Would that be possible?

Thank you, sir.

Tristan Hallman
Reporter
The Dallas Morning News
214.977.2995