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FOR IMMEDIATE RELEASE: 02/16/2023

A Message from Theresa G. Haire, the Public Defender of Montgomery County

Dayton, OH, February 16, 2023:

A message from Theresa G. Haire, the Public Defender in Montgomery County:

I am here this evening to address my concerns about the potential implementation of FUSUS technology in the poorest areas of Dayton. I have spent decades of my career defending poor people accused of crime, many from the areas that will be covered by this technology.

Technology that purports to be “incident-driven” often results in the search and/or arrest of people who have no relation to the incident. The recent use of the “Shot Spotter” technology was also “incident-driven.” Yet, my colleagues and I repeatedly defend cases where police respond to a shot, see an individual (frequently a young man of color), stop them, conduct a search, and recover a miniscule amount of drugs – but no gun.

These stops don’t always result in a charge; however, they often subject the person stopped to a confrontation with the police, which has potential for escalation and use of force. Anecdotally, these stops are a recurring problem in these neighborhoods.

The current proposal offers no structured guidelines nor oversight on how the technology will actually protect our citizens’ privacy. This brings me to my second concern, based upon my participation on the Dayton Police Reform’s Use of Force Committee.

After George Floyd’s murder, Dayton Police Reform became an urgent priority for city leaders. In June of 2020, five working groups comprised of community members, police, and city lawyers formed. Mayor Mims and I served in these groups to address Use of Force policies.

Over a year later, we recommended reforms largely based on the Cleveland Police Department’s reform initiative. CPD officers provided their Dayton compatriots information that verified use of force incidents decreased, as did civil litigation costs against the department. That was in 2021. Here we are in 2023, and the recommendations are still pending.

My point is, if you don’t build guardrails now to protect your constituents’ privacy, you may never have an opportunity to do so in a way that preserves trust.

About the Public Defender’s Office: The Law Office of the Public Defender provides legal representation to citizens accused by the government of criminal conduct that can result in a loss of freedom. We defend cases including Felonies, Misdemeanors, Appeals, and Juveniles. We provide these legal services to all persons and base qualification decisions solely on economic status.