



**Request for City Council Committee Action
from the Department of Civil Rights**

Date: February 20, 2003

To: HEALTH AND HUMAN SERVICES COMMITTEE
PUBLIC SAFETY AND REGULATORY SERVICES COMMITTEE

Referral to: None

Subject: Amendments to Ordinances for Civilian Review Authority [M.C.O. Chapter 172] and Civil Rights [M.C.O. Chapter 141]

Recommendation: That the Council approve the amendments to M.C.O. Chapter 172 [Civilian Review Authority] and M.C.O. Chapter 141 [Civil Rights] after Public Hearing.

Previous Directives: On December 28, 2002, the City Council approved a plan to integrate the Civilian Review Authority into the Department of Civil Rights

Prepared or Submitted by:

Approved by:

Vanne Owens Hayes
Director of Civil Rights

Presenters in Committee: Vanne Owens Hayes

Financial Impact

No financial impact (If checked, go directly to Background/Supporting Information)

Community Impact City Goals

Background/Supporting Information Attached:

- See attached amendments to M.C.O. Chapter 172 [Civilian Review Authority] and M.C.O. Chapter 141 [Civil Rights]
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Highlights of Amendments to M.C.O 172 Civilian Police Review Authority

1. Reduces complaint process from 120+ days to 96 days.
2. Adds "Retaliation for filing a complaint with the Review Authority" to scope of authority.
3. Increases Police Chief's accountability
4. More accessible for Complainant – provides greater opportunity for Complainant to be heard.
5. Changes standard of proof to usual civil standard of 'preponderance of the evidence'

6. Complainant has opportunity to be heard before 3-member panel of 7 member board whether findings are sustained or not sustained
7. Hearing panel may consider all reliable and credible evidence presented.
8. Complainant may request reconsideration before full board. [appeal process]
9. Retains mediation as an effective resolution tool
10. Provides for tracking trends and reporting on a quarterly basis.
11. Institutionalizes an outreach component of Civilian Review to maximize community awareness and involvement
12. Involves CRA in police training and policies including cultural awareness training.
13. Includes CRA assessment in annual performance review of Police Chief
14. Continues to report to PS&RS Committee
15. Provides improved staff assistance to Complainant throughout process [Community Outreach Advocate]
16. Establishes “Firewall” between the Authority and the Director of Civil Rights. Manager of Civilian Review Authority determines whether or not the complaint is sustained. The Director of Civil Rights is not involved in the investigation or resolution of the complaint.
17. Retains requirement of Police participation which is compelled under **Garrity** and City Policy.