

Citizen Review Boards and Public Safety Commissions





Tonight's Discussion

- Citizen Review Boards
 - Definitions
 - Initiated by local government
 - Initiated by consent decrees
 - Types of review boards

- Public Safety Commissions
 - FPD Citizens Liaison Committee



Definitions

- **Citizen Review Board:** A body of civilians dedicated to reviewing and improving police officer conduct. These agencies are an implementation of citizen oversight. This form of police accountability often gives the broader non-police community a medium to voice concerns and provide criticism of law enforcement operations. (Source: Wikipedia)
- **Consent Decree:** If there is substantial evidence of systematic abuse, the Department of Justice then begins the process of negotiating an agreement with the police department, city officials and those communities directly impacted by the abuse. Once the agreement is solidified, it then goes before a federal judge for approval and a federal monitor is assigned to oversee the reform process.
- Sometimes, but not always a civilian oversight board is required by the consent decree.



Agencies Under Consent Decrees

- Baltimore PD
- Newark PD
- Ferguson PD
- Maricopa County SO
- Cleveland PD
- Albuquerque PD
- Los Angeles County SO
- Portland Police Bureau
- Puerto Rico PD
- New Orleans PD
- East Haven CT PD
- Seattle PD
- Warren OH PD
- US Virgin Islands PD



Citizen Review Board Type 1

- *Citizens investigate* allegations of misconduct by officers and make recommendations to the chief
- Recommendations may be made on the findings, the discipline imposed, or on police policies
 - Most costly: Requires hiring investigators
 - Berkley CA – Average cost per complaint: \$4,864
 - Flint MI – Average cost per complaint: \$555
 - Minneapolis MN – Average cost per complaint: \$3,171
 - San Francisco CA – Average cost per complaint: \$2,237



Citizen Review Board Type 2

- Police Agencies investigate the complaint and develop findings; *citizens review and recommend* that the chief either approve or reject the findings
 - Less expensive; typically staffed by volunteers
 - Orange County CA – Average cost per complaint: \$444
 - St. Paul MN – Average cost per complaint: \$523
 - Rochester NY – Average cost per complaint: \$4,269
 - Tucson AZ – Average cost per complaint: \$755



Citizen Review Board Type 3

- *Complainants may appeal findings* established by the police department *to a group of citizens*, who review them and then recommend their own findings to the chief or sheriff
 - May be inexpensive if the review board is made up of volunteers
 - Portland OR – Average cost per complaint: \$361



Citizen Review Board Type 4

- *An auditor investigates the process* by which the police department investigates complaints and reports on the thoroughness and fairness of the process to the department and the public
 - Mid-level expense range – requires hiring a professional auditor
 - Tucson AZ* – Average cost per complaint: \$755
 - Portland AZ* – Average cost per complaint: \$361

* Portland has a citizen appeals board (type 3) and an auditor who monitors the police bureau's complaint investigation process (type 4); Tucson has both a citizen board that reviews internal affairs findings (type 2) and an auditor (type 4).



Civilian Review Board Pros:

- **Complainants report feeling:**
 - “Validated” when the oversight body agrees with their allegations—or when they have an opportunity to be heard by an independent overseer regardless of the outcome
 - Satisfied at being able to express their concerns in person to the officer
 - They have contributed to holding the department accountable for officers’ behavior
- **Police Administrators report:**
 - Improved relationships with their communities
 - Improved quality of internal investigations
 - Review Boards can make valuable policy recommendations



Civilian Review Board Cons:

- Unnecessary – Existing internal staff already conduct investigations and hold officers accountable for misconduct
- Costly – Depending on the type of board, the cost per investigation ranges from \$361 to \$4,864 per complaint
- Embarrassing to the officer if held/judged in public hearing
- Current risk of civilian Personnel Boards overturning a Chief's termination of a Police Officer fired for misconduct could be exacerbated
- Undermines Chief's authority – *Reports suggest that civilians are consistently more lenient on officers than police administrators

* <https://www.latimes.com/local/lanow/la-me-ln-lapd-discipline-change-20170109-story.html>

Public safety Commissions

- The City Charter, authorizes the City Council to create commissions and to grant to them duties and powers consistent with the Charter
- Commission members are appointed by and serve solely at the discretion of the City Council
- Commissions are given specific guidelines surrounding its purpose and authority



<https://www.flagstaff.az.gov/994/Boards-Commissions>



Public Safety Commissions

- Austin Texas Public Safety Commission
 - Makes budgetary and policy recommendations
 - Assists with long range planning
 - Advises on applications for state and federal grants
 - For Police, Fire and Emergency medical services



Public Safety Commissions

- Town of Castle Rock Colorado
 - Recommendations on levels of service
 - Community public safety issues
 - Funding for Police and Fire Departments



Public Safety Commissions

- Malibu Public Safety Commission
 - Operating and capital budgets,
 - Strategic planning,
 - Goals and objectives for staffing, facilities and community needs
 - For Police, Fire, Emergency Medical Response, Animal Control and Traffic



FPD Already has a Culture of Doing It Right:

- Early warning system
- Robust complaint, use-of-force, and vehicle pursuit investigation practices
- Unrivaled dedication to transparency
- Complainant can meet with the chief to review the complaint and body camera footage
- Citizen Liaison Committee (synopsized complaints to them)
- Prioritization of De-escalation, Implicit bias, & Mental Health Crisis training
- Longstanding positive relationships with community stakeholders



FPD Citizens Liaison Committee (CLC)



- Formed in 2015 to improve the communications process between the Department and community
- Meets monthly and has organized public meetings for our community every quarter since 2015
- Topics: use of force policies, know your rights, know an officer's authority, gangs in Flagstaff, Mental Health resources, etc..
- Made up of members who represent some of the typically underrepresented segments of our community
- To encourage community members to provide information about the police department without any fear of retribution and to act as a forum to address societal concerns
- Contact: flagstaffpdclc@gmail.com

Council Questions & Discussion

