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# IRO SUBCOMMITTEE MINORITY REPORT

## FRAMEWORK FOR POLICE OVERSIGHT AGENCY

### OBJECTIVE

Improvements in the areas of Transparency, Independence and Allocation of Resources are essential.

The following recommendations are more specific to the IRO function but are obviously dependent on concurrent and complementary changes in the POC and APD/IA functions.

### TRANSPARENCY

The IRO Office should:

- Develop a strong auditing function to monitor APD programs, functions, processes, procedures including Internal Affairs investigations. Acquire this capability through hiring professional staff, utilizing the services of the City's Independent Auditor or contract with outside agencies.
- On an annual basis, develop an audit plan for submission to and approval of the POC. The Plan may include Performance audits for accountability, efficiency and effectiveness as well as Assurance audits (forensic, evidentiary based) as determined by the IRO and approved by the POC. When completed audits shall be published and made widely available to the public.

- Continue and enhance efforts to provide information to the public, within legal parameters, about the CPC including specific complaints' information and work towards greater transparency by removing administrative, procedural and legal obstacles whenever possible.
- Expedite the intake, assignment, review, investigation and disposition of CPC's
- Continue and improve efforts in the area of informal complaint resolution and mediation. In cases suitable for mediation private mediation services should be employed rather than APD mediators.
- Continue and enhance efforts to analyze trends and identify potential systemic issues in coordination with and approval of the POC.
- Continue and enhance community outreach programs in coordination with the POC.
- The IRO office should have a formal role in all CPC investigations, officer involved shootings, in-custody deaths and monitor all APD use of force cases.

### INDEPENDENCE/RESOURCES

- The civilian police oversight program should be established as a quasi-public agency. There are plenty of examples to model after. Locally a modified version of the Inspector General Ordinance or better yet the Urban Development Agency (no longer in existence) could be considered.
- A special "fund" should be established to provide adequate resources to the program and better protect it during the annual City budget process. For example a set aside equal to just one half of one percent of the current APD operating budget (FY-14 \$153M) would likely provide adequate resources to staff up the IRO office, training and "per diem" or a modest stipend for POC members.

- The Agency would generally function in a checks and balances system where the IRO would be the executive and the POC would provide the policy oversight (IRO proposes POC disposes).
- POC should focus more on policy and systemic issues and less on specific complaints. POC should review all IRO investigations and findings for trend analysis and hear CPC appeals. The IRO should provide aggregate information on all cases and whenever appropriate, as much information as possible on specific cases to inform the policy discussion of the POC.

### STRUCTURE AND AUTHORITY

- POC should be composed of 5 to 7 members, balanced between special expertise and representation of affected population segments. The POC members should be appointed at large by Mayor/Council.
- A three member committee (MCJC) should be established, composed of the Mayor, the President of the City Council, or their designated representatives and a retired Judge selected by the Mayor and Council. The MCJC would have the authority to hire and fire the IRO and be the final arbiter on appeals of citizen complaints against police.
- Disciplinary authority for APD personnel should remain as is: within the APD command structure and the Chief Administrative Officer per the Merit System Ordinance and the City Charter.
- POC should be involved in an advisory capacity in the selection and annual performance evaluation of the IRO with the MCJC the final authority.
- The terms of the POC members should be staggered every two years, the IRO contract term should be extended to four years.