

APPENDIX A: NATION-WIDE POLICE OVERSIGHT SYSTEMS⁵⁷

Albany, New York

Agency: Citizens' Police Review Board

Jurisdiction: Albany Police Department

Population: 95,658

Department Size: 340

Annual Budget: The Board has no independent budget of its own. The City of Albany has appropriated money in its budget to contract with the Government Law Center at the University of Albany Law School to provide the services necessary to staff and operate the Board, including an allocation to pay the Board's independent monitors/investigators.

Staff: 5 part-time staff; one (primary) attorney, the Director of the Government Law Center, two administrative Government Law Center staff, and one law student intern.

Structure: The Citizens' Police Review Board (CPRB) consists of nine members. Board members are appointed by the Mayor and Common Council. Members of the Board serve three-year, staggered terms and cannot serve more than two consecutive terms, but may be considered for reappointment after one year of non-membership. The Common Council has the authority to remove Board members with a two-thirds vote.

Subpoena power: No.

Complaint Process

Intake: Complaints about police misconduct must be in writing using the City of Albany Police Department complaint form and can be filed two ways: with the CPRB which then forwards the complaint to the Department within two working days; or with the Department, which then forwards the complaint to the CPRB within two working days. Complaints must be filed within six months of the date of the incident unless a majority of the Board's members votes to accept a complaint more than six months old.

Informal Resolution: Mediation may be used at any point during the complaint process and can be requested by either the complainant or the officer. Mediation may proceed only upon agreement of the officer with approval of the Department. Mediation suspends investigation of a complaint. If a resolution is reached, the CPRB renders a finding of "mediated" and the allegations are deleted from the officer's CPRB history. If a resolution is not reached, the complaint continues through the complaint review process until conclusion.

⁵⁷ Review of National Police Oversight Models for The Eugene Police Commission, Police Assessment Resource Center (PARC), February 2005.

Formal Investigation: Within the Police Department, the Professional Standards unit investigates each complaint. The Chief provides the Board with quarterly updates on investigations. If the complaint alleges excessive force or a violation of civil rights, the Board observes and monitors the investigation and critically analyzes the investigation process.

The investigation should be concluded within 60 days of receiving the complaint. If not, Professional Standards updates the Board every 30 days until the conclusion of the investigation. Within ten working days of the conclusion of its investigation, Professional Standards submits a preliminary report of the Department's findings to the CPRB. The Board may then make its finding, request further investigation, request further case specific information, including written materials, audio or video tapes, and related documents, or refer the complaint to mediation. On complaints of excessive force or civil rights violations, the Board, if dissatisfied with the additional investigative effort and quality of review by the Chief or Mayor, may seek authorization from the Council, for an investigation by an outside investigator. The independent investigator is chosen from a panel of investigators recommended by the Government Law Center and approved by the Common Council and the Mayor.

Findings: The Board may make one of the following findings on the case: sustained, not sustained, exonerated, unfounded, ineffective policy or training, no finding, or mediated. After the review process, the CPRB notifies the Chief, the officer and the complainant of its findings. The Chief makes the final determination and disciplinary disposition and notifies all involved parties. If the Chief's findings and discipline are inconsistent with the CPRB findings, the CPRB may request a written explanation of the Department's final disposition.

Appeals: No appeals process is provided for.

Agency History: Created in 2000.

Working Relationship with police department, city officials, community members, etc.: According to a Board staff member, since its establishment in 2000, the Board has enjoyed a very good working relationship with the Department, and a good, though sometimes strained, working relationship with the union. Members of the Department attend CPRB monthly meetings, and the Board regularly meets with members of the Department. One hot button issue is mediation. The union is concerned about the protection of officer rights under the current mediation program, and has advised its officers not to participate until the union's concerns are addressed.

The Board staff member also indicated that the Board has enjoyed a very good working relationship with City officials, community members, and community organizations. The Board regularly meets with the Mayor and/or Deputy Mayor. Several community groups regularly attend the Board's monthly meetings, and these groups are actively involved in supporting the Board's policy review and recommendation efforts.

Additional Information: The Board holds regular monthly public meetings and issues quarterly and annual reports.

Berkeley, California

Agency: Police Review Commission

Jurisdiction: Berkeley Police Department

Population: 102,743

Department Size: 200

Annual Budget: Approximately \$280,000

Staff: 4

Structure: The Berkeley Police Review Commission (PRC) consists of nine members. Each City Council member appoints one Commissioner. Commissioners must be residents of the City. Members serve two-year terms. Commissioners receive \$3 per hour to a maximum of \$200 per month.

Subpoena power: Yes.

Complaint Process

Intake: Complaints must be written, signed by the aggrieved person, and filed within 90 days of the incident. The Commission must forward a complaint to Internal Affairs within 30 days. The Commission may grant a 90-day extension period. When an extension is granted, however, the findings of the Commission will not be considered in any disciplinary actions; nor are the subject officers required to testify. While the Commission is required to forward all complaints to IA, IA is not required to send all complaints it receives to the PRC.

Informal Resolution: Mediation may be used for all complaints except those involving the death of an individual. The Department, PRC, complainant, and subject officer all must agree to mediation before mediation is attempted. Mediation sessions are held before one Commissioner and involve the complainant and subject officer. Either party can appeal the mediator's decision within ten days. Five Commissioners must vote to review the appeal. If granted, the Commission can reinstitute mediation, dismiss the complaint, or order a formal investigation.

Formal Investigation: The Commission and IA investigate complaints independent of one another and often at the same time. Officers are required to participate in a Commission investigation.

Hearings: The Commission may dismiss any or all allegations in a complaint in one of five ways: allegations are found to be without merit after reviewing the investigative file, by a unanimous vote to dismiss, recommendation by the investigator to dismiss, a Commission motion to dismiss, or a motion by the subject officer to dismiss. Involved parties are notified of a dismissal; however, dismissed complaints are not referred to the Chief or City Manager. If a complaint is not dismissed after a completed Commission investigation, a Board of Inquiry is held. The Board, made up of three Commission members, hears testimony, allows for questioning of complainants, officers, and witnesses, and reviews evidence.

Findings: The Board may find as follows: unfounded, exonerated, not sustained, and sustained. Board findings are forwarded to the City Manager and the Chief of Police. The Chief, however, may have already made a final disposition based upon IA's investigation. While the City Manager has final authority over discipline, in reality the Chief decides whether or not to follow findings from the internal investigation.

Appeals: A complainant or officer may appeal within 15 days of receiving notification from the Commission of its resolution of the complaint. Appeals are granted if new evidence has been discovered.

Other Functions: The PRC reviews and makes recommendations on BPD policies and also holds public forums allowing Berkeley citizens to voice concerns relating to BPD policies and procedures. The Commission issues quarterly reports to the City Council and City Manager.

Agency History: The PRC was created in 1973 after community outcry relating to allegations of excessive force in handling street people.

Boise, Idaho

Agency: Office of the Community Ombudsman

Jurisdiction: Boise Police Department; Boise Airport Police; Boise Parking Enforcement; Boise Code Enforcement

Population: 181,711

Department Size: 280

Annual Budget: \$250,000

Staff: 3

Structure: The Boise Ombudsman is appointed by the Mayor and confirmed by the City Council. The Ombudsman may be removed from office upon a recommendation from the Mayor and a majority vote of the Council. The Ombudsman reports directly to the Mayor and City Council.

Subpoena power: No, but can compel officers to give testimony that can only be used in administrative proceedings.

Events/conditions precipitating creation of oversight mechanism: During 20 months from 1996 to 1997, eight fatal police shootings occurred. The shootings led to demands for oversight and the community reaction caused unhappiness in the police union over perceived lack of support. The police also had a very strained relationship with young people in the community. These events and conditions coincided with the rapid growth of the city and the Police Department that led to recruiting officers from other communities where they had been trained in a different style of policing.

Complaint Process

Intake: Complaints can be filed with the Ombudsman by mail, telephone, facsimile, in person, or online. Complaints can also be filed with the Boise Police Department. Complaints must be filed within 90 days of the incident. Once filed, complaints are classified by the seriousness of the alleged offense. The Office of the Community Ombudsman classifies complaints as either Class I or Class II. Class I complaints are complaints which, if sustained, constitute a serious violation that could result in criminal charges and/or serious discipline. Class II complaints include lesser offenses such as general demeanor or selective enforcement.

Informal Resolution: Class II complaints may be investigated by the officer's immediate supervisor in lieu of a formal investigation. The Ombudsman may issue findings based on the report from the officer's supervisor. Alternatively, the Ombudsman may conduct further investigation and then issue findings.

Formal Investigation: Investigations are conducted by the entity that received the complaint. The Ombudsman, if appropriate, may refer a complaint to Internal Affairs for investigation and case management. All interviews during a Class I investigation must be recorded. Class

II complaints, not referred to the officer's supervisor, are handled in the same manner except that interviews are not required to be recorded. However, as a practical matter, the Ombudsman's office records all interviews, regardless of classification. Investigations generally will be completed within 30 days. The Ombudsman reviews all Class I investigations and at least half of the Class II investigations conducted by the police. The Ombudsman may also review any ongoing or completed internal investigation.

Findings: Findings are: exonerated, no finding, not sustained, sustained, and unfounded.

Appeals: Appeals of completed Internal Affairs investigations must be filed with the Office of the Community Ombudsman within 30 days. The Ombudsman may conduct further investigation and issue findings. Investigations initiated by an appeal are conducted in accordance with the same guidelines as those governing primary investigations conducted by the Ombudsman. Dispositions of appeals are reviewed by the Chief of Police.

Other Functions: If during the course of a formal investigation new allegations unrelated to the original allegations are discovered, a new investigation, independent of the original investigation, will be conducted. The Ombudsman can reopen and further investigate any complaint filed with his office or the Boise Police Department. The Ombudsman submits semi-annual reports to the City Clerk, the City Council, and the Mayor. The Ombudsman also makes policy recommendations, analyzes trends in complaints, reviews completed internal investigations, and monitors ongoing internal investigations.

Working Relationship with police department, city officials, community members, etc.: The relationship between the Office of the Community Ombudsman and the Department has been professional and functional from the start; however, the degree of collaboration between them has been somewhat dependent on the approach taken by the particular Chief in office at the time. While both the Department and the union publicly opposed the creation of the Ombudsman, the Ombudsman reports that all parties involved are able to work together effectively. The Ombudsman meets on a monthly basis with the mayor and two members of the City Council to keep lines of communication open. In addition, the City Attorney's Office provides legal support to the Ombudsman, except in cases where a conflict exists. An outside law firm is under contract to provide legal counsel to the ombudsman when a conflict is declared. The Ombudsman reports that he has found it particularly challenging to maintain contacts and sustained relationships with the broader Boise community. He identified this as an area where he felt improvement could be made.

Additional Information: Because the office is completely independent, the Ombudsman perceives it as isolated, having neither a constituency to answer to nor to advocate for it. The Ombudsman stated that he would like to have a small group of residents who are very familiar with the work of the Ombudsman and able to engage in the public debate in the interest of the Ombudsman. The Ombudsman also noted that the office is under-funded and under-staffed, precluding investigation of less serious complaints.

Cambridge, Massachusetts

Agency: Cambridge Police Review and Advisory Board

Jurisdiction: Cambridge Police Department

Population: 101,355

Department Size: 271

Annual Budget: \$85,000

Staff: 2, an executive secretary to the Board and a Board investigator

Structure: The PRAB consists of five civilian members appointed by the City Manager for five-year terms. Board members are not compensated and must be residents of the City. The PRAB consults with the Chief in establishing policies, rules, and regulations for the Cambridge Police Department, (with the City Council) reviews the Department budget before it is reviewed by the City Manager, receives and reconciles complaints of police misconduct, and makes disciplinary recommendations to the Chief and City Manager.

Subpoena power: Yes.

Events/conditions precipitating creation of oversight mechanism: There was a controversial incident involving the police approximately 20 years ago that resulted in public outcry and support for oversight of the Cambridge Police Department.

Complaint Process

Intake: Formal complaints must be filed within 60 days of the incident in person, by mail, or telephone with the PRAB. Complaints may also be filed with the Quality Control section of the Cambridge Police Department in person, by telephone, by mail, or e-mail. Where a complaint is filed dictates the agency that will investigate it. Complaints filed with the Quality Control must be forwarded immediately to the PRAB. Copies of the complaint must be given to each PRAB member, the PRAB investigator, and the Chief of Police. The Chief and Quality Control are given copies of formal complaints filed with the Board within five working days. Complaints filed with the PRAB are preliminarily investigated within ten days to determine if sufficient evidence exists to warrant a full investigation. At the completion of the preliminary investigation the PRAB either orders a full investigation or dismisses the complaint.

Informal Resolution: After a full PRAB investigation, the Board may suggest mediation.

Formal Investigations: The Board investigator interviews the subject officer(s), complainant, witnesses, gathers evidence, reviews reports and Department policies. Complaints filed with the Department are investigated by the Quality Control section. Upon conclusion of a departmental investigation, the Chief files a report of findings with the PRAB.

Findings: The Board may dismiss a complaint at several stages of the complaint process: after reviewing a preliminary investigative report prepared by the Board investigator, after a full investigative report prepared by the Board investigator, after a fact-finding hearing conducted by the City Solicitor's Office, or after a public Board hearing. If the Board sustains a complaint, it recommends discipline to the City Manager. Findings are classified as follows: sustained, or dismissed for lack of jurisdiction, lack of probable cause, insufficient evidence.

Appeals: If a complaint investigated by the PRAB is not resolved to the satisfaction of the complainant, the respondent employee, or a member of the Board, the aggrieved person(s) may request that the full Board hear the case or review the investigative file further. If a hearing or review is requested, a majority of the Board members must vote to hear or review the case. The Board may also order a hearing or review of a dismissed complaint. The Board has the same options for disposition on appeal as it does on an original complaint. The PRAB cannot hear appeals of Quality Control complaint investigations.

Other Functions: The Board reviews Department policies, procedures, and practices and makes recommendations to the City Manager, Chief of Police, and City Council. Additionally, the Board along with the City Council reviews the Cambridge Police Department's budget before it goes to the City Manager. The Board issues quarterly reports regarding the activities of the police department, including the management of complaints.

Oversight/IA Interaction: The Board has a good relationship with Quality Control, which presently is very open. In the past, however, access to information was difficult, in part because Quality Control viewed the Board as having a pro-complainant attitude.

Agency History: The Board was created in 1984 to improve community confidence in city government and to strengthen police-community relations.

Additional Information: Several years ago the Board was essentially defunct as all of its positions were left vacant and the governing ordinance had no provision for operations in such a situation. A policy currently in draft would allow the Board to function in such circumstances. The pending policy would also grant the Board the authority to hear appeals of Quality Control complaint investigations. Additionally, the Board is also debating the desirability of residency requirements for Board members.

Charlotte, North Carolina

Agency: Citizens Review Board

Jurisdiction: Charlotte-Mecklenburg Police Department

Population: 540,828

Department Size: 1,363

Annual Budget: \$3,500

Staff: 3 – City Clerk, Administrative Assistant to the City Clerk, and the Boards and Commissions Clerk. The staff members are part-time as their primary duties involve other aspects of the City Clerk's Office.

Structure: The Board reviews appeals of dispositions imposed by the Chief. The Board may hear appeals of alleged violations of the following rules: use of force, unbecoming conduct, and arrest, search and seizure. In addition, any firearms discharge by an officer which results in the death or injury of a person may be appealed to the Board. The Board is made up of 11 members. Five members are appointed by the City Council, three are appointed by the Mayor, and three are appointed by the City Manager. Members serve three-year terms and cannot serve more than two consecutive terms.

Subpoena power: No.

Events/conditions precipitating creation of oversight mechanism: The Citizens Review Board was formed in 1997 after several officer-involved shootings during a several-year period. Citizens in Charlotte wanted more access and input into the internal review of police officers relating to police conduct generally.

Appeals: Complainants must file an appeal with the Clerk's Office within seven days of receiving written notification from the Department of its findings regarding a complaint. The Board then reviews the case summary within 14 days. The Board can dismiss the appeal or hold a due process hearing within 30 days. After the hearing, the Board sends findings of fact and recommendations for discipline to the Chief and City Manager.

Oversight/IA Interaction: As the Review Board only hears appeals of dispositions, the only interaction with IA is on a formal basis similar to the functioning of a courtroom.

Agency History: The Board was created in 1997 and has not changed since its inception.

Working Relationship with police department, city officials, community members, etc.: The Board has a good working relationship with IA, the Department, and the City Attorney's office.

Dayton, Ohio

Agency: Dayton Citizens Appeal Board

Jurisdiction: Dayton Police Department

Population: 166,179

Department Size: 558

Staff: 1 Internal Affairs Commander and 2 legal staff

Structure: The Board consists of five voting members and two non-voting ex officio members. The Chief of Police and one assistant City Manager are non-voting members of the Board and one staff member of the Board is the Internal Affairs Bureau Commander. Board members are appointed by the City Manager. Members must be residents of the City. Members serve two-year terms and may not serve more than three consecutive terms. The Board reports to the City Manager.

Subpoena power: Yes.

Complaint Process

Appeals: Appeals of complaints must be filed in writing within 30 calendar days of notification of the Department's findings regarding the original complaint. Appeals may be taken over the phone; however, the complaint must be signed by the appellant before it is reviewed by the Board.

Hearings: Board hearings are public. Prior to the hearing, the Board conducts an executive session. During the executive session, the Board reviews the Department's investigation of a complaint with a legal advisor hired by the City and a representative of Internal Affairs. During the public hearing, Board members hear testimony and question witnesses. After the hearing, the Board may request further investigation by Internal Affairs or issue findings which are forwarded to the City Manager. A summary of the findings is forwarded to the City newspaper, "The Dayton Update."

Findings: Findings are as follows: unfounded, exonerated, not sustained, sustained, no finding, and mediated.

Other Functions: The Board files a public annual report with the City Manager.

Oversight/IA Interaction: The Board has little interaction with the Dayton-Montgomery County Ombudsman, another layer of oversight for the Dayton Police Department. The Board also does not have much interaction with the Internal Affairs Bureau as complaints are filed after completed IA investigations.

Agency History: The Citizens Appeal Board was created by ordinance in 1990.

Dayton, Ohio

Agency: Joint Office of Citizen Complaints (Ombudsman's Office)

Jurisdiction: Dayton Police Department, along with all Montgomery County departments, City of Dayton departments, and all other government agencies within Montgomery County

Population: 166,179

Department Size: 558

Annual Budget: \$176,000 (general jurisdiction); \$268,000 (long-term care)

Staff: 12 (3 executive positions including the Ombudsman and Assistant Ombudsman and 9 assigned to the Long Term Care Ombudsman Program), plus volunteers and interns

Structure: The Ombudsman's Office is part of the Joint Office of Citizen Complaints. The Office is a corporation and is governed by a Board of Trustees. The Ombudsman is a public official elected by the Board to act as the Chief Executive Officer of the corporation. The Ombudsman is retained under contract. This contract allows for the Ombudsman to operate without interference from elected officials and government agencies. The Ombudsman can only be removed from office by a two-thirds vote of the Board. The Joint Office of Citizen Complaints oversees all government offices and also specializes in receiving and investigating complaints from residents of nursing homes, county homes, residential care facilities, group homes, and private residences.

Subpoena power: No.

Events/conditions precipitating creation of oversight mechanism: The Dayton-Montgomery County Ombudsman was created because of distrust of the police and general unrest in the community after the Vietnam War and school desegregation.

Complaint Process

Intake: Complaints can be filed at the Ombudsman office, by telephone, mail, or e-mail. Complaints can also be filed with the Department. The Ombudsman has jurisdiction over complaints filed with the Joint Office of Citizen complaints. The Ombudsman either investigates complaints herself or refers them to Internal Affairs if an internal investigation is more appropriate.

Informal Resolution: The Ombudsman offers mediation as an option, usually during the initial complaint intake process/interview. Mediators are provided by a separate Montgomery County department.

Formal Investigation: The Ombudsman reviews evidence, including police reports and recorded interviews, and can also interview officers, witnesses, and complainants.

Findings: The Ombudsman does not make findings or recommendations to the Chief or City Commission. The Ombudsman does make recommendations to the District Commanders (supervisors) and/or Chief of Police about whether a complaint is justified or unjustified.

Appeals: There is no appeal of Ombudsman recommendations. Complainants that filed with the Ombudsman's Office and are dissatisfied with the result can then file with Internal Affairs. Likewise, those who file initially with Internal Affairs can turn to the Joint Office of Citizen Complaints if dissatisfied.

Other Functions: The Ombudsman reviews policies, makes policy recommendations to the Chief and City Commission, and reviews existing policies and procedures being implemented.

Oversight/IA Interaction: Other than attending hearings of the Appeal Board, the Ombudsman has little interaction with Internal Affairs or with the Dayton Citizen Appeal Board.

Agency History: The Dayton-Montgomery County Ombudsman Office was created in 1972. The Ombudsman has not changed structurally since it was established.

Working Relationship with police department, city officials, community members, etc.: The Ombudsman has a good relationship with the elected officials (city and county) and also with the directors of the local agencies that they are charged with overseeing. Those relationships increase the effectiveness of the Ombudsman's interventions. Most policy recommendations made by the Ombudsman are received favorably.

Additional Information: The Ombudsman sees her principal strength lying in her independence from other government officials. While the Ombudsman can be fired, officials cannot interfere with her investigations. The Ombudsman perceives that the breadth of the subject matter covered by the office as both a strength and a weakness (as investigators do not specialize in police misconduct issues). The Ombudsman sees the office's lack of subpoena power as a definite weakness.

District of Columbia

Agency: Office of Police Complaints

Jurisdiction: Metropolitan Police Department (MPD) and District of Columbia Housing Authority Police Department (DCHAPD)

Population: 563,384

Department Size: 3800 (MPD) and 75 (DCHAPD)

Annual Budget: \$1,756,000

Staff: 20 – Executive Director, Deputy Director, Chief Investigator, Assistant Chief Investigator, 10 Investigators, Public Affairs Specialist, and 4 Administrative Positions

Structure: The Office of Police Complaints (OPC) is overseen by the Police Complaints Board (PCB). The five-member PCB board consists of four members who are private citizen volunteers and one member is an MPD employee. All are appointed by the Mayor and approved by the District Council. PCB has general oversight authority over OPC and has the authority to hire and remove OPC's executive director. One member of PCB must concur in dismissal determinations made by OPC's executive director. PCB also must approve members of OPC's mediator and complaint examiner pool and can make recommendations to the Mayor, the Council, and the Chief of Police.

Subpoena power: Yes.

Complaint Process

Intake: The public initiates the complaint process, which begins only after a person has filed a written, signed complaint form with the agency. OPC has the authority to investigate complaints that are received within 45 days of the alleged misconduct and that allege abuse or misuse of police powers by MPD or DCHAPD officers, including: (1) Harassment; (2) Use of language or conduct that is insulting, demeaning, or humiliating; (3) Retaliation for filing a complaint with OPC; (4) Use of unnecessary or excessive force; or (5) Discriminatory treatment. The office is physically located away from MPD, DCHAPD, and other government offices to provide the public with a less intimidating environment in which to file a complaint. To make it as convenient as possible to file a complaint, complainants may file in person at OPC's office or at any MPD district station, or they may initiate a complaint by mail, telephone, fax, or e-mail.

After a complaint is received, the Executive Director reviews it to confirm that it is in OPC's jurisdiction, and to determine how to proceed with the processing of the complaint. If a complaint is outside OPC's jurisdiction, the Executive Director refers it to MPD's Office of Professional Responsibility, DCHAPD, or the appropriate agency for investigation. Also, if the complaint alleges conduct by an officer that may be criminal in nature, the Executive Director refers the complaint to the U.S. Attorney for the District of Columbia for possible criminal prosecution of the officer. For the remaining complaints, the Executive Director determines whether they should be investigated or mediated.

Formal Investigation: When a complaint is investigated, it is assigned to one of OPC's staff investigators. The investigator interviews the complainant, subject officer, and any witnesses the complainant identifies, in addition to attempting to locate and interview any other police or non-police witnesses who may be able to provide relevant information. The investigator also collects and reviews other evidence, including MPD documents, hospital records, materials from other sources, the scene of the incident, and any other relevant information. When the investigation is complete, the investigator drafts an investigative report, which, along with all the evidence gathered in the investigation, is reviewed by a supervisor. The Executive Director then reviews the report of the findings of the investigation, and determines if the complaint should be dismissed, which requires the concurrence of one PCB member, or referred to a complaint examiner for review and a decision on the merits of the complaint. OPC's three principal methods of resolving complaints – dismissal, mediation, and complaint examination – are discussed in more detail below.

Dismissal: The statute and regulations governing OPC allow for the dismissal of complaints under three sets of circumstances: (1) the complaint is deemed to lack merit; (2) the complainant refuses to cooperate with the investigation; or (3) if, after the Executive Director refers a complaint for mediation, the complainant willfully fails to participate in good faith in the mediation process. Based on information gathered during OPC's investigation of a complaint, and with the concurrence of one PCB member, the Executive Director may dismiss a complaint when these circumstances arise.

Informal Resolution: A mediation service, the Community Dispute Resolution Center (CDRC), administers OPC's mediation program, assigning complaints to be mediated by a pool of well-trained, experienced, and diverse mediators. There is no cost to the complainant or the subject officer to participate in mediation, but both parties must sign a confidentiality agreement that provides that anything said by either party during the mediation session will not be disclosed outside of the session.

The decision to refer a complaint to mediation is made by the Executive Director, and not by the parties. If the Executive Director refers a complaint to mediation, both the complainant and the subject officer are required to participate in the mediation process in good faith. Failure to participate in good faith constitutes cause for discipline of the subject officer and grounds for dismissal of the complaint. However, even though participation of the parties is required, the outcome of the mediation is completely voluntary because neither the complainant nor the officer is required to reach an agreement or settle the dispute during mediation.

There are some restrictions as to which complaints may be referred to mediation. OPC will not refer complaints involving allegations of the use of unnecessary or excessive force that results in physical injury. In addition, an officer may not mediate a complaint if he or she has mediated a complaint alleging similar misconduct or has had a complaint sustained by OPC for similar misconduct in the past 12 months.

Complaint Examination: The complaint examination process is used to resolve complaints where the Executive Director determines that there is "reasonable cause to believe" that police misconduct occurred. When the Executive Director reaches this determination, the

complaint is referred to a complaint examiner who reviews it, along with OPC's investigative report, and issues a written decision regarding the merits of the complaint. The complaint examiner may resolve the complaint based on OPC's investigative report alone, or, if necessary, may conduct an evidentiary hearing to further develop the factual record. In practice, complaints that are neither dismissed nor successfully mediated are resolved through complaint examination, which is the only means by which OPC can issue a decision sustaining a complaint against an officer, although not all complaints that are referred to complaint examination are sustained.

If a complaint examiner sustains any allegation in a complaint, the Executive Director forwards the complaint examiner's decision to the Chief of Police for review and imposition of discipline. Under certain limited circumstances, the Chief may send a decision back to OPC for further review, but, otherwise, the Chief is bound by the decision and must impose discipline on the officer as a result of the decision. If the complaint examiner does not sustain any allegation in a complaint, the Executive Director dismisses the complaint based on the decision.

Other Functions: The statute creating PCB places an obligation on it to, "where appropriate, make recommendations" to the Mayor, the Council, and the Chief of Police "concerning those elements of management of the MPD affecting the incidence of police misconduct, such as the recruitment, training, evaluation, discipline, and supervision of police officers." To date, PCB has issued two detailed policy recommendations regarding racial profiling and disorderly conduct arrests.

Agency History: The Civilian Complaint Review Board, OPC's predecessor agency, was established in 1982 and abolished in 1995 after it proved ineffective. The current office, originally known as the Office of Citizen Complaint Review, and now known as the Office of Police Complaints, was established in 1999.

Working Relationship with police department, city officials, community members, etc.: OPC has a good working relationship with the MPD. OPC investigators receive training from MPD instructors regarding MPD policies and procedures. OPC is in regular communication with the police union and different branches of the MPD. The Chief has been supportive of OPC. Because of the small size of the DCHAPD, OPC has received only a small number of complaints regarding DCHAPD officers, and has had relatively limited contact with the agency.

Flint, Michigan

Agency: Flint Ombudsman

Jurisdiction: Flint Police Department

Population: 124,943

Department Size: 340

Annual Budget: Total \$540,744; Complaints against police \$173,811

Staff: Total 7; Complaints against police 3 (2 full-time, 1 part-time)

Structure: The Flint Ombudsman is appointed by the City Council. The Ombudsman is appointed to a seven-year term and cannot be reappointed. The Ombudsman can be removed by a three-fourths vote of the Council.

Subpoena power: Yes.

Complaint Process

Intake: Complaints filed with Ombudsman are assigned to an investigator.

Informal Resolution: An investigator may informally resolve a complaint by including Internal Affairs in the process and providing an explanation of Department policy to the complainant. Additionally, IA may ask a shift commander to conduct an informal investigation. If a complaint is not resolved using either of these two methods, an investigator may offer mediation. Both the officer and complainant must agree to mediation. The officer is not directly involved in mediation. The officer's supervisor meets with the complainant and attempts to resolve the matter. If no solution can be reached, the complainant may request a formal investigation by the Ombudsman.

Formal Investigation: Once a complaint has been filed and a formal investigation initiated, the investigator mails the complaint to the Chief. The Department has seven days to respond. This usually results in the Chief forwarding the complaint down the chain of command to the subject officer. The investigator also interviews the complainant and reviews evidence. When the investigation has been completed, the investigator prepares a report for the Ombudsman.

Findings: The Ombudsman can either sustain or not sustain each allegation in a complaint. The final investigation report is then sent to the Chief. The Ombudsman can recommend only that discipline be imposed, not what type of discipline should be imposed. The Chief can then conduct another investigation through Internal Affairs or the subject officer's commander.

Oversight/IA Interaction: The Ombudsman does not have much interaction with IA. The only interaction is for specific reasons such as gathering information (not sharing information) or referring specific complaints to IA for investigation.

Agency History: The Flint Ombudsman was created in 1974 as a check and balance on executive power when a charter revision created a strong mayoral form of government.

Working Relationship with police department, city officials, community members, etc.:
The Ombudsman has a wary relationship with the police department.

Hawaii County, Hawaii

Agency: County of Hawaii Police Commission

Jurisdiction: Police Department of the County of Hawaii

Population: 158,423

Department Size: 369

Annual Budget: \$99,995

Staff: 1 secretary/office manager

Structure: The Police Commission reviews the annual budget prepared by the Chief and makes budgetary recommendations to the Mayor. The Commission also has the authority to hire and fire the Chief. The Commission consists of nine Commissioners from each council district in the County. Commissioners are appointed by the Mayor and confirmed by the Council.

Subpoena power: No.

Complaint Process

Intake: Complaints can be filed in writing with the Commission. The complaint must be signed and dated by the complainant under oath before a notary public, and must be filed within 60 days of the date of the incident.

Informal Resolution: None.

Formal Investigation: An initial investigation is done by the Commission. The Commission reviews all police reports related to the incident, interviews the subject officer and complainant, and can issue findings based on this initial investigation. The complainant may give testimony in a meeting open to the public. The subject officer can request a closed session. The Commission may refer the complaint to the Police Department or a private investigator, who will work under the Commission's direction, for a full investigation. The Commission may investigate allegations of misconduct, other than the original allegations, arising from the investigation of a complaint.

Findings: The Commission makes the following findings: unfounded, exonerated, not sustained, and sustained. The Commission gives written notice of its findings to the Chief. The Commission's findings are not binding on the Chief. The Chief retains final disciplinary authority.

Appeals: An action taken by the Commission may be reconsidered only upon a motion made at the same or the next meeting by a commissioner who voted on the prevailing side.

Other Functions: The Commission submits an annual report to the Mayor and Council.

Oversight/IA Interaction: The Commission has monthly meetings during which Internal Affairs representatives report on cases, both referred from the Police Commission and being investigated internally, independent of the Commission.

Agency History: Since the Commission's founding, the number of commissioners has increased from seven to nine. Additionally, in the early 1990's, the Commission was given investigative power and its location was moved away from the Department.

Kansas City, Missouri

Agency: Board of Police Commissioners Office of Community Complaints

Jurisdiction: Kansas City (MO) Police Department

Population: 441,545

Department Size: 1,215

Annual Budget: \$400,000

Staff: 7

Structure: The Office of Community Complaints (OCC) is overseen by the Board of Police Commissioners (Board). The OCC is in a separate location from the Kansas City, Missouri Police Department. The Director of the OCC reports to the Board and supervises all OCC staff.

Subpoena power: No.

Complaint Process

Intake: Complaints can be filed at the OCC, KCPD, other non-police facilities, or by mail within 90 days of the incident. Complaints cannot be filed over the telephone. Complaints submitted in a manner other than in person must be verified by the complainant; unverified complaints are not investigated, nor are complaints that are related to a lawsuit. The OCC is immediately notified of all complaints filed with the Department.

Informal Resolution: If a complaint is filed at the Police Department, a commander or supervisor will attempt to resolve the complaint without a formal investigation. If a complaint filed at the Department cannot be resolved informally, the original complaint form is forwarded to the OCC. The OCC has the authority to close a complaint prior to an Internal Affairs investigation. The OCC can also close a complaint if the complainant does not cooperate. The OCC encourages conciliation or mediation at several points during the process.

Formal Investigation: The OCC conducts an initial interview with the complainant in order to correctly categorize each complaint. This can include reviewing medical records, taking photographs, or a request that an Internal Affairs detective take the initial formal statement. Once a complaint has been classified, it is forwarded to Internal Affairs for further investigation. OCC reviews each completed internal investigation. An OCC analyst prepares a memorandum which summarizes and recommends findings for each allegation raised in the complaint. This Summary is reviewed by the OCC Director and is forwarded to the Chief of Police and the Board of Police Commissioners. If the Chief and the Board of Police Commissioners agree with the analysis, the recommendation becomes the final determination. However, if the Chief and the Board of Commissioners disagree, the analysis is referred back to the OCC for reconsideration. The OCC provides the final determination for returned analyses except in cases where the Board of Police Commissioners has the authority to review and consider impasses between the OCC and the Department.

Findings: The OCC classifies findings as follows: sustained, not sustained, unfounded, and exonerated. If a complaint is sustained, it is forwarded to the Chief who can impose discipline or training.

Appeals: Within 30 days of the discovery of new evidence, complainants and officers may request the OCC Director to reconsider a decision. The appeal is limited to OCC's findings, not actions taken by the Chief.

Other Functions: The OCC submits monthly reports on the status of active complaints and an annual report to the Board and Chief of Police. The OCC can also audit internal investigations. The OCC has the authority to refer an investigation back to IA for further investigation but cannot recommend discipline.

Agency History: The Office of Community Complaints was created in 1969 by the Board of Police Commissioners to receive and review complaints against the KCPD. The original title of the OCC (Office of Citizen Complaints) was changed to the Office of Community Complaints in 2003.

Additional Information: The Fraternal Order of Police in Kansas City views the OCC as an inconvenience. The union president stated that "OCC, to us, is kind of a necessary evil." He continued, "Nobody likes it. Nobody wants it. But our department and the community believe it is necessary politically." Denver Post July 4, 2004

Knoxville, Tennessee

Agency: Police Advisory and Review Committee

Jurisdiction: Knoxville Police Department

Population: 173,890

Department Size: 414

Annual Budget: \$73,000 (expenditures 2001)

Staff: Executive Director who may hire additional staff as funded

Structure: The Committee is composed of seven volunteer members. Members must be qualified to vote in Knox County. Members of the Committee are appointed by the Mayor and confirmed by Council. Committee members serve three-year terms and cannot serve more than two consecutive terms. The Committee is served by an Executive Director (ED). The ED is designated by the Mayor and approved by the City Council. Once confirmed by the City Council, the ED becomes a non-exempt employee of the Department of Community Relations of the City of Knoxville. The Committee has the authority to make policy recommendations to the Chief. The Committee does not have the ability to direct the Chief to impose or change a disciplinary disposition.

Subpoena power: Yes, and the Committee can compel witnesses to appear before Internal Affairs or the Executive Director and, if necessary, provide statements during the course of an investigation.

Complaint Process

Intake: Complaints can be filed by telephone, mail, or in person with the ED. The ED must forward complaints to the commander of the Internal Affairs Unit within three working days. The ED may accept non-sworn or anonymous complaints. The ED can attempt to informally resolve non-sworn or anonymous complaints or refer them to Internal Affairs for investigation. Complaints can also be filed with Internal Affairs.

Informal Resolution: Mediation is encouraged.

Formal Investigation: The ED does not have primary investigative authority. When the ED is notified by Internal Affairs that an investigation has been closed, the ED reviews the closed case file and determines if the investigation was complete. The ED reports her findings to the Committee at the Committee's next regularly scheduled meeting. After a finding by the ED that an investigation was incomplete, the Committee, by a majority vote, refers the case to the Chief for further investigation, or, if the Chief fails to conduct further investigation, requests that the ED conduct an investigation.

Findings: The ED determines if an internal investigation was thorough, complete, and fair. After any additional investigation by the Chief or ED, the Committee reports its findings and conclusions to the Chief, the Mayor, and City Council.

Other Functions: The Committee can make policy recommendations to the Chief. The Committee issues an annual report and this report is included in the ED's annual report to the Chief, the Mayor, and the City Council.

Agency History: The Police Advisory and Review Committee was created by the Mayor in 1998 and adopted by city ordinance in 2001.

Working Relationship with police department, city officials, community members, etc.: According to the Committee's Executive Director, the Committee has an excellent relationship with the Department, the Mayor, and the community. The relationship has been strengthened over the years by support from elected officials and various Chiefs.

Los Angeles County, California

Agency: Office of Independent Review

Jurisdiction: Los Angeles County Sheriff's Department

Population: 10,103,000

Department Size: 8,500

Annual Budget: \$1,200,000

Staff: 6 full-time attorneys; 3 support staff

Structure: The Office of Independent Review, together with the Office of the Ombudsman and Special Counsel to the County Board of Supervisors, is one of three levels of oversight for the Los Angeles County Sheriff's Department. With full access to files, interviews, and all stages of the process, OIR monitors the internal investigations conducted by LASD and makes recommendations of how those investigations should proceed, if such recommendations are warranted. OIR makes recommendations to the Department regarding the dispositions of internal investigations and, when founded, the level of discipline to be imposed. OIR, which operates out of the building that houses LASD's internal investigators, also makes recommendations for improvements in broader policies, practices, and procedures.

Subpoena power: No.

Events/conditions precipitating creation of oversight mechanism: Sheriff Baca, seeing the value of ongoing oversight, provided the principal impetus for the creation of OIR.

Complaint Process

OIR audits ongoing and completed IA investigations and may recommend discipline. It does not process civilian complaints.

Oversight/IA Interaction: The Office of Independent Review has a close working relationship with LASD's Office of Internal Affairs and Office of Internal Criminal Investigations and is able to participate in ongoing investigations as desired.

Agency History: OIR was created by the Los Angeles County Board of Supervisors in 2001 at the request of the Sheriff and with input from Special Counsel.

Working Relationship with police department, city officials, community members, etc.: According to OIR, it has an excellent close working relationship with the leadership of the Sheriff's Department, in particular the leadership of the internal investigatory units. The Sheriff's role in the creation of OIR is a major factor in the close relationship. OIR seeks to keep a low profile and to avoid conflicts with the union. OIR also maintains an effective working relationship with the LA County Board of Supervisors.

Additional Information: OIR attributes its effectiveness to real-time monitoring of internal investigations and the internal decision-making process with regard to decisions. Through its public reports on systems and individual cases, OIR has provided transparency to the internal working of the Sheriff's Department.

Los Angeles County, California

Agency: Office of the Ombudsman

Jurisdiction: Los Angeles County Sheriff's Department and any other department responsible to the Los Angeles County Board of Supervisors

Population: 10,103,000

Department Size: 8,500

Annual Budget: \$780,000

Staff: 8 full-time, 1 part-time (5 full-time employees review citizen complaints)

Structure: The Los Angeles County Office of Ombudsman, together with the Office of Independent Review and Special Counsel to the County Board of Supervisors, is one of three levels of oversight over the Los Angeles County Sheriff's Department. The Ombudsman's office only reviews service and personnel complaints not sustained by LASD's internal investigations. The Ombudsman is appointed by the Sheriff and the Los Angeles County Board of Supervisors.

Subpoena power: No.

Events/conditions precipitating creation of oversight mechanism:

In 1991 several highly publicized acts of excessive force and ongoing large payouts of judgments and settlements by the County led to a blue ribbon investigation of the LASD headed by retired Superior Court Judge James G. Kolts. Among the recommendations of the Kolts Report that sought to minimize the use of injurious force and to reduce the associated financial liability to County taxpayers was the establishment of an ombudsman function within the County. The office began operations in 1994.

Complaint Process

Intake: The Ombudsman reviews unfounded or unresolved citizen service or personnel complaints against LASD members. Service and personnel complaints are complaints of a less serious nature. When a complainant is dissatisfied with a finding of not sustained or unfounded or believes the investigation was incomplete, the complainant may contact the Ombudsman. Inquiries with the Ombudsman can be filed in person at the Office of Ombudsman, by telephone, e-mail, or facsimile. Unresolved complaints are monitored until they have been closed.

Informal Resolution: Inquiries made with the Ombudsman may be settled informally and will not be referred for further action or review. The Ombudsman offers mediation.

Formal Investigation: The Ombudsman reviews LASD internal investigations and does not have independent investigative authority. The Ombudsman cannot initiate or conduct interviews and cannot interview witnesses. He also cannot review criminal investigations.

Findings: The Ombudsman may find that the internal investigation is sufficient and the findings are appropriate or that the investigation is deficient and may refer the complaint to the LASD for further review or investigation. LASD makes the final determination concerning whether to pursue further review or investigation.

Appeals: The Office of Ombudsman is the appeals process.

Other Functions: The Ombudsman offers mediation services, information, and assists citizens in filing complaints.

Los Angeles County, California

Agency: Special Counsel to the Board of Supervisors

Jurisdiction: Los Angeles County Sheriff's Department

Population: 10,103,000

Department Size: 8,500

Annual Budget: \$200,000

Staff: 3 to 15 (depending upon complexity of assignment), working on a consultant basis

Structure: Special Counsel is a lawyer engaged pursuant to a contract with the Board of Supervisors to provide semiannual reports to the Board, Sheriff, and the general public on the Department's implementation of recommendations to reduce the risk of police misconduct and illegal or unconstitutional behavior. Special Counsel's communications to and from the Board of Supervisors are confidential and privileged.

Subpoena power: Yes (must be requested from the Board of Supervisors).

Events/conditions precipitating creation of oversight mechanism: Four controversial shootings of African-American and Latino men in the summer of 1991 created public pressure for a blue ribbon investigation of the Sheriff's Department that came to be known as the Kolts Report. The current Special Counsel was selected in 1992 to oversee implementation of the Kolts recommendations.

Oversight/Evaluation Process

Special Counsel has unfettered access to all records, data, and personnel within the Department and may investigate and report on any topic bearing upon potential liability or risk for the County from the actions of the Sheriff's Department. Special Counsel reviews data and files to identify patterns and practices of police misconduct and systemic failures which caused these patterns to persist.

Minneapolis, Minnesota

Agency: Minneapolis Civilian Police Review Authority

Jurisdiction: Minneapolis Police Department

Population: 382,618

Department Size: 850

Annual Budget: \$375,000

Staff: 4

Structure: The Civilian Police Review Authority consists of 11 members, six appointed by the City Council and five appointed by the Mayor, subject to approval by a majority of the City Council. Members serve four-year terms and may be removed by a majority vote of the City Council if ratified by the Mayor. Members must be residents of Minneapolis and are compensated \$50 for each day that they attend one or more meetings or hearings.

Subpoena power. No.

Complaint Process

Intake: A complaint can be filed with the Review Authority or Internal Affairs, not both.

Informal Resolution: Mediation may be offered anytime after a formal complaint has been filed.

Formal Investigation: After intake, a Review Authority investigator conducts a preliminary investigation which involves an interview with the complainant and the filing of a signed complaint. The investigator interviews witnesses, collects and reviews evidence, and interviews charged and witness officers. Once the investigation is completed the investigator makes a recommendation to sustain or not sustain the allegations contained in the complaint based on a preponderance of the evidence. The summary and file are reviewed by the Review Authority's Manager who, in cooperation with the Board Chair, schedules the complaint for hearing. All complaints, regardless of the investigative findings, are scheduled for hearing.

Hearings: A panel of three board members hears each complaint. The complainant is invited, but not required to attend the hearing. At present, officers are required to attend the hearing. At the hearing, the officer and the complainant are invited to address the board panel for 10 minutes and to sit for questions. Upon conclusion of the hearing and review of the case file, the panel determines whether or not to sustain the complaint.

Findings: The panel can either sustain or not sustain a complaint. If sustained, the Police Department's disciplinary panel recommends discipline to the Chief. The Chief has final authority over disciplinary recommendations. The Chief cannot reverse a Review Authority finding.

Appeals: Decisions not to sustain a complaint by the hearing panel can be appealed by the complainant in writing to the Review Authority within 30 days. Appeals are heard by the full board of eleven members. Both the complainant and subject officer(s) are allowed to address the Review Authority concerning the appeal. If the Review Authority determines that credible new evidence has been discovered, the complaint will be assigned for investigation to a Review Authority investigator. After completing the investigation, the Review Authority can sustain or reject the decision not to sustain a complaint. After the appeal, the complaint is forwarded to the Chief who will make the final disciplinary disposition.

Other Functions: The Review Authority provides a public forum during its monthly meetings for citizens to voice concerns regarding police activity/behavior. The Review Authority participates in reviewing the Chief and can make policy and training recommendations. It also submits quarterly reports to the Council's Public Safety and Regulatory Services Committee

Agency History: The current form of the Review Authority was created in 2003, a number of months following the dissolution of the prior oversight process.

New Haven, Connecticut

Agency: Civilian Review Board

Jurisdiction: New Haven Department of Police Services

Population: 119,491

Department Size: 469

Annual Budget: no stand-alone budget (funded through Chief Administrator's Office)

Staff: 1 full-time coordinator

Structure: The Civilian Review Board consists of 16 members: two appointed by the Mayor, one appointed by the President of the Board of Aldermen, one appointed by the Chair of the Board of Police Commissioners, and one appointed by each of the 12 Community Management Teams. Review Board members, who must be residents of the City, serve three-year terms.

Subpoena power: No.

Events/conditions precipitating creation of oversight mechanism: Malik Jones, a young African-American man was shot and killed by a police officer from neighboring East Haven in 1997. His mother created an organization that advocated for police accountability, leading to the creation of the Civilian Review Board in 2001.

Complaint Process

Intake: All complaints must be filed with the New Haven Police Department within one year of the incident. Complaints can be filed in person, by telephone, or mail.

Informal Resolution: Mediation is offered at intake.

Formal Investigation: Complaints are investigated by the Internal Values and Ethics Unit (IVE). An investigator interviews the complainant, officer, and all witnesses. The Civilian Review Board reviews all completed IVE investigations. Completed internal investigations are reviewed by a Review Board panel of two or three members. Panel members change monthly. The full Review Board does not regularly review completed internal investigations; however, a Review Board panel can bring a case before the full Review Board at any time.

Findings: The Review Board can recommend further investigation, or agree or disagree with the IVE investigation and findings. If misconduct is found, the Review Board recommends disciplinary action. The Review Board reports its recommendations and findings to the Chief and Board of Police Commissioners. The Chief issues the final disposition and notifies the complainant of the outcome.

Appeals: Within 90 days of notification from the Chief of the disposition of a complaint, a complainant may file an appeal, in writing with the Review Board. Appeals are heard by the full Review Board. After reviewing the appeal and original investigation, the

Review Board may agree with the IVE findings, refer the complaint to IVE for further investigation, or conclude that the investigation was incomplete or biased and refer the case to the Chief for action.

Working Relationship with police department, city officials, community members, etc.:
Staff of the Review Board indicated that they have a cooperative relationship with the Police Department, and the Internal Values and Ethics Unit specifically.

New York, New York

Agency: New York Civilian Complaint Review Board

Jurisdiction: New York City Police Department

Population: 8,008,278

Department Size: 37,000

Annual Budget: \$10,035,235

Staff: 178 – 136 investigative staff, 37 administrative staff, 5 on leave

Structure: The Civilian Complaint Review Board consists of 13 members. Five members are designated by the City Council and appointed by the Mayor, three – with law enforcement experience – are designated by the Police Commissioner and appointed by the Mayor, and the remaining five are appointed solely by the Mayor. The Board establishes policy, reviews all CCRB investigations, makes findings on all allegations in every complaint, and recommends discipline. Complaints are reviewed by Board Panels, consisting of one Board member designated by the Mayor, one designated by the City Council, and one designated by the Commissioner. Board members serve three-year terms and receive compensation on a per-diem basis. The Board hires the Executive Director.

Subpoena power: Yes.

Events/conditions precipitating creation of oversight mechanism: The current all-civilian review board was created in 1993 in response to an incident involving the Department's enforcement of a city curfew that led to significant violence by the police against curfew violators in a park and bystanders. A report that demonstrated that an inadequate effort was made by the NYPD to limit the use of force led to moving the review board outside the Police Department and requiring that all its members be civilians.

Complaint Process

Intake: Complaints can be filed by telephone, in person at the CCRB office or the NYPD, online, by mail, or by calling 311, a city non-emergency number for governmental queries. The CCRB's jurisdiction is limited to allegations of excessive or unnecessary use of force, abuse of authority, discourtesy, and offensive language. Complaints about corruption or neglect of duty are investigated by the NYPD. Complaints filed with the NYPD that are within the CCRB's jurisdiction are referred to the Board. Conversely, the CCRB refers complaints outside its jurisdiction to the NYPD.

Informal Resolution: The CCRB offers mediation, for the following types of complaints: allegations of improper stops, frisks and searches, mild physical force, threats, refusal to identify, improper stops, and discourteous or offensive language. A supervisor, upon review of the complaint, may instruct the investigator to offer mediation.

Formal Investigation: Once a complaint is received by the Team Manager or supervisor, it is assigned to an investigator. Investigators locate and interview the complainant, victims, and all witnesses. Complainants are contacted within 24 hours of filing a complaint and are interviewed in person. If a complainant or victim(s) cannot be contacted, are uncooperative, will not make a formal statement, or the complaint is withdrawn, a complaint can become a truncated case. Truncated cases are those which are closed before a full investigation is completed. Truncated cases can be re-opened for full investigation. Investigators also review all documentary evidence including court-related records and police reports. If necessary, investigators can subpoena medical records. Subject officers are required to appear and answer questions during a CCRB investigation. After the investigation is complete, investigators write a closing report that includes a summary and analysis of the complaint. The report is submitted to Team management which then forwards the case to the Case Management Unit. The Case Management Unit assigns the case to a Board Panel. A Board Panel consists of three Board members who read the investigatory file, and vote on the disposition of every allegation. Substantiated cases are forwarded to the Police Commissioner for discipline.

Findings: The CCRB classifies findings in the following manner: substantiated, exonerated, unfounded, unsubstantiated, officer unidentified, mediated, mediation attempted, referred to other (City) agency, or miscellaneous. Officers named in substantiated complaints must be disciplined or served with disciplinary charges within 18 months of the date of the incident.

Appeals: After being notified of a complaint's resolution, a complainant may present new information, new witnesses, or new evidence regarding the allegations to the CCRB staff. The original management team that investigated the complaint then reviews the case and makes recommendations to the full Board.

Other Functions: The Board is responsible for reporting to the Commissioner patterns of misconduct uncovered through complaint investigations, for making and issuing policy recommendations, and for developing an outreach program to educate the public on the CCRB's purpose and services provided. The Board issues semiannual reports to the Mayor, City Council, and the public.

Oversight/IA Interaction: The Board's principal interaction with IA is through document requests. This is sometimes an efficient process and other times laborious. The Board generally, however, has developed a good working relationship with the NYPD.

Omaha, Nebraska

Agency: Office of the Public Safety Auditor

Jurisdiction: Omaha Police Department

Population: 390,007

Department Size: 764

Annual Budget: \$150-200,000 (privately funded)

Staff: 1 auditor, 1 staff auditor assistant (position funded by the Mayor's Office), and 1 administrative assistant

Structure: The Public Safety Auditor (PSA) reports to the Auditing Committee – the Mayor, Chief of Police, Chief of Fire, and the City Council – which can hire and fire the Auditor. The city-funded portion of the PSA's budget is included in the Police and Fire Departments' budgets. The Auditor's Advisory Committee helps the Auditor by gathering information, facilitating public outreach, and otherwise supporting the PSA's work.

Subpoena power: No. However, the Police Department's Professional Standards Office must cooperate with the Auditor and must make all records, reports, evidence, and investigation activities available to the Auditor.

Complaint Process

Intake: Complaints can be filed at the Police Department. Complaint forms must be signed in the presence of a police investigator. All complaints are immediately forwarded to both the Professional Standards Office and the Auditor.

Informal Resolution: None.

Formal Investigation: Professional Standards investigates all civilian complaints. The Auditor reviews live interviews, tapes and reports of interviews, investigative reports, tests, employment records, and all other material generated during an investigation. During interviews the Auditor may put questions to witnesses through the Professional Standards investigator, so long as the investigator finds the questions relevant.

Findings: Professional Standards forwards completed investigations to the Chief. The Chief may find as follows: unfounded, exonerated, not sustained, sustained, and policy failure.

Appeals: The Public Safety Auditor reviews all complaints. The Auditor, after reviewing a completed internal investigation, may submit a written request for further investigation. The Auditor may also address her concerns by conducting an internal investigation that the Auditing Committee will review during an executive session.

Other Functions: The Auditor may issue reports on policy issues.

Oversight/IA Interaction: According to the Auditor, she has a good day-to-day working relationship with Internal Affairs.

Agency History: The Office of the Public Safety Auditor was created by ordinance in 2000 and began functioning in 2001.

Working Relationship with police department, city officials, community members, etc.: The Auditor indicated that her relationship with the Department began with uncertainty. The PSA has made significant progress in developing a relationship with the community, especially the minority community in Omaha. There has not been a great deal of success in developing a relationship with the City Council or police union.

Portland, Oregon

Agency: Citizen Review Committee

Jurisdiction: Portland Police Bureau

Population: 529,121

Department Size: 1,043

Annual Budget: no budget (under IPR's budget)

Staff: Volunteers; Director of the Independent Police Review Division of the City Auditor's Office serves as coordinator to the CRC.

Structure: The CRC is part of the Independent Police Review Division of the City Auditor's Office. Committee members are appointed by the City Council after a nomination process that involves the IPR Director and a selection committee. The Committee reports to the City Council regarding appeals of citizen complaints and reports to IPR and the Portland Police Bureau regarding Bureau policies and procedures.

Subpoena power: No.

Complaint Process

The Civilian Review Committee does not process civilian complaints, but rather hears appeals.

Appeals: If a complainant or officer is dissatisfied by the resolution of a complaint, either can file a request within 30 days for review by IPR and the Citizen Review Committee. IPR will review the appeal and IA investigation and can order further investigation. If no further investigation is needed, the case proceeds to a public CRC pre-hearing. The CRC can deny the appeal or vote to hold a full hearing. The CRC can close a case by agreeing with the Police Bureau findings or by recommending changed findings to the Police Bureau. If the Police Bureau does not accept the recommendations, a complaint can be resolved through a conference between the CRC and Police Bureau or a hearing before the City Council.

The CRC holds public appeal hearings. The CRC reviews the case and holds a public meeting where all involved parties will be heard. The CRC determines whether the IA's finding is supported by the evidence. If the CRC agrees with IA, the case is closed. If the CRC determines that the IA finding is not supported by the evidence, and the Police Bureau does not accept that recommendation, a hearing will be set before the City Council. The City Council will then make the final decision as to whether or not the allegations against the officer(s) should be sustained. If they are sustained, then the Chief of Police will make a decision as to the appropriate discipline. If the City Council does not sustain the allegations, then the case will be closed.

Working Relationship with police department, city officials, community members, etc.: According to IPR, the general perception in the community is that the CRC is more legitimate and credible because every member is a citizen who is not a government employee. Conversely, police and other agencies see IPR as more credible because they are professionals, not volunteers like the CRC. As such, IPR has developed stronger working relationships with the Department and other city agencies. This has created tension between IPR and the CRC. During the investigation of a controversial officer-involved shooting last year, public disagreement between the CRC and IPR led to half of the CRC resigning in protest. IPR indicated that the CRC wanted to act outside of its authority and the CRC members were unhappy with the lack of support from IPR. According to IPR, the CRC viewed itself as the governing body of IPR. IPR and the CRC have had a good relationship since the new CRC members were appointed.

Additional Information: The Committee reviews Police Bureau policies and procedures and makes policy recommendations to the Bureau and IPR.

Portland, Oregon

Agency: Independent Police Review Division

Jurisdiction: Portland Police Bureau

Population: 529,121

Department Size: 1,043

Annual Budget: \$843,835

Staff: 7

Structure: The Independent Police Review Division (IPR) of the Portland City Auditor operates under the authority of the elected City Auditor, who selects the IPR Director. IPR receives and screens citizen complaints, refers complaints to Internal Affairs for investigation, reviews the investigations, and facilitates appeals by dissatisfied parties.

Subpoena power: No.

Events/conditions precipitating creation of oversight mechanism: Following a split in a commission created to recommend how to replace a discredited civilian review board, the City Council in 2001 asked the City Auditor to propose changes to strengthen the system of complaints against the police.

Complaint Process

Intake: Complaints can be filed with IPR in person, by telephone, facsimile, mail, or internet. Complaints are assigned to an IPR intake investigator who conducts a preliminary investigation. The preliminary investigation involves reviewing documents, interviewing complainants, and classifying the complaint. The case is then forwarded to the IPR Director. The Director can decline the complaint (if the complaint is obviously false, without merit, or the complainant is pursuing another remedy, such as a tort claim), refer to the Internal Affairs Division, offer mediation, refer to a different agency or jurisdiction, or refer to PPB Command Staff.

Informal Resolution: A case may be referred to mediation only with the consent of the complainant, the subject officer, the precinct commander, and the Captain of Internal Affairs. Outside mediators are provided.

Formal investigation: When a complaint has been referred to IA, the Captain can order a full investigation, refer to a precinct as a service complaint, decline the complaint, or administratively close. If a complaint is referred to a precinct as a service complaint, the complaint is reviewed by a precinct supervisor. Service complaints are treated as personnel management tools, not discipline, and are not recorded in an officer's file. The results of the IA investigation are forwarded to the officer's commanding officer, and then to a managerial review board, and finally to the Chief for final disposition and discipline, if the complaint is sustained. IPR monitors the complaint throughout the process and keeps the complainant informed as appropriate.

Findings: The Police Bureau may issue findings as follows: sustained, unfounded, exonerated, and insufficient evidence.

Appeals: If a complainant or officer is dissatisfied with the resolution of the complaint, either can file a request within 30 days for review by IPR and the Citizen Review Committee (CRC). The IPR will review the appeal and IA investigation and can order further investigation. If no further investigation is needed, the case proceeds to a public CRC pre-hearing. The CRC can deny the appeal or vote to hold a full hearing. The CRC can close a case by agreeing with the Police Bureau findings or by recommending changed findings to the Police Bureau. If the Police Bureau does not accept the recommendations, a complaint is resolved through a conference between the CRC and Police Bureau or a hearing before the City Council.

Other Functions: IPR reviews, monitors, and documents all IA actions and meets weekly with IA supervisors. IPR reviews and comments on Bureau policies, procedures, and training. In addition, IPR hires outside experts to perform an annual review of closed officer-involved shooting cases.

Oversight/IA Interaction: IPR gathers and forwards information from the complainant to Internal Affairs, and then monitors IA's actions and investigations on complaints.

Richmond, California

Agency: Police Commission

Jurisdiction: Richmond Police Department

Population: 101,373

Department Size: 203

Annual Budget: \$200,000

Staff: 1 investigator, 1 support staff

Structure: The Police Commission consists of nine Commissioners. Commissioners are appointed by the Mayor who consults with the City Council on all appointments. Commissioners serve a term of three years and do not receive compensation.

Subpoena power: Yes.

Events/conditions precipitating creation of oversight mechanism: Two African-American males were killed during incidents with police in the early 1980's. Additionally, several lawsuits filed by the NAACP led to a consent decree and the creation in 1984 of the Police Commission. All major stakeholders had input into the specific form, powers, and duties of the Commission.

Complaint Process

Intake: Only complaints of unnecessary or excessive force or racially abusive treatment by a Richmond police officer can be filed with the Commission. The Commission does not have original jurisdiction, but does have appellate jurisdiction, over non-force or other misconduct complaints. All other complaints must be filed with Professional Standards or will be referred to PS by the Commission. Complaints must be filed with the Commission in writing, signed by the complainant, within 45 days of the incident. Copies of complaints filed with the Commission are immediately forwarded to the Chief.

Formal Investigation: Complaints are investigated by an Investigative Officer, who interviews the complainant, subject officer(s), and all witnesses.

Findings: The Investigative Officer submits findings and recommendations to the Commission. Upon receiving oral or written findings and recommendations from the Officer, the Commission can order further investigation by the Officer, forward the findings and recommendations to the Chief, or conduct a hearing. Findings are as follows: sustained, not sustained, exonerated, and unfounded.

Hearings: Commission hearings are public. During hearings, complainants, police officers, and witnesses are questioned by the Commission without cross-examination. The Commission submits its findings and recommendations to the Chief within 30 days of the hearing.

Appeals: Appeals of dispositions by the Department for all complaints, except excessive or unnecessary force or racially abusive treatment, may be filed with the Commission within ten days of receiving notification from the Chief of the final disposition. Appeals are investigated by the Investigative Officer who submits findings and recommendations to the Commission either orally or in writing. The Commission can either order further investigation or forward its findings and recommendations for discipline based upon the report of the investigator to the Chief. The Commission is not bound by the investigator's recommendations. Findings for appeals are as follows: sustained, not sustained, exonerated, and unfounded.

Other Functions: The Commission reviews the policies, practices, and procedures of the Department and makes recommendations to the Chief. The Chief must respond to the Commission's recommendations within 30 days. If the Commission is unsatisfied with the Chief's response, it can submit its recommendations to the City Manager. The City Manager must respond within 30 days. If the Commission is dissatisfied with the City Manager's response, it can submit its recommendations directly to the City Council for action.

Agency History: Established in 1984 as an independent body separate from the Richmond Police Department.

Working Relationship with police department, city officials, community members, etc.: The Investigative Officer indicated that the Commission has a good relationship with the rank and file officers of the Department and a cohesive relationship with the city officials. It, however, does not have a good relationship with the Police Officers Association. In contrast to his immediate predecessor, the current Chief is very supportive of the Commission and civilian oversight in general. Some on the City Council are more supportive of the union than of the Commission. The Commission does, however, have the support of the community.

Additional Information: The investigator believes that it is crucial to have the City Attorney involved in the process of drafting of the enabling legislation for an oversight agency.

Salt Lake City, Utah

Agency: Police Civilian Review Board

Jurisdiction: Salt Lake City Police Department

Population: 181,743

Department Size: 404

Annual Budget: \$100,000

Staff: 1 investigator

Structure: The Police Civilian Review Board consists of 14 members, two from each of the seven City Council districts. Board members serve three-year terms, with a two-term maximum. The Board can investigate all types of misconduct complaints but investigates all complaints of excessive force concurrently with Internal Affairs. Additionally, the Board can audit and review internal investigations.

Subpoena power: No.

Complaint Process

Intake: Complaints must first be filed with Internal Affairs and then must be filed with the Board within four business days. The Board does not have jurisdiction over complaints that do not meet those filing requirements. Complaints may be filed over the telephone, in person, online (in the near future), or by mail. The Board automatically receives all complaints alleging excessive force, even if a complaint has not been filed with the Board. The Board will always conduct an investigation of excessive force complaints. Complaints are categorized as Category I (more serious allegations, including use of force, harassment, threats, civil rights violations, and criminal conduct) or Category II (complaints of profanity, inconsiderate behavior, dispatch-related complaints, improper vehicle impounds, and traffic/parking violations). Requests for the audit or review of internal investigations must be filed within 30 days of notification of the Department's findings. The request must be filed in person, in writing, or by mail to the Office of the Mayor.

Informal Resolution: Mediation is not offered.

Formal Investigation: An investigation is initiated if at least five Board members vote for one. A full-time investigator is responsible for conducting the investigation and reporting to a panel of the Board. Investigations conducted by the Board are concurrent with internal investigations. The Board investigator has access to all IA information related to complaints. The investigator can conduct interviews of complainants, witnesses, or officer(s) independent of IA; however, the investigator can also attend IA interviews and record them whenever possible.

Findings: After the investigation has been concluded, the Board panel, based on the recommendations of the investigator, issues findings. The Board classifies findings as follows: unfounded, exonerated, no determination is possible, and sustained. If sustained, the

Board also makes a recommendation to the Chief regarding appropriate discipline. Officers' complaint histories may be considered by the Board, but only in regard to recommending discipline, training, etc. to the Chief. Since IA also investigates complaints, the Board's findings are advisory and the Chief is not required to accept the Board's recommendations.

Appeals: There are no appeals from the Board's advisory decisions.

Other Functions: The Board reviews completed IA investigations and produces quarterly reports. For this purpose, the Board can only review redacted files (i.e., with names removed).

Oversight/IA Interaction: According to the Board Investigator, the Board has a close, positive working relationship with IA, with which it does side-by-side investigations.

Agency History: The Board was created in 2001 and began functioning in 2003. When it was originally created the Board did not have investigative power. The current form of the Board does have independent investigative power. Additionally, the past form of the Board was able to review internal investigations if the complaint was not sustained. The Board (and the union) found this to be in violation of the Memorandum of Understanding between the union, the Department, and the Board. That portion of the ordinance was repealed.

Working Relationship with police department, city officials, community members, etc.: The Board Investigator indicated that the Mayor supports the Board and the Board has a good relationship with the Police Department.

San Francisco, California

Agency: Office of Citizen Complaints

Jurisdiction: San Francisco Police Department

Population: 776,733

Department Size: 2,200

Annual Budget: \$2,907,712

Staff: 32 – 16 line investigators (the City Charter requires one investigator for every 150 sworn officers), Director, Chief Investigator, three senior investigators, two attorneys, policy/outreach specialist, eight clerical, accounting and database/statistical personnel.

Structure: The OCC has sole jurisdiction over citizen-initiated complaints relating to misconduct. The Office of Citizen Complaints (OCC) reports to the Police Commission. The Commission is comprised of five members, appointed by the Mayor and confirmed by the Board of Supervisors. The Commission appoints the Director of the OCC with approval of the Mayor and Board of Supervisors. The Director can be removed by the Commission. The Commission has the principal disciplinary authority for the SFPD. The Chief, however, has the authority to impose discipline not more serious than a ten-day suspension. The OCC has exclusive jurisdiction over civilian-initiated complaints of misconduct. The OCC issues special policy recommendation reports.

Subpoena power: Yes.

Events/conditions precipitating creation of oversight mechanism: The OCC was created by the voters in 1983 after a community coalition placed the initiative on the ballot. Subsequent ballot initiatives strengthened the OCC. In 1996, the charter was amended to guarantee minimum funding for the OCC. In 2003, a high-profile altercation involving off-duty officers and an alleged cover-up that led to criminal charges (many dismissed) against much of the Department's hierarchy led to the adoption of new rules governing the Police Commission and the Office of Citizen Complaints.

Complaint Process

Intake: Complaints can be filed with the OCC in person, by mail, telephone, or facsimile. Complaints may also be filed at Management Control Division (Internal Affairs) and at community locations. MCD has sole jurisdiction over officer-initiated complaints. Once a complaint has been filed with the OCC it is assigned to an intake investigator who interviews the complainant by telephone or in person.

Informal Resolution: The OCC offers mediation.

Formal Investigation: The investigator interviews officers, witnesses, and reviews reports and other evidence. A team of OCC supervisors reviews all completed OCC investigations to make certain of the accuracy and compliance with Police Commission standards. It is San

Francisco Police Department policy that officers cooperate with OCC investigations. The investigator sends a preliminary disposition letter to the complainant and officer(s). The complainant and officer(s) have a right to meet with the investigator to review the investigative process.

Hearings: There are two levels of hearings, a Chief's hearing and a Police Commission hearing. Police Commission hearings involve officer appeals, cases forwarded by the Chief, cases that involve harsher discipline than a ten-day suspension, cases involving a difference in the findings of the OCC and the Chief, and DUI and domestic violence cases from MCD. Chief's hearings handle the balance of hearings on complaints. A Chief's hearing is informal and involves an OCC attorney, the subject officer, a union representative, and the officer's captain. Chief's hearings are run by the Management Control Division. Police Commission hearings are formal hearings where an OCC trial attorney prosecutes and a union or private attorney defends. Discipline is imposed if an allegation is sustained.

Findings: OCC findings are as follows: sustained, not sustained, proper conduct, unfounded, policy failure, supervision failure, training failure, information only, no finding, or mediated. OCC's findings cannot be overturned by the Department but can be overturned by the Commission. OCC's findings are reviewed by MCD. If MCD disagrees with the findings and no consensus between MCD and OCC is reached, the sustained finding remains in the officer's file; however, no discipline is imposed. Discipline can be imposed if the Chief submits the case to the Commission for a hearing.

Appeals: The officer can appeal a Chief's hearing decision to the Police Commission.

Other Functions: The OCC acts as an early warning system by reporting to the SFPD every three to six months concerning officers who compile three or more OCC complaints within the previous six months or four or more complaints within a year. Additionally, the OCC reviews and makes recommendations regarding SFPD policies and procedures.

Working Relationship with police department, city officials, community members, etc.: The Commission and union (Police Officers Association) have a tense and volatile relationship. Union members and the Commission are at times publicly antagonistic and this relationship seems unlikely to improve in the near future. San Francisco Chronicle October 4, 2004.

San Jose, California

Agency: Office of the Independent Police Auditor

Jurisdiction: San Jose Police Department

Population: 926,200

Department Size: 1,450

Annual Budget: \$660,000

Staff: 6 full-time employees – Auditor, Assistant Auditor, Citizen Complaint Examiner, Public and Community Relations, Data Analyst, Office Specialist

Structure: The Independent Police Auditor reports directly to the Mayor and City Council. The Council may remove the Auditor upon a resolution of ten of its 11 members. The IPA monitors IA's investigations of complaints, both throughout the process and upon their completion. If the Auditor does not agree with the Police Department's findings and cannot reach a resolution with the Department, the Auditor can have the case referred to the City Manager. The Auditor has formed an IPA Advisory Committee – which has no official status – to obtain community input.

Subpoena power: No.

Complaint Process

Intake: Complaints can be filed with the IPA or Internal Affairs. All complaints are investigated by IA and monitored by the IPA. IPA intake investigators take the initial statements for complaints filed with the IPA. Complainants are encouraged to sign a required Department form within 30 days of the incident before a complaint can be investigated. However, if the complainant does not sign the form within 30 days, it does not preclude an IA investigator from conducting a preliminary investigation that includes reviewing all documents or evidence. As long as the form is signed within one year of the incident, complaints will be investigated fully.

Formal Investigation: Complaints are classified in one of five categories; formal, command review, policy, procedural, and inquiry. Inquiries are cases that were resolved before becoming a complaint. Facesheets containing information about each complaint are forwarded to the IPA within three days of classification by Internal Affairs. The IPA reviews IA classifications to ensure that complaints receive the proper level of review. The IPA monitors all ongoing investigations. The IPA is involved in many of the interviews conducted by IA. Internal Affairs sends its completed investigations to the Chief who makes the Department's findings on the case.

Findings: Findings are as follows: sustained, not sustained, exonerated, unfounded, and no finding. For procedural complaints the findings are as follows: within procedure or no misconduct determined. The IPA is notified of all completed investigations within five days of action by the Chief. If IPA agrees with the findings, the complainant is notified. If IPA disagrees with the findings, it can request further investigation and/or meet with Internal

Affairs and the Chief to resolve the matter in issue. If IPA and the Department cannot reach agreement, the unresolved issues are sent to the City Manager for final resolution (after which the complainant is notified).

Other Functions: The IPA makes policy recommendations and conducts community outreach.

Working Relationship with police department, city officials, community members, etc.: Over the past 11 years the Auditor says that the focus of the IPA has shifted from having to defend its right to exist to working in collaboration with the Department toward addressing problems and implementing solutions. To help establish trust, the Auditor makes a point never to surprise the Department with her findings. According to the Auditor, there has been strong resistance to the IPA from the union, particularly in the IPA being present during an interview with an officer who has been involved in an officer-involved shooting.

Additional Information: The IPA uses the Independent Police Auditor Advisory Committee (IPAAC) to publicly advocate on its behalf and to address the needs and problems of the various communities in San Jose. The IPA believes that the strength of San Jose's model lies in the IPA's ability to make policy recommendations that provide a broader scope than a case-by-case analysis can.

Seattle, Washington

Agency: Office of Professional Accountability

Jurisdiction: Seattle Police Department

Population: 563,374

Department Size: 1,240

Staff: Director, Captain, Lieutenant, and six Sergeants

Structure: The Office of Professional Accountability, which handles the intake and investigation of complaints, is a part of the Police Department. The civilian OPA Director is appointed by the Mayor and confirmed by the City Council. The OPA Director reports to the Chief of Police, and also reports to the Mayor and City Council about OPA and Department activities, policies, and procedures.

Complaint Process

Intake: Complaints may be filed either with the OPA or with the Citizen Services Bureau at City Hall. After intake the OPA Director classifies complaints as follows:

- Contact Logs – inquiries about policies, referrals, or requests for information not assigned for investigation.
- Supervisory Referral – complaints that indicate a training failure instead of misconduct. These are assigned to the subject officer's immediate supervisor for review or provision of additional training.
- Line Investigations – minor misconduct complaints assigned to the subject officer's chain of command for investigation.
- OPA-IS (Investigation Section) investigation –more serious complaints including all use-of-force complaints that are investigated by the Office of Professional Accountability Investigation Section.

Informal Resolution: None.

Formal Investigation: Complaints classified as OPA-IS investigations are investigated by sergeants in the OPA investigation unit. Complaints otherwise classified are investigated by line supervisors. The completed investigation is forwarded to the Director who may agree with the findings, direct further investigation, or recommend different findings. The Director makes the final departmental decision on all complaints other than those which are sustained, which are sent to the Chief for discipline. The OPA Auditor reviews redacted files of complaints and OPA investigations after the Director has acted on them. The OPA Review Board (OPARB) reviews closed, redacted files following final action by the Department.

Agency History: The OPA was created in 1999 by the Seattle City Council and its first civilian Director was appointed in 2001.

Seattle, Washington

Agency: Office of Professional Accountability Review Board

Jurisdiction: Office of Professional Accountability, Seattle Police Department

Population: 563,374

Department Size: 1,240

Annual Budget: \$48,000 (from Seattle Legislative Department budget)

Staff: No paid staff

Structure: The three members of the Board are appointed by the City Council. Members receive a \$400 monthly stipend.

Subpoena power: No.

Complaint Process

OPARB does not process civilian complaints. OPARB reviews closed and redacted Office of Public Accountability (Internal Affairs) complaint investigations, as well as the application and effectiveness of OPA standards and procedures. Redacted case files are files that have identifying characteristics such as names removed from the complaint.

Agency History: The Office of Accountability Review Board was established in 2002.

Working Relationship with police department, city officials, community members, etc.: According to a Board member, OPARB has a strained working relationship with the City of Seattle. Indicative of those problems, the City has refused to protect the Board members from personal civil liability arising out of OPARB reports.

Seattle, Washington

Agency: Office of Professional Accountability Civilian Auditor

Jurisdiction: Office of Professional Accountability; Seattle Police Department

Population: 563,374

Department Size: 1,240

Staff: 1

Structure: The Auditor is an independent contractor appointed by the Mayor and confirmed by the City Council, who reviews all complaints and Office of Professional Accountability (OPA) completed investigations. The Auditor serves a two-year term and can serve no more than three terms. The Auditor can be removed from office by the Mayor. The Auditor must be an attorney with at least five years experience practicing law.

Complaint Process

The Auditor is a part-time appointee, who is not an employee of the City. In reviewing OPA investigations, the Auditor has access to all files and information. The Auditor, who is required to review all complaints both at the time of classification and upon completion of the OPA investigation, has authority only to make recommendations to OPA and/or the Chief.

Oversight/IA Interaction: The Auditor confers frequently with the OPA Director about specific recommendations. According to the Auditor, lines of communication with the OPA are open and frequently and productively used.

Agency History: The Auditor position was created in 1992.

St. Paul, Minnesota

Agency: Police-Civilian Internal Affairs Review Commission

Jurisdiction: St. Paul Police Department

Population: 287,151

Department Size: 555

Annual Budget: \$37,160

Staff: 1 civilian coordinator (from the PD)

Structure: The Police-Civilian Internal Affairs Review Commission consists of seven members, two of whom are SPPD officers. Members are jointly appointed by the Mayor and Chief of Police. The Internal Affairs Unit of the St. Paul Police Department is the investigative arm of the Commission. The Commission has a civilian coordinator employed by the Police Department who processes complaints from the public.

Subpoena power: Yes.

Complaint Process

Intake: Complaints can be filed with the Commission. Once filed, the coordinator gathers information about the complaint and forwards the complaint to Internal Affairs for investigation.

Informal Resolution: If the complaint contains an allegation of relatively minor misconduct such as discourtesy or an explanation of Department policy, Internal Affairs refers the complaint down the chain of command to the supervisory level for resolution. These resolutions are not sent to the Commission for review.

Formal Investigation: Internal Affairs investigates almost all complaints. Once an investigation is complete, it is sent to the Commission for review. The Commission reviews all IA investigations alleging excessive force, use of firearms, discrimination, poor public relations, and other complaints at the Chief's discretion. The commissioners, commission coordinator, IA commander, IA investigators, and a secretary are the only parties allowed to attend the case review. The commissioners, after being presented information about the case from an IA investigator, vote on the outcome.

Findings: The Commission may find as follows; sustained, not sustained, exonerated, or unfounded. If a majority of the commissioners votes to sustain a complaint, the Commission must also vote on a recommendation for discipline. The commissioners may also determine that further investigation by either IA or an independent investigator is needed. The IA and Commission findings are forwarded to the Chief along with the Commission's disciplinary recommendations if the complaint is sustained.

Appeals: There are no appeals of the Commission's and Chief's findings/dispositions.

Other Functions: The Commission hears all cases involving the discharge of an officer's firearm even in cases where no complaint is filed.

St. Petersburg, Florida

Agency: Civilian Police Review Committee

Jurisdiction: St. Petersburg Police Department

Population: 248,232

Department Size: 524

Annual Budget: \$157,000

Staff: 1 coordinator and 1 administrative secretary

Structure: The Civilian Police Review Committee reviews internal investigations and reports results to the public. The Committee is comprised of 23 members appointed by the Mayor. Members, who must be City residents, serve three-year terms.

Subpoena power: No.

Events/conditions precipitating creation of oversight mechanism:

The Review Committee was created after community groups and individual citizens voiced concern over the legitimacy and fairness of the complaint process.

Complaint Process

The Civilian Police Review Committee does not process civilian complaints. According to Florida law, the Review Committee cannot change the findings of IA investigations. The Committee can only make policy recommendations to the Police Department.

Formal Investigation: Every complaint, regardless of its nature, is investigated. Serious allegations (such as, unnecessary force, falsifying records) are investigated by the Internal Affairs Division and are referred to as Internal Affairs Investigations. The results of Internal Affairs Investigations are referred to the Chief. Minor breaches of Police Department regulations (such as discourtesy) are investigated by the police officer's supervisor and are referred to as Bureau Investigations. Any discipline arising out of Bureau Investigations is imposed by the officer's supervisor.

Appeals: Once an investigation becomes a public record (which occurs after final administrative disposition, including appeals, and the disposition of any associated criminal case), the Civilian Police Review Committee reviews the determination made and the discipline imposed, if any. The Committee only reviews internal investigations. The Committee does not have investigatory authority.

Agency History: The Board was created in 1991. The structure was chosen so as to conform to the Police Officer's Bill of Rights and existing ordinances.

Working Relationship with police department, city officials, community members, etc.:

According to an employee of the Board, the Board has a good working relationship with the Chief, Mayor, and the Department. Most of the Board's policy recommendations are implemented.

APPENDIX B: 2006 MGT REPORT RECOMMENDATIONS

Chapter 4: The Police Oversight Process

RECOMMENDATION 4-1:

Develop a brochure to include with the public letter record that defines in plain language the terms used to explain the outcome of the investigation of the CPC to the complainant.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 4-1 of this report.

RECOMMENDATION 4-2:

Enhance outreach efforts to complainants and potential complainants to encourage the use of mediation.

See Commendation 4-1 and Recommendation 4-3 of this report.

RECOMMENDATION 4-3:

Include "successfully mediated" as a complaint disposition category.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 4-4 of this report.

RECOMMENDATIONS 4-4:

Develop a SOP in collaboration with IA that establishes a process and criteria for mediation.

This recommendation was accepted in part as there is an informal process by which the IRO works with IA for certain identified complaints that are deemed to be appropriate for mediation.

RECOMMENDATION 4-5:

Change the CPC form to include more "forced blocks" to provide additional detailed information about the location, officers, and injuries involved in the alleged conflict.

While there is no data to support a finding that this recommendation was accepted, the recommendation has been omitted from the current report.

RECOMMENDATION 4-6:

The IRO should not dismiss (inactivate) unsigned complaints and at a minimum should conduct a preliminary investigation if the allegations are serious and the facts can be established.

Following the recent study conducted by PERF, this recommendation was accepted. See Commendation 6-2.

RECOMMENDATION 4-7:

Extend the deadline for citizens to file appeals from ten business days to 30 calendar days.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 4-5 of this report.

Chapter 5: The Police Oversight Commission

RECOMMENDATION 5-1:

Amend the Police Oversight Ordinance to include any language that was unintentionally omitted during the amendment process.

This recommendation was accepted as subsequent amendments were made to clarify the appointment process of POC members.

RECOMMENDATION 5-2:

Remove term limits on POC members.

This recommendation was accepted as the language of the Police Oversight Ordinance does not limit the terms of POC members.

RECOMMENDATION 5-3:

Create an orientation program for new members.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 5-1 of this report.

RECOMMENDATION 5-4:

Monitor and track POC member attendance at all training and ride-along events to ensure compliance with the ordinance.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 5-2 of this report.

RECOMMENDATION 5-5:

Amend the Police Oversight Commission's Rules and Regulations to clarify if the references to the IRO in sections 8 and 9 include the IRO staff.

While there was no evidence to suggest that this recommendation was accepted, the recommendation has been omitted from the current report.

Chapter 6: Independent Review Officer

RECOMMENDATION 6-1:

Hire additional investigators.

This recommendation was accepted. Since the 2006 Report, the IRO's office has acquired an additional full-time investigator.

RECOMMENDATION 6-2:

Assign all CPC's to the IRO to investigate.

While data suggest fewer CPC's are assigned to the IA Unit, the IA unit does still investigate some CPC's. See Recommendation 6-2 of this report.

RECOMMENDATION 6-3:

Establish criteria for CPCs that will be handled by the IRO and those that will be referred to IA.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 6-3 of this report.

RECOMMENDATION 6-4:

Develop a strategic plan for community outreach in collaboration with the long-term planning committee (LTPC) and provide updates in quarterly and annual reports to the POC.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 6-4 of this report.

RECOMMENDATION 6-5:

Team up with the city's Vietnamese Task Force to evaluate the community's understanding of the POC and IRO processes, and determine outreach needs.

There was no evidence to suggest that this recommendation was accepted; however, an on-going effort for community outreach is recommended. See Recommendation 6-4 of this report.

RECOMMENDATION 6-6:

Conduct complainant surveys on an on-going basis, but seek ways to increase the number of responses and increase the depth of analysis.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 6-5 of this report.

RECOMMENDATION 6-7:

The Chief of Police and the Chair of the POC should take advantage of existing resources to request legal reviews of public letters of record as needed.

There is a city attorney that attends the regularly scheduled monthly meetings of the POC and the monthly meetings of the LTPC.

RECOMMENDATION 6-8:

Revise the ordinance to extend the IRO contract time-period to more than a two-year contract as currently required.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 6-9 of this report.

Chapter 7: APD Internal Affairs

RECOMMENDATION 7-1:

Develop criteria that establish the minimum and maximum length of time the IA commander may work in that assignment.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 7-1 of this report.

RECOMMENDATION 7-2:

Develop criteria for sergeants selected to work in IA that requires experience as a supervisor.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 7-2 of this report.

RECOMMENDATION 7-3:

Document informal complaints in the EWS.

This recommendation was accepted and the process has since changed. Internal Affairs now audits the informal complaint system annually and enters informal complaints into the EWS; however, if there are no similar events, the information is purged from the EWS after a year.

RECOMMENDATION 7-4:

Move the responsibility of auditing of informal complaints from IA to the Inspections Unit and include in the audit program a review of SOPs, supervisors' reporting, and documentation by IA.

This recommendation is no longer appropriate, as the Inspection's Unit responsibility is now the coordination of CALEA accreditation.

RECOMMENDATION 7-5:

Reexamine the need for additional investigators in IA.

This recommendation is no longer necessary as the current caseload of each IA investigator is manageable as reported by the IA Lieutenant. Moreover, the recently approved addition of an investigator will assist the unit in times of higher than usual complaints.

RECOMMENDATION 7-6:

Consider limiting IA's investigations to "I's only.

While the number of CPC's investigated by IA has decreased, the IA unit does still handle a certain number of CPC's, see Recommendation 7-3 of this report.

RECOMMENDATION 7-7:

Change the quarterly and annual report format to address all IA reporting requirements as delineated in SOP's.

This recommendation remains, but has been modified for the current report, see Recommendation 7-4 of this report.

RECOMMENDATION 7-8

Ensure the process for investigating captains and above is included in the department's SOP's.

This recommendation was accepted. The IRO's office now has the responsibility of investigating all complaints involving the rank of captain and above.

Chapter 8: APD Accountability Mechanisms

RECOMMENDATION 8-1:

Replace IA's EWS tracking spreadsheet software with "off-the-shelf" IA software that assists with the comprehensive analysis of data and the generation of reports.

The APD's new Multi-Relational Internal Affairs Database (MRIAD) program was developed to track Use of Force and IA data for the department's EWS. This program collects data required in the department's EWS SOP and is a significant improvement over the previous software.

RECOMMENDATION 8-2:

Include the tracking of resisting arrest and assault on police officer data in the EWS.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 8-2 of this report.

RECOMMENDATION 8-3:

Review the function of the EWS review panel (SOP 3-49) to ensure it is being utilized as required by the SOP.

The EWS review panel continues to be used infrequently. This panel provides a potential forum for periodic review of the department's EWS data and trend analysis, as is now capable with the MRLAID System, see Recommendation 8-3 of this report.

RECOMMENDATION 8-4:

Modify the number of EWS entries, which an officer may receive before recommending intervention from an arbitrary set number to more a statistically valid number based on the deviation from a standard or norm for the area and the shift each officer works.

As a result of a recent review performed by PERF, this recommendation has been amended. The threshold has been reduced from five to three; however, an on-going study of the appropriate threshold is underway, see Recommendation 8-4.

RECOMMENDATION 8-5:

Assign the APD's Inspections Unit to audit UOF reporting.

In light of the Inspection Unit's responsibilities being limited to managing the department's CALEA accreditation, this recommendation is no longer applicable. Responsibilities to audit UOF reports remains with the IA Unit; however, the recent PERF report suggest appropriate changes to the UOF reporting process.

RECOMMENDATION 8-6:

Issue the "APD Sergeant Reference Guide" in training for all lieutenants and sergeants.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 8-5 of this report.

RECOMMENDATION 8-7:

The APD should task the training committee to review this issue and coordinate in-service training for all supervisors (lieutenants and sergeants) that addresses information contained in the Sergeant Reference Guide and IA section of the OJT program.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 8-5 of this report.

RECOMMENDATION 8-8:

Develop a process for monitoring and analyzing tort claim and lawsuit data that involves the City Attorney's Office, Risk Management Office, IRO, and IA.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 8-8 of this report.

RECOMMENDATION 8-9:

Assign the Inspections Unit to conduct an audit of officers' SOP manuals.

As a result of the re-alignment of the Inspection Unit responsibilities by which its sole responsibility is now managing CALEA accreditation, this recommendation was accepted.

RECOMMENDATION 8-10:

Distribute SOPs electronically to all APD staff.

There was no evidence to suggest that this recommendation was accepted; see Recommendation 8-7 of this report.

RECOMMENDATION 8-11:

Assign the Inspections Unit to audit briefing training to ensure that the training developed is being distributed properly to the field.

As a result of the re-alignment of the Inspection Unit responsibilities by which its sole responsibility is now managing CALEA accreditation, this recommendation was accepted.

RECOMMENDATION 8-12:

Include training about civilian oversight of policing agencies in the APD curriculum.

This recommendation has been amended; see Recommendation 6-4 of this report.

Chapter 9: APD Police Shootings

RECOMMENDATION 9-1:

Revise APD SOPs to include the multi-agency task force and protocols identified in the "Law Enforcement Involved Fatalities/Great Bodily Harm" MOU.

In response to the recent review conducted by PERF, there was no additional review conducted concerning officer involved shootings and/or use of force issues or the implementation of recommendations concerning such.

RECOMMENDATION 9-2:

Establish a process and time that that officers will be placed on administrative leave following a shooting incident.

In response to the recent review conducted by PERF, there was no additional review conducted concerning officer involved shootings and/or use of force issues or the implementation of recommendations concerning such. However, refer to Recommendation 5 of the PERF report for further detail on this recommendation.

RECOMMENDATION 9-3:

Include a discussion of the Behavioral Sciences Division Staff Psychologist protocol for officer involved shootings in SOP 2-31.

In response to the recent review conducted by PERF, there was no additional review conducted concerning officer involved shootings and/or use of force issues or the implementation of recommendations concerning such. However, refer to Recommendations 12-15 of the PERF report for further detail on this recommendation.

RECOMMENDATION 9-4:

Expand the Critical Incident Review Board to conduct inquiries and make recommendations for officer involved incidents resulting in death or great bodily injury.

In response to the recent review conducted by PERF, there was no additional review conducted concerning officer involved shootings and/or use of force issues or the implementation of recommendations concerning such. However, refer to Recommendation 11 of the PERF report for further detail on this recommendation.

RECOMMENDATION 9-5:

Reduce the time it takes APD detectives and the DA take to investigate officer involved shootings and make a legal determination.

In response to the recent review conducted by PERF, there was no additional review conducted concerning officer involved shootings and/or use of force issues or the implementation of recommendations concerning such. However, refer to Recommendation 6 of the PERF report for further detail on this recommendation.

APPENDIX C: 2011 MGT REPORT RECOMMENDATIONS

Chapter 4: The Police Oversight Process

RECOMMENDATION 4-1:

Develop a brochure to include with the public letter record that defines in plain language the terms used to explain the outcome of the investigation of the CPC to the complainant.

RECOMMENDATION 4-2:

Provide analysis of meaningful data that will help to reveal systemic issues that may have given rise to the original complaints. Provide a summary of the details, including rate of mediation and sustained cases, both current and historical in clear and concise charts and tables.

COMMENDATION 4-2:

The continued use of mediation as a way to resolve police complaints in Albuquerque is commendable.

RECOMMENDATION 4-3:

Enhance outreach efforts to complainants and officers alike to encourage the use of mediation.

RECOMMENDATION 4-4:

Include "successfully mediated" as a complaint disposition category.

RECOMMENDATION 4-5:

Extend the deadline for citizens to file appeals from 10 business days to 30 calendar days.

RECOMMENDATION 4-6:

City Council members must be fully engaged in the process. As such, each member must fulfill his/her duty to provide the Mayor with qualified nominees and maintain a level of oversight into the process by keeping in frequent communication with their appointee.

COMMENDATION 4-3:

The ordinance provides an automatic review of the oversight process every four years.

Chapter 5: The Police Oversight Commission

RECOMMENDATION 5-1:

Create a training program that ensures all members of the POC are fully informed of their responsibilities and have a level of knowledge regarding police operations to allow each member of the POC to accomplish his or her role as a commissioner.

RECOMMENDATION 5-2:

Monitor and track POC member attendance at all training and ride-along events to ensure compliance with the ordinance. To ensure proper oversight, the city ordinance should be amended to require the annual report to contain an account of the annual training undertaken by members of the POC commission. For those members who fail to comply with annual training requirements, the ordinance should be amended to provide for the removal of a non-compliant POC member.

RECOMMENDATION 5-3:

Monitor and track POC member attendance at monthly meetings and require adequate proof for excused absence by members.

RECOMMENDATION 5-4:

All city councilors should ensure their respective position on the Commission is filled with a qualified appointee who will be mindful of the overall mission of the POC.

RECOMMENDATION 5-5:

Being one of its expressed objectives, the POC should identify major problems and identify a program of policy suggestions and studies through the use of its LTPC.

RECOMMENDATION 5-6:

In addition to identifying major systemic problems by and between the APD and the community, Section 9-4-1-11 of the Police Oversight Ordinance should be amended to require the LTPC to monitor the status of recommendations resulting of those evaluations required by ordinance through regular updates to the full commission and designated city staff and/or agencies.

COMMENDATION 5-1:

Before the annual 2010 report, the IRO's annual reports did not provide detail on discipline for sustained complaints; however, the most recent annual report does provide discipline for approximately 85 percent of all sustained complaints.

RECOMMENDATION 5-7:

Amend the language of the ordinance to require the POC, through the IRO, to consider the published chart of sanctions and recommend discipline for all sustained complaints, separate from the discipline imposed by the APD.

RECOMMENDATION 5-8:

Amend the language of the ordinance to require additional analysis and data, including specific disciplinary outcomes of sustained complaints and long-term trend analysis.

RECOMMENDATION 5-9:

The APD's Standard Operating Procedures (SOP) provide a standard range for discipline for violations of each SOP. The language of the ordinance should be amended to require the reporting of this to further provide the highest level of accountability.

RECOMMENDATION 5-10:

The POC and the Albuquerque Chief of Police should hold joint public sessions bi-annually to discuss policy issues and concerns and allow for public input.

Chapter 6: Independent Review Officer

RECOMMENDATION 6-1:

For the few citizen complaints referred to the IA's office, the process for final disposition should be streamlined to avoid undue burden on the actors. This could be accomplished by requiring IA to make a finding and disciplinary recommendation for claims sustained.

RECOMMENDATION 6-2

The IRO and IA should work toward a complete separation of responsibility, where IA handles only internal cases (I) and the IRO handles all citizen complaints (CPC).

RECOMMENDATION 6-3:

Establish criteria for CPCs that will be handled by the IRO and those that will be referred to IA.

RECOMMENDATION 6-4:

Develop a strategic plan for community outreach in collaboration with the long-term planning committee (LTPC) and city staff.

RECOMMENDATION 6-5:

Conduct complainant and police officers satisfaction surveys on an on-going basis, and seek ways to increase the number of citizen responses and increase the depth of analysis.

COMMENDATION 6-1:

The department's willingness to involve the IRO in its initial investigation of an officer involved shooting reveals a commitment to reversing the upward trend.

RECOMMENDATION 6-6:

While the APD has agreed to allow the IRO to monitor the crime scene of an officer involved shooting, the police oversight ordinance should be amended to require that the IRO or his/her representative be present at the scene of an officer involved shooting.

RECOMMENDATION 6-7:

The IRO's office should be provided an auditor/analyst whose task it is, not to investigate complaints, but rather enjoy open access to the police department's records and given wide-ranging authority to report on all aspects of departmental policy and advocate for systemic reform, where necessary.

RECOMMENDATION 6-8:

The IRO's office should be allowed full, real-time access to be able to input relevant citizen complaint data into the APD's early warning system (EWS).

RECOMMENDATION 6-9:

Revise the ordinance to extend the IRO contract time-period to more than a two-year contract as currently required.

RECOMMENDATION 6-10:

The IRO should work with the Chief of Police and department officials to reduce the delays in obtaining case information from the police department's records system.

RECOMMENDATION 6-11:

The IRO's office should develop a truncated review process by which third party complaints can be addressed, when appropriate, without the full use of resources to conduct a full investigation.

COMMENDATION 6-2:

In response to the recent recommendations of the PERF report, and in-line with MGT's previous recommendations, the IRO is now permitted to investigate un-signed and/or anonymous complaints.

Chapter 7: APD Internal Affairs

RECOMMENDATION 7-1:

Develop criteria that establish the minimum and maximum length of time the IA commander may work in that assignment.

RECOMMENDATION 7-2:

Develop job criteria for sergeants selected to work in IA that requires experience as a supervisor.

RECOMMENDATION 7-3:

Consider limiting IA's investigations to Is only.

RECOMMENDATION 7-4:

Modify the quarterly and annual report format to address all IA reporting requirements as delineated in SOPs.

Chapter 8: APD Accountability Mechanisms

RECOMMENDATION 8-1:

Use software that assists with the comprehensive analysis of data, especially trends, and the generation of reports.

RECOMMENDATION 8-2:

Include the tracking of resisting arrest and assault on police officer data in the EWS.

RECOMMENDATION 8-3:

Review the function of the EWS review panel (SOP 3-49) to ensure it is being used as required by the SOP.

RECOMMENDATION 8-4:

Modify the number of EWS entries which an officer may receive before recommending intervention from an arbitrary set number to more a statistically valid number based on the deviation from a standard or norm for the area and the shift each officer works.

COMMENDATION 8-1:

In response to recent events, Internal Affairs has increased its efforts to help ensure 100 percent compliance on UOF reporting.

RECOMMENDATION 8-5:

Issue the "APD Sergeant Reference Guide" in training for all lieutenants and sergeants and task the Training Committee to ensure training requirements in this guide are met.

RECOMMENDATION 8-6:

Work with City Attorney's Office, IRO, and IA to develop a process and/or implement software by which the monitoring and analysis of claims data can be accomplished.

RECOMMENDATION 8-7:

Distribute SOP's electronically and automate the process to automatically notify all employees of any SOP changes.