



Bellingham City Council

MEMORANDUM

To: Bellingham City Council
CC: Mayor Seth Fleetwood; Brian Heinrich; Chief Flo Simon; Alan Marriner
From: Mark Gardner, Council Legislative Analyst
Re.: Police civilian oversight examples
Date: June 14, 2021

CIVILIAN POLICE OVERSIGHT COMMISSION EXAMPLES

This memo provides information on a sample of boards or commissions that provide civilian oversight of police. These examples were chosen to illustrate a variety of authorities and activities, with a focus on small and medium size cities ranging in size from about 58,000 to 120,000 in population. A few larger cities are included for comparative purposes. Most of these boards conduct reviews of completed investigations, and some add an audit function, such as a review of police policies and practices. Examination of complaints arising from residents is the most common review activity, although some boards also review broad categories of incidents, such as those involving use of force.

Descriptions are drawn from web sites of the boards and edited for clarity, with additional information from official documents added as appropriate. Recent agendas and meeting notes were reviewed to capture a sample of recent topics before each board.

The policy literature identifies clear legal grounding for the operations of these boards as a “best practice.” As indicated below, most of these boards are authorized in city code, one is authorized in the city charter, and two are grounded both in the charter and the code.

The tables also indicate the presence of other oversight mechanisms that may work in tandem with the boards, such as offices of civilian oversight. Such oversight offices may take the lead in investigations and assist the boards with research and review. Additional elements of comparison include:

- **Size of Board:** Ranges from 5 to 11 members, with boards of 9 members most common
- **Staff size:** Ranges from 1 to 7. In many cases staff information was not readily available.
- **Year of formation:** Time of formation ranges widely, from 1973 to 2020
- **Meeting frequency:** Ranges from twice per month to quarterly, with monthly meetings most common.

City: Albany	City Population: 96,460
Name: Community Police Review Board	Review type: Review and Audit
<p>Description: The Albany Community Police Review Board (CPRB) is an independent body established by the City of Albany to improve communication between the police department and the community, to increase police accountability and credibility with the public, and to create a complaint review process that is free from bias and informed of actual police practice.</p> <p>In addition to its authority to review and comment on completed investigations of complaints made by community members against officers of the City of Albany Police Department for alleged misconduct, the Board may make recommendations to the Council and the Mayor regarding police policies and practices relevant to the goals of community policing and the exercise of discretionary authority by police officers. Board members are appointed by the Mayor and the Council. The Board is required to, among other things, undergo significant training and engage in public outreach and education.</p>	
Source of Authority: City Code	Number of members: 9
Meeting Frequency: Monthly	Other city institutional oversights:
Year Created: 2000	Number of staff: Independent of City and provided by Albany Law School
<p>Issues discussed at recent meetings:</p> <ul style="list-style-type: none"> • Review of complaints against the Albany police • Request to City Council to delete the requirement that Board members participate in a community police academy because of racist statements made by the police academy trainer. • Making police department policies and procedures, and collective bargaining agreements, available to the public • How to provide public access to contracts for surveillance technology • Collection of data on traffic stops including racial and gender data. • Requiring public reports on disciplinary actions • Allowing the CPRB to have independent disciplinary power 	
<p>Misc: City code was recently amended to provide funds for the review board at one percent of the annual police budget, to provide for board access to the City attorney and to hire outside counsel as needed, and to provide for strengthened access to information about police disciplinary investigations.</p>	
<p>Web address: https://www.albanycprb.org/home/board-information/</p>	

City: Berkeley	City Population: 121,363
Name: Police Review Commission (to be replaced by a new <i>Police Accountability Board</i>)	Review type: Review and Audit; some investigative functions
<p>Description: Provides for community participation in setting Police Department policies, practices, and procedures. Provides a means for investigation of complaints against the Police Department. Composed of Berkeley residents who are appointed by the Mayor and City Council, the PRC is an independent, civilian oversight agency to the BPD. The PRC advises city leaders and the BPD on police policies and investigates complaints by members of the public against police officers.</p> <p>Berkeley voters approved the creation of a new Police Accountability Board in November 2020, to replace the Police Review Commission. The new board has strengthened investigative powers and will be able to recommend discipline. The nine-member Board will be charged with promoting public trust through independent, civilian oversight of the Berkeley Police Department, providing community participation in setting and reviewing Police Department policies, practices, and procedures, and providing a means for prompt, impartial, and fair investigation of complaints brought by members of the public against sworn employees of the Berkeley Police Department. The new board will also make recommendations to the City Council regarding the Police Department budget.</p>	
Source of Authority: City Code/Charter	Number of members: 9
Meeting Frequency: twice per month	Other city institutional oversights: Office of Director of Police Accountability
Year Created: 1973	Number of staff: 3 (soon to be 4)
<p>Issues discussed at recent meetings:</p> <ul style="list-style-type: none"> • Discussion of proposals for improving the complaint process • Review of the police chief recruitment process • Discussion of recommendations on no-knock warrants • Discussion of hate crimes tracking in Berkeley and response to recent anti-Asian hate crimes • Discussion of findings of City's Reimagining Public Safety Task Force • Review of various Lexipol police department policies, including use of force and warrant service • Discussion of new oversight entities -- the Police Accountability Board and the Office of Director of Police Accountability • Meetings of subcommittees on: warrant service, Lexipol policy review; Board of Inquiry (responds to specific complaints) 	
<p>Web address: https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Police_Review_Commission_Homepage.aspx</p>	

City: Boulder, CO	City Population: 105,673
Name: Police Oversight Panel	Review type: Review and Audit
Description: On Tuesday, February 2, 2021, the Boulder City Council unanimously approved the appointment of community members to serve on the city's new civilian Police Oversight Panel. The appointments were the culmination of a two-year community-led effort to establish a civilian oversight panel. Boulder's Police Oversight Panel is empowered to review complaint investigations conducted by the Boulder Police Department's Professional Standards Unit and make disciplinary recommendations to the Chief of Police. The panel is also authorized to make policy and training recommendations to the police department. Police oversight panel members will participate in a training program to be developed by the Independent Police Monitor.	
Source of Authority: City Code	Number of members: 9
Meeting Frequency: Monthly	Other city institutional oversights: Office of Independent Police Monitor (new)
Year Created: 2020	Number of staff: 1
Issues discussed at recent meetings:	
<ul style="list-style-type: none"> • Briefing on development of new conflict resolution mediation program • Discussion of shooting at King Soopers market • Discussion of criteria for case selection for review. Primary focus will be use of force; bias or profiling; failure to provide service; complaints involving juveniles or minors; allegation of crime by an officer; violation of sanctuary city policy; unreasonable search and seizure; officer dishonesty; or, sexual misconduct or harassment. 	
Web address: https://bouldercolorado.gov/city-manager/police-oversight	

City: Corvallis, OR	City Population: 58,856
Name: Community Police Review Advisory Board	Review type: Review
Description: Under the Community Police Review Advisory Board policy and bylaws, a complaining party who is dissatisfied with the results of an investigation may request a review of the investigation by the seven-member Community Police Review Board. The Review Advisory Board will examine all officer-involved fatal shootings, as well as review traffic stop data and allegations of racial or other bias against individuals. The Review Advisory Board will not create Police Department policy or determine discipline but serves as a citizen-based accessible process for review of complaints and certain other matters. The goal of the Board is to build trust and communication between the Police Department and residents.	
Source of Authority: City code	Number of members: 7
Meeting Frequency: Quarterly	Other city institutional oversights:
Year Created: 2007	Number of staff:
Issues discussed at recent meetings:	
<ul style="list-style-type: none"> • Review of officer-involved shooting • Review of internal affairs and commendations reports 	
Web address: https://www.corvallisoregon.gov/bc-cprab	

City: Davis, CA	City Population: 69,413
Name: Police Accountability Commission	Review type: Review and Audit
Description: Duties as identified by the City Council include: developing a community outreach plan; Providing Input to audit Davis Police Department Policies, Procedures, and Training; Recommend Changes/Improvements to Policy, Procedure, or Training; Review Independent Police Auditor Reports on Misconduct Complaints; Provide annual written input to the City Manager and the City Council on the effectiveness of the Independent Police Auditor.	
Source of Authority: Resolution	Number of members: 9
Meeting Frequency: Monthly	Other city institutional oversights: Police Auditor
Year Created: 2019	Number of staff: 1
Issues discussed at recent meetings:	
<ul style="list-style-type: none"> • Briefing on 911 dispatch process with a focus on mental health related calls • Briefing on city response to homelessness, including access to vaccines, access to services, and inclement weather • Update by auditor on investigations, and the Eight Can't Wait review • Presentation on police department's recruitment and hiring processes • Discussion of board research on local mental health response, services, and training • Discussion of methods to improve public engagement 	
Web address: https://www.cityofdavis.org/city-hall/commissions-and-committees/police-accountability-commission	

City: Iowa City, IA	City Population: 75,130
Name: Community Police Review Board	Review type: Review and Audit
<p>Description: The Iowa City Community Police Review Board (CPRB) was established to provide a complaint review process for claims of Iowa City police misconduct and assure that investigations are conducted in a manner which is fair, thorough and accurate; and to assist the Police Chief, the City Manager and the City Council in evaluating the overall performance of the Police Department by reviewing the Police Department's investigation into complaints. Members are appointed by the City Council. A "complaint to the board" is an allegation of misconduct lodged against a sworn police officer employed by the Iowa City police department while on duty. In addition, the CPRB reviews police policies, procedures, and practices, and may recommend modifications to them. The CPRB has its own legal counsel.</p> <p>The CPRB reviews reports prepared after investigation of complaints about alleged police misconduct. It then issues its own written reports that contain detailed findings of fact and conclusions that explain why and the extent to which complaints should be sustained or not sustained. The CPRB maintains a central registry of complaints against sworn police officers and prepares annual reports to the City Council on the disposition of these complaints.</p> <p>The CPRB has only limited civil administrative review powers and has no power or authority over criminal matters or police discipline.</p>	
Source of Authority: City Code	Number of members: 5
Meeting Frequency: Monthly, with one annual public forum required per year	Other city institutional oversights:
Year Created: 2015	Number of staff: 1
<p>Issues discussed at recent meetings:</p> <ul style="list-style-type: none"> • Review of Iowa City police department policies, including topics such as response to domestic violence by officers, use (or failure to use) body worn cameras, discussion of appropriate scope of officer involvement in instances of nonviolent misdemeanor crime • Discussion of measures to improve the review powers of the board including creating ability for the City Council to conduct a disciplinary hearing when the boards' recommendations differ from the City Manager's, and providing complainants with access to an attorney and a social worker • Request to the police department for demographic data on people arrested or detained • Development of an annual budget for the board 	
<p>Web address: https://www.icgov.org/city-government/boards/community-police-review-board-cprb</p>	

City: Nashville	City Population: 670,820
Name: Community Oversight Board	Review type: Review and Audit
<p>Description: The Board has the power to investigate allegations that Metro Nashville Police Department (MNPd) officers have committed misconduct against members of the public, as well as issue policy advisory and resolution reports assessing allegations of misconduct by MNPd, recommendations to agencies involved in public safety and the administration of justice, and may establish a monitoring program that provides an ongoing review or audit of the complaint process administered by the MNPd Office of Professional Accountability (OPA) internal affairs program.</p> <p>The Board may refer a matter to the MNPd OPA and recommend that discipline be given within the parameters of civil service rules and regulations, and MNPd shall respond to disciplinary recommendations in writing. The Board has the option to forward resolution reports that produce factual findings of criminal misconduct and civil rights violations to the District Attorney, Grand Jury, or U.S. Attorney. The Board shall have all powers, including the power to compel, identified in the Metropolitan Charter. There is a detailed Memorandum of Understanding outlining the relationship between the COB and the Nashville PD, including the handling of complaints from various sources, access to data and records, confidentiality, investigative procedures, policy review, crime scene access, etc.</p>	
Source of Authority: City Charter	Number of members: 11
Meeting Frequency: Monthly	Other city institutional oversights:
Year Created: 2019	Number of staff: 7
<p>Issues discussed at recent meetings:</p> <ul style="list-style-type: none"> • Policy review of police hiring procedures • Use of force consent decrees • Discussion of incident resolution reports • Discussion of Jan 6 Capitol insurrection and any local police involvement in it • Review of implementation of police body cameras • Discussion of possible deployment of license plate readers 	
<p>Web address: https://www.nashville.gov/Government/Boards-and-Committees/Committee-Information/ID/132/Community-Oversight-Board.aspx</p>	

City: Sacramento	City Population: 513,624
Name: Sacramento Community Police Commission	Review type: Review and Audit
<p>Description: The commission is established for the purpose of providing recommendations to the mayor and city council on bias-free policing and the implementation, evaluation, and sustainability of efforts intended to strengthen community-police relations. The commission makes recommendations to the city council regarding police policy, procedures, and best practices, including those related to community relations, hiring, and training.</p> <p>The commission reviews quarterly reports prepared by the office of public safety accountability consistent with California Penal Code section 832.7(c), relating to the number, kind, and status of all citizen complaints filed against police department personnel, to determine whether there are patterns of misconduct that necessitate revisions to any police policy, practice, or procedure.</p> <p>At least annually, the commission reports and make recommendations to the mayor and the city council regarding the activities of the commission and the Sacramento Police Department's efforts to strengthen bias-free policing and community-police relations.</p>	
Source of Authority: City code	Number of members: 11
Meeting Frequency: Monthly	Other city institutional oversights: Office of Public Safety Accountability
Year Created: 2016	Number of staff:
<p>Issues discussed at recent meetings:</p> <ul style="list-style-type: none"> • Discussion of City Council action to amend the use of force policy • Review of complaint activity, 4th quarter of 2020 • Presentation from ACLU Lawyer's Committee for Human Rights • Report from the Sacramento League of Women Voters on policing oversight and reform • Motion to support City Council resolution on redefining public safety • Actions to establish ad hoc committees on: crowd and riot control; budget; mental health and alternative response; and Community Engagement and Media. 	
Web address: https://boards.cityofsacramento.org/board/2945	

City: Urbana, IL	City Population: 42,718
Name: Civilian Police Review Board	Review type: Review
<p>Description: The Urbana Civilian Police Review Board (CPRB) is a city board, established to provide a fair and independent process for the review of citizen complaints concerning sworn police officers. The Board is not a part of the police department and is charged with offering a citizen's perspective to the review of complaints and to provide a systematic means to promote and maintain positive police-community relations. The Board seeks to review complaints in a fair, thorough and timely manner and reports board findings to the Mayor and Chief of Police. If the complainant is not satisfied with the conclusion of an internal investigation, they may file an appeal to the CPRB, which may agree with or dispute the police findings. The board provides an annual report to the Mayor and City Council on types and numbers of complaints, location of incidents, disposition of the complaints, discipline imposed, if any, and complainants' demographic information.</p>	
Source of Authority: City Code	Number of members: 7
Meeting Frequency: Monthly	Other city institutional oversights:
Year Created: 2011	Number of staff: 3
<p>Issues discussed at recent meetings:</p> <ul style="list-style-type: none"> • Appeal hearings and board findings • Discussion of ways to improve the review process • Discussion of annual report • Discussion of revision of use of force policies • Review of taser use by police officers 	
<p>Web address: http://urbanaininois.us/boards/civilian-police-review-board</p>	