Chapter 2.70- CITIZEN REVIEW BOARD

2.70.010 ESTABLISHMENT OF THE BOARD.

This Chapter hereby establishes the procedures governing the Citizen Review Board. In the event of any conflict between previous ordinances, resolutions, regulations, or directives and this Chapter, this Chapter shall govern.

2.70.020 PURPOSE.

The Citizen Review Board is designed to improve communication between the Police Department and the community, to help ensure police accountability and credibility with the public, and to create a review process that is free from bias and informed of actual police practice to provide independent civilian oversight of the City of South Salt Lake Police Department. The provisions of this Chapter are meant to ensure that the powers, jurisdiction, and responsibilities of the Board are consistent with this mission.

2.70.030 MEMBERSHIP OF THE BOARD.

(1) The Citizen Review Board shall consist of seven voting members, plus two alternates who may act in the place of any absent member at any meeting of the board

(2) Members of the Citizen Review board shall be appointed by the Mayor with advice and consent of the City Council. In selecting board members, the City shall endeavor to reflect community diversity, including income level, race, ethnicity, age, gender, sexual orientation and experience. The board shall be made up of residents of the City or individuals representing the business community of the City. Employees of the City, including but not limited to employees of the Police Department, shall not be permitted to serve as voting members on the Board.

(3) In addition to the voting members of the board, Mayor should select a non-voting advisory member with law enforcement experience who is not currently employed by the City.

(4) Terms shall be two years in length. Members may be reappointed to the Board.

(5) A member of the Board may be removed with or without cause by the Mayor.

(6) A chairperson of the Board shall be designated by the Board annually at the first meeting in the calendar year.

(7) Board members, including the non-voting advisory board member shall be compensated at a rate of $____ for each meeting attended. In addition, costs of training, travel, and per diem may be approved by the City.

(8) All board members, including the advisory member, are required to undergo appropriate background screening before being presented for advice and consent and shall maintain ongoing Bureau of Criminal Identification clearance throughout their term. In the event the Bureau of Criminal Identification and/or the City determines that a board member is ineligible to maintain access to the Utah Criminal Justice Information System the board member's status shall immediately terminate.

2.70.00 SCOPE AND JURISDICTION OF THE BOARD.

(1) The Board shall review the following matters:

a. All uses of force by the City of South Salt Lake Police Department; and

b. All vehicular pursuits.

(2) The Board shall create a mediation program designed to provide an opportunity for civilians and police officers to sit down with two mediators in a neutral setting to discuss unresolved civilian complaints.

(3) The Board shall be afforded, at least quarterly, time on a City Council agenda to present information or documents that are relevant to the board's functions and make any recommendation to the City Council regarding changes to specific training or policies of the Police Department.

(2) For the purpose of this Chapter, "use of force" shall be defined as the application of an arrest control tactic, display or discharge of a firearm, display or use of a Taser, use of a chemical agent, use or deployment of a canine to effect an arrest, or intentional damage to property of another in an apparent show of force to effect an arrest, but not including compliant use of handcuffs.

(3) For the purpose of this Chapter, “vehicular pursuit” shall be defined as an active attempt by an officer in an authorized emergency vehicle to apprehend fleeing suspects who are attempting to avoid apprehension through evasive and unlawful tactics.

(4) The Board shall not act in a manner outside the scope of this Section or in a manner not in conformance with objectives identified in this Chapter.

2.70.050. MEETINGS OF THE BOARD.

(1) The Board shall meet monthly at a time and place to be determined by the Board Chairperson, or the Mayor in the absence of a Board Chairperson. Board meetings shall be publicly noticed.

(2) The Board shall be authorized to hold special meetings, provided public notice is given of the time and place of such meetings.

(3) At the opening of each meeting of the Board, the Board shall hear public comments. This portion of the meeting shall be open to the public and shall not exceed thirty minutes. The purpose of this comment period is to allow citizens to voice any opinions or concerns regarding policing issues in City of South Salt Lake.

(4) Before the comment period, the chairperson of the Board shall instruct the audience as follows:

a. The comment period is an informal opportunity to voice concerns regarding policing issues in City of South Salt Lake. All comments shall relate to policing issues and not to other matters of general concern;

b. Any person wishing to comment shall request recognition by the chairperson;

c. Upon recognition, the citizen shall approach the microphone and address the chairperson;

d. All citizen comments shall be directed to the chairperson and the Board, not other members of the audience or other staff members;

e. Based on the number of citizens presenting to make comment during the comment person, the Chairperson of the Board shall identify, prior to opening for public comment, a time period by which to limit each comment.

f. Citizens should not expect debate or dialogue, although the chairperson or Board members may respond if they so choose; and

g. If a citizen violates these requirements or behaves in a disruptive or disorderly manner, he or she shall be removed from the meeting.

(5) Following the conclusion of the public comment period, the chairperson shall close the meeting to the public to discuss specific matters before the Board.

2.70.060 FINDINGS AND RECOMMENDATIONS OF THE BOARD.

(1) The South Salt Lake Police Department shall investigate all uses of force and vehicular pursuits, providing the results of the investigation to the Board. The Board shall ask any questions or request any information that the Board deems appropriate.

(2) Upon reviewing the evidence presented by the South Salt Lake Police Department, the Board shall determine, in writing and signed by the Chairperson, whether it agrees or not with the findings of the Chief of Police regarding whether the conduct amounted to a policy violation.

(3) The Board may make suggestions regarding South Salt Lake Police Department Policies to the Mayor or City Council.

(4) The Board, through the Chairperson of the Board, may raise any other concern regarding the South Salt Lake Police Department with the Mayor.

2.70.080 TRAINING OF BOARD MEMBERS.

(1) All members of the Board shall receive training administered by the City of South Salt Lake. This training shall cover all topics suggested by the National Association for Civilian Oversight of Law Enforcement, as well as any other topics deemed appropriate by the City Attorney's office or Mayor.

(2) All members of the Board shall receive this training annually.

(3) Board members are required to participate annually in a minimum of two ride-alongs with law enforcement agencies in the state of Utah, one of which must be with the South Salt Lake Police Department.

2.70.090 QUARTERLY AND ANNUAL BOARD REPORTS.

(1) The Citizen Review Board shall provide quarterly and annual reports concerning the operations of the Board. These reports shall be presented to the City Council and shall be made public.

(2) Quarterly reports shall include the following information:

a. Total number of uses of force by the City of South Salt Lake Police Department during the quarter;

b. Total number of uses of force by the City of South Salt Lake Police Department resulting in a finding by the board of one more policy violations related to the use of force during the quarter;

c. Total number of uses of force by the City of South Salt Lake Police Department where the Board disagreed with the findings of the Chief of Police.

d. Total number of vehicular pursuits by the City of South Salt Lake Police Department during the quarter;

e. Total number of vehicular pursuits by the City of South Salt Lake Police Department resulting in a finding by the Board of one or more policy violations related to vehicle pursuits during the quarter;

f. Total number of vehicle pursuits by the City of South Salt Lake Police Department where the Board disagreed with the findings of the Chief of Police.

(3) Annual reports shall include the following information:

a. Total number of uses of force by the City of South Salt Lake Police Department during the year;

b. Total number of uses of force by the City of South Salt Lake Police Department resulting in a finding by the board of one more policy violations related to the use of force during the year;

c. Total number of vehicular pursuits by the City of South Salt Lake Police Department during the year;

d. Total number of vehicular pursuits by the City of South Salt Lake Police Department resulting in a finding by the Board of one or more policy violations related to vehicle pursuits during the year; and

g. Suggestions made to the Mayor or City Council concerning South Salt Lake Police Department Policies.

2.70.100. OTHER REGULATIONS GOVERNING THE OPERATION OF THE BOARD.

The Mayor is authorized to implement additional regulations governing the Board. However, all regulations shall be consistent with this Chapter.