

Enhancing Community Review of the Springfield Police Department

Prepared by:
Jack McDevitt
Amy Farrell

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INTRODUCTION

In December of 2004, the Springfield Police Department (SPD) was involved in an allegation of excessive use of force made by members of the Pastors' council on behalf of some members of their congregation. This complaint alleged "that the [Springfield Police] department had engaged in a continuous pattern and practice of racially discriminatory conduct towards members of Minority groups in the City."¹ Part of the resolution of this complaint recommended that the City of Springfield implement a civilian review process for complaints of misconduct against police officers.

The issue of community review of complaints against the police is not new for Springfield. According to public testimony and news reports, attempts to establish a community review process to oversee complaints against the police and use of force incidents began over 30 years ago. Since that time, numerous unsuccessful attempts have followed. In 1995, following public dissatisfaction with the SPD's investigation of a police involved shooting, a group of concerned citizens and community organizations worked with the Springfield Human Relations Commission to conduct research on models of civilian review that might work in Springfield.² After six years of research, the group proposed a community review board to evaluate citizen complaints against the police. The board was ultimately not approved by the existing five-member Police Commission that was empowered by the City Charter to hear citizen complaints.³

Despite the longstanding concerns over police misconduct investigations and community review of civilian complaint process, Springfield has a long history of civilian involvement in the police department. Beginning in 1902 the City of Springfield has convened a civilian police commission to assist with the maintenance and management of the police department.⁴ Though the City Ordinance establishing the Police Commission was amended several times⁵, the five-member Commission, appointed by the Mayor, was generally responsible for "making lawful rules for the maintenance of the police department, including the regulation, government and discipline of such members." The Police Commission operated until 2006 when the duties of the Commission were consolidated into the present position of Commissioner of Police, held by Edward Flynn. Despite these changes, the issue of community oversight of the citizen complaint review process remains a challenging issue. As recently as February of 2007, the chair of the Human Relations Commission resigned, citing the lack of progress in implementing a civilian review process as one of the reasons for his resignation.⁶

Throughout the process of preparing this report we encountered stakeholders in the community and within the Police Department with mixed feelings about the effectiveness of the previous Police Commission. While it represented one type of formal civilian involvement in police management and oversight, the previous Police Commission did not fully meet community expectations for transparent and accountable forms of citizen oversight of the police. This

¹Pastors Council of Greater Springfield v. City of Springfield Police Department Complaint #042403343, filed with Massachusetts Commission Against Discrimination, December 15, 2004.

² Springfield Human Relations Commission, 1996. *The Output Report of the 1996 Police Community Focus Meeting*.

³ Peter Goonan, 2001. Community Review Board Created. *Springfield Union News*, February 14, B1.

⁴ Statute 1902, pg 94, c. 134, § 1.

⁵ Major amendments to the statute concerning the Board of Commissioners were passed in 1945, 1963 and 1986.

⁶ Correspondence from Charles H. Ricks, Chair Human Rights Commission to Mayor Charles Ryan February 2, 2007

report represents our best recommendations of how to put in place a process of civilian review that meets both the unique history and current needs of the community of Springfield while employing nationally recognized best practices for civilian review. The recommendations contained here are a starting point for meaningful change. We fully understand that the establishment of a community review process for the SPD is a complex process which will be challenging to implement, particularly considering many of the specific contractual obligations of the department concerning the processing of complaints against the police. Despite these challenges, we believe the community of Springfield is in need of a legitimate civilian review process to enhance public trust and confidence in the police.

COMMUNITY REVIEW OF THE POLICE

History of Community Review of the Police in the United States

Historically, community members have worked with police in two main ways: citizen oversight and citizen participation in crime control or crime prevention. Citizen oversight refers to citizens observing the previously internal operations of the department and examining, for example, the complaints filed by citizens. Citizen participation refers to citizens playing a role in policing, whether through neighborhood watch, community-policing meetings, or in an extreme example, participating in the police patrol function through vigilante policing (i.e. the Minute Men, the Guardian Angels).

Citizen oversight of the police began in 1928 when the Los Angeles Committee on Constitutional Rights began suggesting that lawyers should examine citizen complaints and help citizens file complaints.⁷ In the 1930s, the Wickersham Commission, which brought to public light the police practice of detectives giving suspects the third degree during interrogations, also suggested the creation of a separate agency to help citizens file complaints against the police. During this early period, citizen oversight was considered radical. The idea that the public should or could intervene and look inside police departments was met with skepticism.

After World War II, citizens became more involved in overseeing the activities of law enforcement. Unfortunately, many of these early citizen participation models, which began in Washington D.C., Minneapolis, Rochester, and York (Pennsylvania) were largely ineffective, reviewing only a small number of cases and primarily supporting the actions of the police.⁸ There was also a backlash to citizen oversight during the late 1960s and early 1970s that helped fuel a resistance to citizens involved in complaint review. The International Association of Chiefs of Police (IACP) crafted an argument that they would use with much success to argue against citizen oversight. They suggested that any kind of citizen review would hamper the effectiveness of the police to do their job (Walker, 2004). Moreover, the movement for citizen oversight conflicted with powerful police unions who used fear tactics, which were especially powerful with the rise in crime beginning in the early 1960s, to help dissuade politicians and the public from demanding citizen review. A newly formed citizen oversight model in New York City, for example, was voted out of existence only a year after its creation as a result of a successful media campaign led by the police union.

⁷ Walker, Samuel. 2001. *Police Accountability: The Role of Citizen Oversight*. Belmont, CA: Wadsworth, 2001.

⁸ Walker, *supra*

In the 1970s, the civilian oversight models began anew. Americans were skeptical of government power without oversight as a result of the improprieties uncovered during the Nixon Administration.⁹ In addition to broad public distrust of government, increased racial and gender diversity within the ranks of law enforcement brought more internal acceptance of police oversight. Historically, these groups have been more open to the idea of police oversight and the increasing diversity within the department brought new acceptance of oversight processes.¹⁰

Without argument, civilian oversight and review of the investigation of complaints and use of force incidents has become a standard practice for law enforcement agencies concerned about public accountability. Today local police departments and communities are asking what type of civilian review is most appropriate for the local community rather than debating whether or not oversight is necessary. Although many agencies have adopted civilian review of complaints and use of force incidents there are a number of different types of models that have emerged, with their own strengths and weaknesses.

Civilian review of complaints and use of force incidents are important for ensuring the integrity of law enforcement agencies. Over time numerous structures for civilian review have emerged to meet the needs of local communities. Each structure of review shapes and defines the reach and autonomy of external review. We discuss four main types of review structures below and have included a chart describing forty different civilian review structures from around the county in Appendix One.

Four Models of Community Review

Although models of review vary greatly among agencies there are four main structures for oversight.

1. Fully External Investigation and Review Process

An external board or agency takes civilian complaints outside of the police department. The external body conducts investigations and recommends discipline to the head of the police department or to a city official such as the Mayor or City Manager.

Strengths: Fully external models can have complete autonomy from the department to both conduct investigations and make findings. These models are most necessary in communities where the police agency has completely lost community confidence in the Internal Affairs Department to conduct investigations. Initially, these models are viewed very positively by the community as independent investigations of police misconduct. Unfortunately, over time many of these models come under similar criticism as processes they were intended to replace.

⁹ Walker, *supra*

¹⁰ As Samuel Walker notes in 2005, "African-American officers often supported oversight. While black officers in New York City supported the independent CCRB in the 1960s, union president John Cassese attacked them, saying 'It's unfortunate they put their color before their oath of office'" (29). Today, racial differences still exist in the support for civilian oversight in police agencies. A national found that about 70 percent of the black police officers believe "civilian review boards are an effective means of presenting police misconduct," compared with only about one-third of white officers" (28). These findings illustrate the deep racial divides that exist within the rank and file about the role of citizen oversight to ensure accountability. See Samuel Walker, 2005. *New World of Police Accountability*. Thousand Oaks, CA: Sage Publication.

Weaknesses: Fully external models can quickly become overextended and many do not finish their investigation of complaints in a timely manner. Some boards which investigate complaints become so backlogged that filing a complaint with the board achieved the same result as not filing a complaint - no action is taken.¹¹ To prevent backlog some jurisdictions have hired independent investigative and administrative staff. These models require a significant investment of resources by the local jurisdiction. In many cases they duplicate the internal investigations conducted within the local agency.

Because fully external boards are disconnected from the police departments they can only access records and hear testimony through the use of subpoena power. Subpoena power means that the external boards or agencies can “compel witnesses to appear and give testimony or produce relevant documents.”¹² Though nearly half of all external boards have subpoena power, it is rarely used because officers and civilians may refuse to testify on the grounds of self-incrimination. This process has historically resulted in growing animosity between external review boards and the police agency under scrutiny. In such cases, the findings of the board may be ignored or rejected by the leadership of the police agency, ultimately resulting in little real change.

2. Internal Investigation with External Review by Civilian Board

Under this model complaints are taken and investigations conducted by the police department. Once investigations are complete a standing external body, such as a board or task force, reviews the investigations and the department’s findings. External reviews may be conducted automatically on all complaints, be triggered by complaints above a specific threshold or the result of civilian appeals only.

Strengths: The external board is freed from the burden of conducting separate investigations which may prevent backlog. The external board also retains autonomy from the department.

Weaknesses: The external boards that do not conduct separate investigations must rely on the information about the investigative process that is provided by the department. Models of civilian oversight that rely on permanent boards of volunteer civilians to review complaint investigations often require a great deal of work from the civilian participant. Depending on the triggering mechanism for the review, civilians may need to meet frequently and invest a great deal of unpaid time. In such cases, the review processes can be significantly delayed.

Permanent board members must also balance pressures from the community to overturn departmental findings and demands from the department to uphold findings to retain departmental cooperation in the review process.

3. Professional Monitor / Ombudsperson / Auditor

¹¹ For a discussion of the challenges of external citizen review boards in Washington D.C. see Cheryl Beattie and Ronald Weitzer. 2000. “Race, Democracy and Law: Civilian Review of Police in Washington, DC,” in *Civilian Oversight of Police: Governance, Democracy and Human Rights*, (eds.) Andrew J Goldsmith and Colleen Lewis. Pp. 41-62. Oxford: Hart Publishing.

¹² Finn, Peter. 2001. *Citizen Review of Police: Approaches and Implementation*. Washington D.C.: National Institute of Justice, pg. 144

An external person experienced in the investigative process reviews investigations (ongoing and after a decision is made) and makes recommendations. Professional external reviewers often take complaints of misconduct directly. In some cases the monitor actually conducts the investigation. Most monitors also make recommendations about policy changes that may help reduce the likelihood of certain types of misconduct in the future.

Strengths: Auditors have experience in the investigative process and are well trained to evaluate the completeness of investigations. Monitors traditionally have unfettered access to all material and relevant investigations or reviews.

Weaknesses: The monitor may be perceived by members of the community as working for the police organization. Without any direct reporting responsibility to the community, monitors can be seen as inside players with an overriding interest in preserving their good relationships with the department.

4. Hybrids

These models combine elements of the above the models (e.g. Ombudsperson with civilian boards). Hybrid models of review often start with one component and add elements as the needs of the organization or the community change.

Key Principles from All Models

Because each model has its own set of strengths and weaknesses it is useful to focus on the elements that made civilian review work across the different model types. From the site visits and in-depth analysis of various civilian review models we have identified six key principles that are common among all successful review models.

1. The community has a role in complaint review and oversight.
 - Without some community involvement it is impossible to address questions of accountability from various community stakeholders.
 - Across models there are variations in how much civilians participate in oversight, including conducting investigations, reviewing investigations, providing guidance to monitors, and suggesting discipline for founded complaints.
2. Alternate decision-making structures that work completely outside the department are complex and costly.
 - Separate boards or agencies that conduct complaint or use of force investigations outside of the law enforcement agency are time-consuming and costly.
 - The public may lose trust and confidence in the police when investigations are taken outside the department.
3. Civilian oversight can help increase and improve communication with the public.
 - Oversight helps reassure the community that investigations, even when conducted within the department, are thorough and fair.
 - Having the public provide input in to the review process provides a fuller understanding of policing and its challenges.
4. Civilian oversight works best when it is triggered automatically.

- Problems may exist with investigations that will go unrecognized if only certain complaints are reviewed.
 - A specific threshold guarantees most serious complaints or use of force incidents are always reviewed.
5. Models of civilian oversight should provide regular reports to the public that are transparent, rigorous, and credible.
- Reporting provides the public with information about how the process is working including statistics on number of cases reviewed, outcomes of the reviews and policy recommendations.
 - Reports should be available in a wide variety of forums.
6. There is no one best model.
- Models should be designed to fit the needs, history and local environment of the community.

Most importantly civilian involvement should be locally tailored. Across the country civilian oversight has largely grown to meet the needs of local communities. There is no perfect model of civilian oversight that will meet the unique needs and history of each community. A model of civilian oversight that works effectively in one community will not always work in another community. Thus, the design of any civilian review structure should strike a balance between local needs and national best practices. Clearly, Springfield does not need to adopt a new complaint investigation system or change practices that are working just because someone has devised a new model that appears to work in another city. Although Springfield can learn a great deal from the experience of other jurisdictions, there is no single best model of civilian review they should adopt.

RESEARCH METHODOLOGY

This project builds upon a national review of best practices in civilian oversight previously conducted by the authors to provide a set of recommendations tailored to the unique needs of the City of Springfield. In the appended materials we include a review of 40 different civilian oversight and complaint review structures as well as an in-depth review of eight promising oversight models. This research was critical to our development of the key principles for civilian oversight programs described above.

In addition to reviewing the best practices nationally, it was critical to understand the specific needs in the City of Springfield. Our goal was to identify the areas where Springfield's current complaint investigation and review processes have both succeeded and faced challenges. To accomplish this task, we held individual interviews with community leaders and open meetings with members of the Springfield community. During this process the authors met with over 30 different community stakeholders. These stakeholders included members of the City Council, the Police Commissioner, members of the Command staff of the SPD, leadership of the current Internal Affairs Unit, leadership of the Springfield police union, as well as members of the community representing a wide variety of community interests, including members of the Springfield Pastors Council who filed the original complaint with the Massachusetts Committee Against Discrimination.

In these interviews we discussed the individual stakeholders' opinions about the current complaint investigation process within the Springfield Police Department and the experience of different stakeholders and community groups with past or present complaint or use of force investigations. Through these interviews we were able to identify numerous strengths and limitations of the current complaint and use of force investigation and review processes.

In addition to conducting interviews with primary stakeholders and interested community members in Springfield, we reviewed secondary materials such as newspaper articles and research reports on community attitudes toward the police in Springfield. We additionally reviewed the current civilian complaint investigation process, which exists within the Springfield Police Departments Internal Investigations Unit, including reviewing a selection of case files from closed IAU cases.

FINDINGS

To help us identify the needs and challenges of civilian review in Springfield we asked two broad questions. First, what are the problems that need to be addressed in Springfield? This includes both demonstrated strengths and weaknesses with the existing civilian complaint process and problems that are widely perceived by the community. Second, how does the history of community-police relationships in Springfield shape the type of system that needs to be developed? As we noted previously, review models that work for one community may not work for another community due to a different history of police community relationships, structures and union environments.

To address the first question we outline the strengths and limitations of the current complaint review process within the Springfield Police Department that were identified through interviews with representatives from SPD, community members and stakeholders in Springfield, as well as responses from the public meetings on civilian complaint process and review. It is important to remember that these responses may not represent the beliefs of all Springfield residents. The research methodology was never intended to identify general perceptions of the SPD's investigation and review processes. Instead, the study methodology targets those individuals who have strong opinions about the SPD, both positive and negative, and who were motivated to meet with the investigators to share their experiences.

Strengths of the Current system

There are a number of strengths in the current civilian complaint investigation process.

- Presently the SPD does not require a complainant to go to a police station to file a complaint (as is the practice in most police agencies) but allow complaints to download the complaint form on line or file complaints by mail. Complaint forms can also be filled out at a variety of community locations including the Internal Investigations Unit (IIU) Office on Maple street, the Indian Orchard Citizen Council, NAACP, New North Citizen Council, South End Citizen Council or the Urban League.
- IIU appears to conduct investigations according to a strict protocol which includes making numerous attempts to identify and interview witnesses. IIU investigative reports are very detailed. Final reports provide both a summary of the complaints, investigation findings and a recommendation.

- IIU reports also go through a thorough internal review process. Once completed the report goes to the officer's Captain for review and then to the sector Deputy Chief. Finally, the reviewed report will be forwarded to the Commissioner and Chief of Staff for final determination of disposition.

In addition to many existing good practices within the present complaint review and use of force review systems in the Springfield Police Department, there are a number of positive signs for the future.

- The vast majority of individuals we spoke with felt that the new leadership of the Springfield Police Department offered the opportunity to move the organization in a positive direction. Community members and stakeholders within the Police Department felt that Commissioner Edward Flynn and his command staff were making structural and organizational changes that could increase accountability to the community.
- A majority of individuals interviewed reported their belief that the previous Police Commission system was highly political and did not always represent the views of the community at large. Many interviewees expressed concern that discipline under the previous Police Commission often appeared to be based on personal relationships with Commission members. Additionally, some believed that officers who were found to be engaged in misconduct were at times held to different standards. Reportedly, this created a broad based feeling of inequity within the police department and across the community.
- Many of those we spoke with felt that the police could be trusted to investigate allegation of misconduct but that there needed to be a process of oversight that could assure the community that the investigations were conducted in a fair, thorough, and unbiased manner.
- The Springfield Police are in the process of updating their use of force policy and the procedure to discipline officers found to have improperly used force.
- The leadership of the SPD has recently revised the letter to Complainants notifying them of the outcome of the case. These officials felt that the existing letter did not communicate the results in a way that most civilians could understand. This step in improving communication with the public is a very positive development.
- The Police union, often a major source of resistance to change in many communities, appears to have come to this new process with an open mind. They met with the researchers involved in the project and shared their hopes for the process and their concerns. This is a very positive development for the City of Springfield.

Challenges of the Current System

While the Springfield Police Department has a number of strengths to work from, there are significant challenges that were also identified. In the following sections we identify the challenges expressed by both community stakeholders and representatives from the Springfield Police Department.

Concerns Expressed by the Community Stakeholders

- *Longstanding concerns about lack of responsiveness of the SPD*
Many residents came to the interviews with stories of police misconduct that either had not been addressed by the SPD or that the resident had never been informed about how their complaint was addressed. Many individuals came to the investigators with descriptions of cases of alleged police misconduct that were 5, 10 and sometime 15 years old. These residents felt that the problems (or problem officers) still remain to be dealt with by the organization. This longstanding distrust of the police will need to be taken into consideration in any new model that is established. As mentioned above, there is some good faith for the current Police Commissioner and hope for the future of police-community relationships, however residents expressed continued concern about the perceived lack of accountability by the SPD to complaints of misconduct by community members.
- *Limited community involvement in or knowledge of investigations of police misconduct*
Numerous concerns were raised about the lack of trust in the existing process to investigate complaints against police officers. Again in these conversations it was clear that community members were basing this perception on events or anecdotes that had occurred in the past, often in the distant past. Some community members reported that they were unaware of the existing process to report and investigate police misconduct complaints.
- *Inadequate communication about the investigation process*
Of those few individuals we spoke to who had filed complaints, many reported serious problems involving communication about their complaints. A number of community members reported that they had filed complaints but never heard what happened as a result of the department's investigation. While the sample of individuals who agreed to speak with us is not representative of all those who filed complaints we believe improved communication would only serve to improve the overall process.
- *Concern about the Outcome*
Community members also reported widespread perception that nothing happened even when community members filed complaints. This perception comes in part from the fact that community has very little information about the result of specific complaint investigations and often hears about disciplinary issues only when they are controversial and reported by the local news media. A major concern of community members is the lack of recourse if they are unsatisfied with the outcome of the SPD's internal investigation of their complaint. There is presently no process to appeal the outcome of a complaint investigation. With the present requirement that SPD resolve complaints within 90 days under current union contract agreements, an appeal process is unrealistic at this time.

Concerns Expressed by the Springfield Police Department Stakeholders

In addition to interviewing members of the general public and community stakeholders, interviews were also conducted with representatives from the SPD. During the course of our research, we met with the Commissioner, members of the command staff, the leadership of IIU and the leadership of the police union who expressed a number of challenges about the current system.

- The single most significant challenge facing the City of Springfield as they establish a new Civilian Review Board is the time constraints that the department is operating under as part of the existing Collective bargaining agreement. The current police contract for the Springfield Police Department requires a disposition of all complaints within 90 days. The current contract specifies:

All interdepartmental charges against a unit member shall be initiated no later than ninety (90) days following the alleged offense or the date the City became aware of the alleged offense whichever is later, and a hearing on said charges shall be held within six (60) days thereafter, unless a later date is mutually agreed upon by the parties (Article 6, Section 4).

This requirement creates a major obstacle to any complaint review process adopted in Springfield. Thus, the review model chosen for the city must work within the confines of the existing 90 day disposition requirement. Very few police agencies across the country face similar constraints when they attempt to establish an external review process.

- The police generally felt that community members did not fully understand the challenges of police work and often times were angry that the police officer enforced a particular law. Some police were concerned about having the public “second-guess” their work. According to this view, the public might not understand the reasons that police make certain types of decisions and take certain types of actions, because they are outside the context of policing. The police believed that this misperception comes from their belief that the general public does not understand police policies and procedures.
- Police are interested in finding ways to reduce complaints for minor infractions such as those instances where community members perceive officers as being rude. Processes that increase communication and understanding between police officers and community members who feel the need to file complaints should be explored as an alternative to the current complaint investigation process.
- Some police officials expressed concern that there is a perception among officers that IIU is already too strict and discipline is too harsh.
- Representatives from SPD expressed strong concern that discipline of officers as a result of complaints or allegations of misconduct remains with the authority of the Police Commissioner.

RECOMMENDATIONS

Based on the findings from both the national assessment of best practices and the local evaluation of needs in Springfield, we offer three main recommendations:

- 1) Implement a Civilian Complaint Review Board to review investigations of misconduct complaints and use of force incidents following IIU investigations.

- 2) Improve communication with the community about the complaint review process and with those who file complaints about how their complaint is proceeding through the system.
- 3) Expand the array of resolution options available to police and community members by developing a complaint mediation program.

Recommendation 1: Implement a New Model for External Review of Complaints Use of Force Incidents

At this point in time there is no evidence to suggest a fully external model of community oversight, which would take investigations outside of the police department is necessary in Springfield. The internal investigations process generally appears to be functioning properly within the SPD, but few people outside the leadership of SPD have access to review complaint investigations or findings. Any problem with the IIU investigative process would not be solved by taking investigation of complaints outside the department's responsibilities. Guiding our decisions to recommend a community review as opposed to community investigation model for oversight of complaints or use of force incidents was a strong belief that investigations should, if at all possible, remain within the responsibilities of the police department. As police researcher and reformer Merrick Bobb has suggested, "If law enforcement agencies are willing to undertake reform voluntarily, to open their records to public scrutiny, allowing for the transparency of internal processes, including internal investigations; then initiation of independent, civilian monitoring, the least intrusive means of oversight, may be adequate to assure the integrity of a self-regulating police agency."¹³

Since the abolition of the Police Commission, there has not been a civilian voice in the investigation of civilian complaints against police. We recommend that the Springfield Police Department follow the lead of many other similar sized police agencies and the recommendations of police accrediting agencies and establish a civilian oversight model to review complaint and use of force investigations and findings to help ensure they are thorough and fair. We believe that a transparent and open system of review and auditing will go a long way towards improving the accountability of the Springfield Police Department to the residents of the City. In addition, we believe a new system that is more open will help SPD to monitor and adjust any improper behavior of their officers.

Understanding the best practices nationally and the unique needs of Springfield, we recommend a model of review that best meets the culture, history and context of the community of Springfield. The recommended Community Complaint Review Board (CCRB) will include external review of investigations and findings from incidents where an officer's alleged behavior results in a civilian filing a complaint and instances of police use of force. The recommended model keeps investigations of complaints and use of force within the SPD Internal Investigations Unit but adds a civilian oversight component which will utilize highly respected civilians from the community of Springfield to automatically review complaints and use of force incidents. Each component of this model is described in more detail below.

¹³ Merrick Bobb, 2002. *Citizen Oversight of the Police in the United States*. Global Meeting on Citizen Oversight of Police, Rio de Janeiro.

3 Stage Community Complaint Review Board (CCRB) Model

1st Tier: Internal Investigation

- Complaints from community members will come to the Springfield Police Department through the existing mechanisms, with one exception. The CCRB office will also be able to directly receive complaints from the public which will be forwarded to SPD for investigation.
- Once the complaint is received, Internal Investigation Unit (IIU) conducts an investigation on all civilian complaints and use of force reports through the normal investigative process.
- IIU will be encouraged to complete investigations within 60 days.
 - As we mentioned earlier, a serious challenge to implementation of any review of civilian complaints against the police is the contractual requirement that complaint investigations and dispositions must be completed within 90 days.
 - While the recommended model is designed to work within the existing 90 day requirement we recognize that the time deadline imposed by the current contract may impede any adequate system of oversight or review. As we recommend later in the report, the SPD may need to revisit this requirement if they are to effectively implement a system of external review or monitoring of civilian complaints.
- Complaints recommended by IIU as sustained and unjustified use of force incidents would be forwarded to the Police Commissioner through normal channels for final disposition.
- All complaints that were recommended by IIU as non-sustained and were above a threshold of severity set by the Board would be forwarded to the CCRB for review.

2nd Tier: Community Complaint Review Board

- Scope of Authority
 - A Community Complaints Review Board (CCRB) reporting to the Mayor reviews all complaints that were recommended by IIU as non-sustained and were above a threshold set by the Board and all justified use of force cases above a threshold to be determined by the Board.
 - In addition to those cases described above, the CCRB reviews a random set of all complaints (internal and external; sustained and non-sustained) to ensure integrity in the investigative process.
 - The CCRB must have the ability to directly receive complaints (which will be forwarded to SPD IAU) and conduct outreach to the community of Springfield about issues of citizen oversight and the complaint review process generally.
- Role and Activities of CCRB
 - We recommend a 9 member Community Complaint Review Board which will be brought together in smaller groups of 3 to review cases on a rolling basis.
 - We do not recommend that this Board conduct its own investigations; rather the Board will review the investigations and recommendations already completed by IIU. This review will focus on the question, “was this investigation complete and balanced?” The members of the Board will have the authority to send a case back to IIU for additional investigation and if after further investigation they do not

agree with IIU they can forward to the commissioner a separate recommendation as to whether the complaint should be sustained.

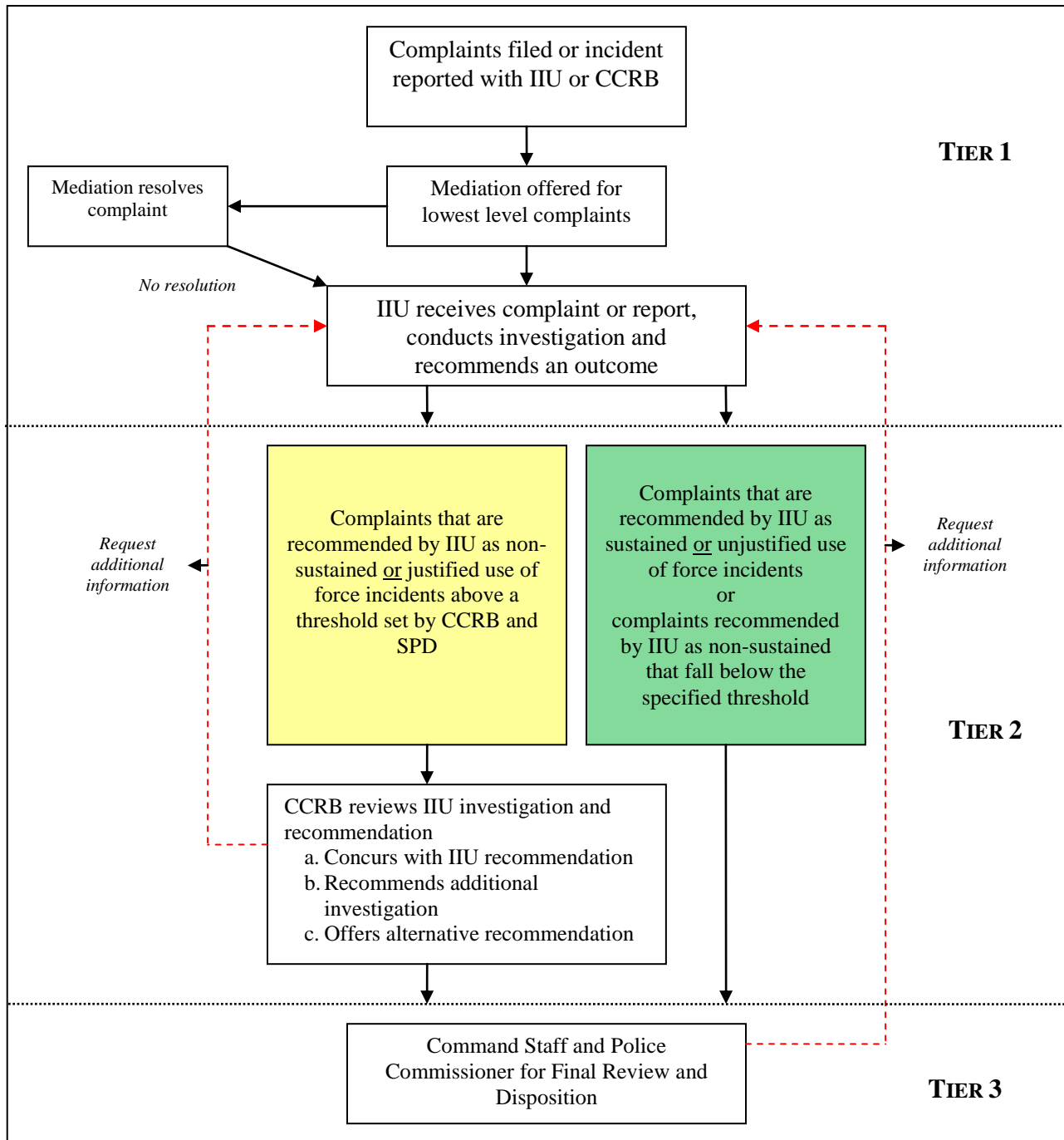
- The CCRB must have unfettered access to all investigative files and departmental information pertinent to review of the incident including tapes, transcripts, notes, and witness statements.
- Timing of Review and Meetings
 - Due to the time constraints placed on the process by the 90 day rule discussed above, we recommend that review groups made up of 3 Board members meet every two weeks to review new cases that meet the review criteria and are ready for review.
 - CCRB must complete all reviews and forward final recommendations to the Police Commissioner within 14 days from the time they receive the investigation reports from IIU.
 - The membership of the Board should be of staggered terms initially to allow for fresh ideas, while maintaining some institutional history about Board activities.

3rd Tier: Outcomes and Reporting:

- If the CCRB is unsatisfied with the completeness or accuracy of the investigation, the complaints or use of force incidents will be returned to the IIU for additional investigation.
- In cases where the CCRB disagrees with the conclusions of the IIU, after additional IIU investigation, they can provide a separate recommendation as to whether a complaint should be sustained to the Police Commissioner.
- The Board will not recommend discipline. That function remains the responsibility of the Police Commissioner under our recommended model.
- The role of the CCRB is to provide professional oversight of IIU helping to assure the community that all investigations are thorough and fair.
- On a quarterly basis all members of the Board will meet together to review of SPD Policy and Procedures which may contribute to police misconduct and recommendations for improvements. A quorum for the full Board meeting will be five members.
 - This policy recommendation responsibility is very important and may be a key to making long term systemic change. The Community Complaint Review Board (CCRB) will be empowered to recommend to the Police Commissioner any changes in policy (such as improvements in training) that may reduce instances of officer misconduct in the future.
 - Cities that have implemented similar models have found this role in suggesting policy changes to be one of the most helpful responsibilities of this new position.
- The CCRB will provide regular, at least annual, public reports on the integrity of the department's complaint and use-of-force investigations.

Figure 1, below illustrates the activity in each of the three stages of the recommended CCRB process.

Figure 1.1.: Recommended Model for Springfield Police Department Complaint Review Process



1. Selection of Board Members

Selecting the CCRB members will be an important task that depends on the input of several different stakeholders. The selection of the Board members should be made by the Mayor based on recommendations made from a broad array of groups across the City. We suggest

that recommendations for CCRB members be sought from groups across the city such as neighborhood councils, youth advocacy organizations, leaders in the faith community and community-based organizations. Names submitted by groups should be people of the highest integrity, with a diverse set of backgrounds and experiences who represent the qualifications outlined below. Within 45 days of the open nominee submission date, the Mayor should name the 9 members and three associate members who have agreed to serve on the Board. Associate members shall participate in all training and preparatory meetings of full Board but shall serve as alternate members, designated by the chairman of the Board to sit on the Board in case of absence, inability to act or conflict of interest on the part of any member thereof, or in the event of a vacancy on the Board until said vacancy is filled. Once convened, the 9 CCRB members will elect a chairperson from its membership for a one year term. The chairperson will lead quarterly full Board meetings and work with the CCRB Coordinator to determine the full Board meeting schedules and agendas.

2. Qualifications for Board

The members of the CCRB do not need to have had investigatory experience; however, they must be persons of integrity who are recognized as such by the community. Having people of the highest integrity will go a long way to address community concerns about the independence of the CCRB members. Potential CCRB members should recognize the significant commitment of time that Board membership requires and be willing to commit sufficient time to the effort. In addition to bi-weekly Board meetings, Board members will be occasionally asked to participate in community outreach and education activities.

The Members of the Board must reflect the broad diversity of the City of Springfield. Community members we spoke with again and again expressed the hope that the Board would reflect the racial, ethnic and social class differences that make of the population of Springfield. While we believe individuals who have had some prior relationship with the SPD should not be prohibited from serving on the Board, however the majority of the Board should be perceived by the broader community as independent from the Police Department.

As in other Jurisdictions with similar Community Review Boards, the members of the CCRB in Springfield must agree to keep information on specific complaints or investigations confidential as is the present practice within the IIU. Failure to keep private information confidential will be grounds for removal from the Board.

3. Thresholds for cases to be reviewed by the Board

While the final decision about which case should be reviewed by the Board should be made by the members of the Board after they have been appointed and trained, we offer this set of thresholds as a starting point for the Board to consider. The Board should review all civilian complaints involving allegations of improper use of force or violations of Departmental rules and regulations which have been recommended by IIU as non-sustained. Based on statistics provided by the Springfield Police Department, we estimate that these cases will total less than 40 per year. Additionally, the Board should review all investigations of police uses of force incidents, regardless of whether a complaint was filed, where a suspect was physically struck or wrestled to the ground in the process of arrest or cases where the officers used their baton, pepper spray or their firearm. These cases represent the highest levels on the use of force

continuum as suggested by the U.S. Department of Justice.¹⁴ We expect that there will be a significant overlap between these two sources of cases. In total we would expect that the Board will review between 3-4 cases during each semimonthly meeting.

4. Training for Board Members

The Springfield Police department should develop a training program for all new Board members. This training should include discussions of:

- The current procedures for filing and investigating a complaint.
- The elements of a thorough investigation including a review of a number of actual case files from closed investigations.
- The Policies of the SPD regarding respectful treatment of civilians.
- The Policies of the SPD regarding appropriate use of force.
- The Role of Civilian Oversight Boards in other jurisdictions.
- Legal Requirements for protection and confidentiality of private governmental documents.

As part of this training a set of reference material should be provided to each Board member. This material should include copies of all relevant Massachusetts statutes, all SPD policies and procedures regarding officer misconduct and use of force, and a copy of this report. This training should be repeated annually or when new members are appointed to the Board

5. Removal from Board

We would recommend the development of provisions for removing members from the Board if necessary. The Mayor or his/her designee should have the ability to remove a member from the Board before their term expires for cause. Reasons for removal might include consistent failure to attend Board meetings, public disclosure of any private or confidential information from investigative files, or failure to participate in Board training or outreach activities. It is important that justified reasons for removal from Board service be explicitly identified prior to the convening of the new Board. Replacement members will be added by the normal selection process.

6. The Civilian Oversight Coordinator

The Civilian Oversight Coordinator (COC) is an essential element in the overall recommended model. The Coordinator will be responsible for all of the day-to-day administration of the Board, such as scheduling review groups, scheduling quarterly full Board meetings, following up on Board recommendations or requests, and assisting in drafting policy recommendations. The COC will be the primary administrative support for the Board, serving as the liaison between the Board and other officials such as the Mayor or representatives from the Police Department. The Coordinator will schedule all meetings for the Board, review all files in preparation for meetings by the Board, coordinate outreach and education activities across the

¹⁴ For more information about use of force continuum standards see Kenneth Adams, Geoffrey Alpert, Roger Dunham, Joel Garner, Lawrence Greenfeld, Mark Henriquez, Patrick Langan, Christopher Maxwell and Steven Smith, 1999. *Use of Force by Police: Overview of National and Local Data*. Washington D.C.: National Institute of Justice, Department of Justice.

community of Springfield. The COC will be a mayoral appointee to serve as a member of the mayors staff and will serve as a liaison between the Board, the Police Commissioner and the Mayor. The COC will be responsible for assisting the CCRB in preparing an annual report to the City of activities engaged in by the Board including recommendations of any policies of the SPD that might be changed to promote better performance by members of the SPD.

The qualifications for the coordinator position will include strong administration and communication skills, experience with neighborhood outreach activities, experience with formal municipal administrative operations and a willingness to participate in community outreach and education activities.

We anticipate, particularly during the initial years of the Board, that the COC must be a full-time position. We realize that the COC position as recommended will require additional resources from the City of Springfield at a time when such resources are limited. We believe, however, that without the commitment of a full-time dedicated position to coordinate the activities of the Board, the all volunteer CCRB has little chance of success. The Board members will need the focused attention that a full-time position provides to be successful. The City of Springfield can not afford a failed attempt to establish a civilian oversight process. We believe the appointment of one full-time dedicated position to coordinate and support the Board greatly enhances the probability of success.

7. Annual Review Process

Although the recommended model incorporates nationally accepted best practices for civilian review, it should be considered only a starting point. The model reflects much of what other jurisdictions have found to be effective, but many details will need to be worked out as model is put in place. Because many members of the community in Springfield have a great deal of skepticism about the functioning of any community Review Board, we see this new model as a starting point not a completed product. Therefore, we recommend there be an independent annual review process to discuss any needed changes to the model. Some areas that might be reviewed annually are:

- Representativeness of Community Complaint Review Board
- The size of the Board
- The role of the Community Oversight Coordinator
- Additional resources that may be necessary to improve the functioning of the Board
- Other types of complaints (e.g. internal complaints, sustained complaints) that may need to be regularly reviewed?
- Are the recommendations of the CCRB being heeded by the department? What has been the department response to the policy recommendations made by the CCRB?
- The existing union requirement that complaint investigations and discipline decisions be completed within 90 days.
- Adequacy of the public information about the functioning of the Board that has been provided to the community to date.

8. Authority of the Community Complaint Review Board and Subpoena Power

Some public concern has been raised about the need for subpoena power in any new civilian oversight model. During interviews and public meetings some community members suggested

that subpoena power would be necessary if the new model was to function effectively. After carefully considering the issue of subpoena power during our review of national models with and without such power, we have decided not to recommend subpoena power as an initial component of the Community Complaint Review Board Model. In reviewing other Boards that have included subpoena power, we have found that in many cases subpoena power makes a difficult situation worse by setting up an adversarial process from the outset. In a number of these communities officers who were subpoenaed to appear before the review Board invoked their Fifth Amendment right against self incrimination and refused to testify before the Board. Additionally, in some communities the oversight boards using subpoena power became so adversarial with the police department that they were unable to function effectively. It appears that subpoena power does not guarantee participation in the way that many of the proponents have hoped.

Finally, and most importantly, we have recommended a model that does not require the CCRB members to conduct their own investigations. If after the first year of operation the CCRB is not able to make satisfactory determinations about the sufficiency and accuracy of IIU investigations without calling their own witnesses, the City could reconsider the necessity of subpoena power.

Recommendation 2: Improve Communication about the Complaint Process and Outcome of Complaint Investigations

A number of people we spoke with reported limited knowledge about how the complaint process functioned. To help increase the open access to the complaint process the department will need to educate the public about the complaint reporting process, including information about when and how to file a complaint. Presentations to community groups, schools, community organizations and religious groups about the complaint reporting process may be necessary as part of a broader effort to help people increase trust and confidence in the complaint investigation process. This is particularly important in Springfield because the department will need to communicate how any new review and oversight structure is different from the prior Police Commission. Such outreach efforts require an investment of resources to support community education. The announcement of a new Community Complaints Review Board (described in detail below) offers the best opportunity to communicate about these issues to the public. A plan should be developed by the City and the Police Department to take advantage of the natural publicity that will accompany the announcement of the Board to communicate general information about the civilian complaint process with a broad cross-section of the community

This communication process should involve both members of the IIU and members of the new Community Complaints Review Board. Joint presentations will help reflect the new openness of the department. Such presentations should be made in the neighborhoods of Springfield and should be done in conjunction with existing community organizations whenever possible.

In addition, to general education and outreach, the SPD needs to improve timely communication with complainants about the status of investigations. When funding permits, an enhanced computerized case tracking system should be put in place to help IIU generate automatic status reminders and allow for digital transfer of case files to the Community Complaint Review Board. Until an automated system is put in place the SPD should implement

a paper-based communication system that sends regular updates to all individuals involved in a complaint.

At the conclusion of the investigation the Department should promptly notify the complainant and the officer about the finding in a correspondence that provides sufficient detail in non-technical language to allow all parties to fully understand the outcome of the complaint investigation. For the complainant, correspondence should be sent by certified mail to help ensure they receive notice of the outcome. Additionally we recommend that the department send satisfaction surveys similar to those used by the Cambridge Police Department to both complainant and officers when each complaint is closed.

Recommendation 3: Improving Civilian Complaint Processes through Mediation

We suggest that mediation can be an important tool for improving the civilian complaint process. Used appropriately, mediation can function as an alternative to the formal complaint process for less serious complaints. Across the county mediation has helped resolve many minor instances of perceived misconduct by officers, such as rude or discourteous behavior. In mediation, the complainant and the officer have an opportunity to talk over their concerns and often come to an amicable solution. In other communities who have utilized mediation, these programs have resulted in increased civilian satisfaction with the entire oversight process.

To be effective, mediation should only be an alternative for less serious complaints and officers may be limited in the number of complaints eligible for mediation over a specific period. Additionally, mediation is most successful when both the complainant and officers agree to voluntarily undergo mediation. Mediation sessions must be led by a formally trained mediator. We recommend that during the first year of Board operations, the Community Oversight Coordinator work with IIU to develop a plan for the feasibility of offering mediation as an alternative to the formal complaint process for less serious complaints. We also recommend that SPD consider changes to the present policy to allow exceptions to the 90 day rule in those cases where both sides agree to go through mediation. We recommend that IIU also include information about the number of cases mediated in their annual report.

Civilian Oversight Options Not Recommended

Throughout the research process we considered the possibility of other options for a civilian oversight process in Springfield such as those highlighted in the review model case studies found in the appended materials. After conducting interviews with community members and listening to public testimony we concluded that the Community Complaint Review Model, as described in this report, offers the best match of best practices and nationally and the needs and context of Springfield.

We considered a fully external model but concluded that there was still enough trust between the community and its police department, and particularly the new police leadership to conclude such a radical process was not necessary. In addition, a fully external Board would require significantly more financial resources than the model proposed here. In addition we considered an Ombudsperson model such as the one recommended for Boston. We choose not to recommend an Ombudsperson model because it was clear that community members need to participate in the process of police oversight in Springfield. A professional model, such as an Ombudsperson, may put too much distance between the community member and their police

department particularly given the history of prior attempts at civilian review in Springfield. The professional Ombudsperson model might be considered in the future if there was a significant role for community involvement in the oversight process.

We also considered a right of appeal for civilians who are not satisfied with the outcome of their case. We found, however, that the union requirement that complaints be disposed of within 90 days creates a barrier to a workable citizen appeal process. The possibility of implementing a civilian right of appeal might be worth consideration if the time constraints for completing the investigation are relaxed at some point in the future.

CONCLUSION

The community oversight and review model proposed here will help ensure accountability and transparency and place the Springfield Police Department in line with nationally accepted best practices for civilian oversight. The development of a broad based civilian oversight process, such as the one recommended here, will take courage by City leaders and the Springfield Police Department. Some may criticize the recommendations in this report as intrusive and unnecessary, while others will claim they are not intrusive enough. Additionally, some may question why the City should invest resources into the development of an oversight system when violence remains a fundamental concern in most communities and the financial capacity of the City of Springfield is strained. We suggest that crime control and accountability to the community are not mutually exclusive goals. As officers increasingly confront violence and step up efforts to apprehend suspects in the community, the chance of alleged unjustified force or other misconduct increases. Without a transparent accountability model in place to help ensure that all complaints are investigated thoroughly and fairly, the Department risks losing legitimacy in the community, particularly in high crime neighborhoods where trust and confidence are most critical to effective policing.

Any effective professional or civilian review model will take resources. However, the costs of litigation involving officer misconduct, particularly in cities where the community has diminished trust in the police far exceed the costs of pro-active systems of accountability such as the civilian review model proposed here. In the end we believe we have recommended a model of police oversight for Springfield that is the most representative, has the fewest barriers to implementation and is the least expensive to the City. Ultimately, the development of a strong form of civilian oversight is the next necessary phase in the professional development of the Springfield Police department.

APPENDED MATERIAL

Numerous steps were taken to identify the best practices in civilian review across the county. From the existing literature on civilian review we catalogued 40 different complaint review board structures which involved varying levels of civilian review which can be found in Appendix 1. In order to gain a more nuanced understanding of how these different models operated we conducted in-depth analyses of eight agencies representing a cross-section of civilian review models. Our goal for the in-depth analysis was to identify promising practices and common challenges across different types of models. Descriptions of the eight models can be found in Appendix 2

APPENDIX 1: NATIONAL REVIEW OF CIVILIAN OVERSIGHT MODELS

The information for the matrix found in the following pages is derived from two main sources. First, we utilized The Roster of U.S. Civilian Oversight Agencies, which is provided by the National Association of Civilian Oversight for Law Enforcement (NACOLE). In addition to the information from NACOLE, we reached out to numerous oversight organizations directly and examined their organizational material to provide additional information and detail for this matrix. From this information we categorized each organization according to one of the four categories of citizen oversight described below:

1. Fully External

- Investigations are conducted and discipline recommended by external group (usually a standing board or commission) outside of the department.

2. Internal Investigation with External Review

- Investigation done by local department.
- Investigations are reviewed by a standing external board.
- Review may be automatic or based on appeal only.

3. Monitor / Ombudsperson / Auditor

- External person experienced in the investigative process reviews investigations (ongoing and after a decision is made) and makes recommendations.
- Monitors often take complaints of misconduct directly.
- In some cases the monitor actually conducts the investigation.

4. Hybrids

- Combination of above models (e.g. Ombudsperson with civilian review Panels)

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Albuquerque, NM	Hybrid	Independent Review of the Police Oversight Commission	1999	<p>The Independent Review Office (IRO) receives citizen complaints involving the Albuquerque Police Department (APD). The complaints will be assigned to either an IRO Investigator or the Internal Affairs division of the APD. Recommended findings are forwarded to the Chief of Police who has sole authority for discipline. Citizens may appeal the final disposition of their complaints to the Police Oversight Commission (POC). In addition, the IRO may make recommendations regarding APD policies and procedures to the Chief of Police, the City Council and the Mayor.</p>	The Chief of Police, the City Council and the Mayor	Yes, limited subpoena power	9	http://www.cabq.gov/iro/
Albany, NY	Internal Invest. with External Review	Citizens' Police Review Board (CPRB)	2000	<p>The CPRB is an independent body staffed by the Government Law Center of Albany Law School and has the authority to (1) review and make findings on completed investigations by Office of Professional Standards of complaints made by citizens; and (2) make recommendations to the Common Council and the Mayor regarding police policies and practices.</p>	The Common Council and Mayor	No	9	http://www2.als.edu/glc/cprb/
Atlanta, GA	Hybrid	Civilian Review Board (CRB)	1995	<p>The CRB does not receive the initial complaint. Citizens appeal to the CRB to have investigation re-examined. The CRB makes recommendation to Mayor.</p>	The Mayor's Office of Constituent Services	No	3 panels, which are each made up of 4 or 5 people	no website

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Austin, TX	Hybrid	Office of the Police Monitor	2002	Point of citizen contact for complaints of police misconduct. Monitors Internal Affairs investigation, makes recommendations to Chief of Police regarding quality of investigations, and conducts Monitor's Conference with complaint to explain outcome of complaint. Can refer cases to Citizen Review Panel for further recommendations or referral to independent investigation. Publish public report containing detailed statistics and record of activities of the office every 6 months, conduct outreach to educate citizens and police department, and allow public input at meetings of Citizen Review Panel.	The Chief of Police	No	7	http://www.ci.austin.tx.us/opm
Berkeley, CA	Fully External	Berkeley Police Review Commission	1973	Receive complaints of police misconduct and independently investigate complaints. Release advisory findings to City Manager. Review police department policies and provide mediation in some cases.	The City Manager	Yes, with subpoena power	9	http://www.ci.berkeley.ca.us/prc/
Boise, ID	Monitor	Office of the Community Ombudsman	1999	Ombudsman system with full, independent authority to receive and investigate complaints. Also, authority (without any complaint being filed) to investigate all officer-involved shooting and incidents resulting in serious bodily harm. Authority to make policy, procedure, and training recommendations. Authority to receive and investigate appeals to findings made by the Chief of Police. Reports to Mayor and City Council, no board.	Mayor and City Council	Yes, with subpoena power	no board	www.boiseombudsman.org

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Cambridge, MA	Fully External	Cambridge Police Review and Advisory Board (PRAB)	1984	Takes complaints from anyone (not just Cambridge citizens) and from Cambridge officers about the Cambridge PD. The individual must bring the complaint to the attention of the PRAB within 60 days of the incident. The complainant can either file with PRAB or with the Department Quality Control Office (Internal Affairs). These two agencies cross-file complaints with each other but conduct separate investigations.	City Manager	Yes, with subpoena power	5	http://www.cambridge.ma.gov/PRAB/
Chicago, ILL	Hybrid	The Police Board of the City of Chicago	1960	Decides disciplinary cases when the Superintendent of Police files charges to discharge or suspend for more than 365 days. Considers appeals from employees facing disciplinary suspensions of six through 365 days. Submits to the Mayor a list of 3 candidates when there is a vacancy in the position of Superintendent of Police, and the Mayor must choose from the list or request another list from the Board. Adopts rules and regulations governing the conduct of sworn and civilian members of the Police Department. Is responsible for monitoring the Police Department's, and the City's, compliance with the terms of the federal court consent decree and judgment order regarding citizens' rights of freedom of expression and association.	The Mayor	Can hold hearings with subpoena power; no invest. power	9 civilians (2 former police)	http://www.cityofchicago.org/policeboard

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Cincinnati, OH	Fully External	Citizen Complaint Authority (CCA)	2003	Independent investigative agency led by an executive director with professional investigators and administrative staff. Investigates allegations of misconduct by police officers including, but not limited to, shots fired, deaths in custody, and major uses of force. Review and resolve all citizen complaints in a fair, impartial, efficient, and timely manner. Acts independently with the ultimate goal of addressing citizens' concerns and improving citizen perceptions of quality police service in the city of Cincinnati.	The Mayor	Yes, with subpoena power	7	http://www.cincinnati-oh.gov/cca/pages/-5509/
Denver, CO	Monitor	Office of the Independent Monitor (OIM)	2005	Reviews all Internal Affairs investigations (including internal criminal investigations) and officer-involved shooting investigations and makes recommendations on findings, the imposition of discipline as well as changes in policy. OIM also makes recommendations on findings and discipline to the Chief of Police and the Manager of Safety. Publishes annual reports. Conducts policy reviews and make policy recommendations as necessary.	The Mayor	Yes, with subpoena power	OIM works with a separate 7 member board.	http://www.denvergov.org/oim/
Eugene, OR	Hybrid	Eugene Police Commission	1998	Acts in an advisory capacity to City Council, the Chief of Police and the City Manager on police policy and resource issues. Per ordinance, the Police Commission does not undertake the review of allegations and inquiries related to the actions of individual police officers.	City Council, the Chief of Police and the City Manager	No	12	www.ci.eugene.or.us/policecomm

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Indianapolis, IN	Internal Invest. with External Review	Citizen Police Complaint Board and Citizen Police Complaint Office (CPCO)	1998	Offers opportunity for citizens to have complaints voiced and investigated. Members are appointed by the City-County Council, the Mayor, and the Fraternal Order of Police (FOP) and have the task of reviewing all cases filed in the CPCO.	Department of Public Safety	No	12 (9 civilian, voting members and 3 non-voting police officers)	http://www.indygov.org/eGov/City/DPS/CPCO/home.htm
Kansas City, MO	Internal Invest. with External Review	The Office of Community Complaints (OCC)	1969	Receives complaints, gathers initial information, and forwards to IAD to investigate. The Kansas City Police IAD and OCC decide discipline, if any, issued by commissioner.	The Board of Police Commission	Limited	7 (4 analysts, 2 staff, and 1 director)	http://www.kcpd.org/kcpd2004/OCC.htm
Key West, FL	Hybrid	Citizen Review Board (CRB)	2002	The CRB independently reviews citizen complaint investigations against Key West Police Department police officers, recommends changes in departmental policy, and when deemed appropriate by the board, conducts an independent investigation of citizen complaints.	City Management	Yes, with subpoena power	7	www.keywestcity.com

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
King County, WA	Monitor	King County Office of Citizen Complaints - Ombudsman (OCC)	1968	Investigates a wide variety of complaints about King County government, including the King County Sheriff's Office. Makes and publishes recommendations for administrative and legislative changes based on the results of investigations. Citizens are encouraged to first file their complaint with the Sheriff's Office IIU. The OCC is allowed access to all Sheriff's records and may conduct independent factual research as part of the investigation.	County Council	Yes, with subpoena power	No board	www.metrokc.gov/ombudsman
Knoxville, TN	Hybrid	Police Advisory and Review Committee (PARC)	1998	Audits the discipline process and the policy and procedures of the Knoxville Police. Authority to conduct own investigations regardless of the final outcome of a completed case. PARC may request additional information regarding completed KPD IAU cases, but only the Chief of Police may impose disciplinary actions on officers. Has the authority to review the KPD Policies and Procedures and make recommendations for change and or improvement. Offers mediation and holds public meetings at least once each calendar quarter in one of the four quadrants of the city.	The Mayor	No	7 paid members and 5 volunteer members	www.ci.knoxville.tn.us

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Las Vegas, NV	Internal Invest. with External Review	Citizen Review Board	2000	The Board receives and reviews complaints against the Las Vegas (LV) Metro Police. Subpoena power but no independent investigative power; all cases are investigated initially by the LV Police. The Board may receive complaints initially or review investigations done by the Police Dept. Internal Affairs and is an advisory board to the Sheriff, with the power to make recommendations as to discipline or policy changes.	Commission of Clark County and City of Las Vegas	No investigative power; subpoena power for hearings	3 paid members and 25 volunteer members	www.citizenreviewboard.com
Los Angeles (city), CA	Monitor	Office of Inspector General	1996	Reviews and monitors all personnel investigations; conducts investigations as directed by Board of Police Commissioners (PC), oversees, audits and periodically reports on disciplinary system; conducts audits and special projects; reviews and approves or disapproves all officer-involved shootings and law enforcement related injuries or deaths; performs other assignments as directed by the PC. May initiate and conduct investigations.	Board of Police Commission	Yes, with subpoena power	No board. 1 Inspector General and 3 Assistant Inspector Generals.	http://www.lacity.org/office/isgig2a.htm
Los Angeles (county), CA	Monitor	Office of Ombudsman	1994	The Ombudsman provides oversight into the Los Angeles Sheriff's Department's (LASD) Internal investigation process to insure that complaints were handled in a timely, thorough and appropriate manner. Now handle complaints involving other county agencies. Receives complaints from the public and frequently acts as a mediator in disputes as well as reviews.	The ombudsman is selected by the sheriff and board of supervisors.	No	no board	www.ombudsman.lacounty.info/What_We_Do.htm

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Los Angeles (county), CA	Monitor	Office Of Independent Review (OIR)	2001	The OIR monitors the LASD and ensures that allegations of officer misconduct involving LASD are investigated in thorough, fair, and effective ways.	The Board of Supervisors	No	6	www.LAOIR.com
Miami (City), FL	Fully External	Civilian Investigative Panel (CIP)	2005	Conducts external investigations and forwards its written finding to the Chief of Police, affected officers, and complainants. In some cases, the CIP may issue a subpoena to obtain evidence from witnesses.	Mayor, City Commission, City Attorney, City Manager, Chief of Police	Yes, with subpoena power	13	www.ci.miami.fl.us/cip
Miami (County), FL	Internal Invest. with External Review	Independent Review Panel (IRP)	1980	External fact finding and dispute resolution with the authority to review complaints against any department. Complaints are investigated by the involved department, which submits its written findings to the IRP. The findings are discussed in an informal mediated fact-finding and dispute resolution meeting, attended by 1 Panel member, Panel staff, the complainant and a representative from the involved department. The accused employee is invited to participate, but attendance cannot be compelled. A report is then submitted to the full Panel for public review. The Panel's disposition and recommendations are sent to the involved department, County Manager, Mayor and Commissioners. The focus of the Panel is review, but it can conduct investigations as needed. Its subpoena power is limited to retaliation complaints as defined by a specific ordinance.	Involved department, County Manager, Mayor, and Commission	Yes, with limited subpoena power	9	www.miamidade.gov/irp

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
New York, NY	Fully External	Civilian Complaint Review Board (CCRB)	1993	The CCRB's responsibilities are to (1) receive, investigate, hear, make findings and recommend action complaints against New York City police officers that allege the use of excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language; (2) issue semiannual reports describing its activities and summarizing its actions; (3) inform and educate the public about the board and its duties; and (4) offer a mediation program.	Mayor	Yes, with subpoena power	13	www.nyc.gov/ccrb
Oakland, CA	Fully External	Citizen's Police Review Board (CPRB)		CPRB receives and investigates independently citizen complaints of police misconduct. CPRB holds public hearings, makes findings and recommendations to the City Manager on individual complaints of police misconduct and makes policy recommendations to the Oakland Police Department.	City Manager	Yes, with subpoena power	9	www.oaklandnet.com/government/citizens/homepage.html
Omaha, NE	Monitor	Public Safety Auditor	2001	Provides oversight over citizen complaints filed against the police and fire departments. Audits completed investigations. Monitor ongoing investigations conducted by internal affairs units and may participate in interviews and requests for further investigation through IA investigator. Makes recommendations and publishes quarterly reports.	The Auditing Committee (the Mayor, Police Chief, Fire Chief, City Council)	No	No board	http://www.ci.omaha.ne.us/departments/public_safety_audit/or/default.htm

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Philadelphia, PA	Fully External	Police Advisory Commission (PAC)	1994	Investigates individual complaints filed by members of the public and is empowered to study police department policies, practices and customs of the department that impact on police-community relations. Has subpoena authority and may initiate investigations at the request of a member of the public, or on its own initiative. Advisory findings and recommendations are forwarded to the Mayor, the City Managing Director and the Police Commissioner for their notice and review three days in advance of any public dissemination. The PAC process includes open, fact-finding hearings conducted by commission members as well as written, public opinions that include findings of fact, and as appropriate, recommendations for discipline against specific police officers.	Mayor and Police Commissioner	Yes, with subpoena power	15 and 4 alternate members. All members must be residents and 3 have police backgrounds, but not currently in law enforcement.	www.phila.gov/pac
Phoenix, AZ	Internal Invest. with External Review	Discipline Review Board (DRB)	1985	The DRB reviews two types of incidents (1) all use of force incidents found to be out of policy by the Use of force Board and (2) all other disciplinary reports involving criminal acts, violations of law, and violations of the rules and regulations in which a suspension, demotion, or dismissal has been approved by a division commander. Employees and their unit representative have the right to appear before the department DRB when an incident involving them is brought before the board. The DRB suggests discipline that either affirms the discipline recommended by the Department's Discipline Matrix, or suggests a higher or lower level of discipline.	Police Chief	No	7 members: 1 assistant chief (chair), 2 command staff, 2 employee peer officers, and 2 citizens of Phoenix.	no website

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Pittsburgh, PA	Internal Invest. with External Review	Citizen Police Review Board (CPRB)	1997	The CPRB has the authority to hold public hearings; subpoena witnesses and documents; discretion to select complaints for investigation; offer advice and recommendations on police policies and activities, including hiring, training and disciplinary policies, including specific recommendations on disciplinary action for individual officers; role is advisory only. Board offers third-party mediation as an option to complaint resolution. The Board is also charged with improving the relationship between the police and the community.	Mayor and Chief of Police	Yes, with subpoena power	7	http://www.city.pittsburgh.pa.us/cprb
Portland, OR	Monitor	Two organizations work together under the authority of the elected City Auditor: Independent Police Review Division (IPR) and the Citizen Review Committee (CRC).	2001	IPR monitors and reviews all Internal Affairs investigations, conducts independent investigations as necessary, facilitates the work of the CRC. IPR also conducts specialty audits of issues of concern to the Police Bureau, the City Council, and the community at large. The CRC serves as an appellate body, handling city appeals of bureau findings with respect to citizen initiated complaints. The CRC can make policy recommendations to the Chief of Police.	City Auditor and the Division	Yes, with subpoena power	The IPR has 8.5 staff members plus the 9 members CRC appointed by City Council.	www.portlandonline.com/auditor/ipr

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Prince George's County, MD	Internal Invest. with External Review	Prince George's County Citizen Oversight Panel (CCOP)	1990	CCOP reviews every investigation (1) resulting from complaints filed by a law enforcement office or a citizen regarding the conduct of a PGCPD officer, including use of language, use of force and misconduct; (2) alleging that a member of the PGCPD has accidentally or intentional discharged a firearm; and (3) involving a death related to an officer's use of force or while in police custody. Makes recommendations to the Chief of Police and PCH's County Administrative Officer regarding these investigations. Also makes recommendations regarding policies and systems. Conducts community education and outreach.	Office of the Prince George's County Executive	Yes	7	www.goprincegeorgescounty.com
Rochester, NY	Internal Invest. with External Review	Rochester Civilian Review Board	1973	The Board reviews completed IA investigations of alleged police misconduct for thoroughness, fairness and timeliness and renders findings on specific allegations of police misconduct. The Board may also make policy, investigative or remedial training recommendations.	Chief of Police	Yes, with subpoena power	3	www.cdsadr.org
San Diego (City), CA	Internal Invest. with External Review	Citizens' Review Board on Police Practices (CRB)	1988	The CRB reviews citizens' complaints against the San Diego Police Department. They also review all officer involved shootings and in-custody deaths. Reviews policies; makes recommendations to Chief and City Manager.	City Manager	Yes	23 volunteers	www.sandiego.gov/citizensreviewboard

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
San Diego (County), CA	Fully External	Citizens' Law Enforcement Review Board	1990	Staff receives and independently investigates deaths and citizen complaints of misconduct. Investigative report and recommended findings are submitted to eleven member non-paid review board for hearing and approval. Approved "advisory" findings, non-binding policy and discipline recommendations are then forwarded to department heads.	Board of Supervisors	Yes	11	www.sdcourty.ca.gov/c_lerb
San Francisco, CA	Fully External	Office of Citizen Complaints (OCC)	1983	The OCC's purpose is to investigate complaints against San Francisco police officers. It is staffed by civilians who have never been police officers in San Francisco.	Police Commissioner	Yes, with subpoena power	5	www.sfgov.org/occ
San Jose, CA	Monitor	Office of the Independent Police Auditor	1993	The office has four primary functions (1) serves as an alternative forum for people to file complaints, (2) monitors open investigations and upon completion, audits the final investigation, (3) conducts community outreach, and (4) publishes semi-annual reports and recommends policy and procedural changes. The IPA conducts case-by-case reviews, requests further investigations, if needed, and disagreements with the findings are sent to the City Manager. Performance audits are conducted to assess compliance and to determine increases or decreases in similar complaints.	Mayor and City Council	Yes	No board	www.ci.sanjose.ca.us/ipa/home.html

City	Type	Name	Year	Description	Authority	Investigative Power	Members	Website
Seattle, WA	Monitor	Office of Professional Accountability	1999	The OPA oversees the internal investigation function within the Seattle Police Department. The OPA has three primary objectives: (1) to provide civilian review of the citizen complaint process; (2) to recommend strategies and policies to improve the complaint investigation function and other practices within the Department to raise professional standards; and (3) to promote public awareness of the OPA.	City Council	the Mayor and the City Council	Three	www.cityofseattle.net/police/opa
Tucson, AZ	Internal Invest. with External Review	Citizen Police Advisory Review Board (CPARB)	1997	The Board holds monthly public meetings and review completed IA investigations. They may also review information from the IPA's reviews.	Mayor and Council	No	7 voting members and 4 advisory members	www.ci.tucson.az.us/cparb
Tucson, AZ	Monitor	Independent Police Auditor (IPA)	1997	The IPA audits completed investigations; has authority to monitor ongoing investigations; and may participate in interviews of complainants, witnesses and officers. The IPA receives complainants, which are then forwarded to the Office of Professional Standards for investigation. The IPA also monitors Shooting Boards.	The City Manager	No	No board	www.ci.tucson.az.us/ia
Washington DC	Fully External	The Office of Police Complaints (OPC)	2001	OPC investigates, mediates, and/or adjudicates citizen complaints against sworn members of the Metropolitan Police Department (MPD) and the DC Housing Authority PD. OPC decisions are binding, although the police departments determine the levels of discipline.	The Police Complaints Board (PCB)	Limited	On the PCB, there are 4 private citizens and 1 MPD sworn officer.	www.policecomplaints.dc.gov

APPENDIX 2: IN-DEPTH DESCRIPTIONS OF CITIZEN OVERSIGHT MODELS

To help provide a richer perspective on the strengths and weaknesses of different civilian oversight models we utilized information from in-depth reviews which we conducted for a previous study of civilian oversight in eight different jurisdictions. We believe that these can be very helpful for understanding the real-world dynamics of various civilian review models. We believe that Springfield can learn from the successes and challenges faced by communities that have already adopted comprehensive civilian review systems. The agencies described here varied in terms of their own organizational history, their geographical location within the country, and the nature of the relationship between the police and the community that they served. The cities that we examined in-depth were:

- Atlanta, Georgia
- Cambridge, Massachusetts
- Chicago, Illinois
- Denver, Colorado
- Key West, Florida
- Phoenix, Arizona
- San Diego, California
- Washington D.C.

To understand how these models operated we conducted targeted site visits, interviews, focus groups with officers and citizens from the local community, and/or telephone interviews with key stakeholders in each of the eight agencies. Analyzing common themes among the study sites has helped us identify core principles for civilian review and ultimately helped shape our recommendations for Springfield

Civilian Review Board (CRB)

- Location: Atlanta, Georgia
- Director: Katherine McCladdie
- Type of model: Hybrid
- Process: The CRB process begins after the citizen has filed a complaint with the Atlanta Police and their Office of Professional Standards makes a finding. The Atlanta Police send a letter to the citizen and let the citizen know s/he can contact the CRB if s/he is dissatisfied with the complaint investigation. The CRB lacks subpoena and investigatory power to examine the complaint, but can review the process of the investigation.
- How and when created: Established by a Mayoral Order on December 1, 1995, by Mayor Campbell.
- Is there a board: There are currently three different panels of 4 to 5 people who review the complaint to check the process of the investigation. For each panel, 5 members serve for a two-year period.
- The role of the board: The panel used to be more formal and function like a jury, asking questions, holding something that resembled a hearing, and reviewing materials for the investigation. Like a jury, they would have the officer and complainant (in separate rooms) tell their side of the story. Now the CRB is just a series of panels. A couple of times they have had an officer in to hear his/her account of the incident. The officers checked with the union beforehand in some cases, and in some cases, the officer appeared with their union representative.
- The members of board: One criterion is that members have some sort of law enforcement training in some area (either as a law enforcement officer or lawyer). Also, they have to have a history of community service. There is a new requirement that all board members have to file financial disclosure forms, though none receive financial compensation.
- Who selects members: Recruitment is handled by the Mayor's Office. There is a person in the Mayor's Office who looks for staff to add to the CRB. This person creates a bank of potential candidates for the CRB. Once the CRB has an opening, the person in the Mayor's Office advances someone's name from the bank of potential candidates. The City Council approves members.
- The organization answers to: The Mayor's Office of Constituent Services.
- Final product: Strictly appellate complaint review. No policy review. The CRB is the end of the line of the complaint and complaint review process. If the CRB makes a different finding than the Atlanta City Police Department, that finding goes to the Mayor. The CRB, however, has agreed with the OPS in every complaint case that they have reviewed. Part of the reason for this agreement between the CRB and OPS is that complainants in more severe incidents generally file lawsuits. Once the complainant tries to sue, the CRB cannot assist them.
- Mediation: The CRB does not offer mediation.

Cambridge Police Review and Advisory Board (PRAB)

- Location: Cambridge
- Director: Quoc Tran, Executive Director/Secretary
- Type of model: Fully External
- Process: The PRAB investigates complaints that people can file in person, by letter, or by telephone. The PRAB takes complaints from anyone (not just Cambridge citizens) and from Cambridge officers about the Cambridge Police about any incident that occurred in Cambridge and involved a Cambridge Police officer. The individual must bring the complaint to the attention of the PRAB within 60 days of the incident. The complainant can either file with PRAB or with the Cambridge Police Department Quality Control Office (Internal Affairs). These two agencies cross-file complaints with each other but conduct separate investigations.
- How and when created: PRAB was created in 1984 by a city ordinance.
- Is there a board: Yes. There is five-member civilian board.
- The role of the board: The PRAB is a group of citizens who conduct investigations. The PRAB also “acts as the representatives of the community in reviewing policies, practices, and procedures of the police department.”
- The members of board: There are five citizens of Cambridge who serve on the Board. None of these citizens can have worked for the city for the previous three years or in law enforcement. Board members serve for a term of five years.
- Who selects members: The City Manager appoints members to the board.
- The organization answers to: City Manager.
- Final product: The PRAB has its own staff to conduct the initial investigation, but these individuals cannot decide whether the complaint has merit. After the staff conducts a preliminary investigation, the full board then decides whether there should be a full investigation, mediation, or if they should dismiss the complaint. If there is a full investigation, the board will hold a full hearing that includes the citizen and the officer. After the investigation, the board makes a final decision and if there is a finding of a violation, they make a recommendation to the City manager as to the action that should be taken.
- Mediation: Yes.

The Police Board of the City of Chicago

- Location: Chicago, Illinois
- Director: Max A. Caproni, Executive Director
- Type of model: Hybrid
- Process: The Office of Professional Standards (OPS), which is an independent unit within the Chicago Police Department staffed by civilians, receives all complaints. OPS investigate complaints alleging Excessive Force and domestic altercations, and the Chicago Police Department's Internal Affairs Division investigates any other complaints. The Chicago Police Board enters the process at the discipline stage of the complaint process. For complaints, the Board (1) decides disciplinary cases when the Superintendent of Police files charges to discharge or suspend for more than 365 days a Police Department employee, sworn or civilian and (2) considers appeals from employees facing disciplinary suspensions of six through 365 days. The Chicago Police Board reviews transcripts of evidentiary hearings (the Board has subpoena power to call witnesses to appear).
- How and when created: The Board created at the urging of Mayor Richard Joseph Daley in 1960 as a reaction to the "Summerdale Scandals."
- Is there a board: Yes.
- The role of the board: The Board (1) decides disciplinary cases when the Superintendent of Police files charges to discharge or suspend for more than 365 days a Police Department employee, sworn or civilian, (2) considers appeals from employees facing disciplinary suspensions of six through 365 days, (3) the Board submits to the Mayor a list of three candidates when there is a vacancy in the position of Superintendent of Police, and the Mayor must choose from the list or request another list from the Board, (4) adopts rules and regulations governing the conduct of sworn and civilian members of the Police Department, and finally (5) is responsible for monitoring the Police Department's, and the City's, compliance with the terms of the federal court consent decree and judgment order regarding citizens' First Amendment rights of freedom of expression and association.
- The members of board: The Board consists of nine civilians, two current members formerly held law enforcement positions.
- Who selects members: The members of the Board are appointed by the Mayor and confirmed by City Council.
- The organization answers to: The Mayor.
- Final product: The Board makes decisions on specific disciplinary cases and releases its decisions in cases where employees are facing discharge or suspensions of greater than 365 days.
- Mediation: No.

Office of the Independent Monitor (OIM)

- Location: Denver, Colorado
- Director: Richard Rosenthal
- Type of model: Monitor / Ombudsperson / Auditor. The Police Monitor staff of six includes the Monitor; a Senior Deputy Monitor; a Deputy Monitor; a Community Relations Ombudsman; a Management Analyst and an Office Manager. The OIA has a budget of \$540,000.
- Process: The Monitor reviews all Internal Affairs investigations (including internal criminal investigations) and officer-involved shooting investigations and makes recommendations on findings, the imposition of discipline as well as changes in policy.
- How and when created: Proposed by the Mayor and created by City Council Approved Ordinance changes and Charter changes in 2005.
- Is there a board: There is a board, the Citizen Oversight Board, which has seven members and is separate from the Monitor's Office.
- The role of the board: The Citizen Oversight Board evaluates the work of the Monitor, holds public meetings, and makes policy recommendations.
- The members of board: Denver citizens who have never worked for nor have any family members who have ever been employed by the Denver Police, Sheriff, or Fire Department.
- Who selects members: Appointed by the Mayor and confirmed by the City Council.
- The organization answers to: The Mayor.
- Final product: The Monitor also makes recommendations on findings and discipline to the Chief of Police and the Manager of Safety. Annual reports will be published by the first day of February every year. The Monitor's staff will conduct policy reviews and make policy recommendations as necessary and appropriate.
- Mediation: The OIM may also assist citizens in entering into mediation with the officers to resolve their complaint. The mediation process is appropriate for a wide variety of complaints involving demeanor or instances where the citizen did not understand the actions an officer took in a situation. The mediation process, however, is not used in instances where the complaint involves a legal dispute. In the mediation process, the citizen and officer have a face-to-face meeting, which is guided by a mediator, to try and work out an agreement or resolve their dispute. Both parties are expected to enter into mediation in good faith. Ideally, the mediation process is expected to have many positive outcomes, including eliminating the need for some types of lengthy investigations, creating a forum for the citizen and officer to work out their misunderstanding, and improving police and community interactions.

The City of Key West Citizen Review Board (CRB)

- Location: Key West, Florida
- Director: Vicki Grant, Executive Director
- Type of model: Hybrid
- Process: The CRB independently reviews citizen complaint investigations against Key West Police Department police officers, recommends changes in departmental policy, and when deemed appropriate by the board, conducts an independent investigation of citizen complaints.
- How and when created: The citizens of Key West voted to create the City of Key West Citizen Review Board on November 5, 2002.
- Is there a board: Yes.
- The role of the board: To ensure that all complaints against Key West Police Officers receive a fair and objective investigation and/or hearing.
- The members of board: There is a seven member board, who live in Key West and are not employed by the city.
- Who selects members: The Charter requires that the City Commission appoint four members from nominations from community-based civic and social service organizations. The four selected were nominated from the Key West Chamber of Commerce, Key West Business Guild, Key of the Gulf # 53 – Order of the Eastern Star, and Criminal Trial Lawyer’s Association. Three additional board members were then selected from applications submitted from the general public by the original four members.
- The organization answers to: City management.
- Final product: The CRB forwards findings and/or recommendations to City management, the Chief of Police, State Attorney, other state and federal law enforcement agencies and/or grand juries.
- Mediation: No.

- **Discipline Review Board (DRB)**
- Location: Phoenix, Arizona
- Director: Assistant Chief Kevin Robinson
- Type of model: Internal Investigations with External Review
- Process: The DRB reviews two basic types of incidents (1) all use of force incidents found to be out of policy by the Use of force Board and (2) all other disciplinary reports involving criminal acts (for which the employee has been found guilty or has entered into a plea agreement), violations of law, and violations of the rules and regulations of the department in which a suspension, demotion, or dismissal has been approved by a division commander. When the DRB are to discuss an incident, they notify the employee(s) at least 10 calendar days prior to the meeting. Employees and their unit representative have the right to appear before the department Disciplinary Review Board when an incident involving them are brought before the board. The purpose of such an appearance is to give employees an opportunity to respond to any sustained assertions made against them.
- How and when created: Police Chief created the DRB in 1985.
- Is there a board: Yes.
- The role of the board: Reviews discipline that is suggested by discipline matrix.
- The members of board: The DRB is comprised of seven members: one assistant chief (chair), two commanders, two employee peer officers, and two citizens of Phoenix. Employee peer officers are officers who hold the same rank as the officer who is the subject of the discipline process. For example, if a detective is the subject of a discipline review hearing, the two employee peer officers are detectives.
- Who selects members: There is a bank of citizens and law enforcement officers that Assistant Chief Robinson's secretary chooses from for the meetings. She divides them by gender for diversity.
- The organization answers to: Police Chief.
- Final product: Complaint suggestion that either affirms the discipline recommended by the Discipline Matrix, or suggests a higher or lower level of discipline. The Discipline Matrix is a table that is used to calculate discipline based on the officer's violation. The employee's sustained violation and discipline history are considered in the table. The Discipline Matrix provides three levels of discipline for each sustained violation related to the current incident. For minor violations, however, deviations from the Discipline Matrix may be recommended. Once the Discipline Matrix is used to suggest level(s) of discipline, the violation(s) move forward to the DRB. During the DRB review, the Discipline Matrix's levels of discipline are presented to the board and mitigating and aggravating factors may be considered at this point.
- Mediation: The DRB does not offer mediation.

Citizen's Review Board on Police Practices (CRB)

- Location: San Diego
- Director: Scott Fulkerson
- Type of model: Internal Investigation with External Review
- Process: The CRB reviews citizens' complaints against the San Diego Police Department (SPPD). They also review all officer involved shootings and in-custody deaths.
- How and when created: The CRB was established by the voters in 1988
- Is there a board: Yes. There are 23 citizens of San Diego who serve on the Board. The City Manager appoints board members to serve for one year terms. Members are reappointed each year for up to 8 years maximum. Many members serve for the entire 8 years. The average tenure is over 4 years. In addition, there are also up to 23 individuals who serve as prospective board members, but they are not allowed to vote on cases. The City Manager appoints individuals only from the Prospective Members List. The function of the Prospective Member program is to provide comprehensive training to prepare people for appointment to the CRB who already qualified to begin their duties. Training is the critical element in their process.
- The role of the board: The Board is a group of citizens who provides oversight of the citizen complaint investigations that the San Diego Police conduct. The Board does four things: (1) they review "serious" citizen complaints against the San Diego Police, (2) they review all officer involved shootings and in-custody deaths, (3) they review and evaluate the administration of discipline in response to sustained complaints, and (4) they may also make policy and procedure recommendations to the City Manager and Chief of Police.
- The members of board: The board consists of a "cross-section of San Diego's citizens."
- Who selects members: The City Manager.
- The organization answers to: The City Manager.
- Final product: For complaint review, the Board has a 3 member Review Board Team that examines the case. There are 7 Review Teams. While the Board does not have subpoena power it does have "free and unfettered access" to any and all information it requests from the SDPD. Further, the 3 person review team is an actual part of the investigative process. Not only is all information generated by the investigation provided to the Team, the Team may request specific information (i.e. specific questions for subject officers and complainants and witnesses, development of further physical evidence, finding and interviewing other witnesses or anything the Team needs in order to come to a finding). The case cannot be closed by Internal Affairs until the Team feels that the investigation is complete and accurate. At least 2 of the 3 member Team must review the entire investigative file and two of the members must concur in what they will recommend to the Board. The Team prepares a recommendation to the entire Board. The recommendation for each complaint engagement is one of four options: (1) agree with Internal Affairs findings with no comment, (2) agree with Internal Affairs findings with comment, (3) disagree with Internal Affairs finding with comment, and (4) request additional information from Internal Affairs in order to make a decision.
- Mediation: Mediation of complaints was undertaken by the SDPD at the urging of the CRB. Mediations are conducted by the National Dispute Resolution Center not by a City agency. During the year and a half that the joint committee of the SDPD and the Board studied the issue and designed the program it was determined that the Mediation Program would be conducted by disinterested third parties who were trained and certified as Mediators.

The Office of Police Complaints (OPC)

- Location: Washington, D.C.
- Director: Philip K. Eure
- Type of model: Fully External. OPC has its own staff of trained and experienced investigators, and is not a part of either the Metropolitan Police Department (MPD) or the D.C. Housing Authority Police Department (DCHAPD). The agency is headed by an executive director who is appointed by the five-member Police Complaints Board (PCB). OPC has investigative and subpoena powers. OPC has a budget of about \$2,000,000.
- Process: The mission of the agency is to receive, investigate, and resolve police misconduct complaints filed by the public against MPD and DCHAPD officers. OPC has the authority to investigate complaints filed within 45 days of the alleged misconduct and that allege abuse or misuse of police powers, including: harassment; use of unnecessary or excessive force; use of language or conduct that is insulting, demeaning, or humiliating; discriminatory treatment; retaliation for filing a complaint with OPC; or failure to wear or display required identification or to identify oneself by name and badge number when requested to do so by a member of the public.
- How and when created: In 1999, the District of Columbia passed legislation creating the Office of Citizen Complaint Review and the Citizen Complaint Review Board. The agency opened to the public on January 8, 2001. In 2004, the District passed a law renaming the office and board to OPC and PCB.
- Is there a board: Yes. There is also a pool of complaint examiners, who are experienced attorneys who serve as hearing officers. When an OPC investigation indicates that police misconduct may have occurred, the office's investigative report is referred to a complaint examiner who reviews the evidence and issues a written decisions on the merits of the complaint.
- The role of the board: The board appoints OPC's executive director and oversees his work and the work of the agency. When the executive director seeks to dismiss a complaint, one member of the board must concur in the dismissal. In addition, the board has the authority to issue policy recommendations and reports on MPD's handling of demonstrations and protests to the mayor, District of Columbia Council, and chief of police.
- The members of board: The board is composed of five members, one of whom must be a member of MPD, while the other four must have no current affiliation with any law enforcement agency.
- Who selects members: The mayor nominates members to the board, who must then be confirmed by the District Council.
- The organization answers to: The board. The agency issues binding decisions regarding the complaints it receives, and the chief of police must impose discipline for sustained complaints.
- Final product: Complaint investigation and policy review.
- Mediation: OPC's executive director may refer complaints to mediation. A mediation service 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.