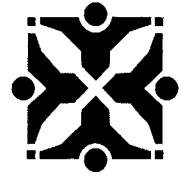


# City of Columbia

701 East Broadway, Columbia, Missouri 65201



**Agenda Item Number:** B 134-15

**Department Source:** Law

**To:** City Council

**From:** City Manager & Staff

**Council Meeting Date:** 5/18/2015

**Re:** Amending Chapter 21 of the City Code Relating to Term Limits for Members of the Citizens Police Review Board

## Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

**Supporting documentation includes:** REP50-15 Citizens Police Review Board - Term Limits

## Executive Summary

An ordinance has been prepared to amend Chapter 21 of the City Code to eliminate term limits for members of the Citizens Police Review Board.

## Discussion

On April 8, 2015, the Citizens Police Review Board (CPRB) approved a motion to recommend to the City Council that term limits be removed from Section 21-46 of the City Code. A subsequent report (REP50-15) was submitted to the City Council at the Council's May 4, 2015 meeting. At that meeting, the City Council approved a motion for staff to prepare an ordinance to eliminate CPRB term limits.

As indicated in the report from the CPRB, successful service on CPRB requires commitment and extensive, ongoing training. While CPRB members appreciate the value that term limits can bring, term limits also result in the loss of the most trained and experienced members. As with all boards and commissions, attendance policies would remain in effect and the Council could choose not to re-appointment CPRB members when that member's term is expired.

## Fiscal Impact

Short-Term Impact: Not applicable.

Long-Term Impact: Not applicable.

# City of Columbia

701 East Broadway, Columbia, Missouri 65201



## Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

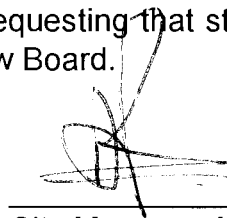
Comprehensive Plan Impact: Not Applicable

## Suggested Council Action

Passage of the ordinance.

## Legislative History

REP50-15 Citizens Police Review Board - Term Limits was presented to the City Council at the May 4, 2015 meeting and Council approved a motion requesting that staff prepare legislation to eliminate term limits for members of the Citizen Police Review Board.

  
\_\_\_\_\_  
Department Approved  
\_\_\_\_\_  
City Manager Approved

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 134-15

### AN ORDINANCE

amending Chapter 21 of the City Code as it relates to term limits for Citizens Police Review Board members; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 21 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 21-46. Establishment; membership; qualifications; terms; and removal.

(a) The citizens police review board is hereby established.

...

(d) Three (3) of the members first appointed by the city council shall serve terms of two (2) years, three (3) shall serve terms of three (3) years and two (2) shall serve terms of four (4) years. Thereafter, members appointed by the city council shall serve terms of three (3) years. ~~No member appointed by the city council shall serve more than two (2) consecutive full terms.~~ The member appointed by the commission on human rights shall serve a term of one (1) year. ~~The member appointed by the commission on human rights shall not serve more than six (6) consecutive years.~~ Vacancies shall be filled for unexpired terms in the same manner as the original appointments.

...

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

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City Clerk

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Mayor and Presiding Officer

APPROVED AS TO FORM:

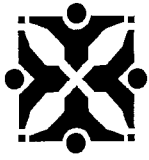
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City Counselor



## SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

REP50-15 Citizens Police Review Board - Term Limits



## CITY OF COLUMBIA, MISSOURI

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### CITIZENS POLICE REVIEW BOARD

To: Mayor McDavid and Columbia City Council Members

From: Citizens Police Review Board

Date: April 27, 2015

Re: Board and Commission Term Limits

On April 8, 2015, the Citizens Police Review Board approved a motion, on a vote of 8 to 1, to recommend to the City Council that term limits be removed from Section 21-46 of the City's Code of Ordinances. Currently, section 21-46 (d) of the City's Code, in pertinent part, states: "[n]o member appointed by the city council shall serve more than two (2) consecutive full terms.... The member appointed by the commission on human rights shall not serve more than six (6) consecutive years." Successful service on the board requires commitment and extensive, ongoing training. While the board appreciates the value that term limits can bring, term limits also result in the loss of the most trained and experienced board members. The Human Rights Commission is submitting a similar proposal, and it is worth noting that the Disabilities Commission already lacks term limits. As with all boards and commissions, attendance policies would remain in effect, and the Council could choose not to re-appointment board members when their term is expired.

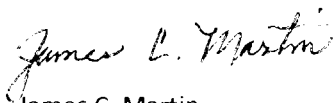
Section 21-48 requires board members to participate in ride-alongs with police officers and to be trained on laws, and police policies and procedures. The ordinance further requires training on topics suggested by the National Association for Civilian Oversight of Law Enforcement. NACOLE's recommended training includes training on the following topics: Civilian Oversight of Law Enforcement; Models of Civilian Oversight; Historical Account Leading to establishment of the oversight agency; Charter, Ordinance, Municipal Code establishing oversight agency; Community Expectations of Oversight Agency; Local Government Expectations of Oversight Agency; Public records and public meeting laws; Confidentiality requirements; State / Local Laws relating to peace officers' personnel actions, rights and privacy; Case law concerning stops & detentions, search, seizure and arrest, rights of arrested persons; Steps in the criminal justice process: arrest, booking, arraignment, bail, hearings, trial; Organization, history, and cultural evolution of the law enforcement agency; Role and responsibilities of patrol, custodial and specialized units; Chain of command and supervisory responsibilities; Written communication system and training procedures; Patrol practices and procedures; Duties of patrol officers, sergeants and managers; Rules of conduct for officers; Agency procedures re: detentions and searches of persons and

vehicles; Booking, custody and prisoner transport procedures; Medical screening; Handling and processing of prisoner property; Juvenile procedures; Traffic stop procedures; Use of force guidelines and procedures (lethal and non-lethal); Investigation and review of shootings and in-custody deaths; First amendment activities; Training, resources and procedures for dealing with mentally disturbed individuals and individuals under the influence of drugs or alcohol; Community and cultural awareness; Understanding the history, culture, and concerns of communities served by the law enforcement agency; Community relations and outreach; Biased based policing / racial profiling; The complaint, investigative and disciplinary processes; Mediation of complaints; Evaluating credibility and reaching findings; Procedures and practices for misconduct investigations, including interviewing and report writing, collection and preservation of evidence, sources of information, and due diligence standards; Board Procedures, including Intake Procedures, Investigative Procedures and Practices, Hearings/ Meetings, Case Review, Presentation, Findings, Communications and Policy Recommendations.

In addition, NACOLE hosts annual national conferences on Civilian Oversight. The City Council has granted city funds to allow Board members to attend the NACOLE conference. Those board members who have been fortunate to attend the NACOLE conference have found it very beneficial and have shared what they learned with the rest of the board. Given funding limitations, however, it is not possible to send the entire board to training.

NACOLE also offers a certification program. To earn the Certified Practitioner of Oversight Credential, a person must participate in designated training sessions at three qualifying conferences in a five-year period, and satisfy supplemental reading requirements. Currently, only one board member, Mr. Dean, has obtained this nationally recognized credential. Term limits will require Mr. Dean to leave his service on the Board as early as November 2015. With the City's investment and commitment to training and certification of board members, a majority of the board felt that removal of term limits was appropriate. The removal would allow the opportunity for other members to earn the Certified Practitioner of Oversight Credential, and thus help to ensure the board is as qualified as possible to meet the needs of the community in the ever-changing field of police oversight.

Respectfully submitted,

A handwritten signature in black ink, reading "James C. Martin". The signature is written in a cursive, flowing style.

James C. Martin  
Chair