

CITY OF COLUMBIA

CITIZENS POLICE REVIEW BOARD
2012 ANNUAL REPORT

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Members of the Citizens Police Review Board

Dr. James C. Martin, Chair
Dr. Stephen Alexander, Vice Chair
Gabriel Scott Dean
Roger Dowis
Jordon Hargrove
Daniel K. Jacob
Dr. Jerry Kennett
Stephen Sheltnire
Betty K. Wilson

HISTORY OF THE FORMATION OF THE CITIZENS POLICE REVIEW BOARD

The City of Columbia began the process of studying the possibility of establishing a review board in 2007. Originally, a coalition of citizens and groups proposed the idea of creating a civilian review board to the City Council. The City Council appointed a fourteen member committee to study whether or not a review board was needed and to consider how such a board would be structured. The committee reviewed all complaints that existed before the professional standards unit was established. In addition, they studied and considered different models used by different cities, and hosted public events to gather input from the citizens. After extensive study and public input, the committee unanimously agreed to recommend that the City of Columbia establish a citizens police review board.

In July of 2009, the City Council of the City of Columbia, by adopting Ordinance No. 020331, created a nine member Citizens Police Review Board. The ordinance outlined the duties of the Citizens Police Review Board as follows:

The citizens police review board shall have the following duties:

- (1) Review appeals from the police chief's decisions on alleged police misconduct as provided for in this article.
- (2) Host public meetings and educational programs for Columbia residents and police officers.
- (3) Review and make recommendations to the police chief and city manager on police policies, procedures and training.
- (4) Prepare and submit to the city council annual reports that analyze citizen and police complaints including demographic data on complainants, complaint disposition, investigative findings and disciplinary actions. The reports should also describe the board's community outreach and educational programs. The reports should also set forth any recommendations made on police policies, procedures and training. The reports shall be submitted no later than March 1 for the previous calendar year.

Section 21-49 City of Columbia Code of Ordinances.

The City Council appointed the first eight members of the Citizens Police Review Board in November of 2009. Also in November of 2009, the Human Rights Commission appointed its first member to the Board. The Board met for the first time on November 18, 2009.

Dr. Alexander, Dr. Martin, and Ms. Wilson have served on the Board since its formation. Mr. Dean, the Human Rights Commission member, joined the Board in 2010.

Dr. Kennett, Mr. Sheltmire and Mr. Dowis joined the Board in 2011. In 2012, the City Council appointed Dan Jacob and Jordan Hargrove.

EXECUTIVE SUMMARY

This annual report includes information on the Citizens Police Review Board's work from January 2012 through the end of December 2012.

Pursuant to its mandate, the Citizens Police Review Board's accomplishments include:

- (1) The Board reviewed appeals from the police chief's decision on alleged police misconduct. When an appeal is filed with the City Clerk, the Board is notified, and the Police Department's Internal Affairs Unit forwards a copy of the entire investigative file and the applicable Police Department policies and regulations to the Board. The Board receives the same material from the Internal Affairs Unit as the Chief of Police reviewed in making his determination on the complaint. The Board reviews the material provided and applies the same standards outlined by the Police Department's policies used by the Chief of Police. In addition, Sec. 21-52 of the Columbia City Ordinance provides that the Board may request additional investigation by the Police Department, or the Board may conduct its own investigation by either hiring a private investigator, or by interviewing and hearing comments from witnesses to the incident.

During this reporting period, the Board received eight possible appeals. Two cases are still pending.

- (2) The Board hosted monthly public meetings with an opportunity for public comment at each regular monthly meeting, had 3 special work sessions, provided public educational programs on a variety of topics, and participated in community events.
- (3) The Board met with the police chief on two occasions.
- (4) The Board is submitting to the City Council the following annual report which outlines the Board's actions from January 1, 2012 through December 31, 2012.
- (5) The Board recruited and trained volunteer advocates to assist complainants and police officers with the complaint and appeal process.
- (6) Due to lack of funding for the mediation program developed by the Board, the Board developed a procedure and policy recommendation related to implementation of a temporary, modified mediation program.
- (7) Two Board members attended, one being a voting member, the annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference.

**SUMMARY OF APPEALS REVIEWED BY THE CITIZENS POLICE REVIEW
BOARD**

In 2012, the Board received eight appeals. Two cases are still pending as of December 31, 2012. The Board resolved four appeals which were filed in 2012 and one appeal that was filed in 2011. Of the appeals resolved in 2012, the Board voted to accept the police chief's decisions in five cases. The dispositions of the remaining cases are summarized below.

<u>CPRB Case Number</u>	<u>Summary and Board's Action</u>
2011-0006	A person filed an appeal on December 27, 2011. The person's complaint alleged racism. After its review, the Board voted to unanimously accept the police chief's decision to exonerate the officer involved in the complaint.
2012-0001	A person filed a request for policy review regarding the Columbia Police Department's policy on whether police officer's should be able to wear their uniforms when engaging in off-duty security-related employment. On April 11, 2012 the Board voted unanimously to endorse the Police Department's outside employment policy.
2012-0002	A person filed an appeal regarding a complaint alleging excessive force. After its review, the Board voted to accept the police chief's decision that the complaint was unfounded and to exonerate the officer involved in the complaint.
2012-0003	A person filed an appeal regarding a complaint about an arrest. After its review, the Board voted unanimously to accept the police chief's decision that the allegations were false and to exonerate the officer involved in the complaint. The Board's decision was appealed to the city manager. The city manager supported the police chief's decision as well.
2012-0004	A person's filing of a complaint she had regarding the Columbia Police Department purported to be an appeal; however, she had not filed an initial complaint with the Columbia Police Department.
2012-0005	A person filed an appeal regarding a complaint about an officer's investigation of a theft of a cell phone. After its review, the Board voted unanimously to accept the police chief's decision that the allegations in the complaint were not sustained.

2012-0006	A person filed an appeal of a complaint alleging a violation of his constitutional rights. After its review, the Board voted by a majority of six (6) in favor, one (1) opposed, and (1) abstain to accept the police chief's decision that the allegation in the complaint was unfounded.
2012-0007	A person filed an appeal on October 13, 2012. It is still pending.
2012-0008	A person filed an appeal on December 14, 2012. It is still pending.

**DEMOGRAPHIC INFORMATION ON COMPLAINANTS WHO
APPEALED TO THE CITIZENS POLICE REVIEW BOARD**

CPRB Case Number	Demographic Information on Complainant
2011-0006	b/m
2012-0001	w/f
2012-0002	w/m
2012-0003	b/m
2012-0004	unknown/f
2012-0005	w/f
2012-0006	b/m
2012-0007	unknown/m
2012-0008	b/m

ANALYSIS OF CITIZEN AND POLICE COMPLAINTS

At the time this report was prepared, the Board had not received a copy of the City of Columbia Police Department's 2012 Annual Report of the Internal Affairs Unit or its analysis of police and citizen complaints. When the Police Department provides the information and analysis of police and citizen's complaints to the Board, the Board will provide a supplemental report to the City Council.

COMMUNITY OUTREACH AND EDUCATIONAL PROGRAMS
BY THE CITIZENS POLICE REVIEW BOARD

Section 21-49 of the City Code of Ordinances provides that the Citizens Police Review Board shall host public meetings and educational programs for Columbia residents and police officers. The Citizens Police Review Board hosted public meetings and included educational programming, as described below, during these public meetings.

<u>Date</u>	<u>Topic</u>
1/14/12	Educational Programming provided by the following speakers. Lt. Moriarity gave a presentation on the organization, history and cultural evolution of the City of Columbia Police Department and the role and responsibilities of the different units. Mr. Calloway, President of the Minority Men's Network, gave a presentation on the Network's mission, history and the role of the Network in the Columbia community. Mr. David Mitchell, Professor at the University of Missouri School Of Law, gave a presentation on the Deconstruction of Police-Citizen Interactions and the Salience of Race and Ethnicity. Dr. Campbell gave a presentation on the history and formation of the Citizens Police Review Board. Sergeant Hestir gave a presentation on training procedures, and agency procedures relating to detentions, searches of persons and vehicles. Detective Groves gave a presentation on the topic of juvenile procedures. Officer Craig gave a presentation on training, resources and procedures for dealing with mentally ill and individuals under the influence of drugs and alcohol, as well as booking, custody, and prisoner transport procedures. Lieutenant Shouse-Jones gave a presentation on the Professional Standards Unit and complaint process. Lieutenant Jones gave a presentation on patrol practices and procedures as well as the duties of patrol officers, sergeants and managers.
3/10/12	Sergeant Hestir, Officer Baillargeon, Officer Forck and Officer Craig provided training on the use of force.
4/10/12	Board members attended a Minority Men's Network Meeting.

- 10/23/12 Mr. Sheltmire and Ms. Wilson attended the Neighborhood Congress Event to distribute information regarding the Board.
- 11/3/12 Mr. Sheltmire and Dr. Alexander reported on their attendance at the NACOLE conference.
- 12/12/12 Presentation was given by Lieutenant Shelley Jones regarding policies, procedures, and practice in the Police Department's Internal Affairs Unit.

RECOMMENDATIONS ON POLICE POLICIES, PROCEDURES AND TRAINING

Related to case number 2012-0001, the Board unanimously passed a motion that the Board endorse the Police Department's outside employment policy with respect to uniforms.

On November 14, 2012, the Board unanimously passed a motion to recommend that the police chief bold and underline the information in the letters to the complainants that offers the right to appeal to the Board.

On December 8, 2012, the Board unanimously passed a motion to recommend to the Columbia Police Department that the Columbia Police Department use their miscellaneous contractual funds and/or forfeiture funds (if allowed by law) to fund mediation of complaints at the initial level when a complaint comes in.

ADDITIONAL ACTIONS AND ACCOMPLISHMENTS

In addition to the actions and accomplishments outlined above, the Citizens Police Review Board also had the following accomplishments during this reporting period:

- (1) The Board created a Policy and Procedure Subcommittee for review of the Columbia Police Department's policies and procedures.
- (2) The Board reviewed the CPRB ordinances and bylaws.
- (3) Two Board members attended the annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference.
- (4) The Board recruited and trained additional volunteer advocates.

FOR THE FUTURE

Section 21-55 of the City ordinances requires the Board to establish a mediation program for the mediation of complaints. The Board designed a mediation program

pursuant to its mandate. However, the Board has not received adequate funding to implement the mediation program. The Board firmly believes that mediation of complaints at the earliest opportunity will enhance the goals of the City of Columbia and ensure better relationships between the police and community. The Board is pursuing funding from the City to fund the mediation program it designed in collaboration with the Columbia Police Department.

In addition, the Board established a subcommittee to design a program for auditing or reviewing the complaint and internal affairs processes. The Board feels that this level of civilian oversight will further enhance the relationship between the citizens and the police.

CONCLUSION

The members of the Citizens Police Review Board have implemented the wishes of the Citizens of Columbia to have civilian oversight of the City of Columbia Police Department. The Board has implemented all aspects of the ordinance created by the City Council and worked to improve the ordinance, its policy and procedures. In addition, the Board has developed a robust outreach program and worked to create a strong relationship based on mutual trust with the Columbia Police Department. Finding adequate funding for the mediation program is a top priority. The Board also desires to focus on increasing civilian oversight by conducting systematic audits and reviews of complaints.

We look forward to continuing to represent the citizens of Columbia, Missouri, and helping improve the Columbia Police Department.