

CITY OF COLUMBIA
CITIZENS POLICE REVIEW BOARD
2011 ANNUAL REPORT

Members of the Citizens Police Review Board

Dr. James C. Martin, Chair
Dr. Stephen Alexander, Vice Chair

Members:
Gabriel Scott Dean
Roger Dowis
Dr. Jerry Kennett
Sandra Neal
Mitchell Richards
Betty K. Wilson
Stephen Sheltmire

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History of the Formation of the Citizens Police Review Board

In 2007, 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 Number 20331, 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. City ordinances require Board members to receive training and to follow the National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics. During its first year, the members of the Board received training and committed to upholding the ethical standards of NACOLE. The Board carefully studied the ordinance and developed bylaws, procedures and optional forms which comply with the requirements of the ordinance adopted by the City Council. As the City Council has

fine tuned the ordinances pertaining to the Citizens Police Review Board, the Board has thoughtfully responded to these changes and adapted its procedures as needed.

Executive Summary

This annual report summarizes the Board's actions from January 1, 2011 through December 31, 2011, and is being submitted to the City Council in compliance with Sec. 21-49(4) of the City Code. The Board experienced a great deal of transition during 2011 as Mr. Dowis, Dr. Kennett, Ms. Neal, Mr. Sheltmire and Mr. Richards were appointed to the Board.

Section 21-49 of the City Code requires the Board to file an annual report which includes an analysis of citizen and police complaints, the Board's outreach and educational programs, and any Board recommendations on police policies, procedures, and training. This report is being submitted for council review in accordance with Sec. 21-49.

During 2011, the Board received six appeals. The Board has resolved five of the six appeals. One appeal, which was filed on December 27, 2011, is still pending. In addition, the Board resolved an appeal filed late in 2010. Known demographic data on the appeals is provided. The Board has requested from the police department the necessary information on the 2011 citizens and police complaints. However, the information from the police department is not available at this time. Upon receipt of the information from the police department, the Board will provide a supplemental report to the City Council with an analysis of citizen and police complaints.

In addition, the Board held regular monthly meetings and provided six public educational programs. The Board held sixteen regular meetings and five subcommittee or task force meetings during 2011.

The Board also made recommendations on police policies and procedures. The City Council acted upon the Board's recommendations and amended the City Code to define misconduct, to allow for the possibility of closed sessions in limited circumstances, and to require the police department to post its policies on line. As of December 30, 2011, the police department has posted eight of its policies on line.

In addition to these accomplishments, the Board designed a mediation program to comply with Sec. 21-55. The Board instituted its Positive Connections Program to recognize police officers who have had positive interactions with the public. The Board worked with the police department to allow the Board to meet with new police recruits to explain the Board's role and process. During 2011, the Board prepared and submitted three reports to the City Council: 2010 Annual Report, the 2011 Special Report and Supplement to the 2010 Annual Report, and the 2011 Supplemental Special Report.

Summary of Appeals Reviewed by the Citizens Police Review Board

In 2011, the Board received six appeals.¹ One appeal, filed on December 27, 2011, is still pending. The Board resolved five appeals which were filed in 2011 and one appeal that had been filed in 2010.

Of the appeals resolved in 2011, the Board voted to accept the police chief's decisions in four cases. One appeal was cancelled after the officer resigned. In one case, the Board found that the complainant failed to allege misconduct by any City of Columbia Police Officer.

<u>CPRB Case Number</u>	<u>Summary and Board's Action</u>
2010-0007	Ms. Cruz initially filed an appeal to the Citizens Police Review Board which set the case for initial review on November 10, 2010. On that date, Ms. Cruz emailed that she wished to "cancel review of my complaint for now." Ms. Cruz later notified the Board that she wanted the Board to review her complaint. The Board conducted its initial review on January 12, 2011. After further review on March 9, 2011, the Board voted to accept the police chief's decision on the complaint.
2011-0001	Ms. Lovelace complained about an accident investigation. After its review, the Board voted to accept the police chief's decision on the complaint.
2011-0002	A group of citizens complained about a police tasing of a man at a Subway restaurant. After its review, the Board voted to accept the police chief's decision on the complaint.
2011-0003	The appeal was canceled after the police officer resigned.
2011-0004	Mr. Langely complained about how the police investigated his wife's accident. After its review, the Board voted to accept the police chief's decision on the complaint.
2011-0005	Mr. Jordan attempted to appeal to the Board; however, his allegations did not involve the actions of any Columbia Police Officer.
2011-0006	Mr. Tatum filed an appeal on December 27, 2011. Mr. Tatum's complaint alleges racism.

¹ Former police officer Sanders attempted to file an appeal to the Board and filed a grievance of his dismissal which is pending with the Personnel Advisory Board. Because the proper avenue for Mr. Sanders' grievance is with the Personnel Advisory Board, the Citizens Police Review Board did not take any action.

**Demographic Information on Complainants who
Appealed to the Citizens Police Review Board**

<u>CPRB Case Number</u>	<u>Demographic Information on Complainant</u>
2010-0007	b/f
2011-0001	b/f
2011-0002	Group Complaint, demographic information is unavailable
2011-0003	w/m
2011-0004	b/m
2011-0005	b/m
2011-0006	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 2011 Annual Report of the Professional Standards Unit or its analysis of police and citizen complaints. When the Police Department provides the information and analysis of police and citizens 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>
1/12/11	Panel discussion of the City's Marijuana ordinances with speakers City Prosecutor Stephen Richey, Assistant Boone County Prosecutor Ryan Haigh; and Chief Burton
2/26/11	Best Practices Approach to Civilian Oversight of Law Enforcement presented by Kathryn Olson and Karen Williams, Representatives from NACOLE
6/8/11	Mediation Program Design and Structure by Dr. Deborah Doxsee and Professor James Levin

- 7/12/11 Board member Dean presented information on the Citizens Police Review Board and on the City of Columbia Human Rights Commission to the North Central Neighborhood Association.
- 9/27/11 Board Members attended the Keys to the City and Neighborhood Congress event at The ARC and provided information to citizens at the event.
- 12/14/11 Blue Team and the Early Warning System presented by Lt. Shouse-Jones and Captain Dianne Bernhard.

Recommendations on Police Policies, Procedures and Training

- 1/12/11 The Board recommended that the Police Chief place the police department’s policies online. The Chief of Police agreed to the suggestion under the condition that it exclude those policies that would reveal officer tactics.
- 9/15/11 In its 2011 Special Report to the City Council, the Board recommended several ordinance changes. The Board recommended that the ordinance be changed to define misconduct as “any violation of federal law, state law, city ordinance, city regulation or police department policy, guideline, directive, rule, regulation or order in effect at the time of the incident.” The Board also requested that the ordinance be changed to allow the Board to go into closed session with a two-thirds majority vote and developed guidelines for the use of closed session. Finally, the Board also suggested that the ordinance be changed to require the police chief to post the police department’s policies online, except those policies that would reveal tactics that might jeopardize the safety of the officers. On November 21, 2011, the City Council amended the ordinances to implement these recommendations of the Board.

Additional Actions and Accomplishments

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

1. Pursuant to the requirements of Sec. 21-55 of the City Code, the Board developed and adopted a mediation program outline. The Board is currently developing a budget for the program and soliciting someone to coordinate the program.
2. The Board implemented its “Positive Connections” program whereby the Board recognizes police officers for their positive interactions with citizens. As part of its “Positive Connections” program, the Board recognized the efforts of Officer Scott Decker and Officer Joel Mueller. The Board sent letters to the Chief of

Police to commend the officers for the work they performed which garnered positive reaction from citizens.

3. The Board prepared and submitted three reports to the City Council in 2011. These reports included a fifteen page 2010 Annual Report, a forty-four page 2011 Special Report and Supplement to the 2010 Annual Report, and a twenty-seven page 2011 Supplemental Special Report.
4. To increase its community outreach efforts, the Board developed a brochure in Spanish.

Recommendations for the Future

During 2012, the Board plans to increase police accountability to the community and community trust in the police by:

1. Continuing to provide independent oversight through careful and thoughtful review of appeals.
2. Developing and implementing surveys to assess the complainant's experience with the complaint and review process.
3. Implementing the mediation program by finding and funding a mediation coordinator to recruit and train volunteer mediators, to screen cases appropriate for mediation, and to provide supervision over the program.
4. Developing and strengthening its outreach efforts by offering additional educational program and by formalizing an outreach plan.
5. An increased focus on reviewing police policies and ensuring that police policies² are online and accessible to the community.

Conclusion

In two years, the members of the Columbia Civilian Police Review Board have implemented the wishes of the Citizens of Columbia to have civilian oversight of the Columbia Police Department. The Board has implemented all aspects of the ordinance created by the city council and worked to improve the ordinance. In addition, the Board has developed a robust outreach program and worked to create a strong relationship based on mutual trust with the police department. New programs in mediation and increased police contact with citizens are high priority issues that will increase civilian oversight and citizen trust. We look forward to continuing to represent the citizens of Columbia, and helping improve the Columbia Police Department.

² Sec. 21-59 provides: "The chief of police shall make available to the officers and the public, and place on the city's website, all police department policies, guidelines, directives, orders, rules and regulations except those that would reveal tactics that would endanger the life of any police officer."