

**Citizens Police Review Board for the
Tallahassee Police Department ("CPRB")
Policies and Procedures**

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I. MISSION STATEMENT

To enhance trust between the Tallahassee Police Department (Department) and the community by creating an unbiased panel of volunteers to: 1) review completed Internal Affairs investigation reports involving use of force or other cases or issues of importance or interest to the community or the City to determine whether the investigations and dispositions were consistent with the Department's policies and procedures; and 2) in the Board's discretion or at the request of the Chief of Police, review completed handling by the Department of issues of importance and/or interest to the community and the Department in order to make recommendations to the Chief of Police for any revisions or additions to Department policies and procedures after the Department's completed handling of the matter.

II. BACKGROUND

Citizens Police Review Board Creation, Purpose, Scope of Authority, and Duties

The Citizens Police Review Board for the City of Tallahassee Police Department ("CPRB") was created by City Ordinance No. 20-O-31.

The purpose of the CPRB is to enhance the trust between the Department and the community by demonstrating police credibility and responsiveness; ensuring citizen complaints are welcomed and taken seriously by the Department; identifying trends of conduct departures from Department policies and procedures; and increasing the public's knowledge about the complaint and investigation process of the Department.

The scope of the CPRB shall be limited to: 1) reviewing completed Internal Affairs investigation reports to determine whether the investigations and dispositions were consistent with the Department's policies and procedures; and 2) reviewing issues of importance and/or interest to the community and the Department in order to make recommendations regarding the Department's handling of the issue, and determine whether any revisions or additions to Department's policies and procedures are appropriate. The CPRB does not have the authority to independently investigate cases, administer discipline to officers, or compel officers to attend or testify at CPRB meetings.

The duties of the CPRB are to report the findings of the CPRB to the City Commission, City Manager, and Chief of Police and, when appropriate, make recommendations for possible policy changes. CPRB findings and recommendations will be made public on request and in its annual report.

Definitions

"Administrator" means the City Auditor.

"Completed internal affairs investigation reports" or "cases" means those investigations which were investigated by the Department's Internal Affairs Office and have become public record.

"Investigations" means those conducted by the Department's Internal Affairs Office which are now completed cases.

"Issues of importance and/or interest to the community" means matters which the CPRB has determined by a majority vote are issues of importance and/or interest to the community of the City of Tallahassee as a whole. All review or investigation by the Department, if any, must be completed. It may include cases and investigations already under the scope of the CPRB but shall not include individual matters or complaints which are not issues of importance and or interest to the community.

"Ombudsman" means the designee of the City Manager.

"Support specialist" means a person designated by the City Auditor to provide administrative assistance for the CPRB.

"Tallahassee Internal Affairs Office (IA) means the Tallahassee Police Department Internal Affairs Office as defined by standard operating procedures and the Chief of the Tallahassee Police Department.

III. CPRB MEMBER REQUIREMENTS

Citizens Police Review Board Members

Persons appointed to the CPRB ("members") are volunteers and shall receive no compensation. The CPRB shall consist of nine (9) members, with five (5) members appointed individually by each member of the City Commission and four (4) members appointed by City Commission from nominations from community-based civic and social service organizations including, but not limited to: the League of Women Voters, the Urban League, Local Chambers of Commerce, the NAACP, the local chapter of the Florida Bar, local organizations of clergymen, and local mental health, juvenile justice or university/college associations. The terms of each member shall be staggered three-year terms. A member's term upon expiration may be extended until requalification and re-appointment or until a qualified replacement is appointed but said extension shall not exceed 180 days. No member shall serve more than three (3) consecutive full terms. All appointments to the CPRB should be made with sensitivity to the racial, gender, age, ethnic, religious, linguistic, and cultural diversity of the City of Tallahassee.

CPRB members shall not be a City of Tallahassee employee nor related to a Department employee, have been previously employed by the Department, currently work for any law enforcement agency, hold political office or be campaigning for office, have any pending criminal proceeding or have any prior felony conviction or adjudication withheld within the last three (3) years. The definition of "related to" means the Department employee is the father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister of the board member. Members shall meet the following criteria:

- (1) Be at least 18 years of age.
- (2) Be a current resident, property owner, or utility customer of the City of Tallahassee; or, own or be a principal in a business or a not-for-profit organization in the City of Tallahassee.

- (3) Completed a written application.
- (4) Successfully completed the Tallahassee Police Department Citizens Academy and two (2) hours of diversity/equity training within one (1) year of appointment.
- (5) Devoted a minimum of two (2) hours to participate in a ride along in each of the department's three (3) districts, for a minimum total of six (6) hours within sixty (60) days of appointment.
- (6) Members shall conduct themselves in accordance with the City of Tallahassee Code of Ethics.
- (7) Members shall attend a minimum of three-quarters of the scheduled meetings annually.
- (8) Members who no longer satisfy the above criteria, including the prohibitions stated above, shall be automatically removed.
- (9) The City Commission may suspend qualifications (4) and (5) due to good cause in the public interest, including a pandemic.

Citizens Police Review Board Chair

The initial chairperson (“chair”) shall be selected by the City Commission to serve for one (1) year. Thereafter, the CPRB shall annually elect a chair from among its members. The chair shall be allowed to vote on all matters appearing before the CPRB. The CPRB shall also annually elect a vice-chair from among its members. The vice-chair shall preside over the meeting in the absence of the chair.

IV. AGENDA/MEETING PROCESS

General Meetings Guidelines

All meetings of the CPRB shall be open to the public in accordance with the requirements of the Government-in-the-Sunshine Law.

The actions of the CPRB shall not conflict with the provisions of sections 112.532 and 112.533, Florida Statutes, known as the Police Officers' Bill of Rights, or any other rights afforded to law enforcement pursuant to Florida law or collective bargaining agreements.

The latest edition of Robert's Rules of Order shall govern the meetings in all cases not otherwise provided for by these policies and procedures.

General Meetings Schedule/Location

The CPRB will be tentatively scheduled to meet on the first Thursday of the month at a time to be determined by the Chair. Meetings will be held at City facility meeting rooms. Additional meetings can be called at the discretion of the Chair. At a minimum, the CPRB shall meet on a quarterly basis.

General Meetings Standard Agenda Format

- a. Call to Order
- b. Roll Call
- c. Approval of the Minutes
- d. Public Comment
- e. Review of Investigations
- f. Community and Tallahassee Police Department Matters
- g. Announcements for the Next Meeting
- h. Adjournment

General Meetings Process

The agenda of the regular meeting will be established no less than one week prior to the meeting. The initial agenda will be sent by the Administrator to the Chair approximately two weeks prior to the next scheduled meeting of the CPRB. The Administrator will send the initial agenda to the Chair or any CPRB member as designated by the Chair to determine the final agenda. The Chair, or Chair's designee, may decide to remove, continue, or reschedule items on the initial agenda. Prior to setting new matters on the initial agenda, the Administrator shall confirm that cases have been concluded by the Department with the City Attorney or designee.

Five (5) members shall constitute a quorum to conduct business. If a CPRB member is unable to attend a meeting, he or she should notify the Administrator's support specialist.

Prior to discussions of cases on the agenda, members of the public will have an opportunity to address the CPRB during Public Comment. The Chair will announce that it is time for Public Comment and ask if any audience members wish to address the CPRB. Each speaker will be given three minutes, unless a majority of the CPRB wishes to grant more time. Members of the public addressing the CPRB will first identify themselves by full name and address. Comments should be limited to matters related to the Department. Comments should not be made regarding ongoing Internal Affairs investigations and the Chair may so inform the public.

The Chair shall rule out of order any member of the public who speaks without being recognized. Public comments shall be directed to the CPRB as a body and not to individual CPRB members.

The Ombudsman will assist any person who wishes to make a complaint concerning a matter which may be considered by the Internal Affairs Office by providing the person with information on how to file a complaint.

Decisions of the CPRB shall be made by seconded motion and shall be carried upon a majority vote of the members.

The Chair may declare a recess in CPRB proceedings at any time, pursuant to his or her discretion.

Items on the agenda may be continued or rescheduled at the Chair's approval prior to or during the CPRB meetings.

The Chair is responsible for maintaining an appropriate, businesslike decorum in all CPRB meetings. If anyone in attendance at a CPRB meeting disrupts the proceedings or interferes with the process of the meeting, the Chair shall ask them to discontinue their disruptive behavior. If the behavior persists, the Chair shall ask them to leave the meeting, issue a warning that they can be removed from the meeting, and, as a last resort, order them removed from the meeting.

CPRB members should avoid discussion of matters at a public meeting where the Tallahassee Police Department or the City of Tallahassee are, or are likely to be, a party in litigation, with concurrence of the City Attorney or designee.

All meeting documents, findings, and decisions of the CPRB are public documents in accordance with Florida Public Records Law (Chapter 119, Florida Statutes).

V. REVIEW OF INVESTIGATIONS

Completed Internal Affairs investigation reports will be placed on the final agenda under Review of Investigations. The Administrator will be responsible for ensuring that only cases which meet the criteria for review are placed on the initial agenda for the Chair's consideration.

Each case under Review of Investigations will be presented by the Ombudsman who will provide the investigation findings of each case. After each case presentation, the Chair will open the forum for discussion by the CPRB. After the discussion, the Chair will entertain a motion from a CPRB member, as well as a second from another CPRB member. Motions related to case presentations may include, but are not be limited to, "motion to find consistent" which shall mean the investigation and disposition of the case was consistent Department Policies and Procedures"; "motion to find inconsistent" which shall mean the investigation and disposition of the case was not consistent with Tallahassee Police Department policies and procedures; or a motion for further consideration at another meeting of the Board. Motions which pass by a majority of a vote will go on to consider whether any recommendations will be reported to the Chief of Police. CPRB members will have an opportunity to discuss and vote on all motions.

Written recommendation(s) will be signed by the Chair, or designee, and forwarded to the Chief of Police.

VI. COMMUNITY AND TALLAHASSEE POLICE DEPARTMENT MATTERS

Issues of importance and/or interest to the community or the Department will be placed on the final agenda once approved by the Chair under Community and Police Department Matters. Items placed on the agenda under Community and Tallahassee Police Department Matters will

either have been requested by the CPRB or the Chief of the Tallahassee Police Department. In order for the CPRB to place an item on the agenda under Community and Tallahassee Police Department Matters, the CPRB must determine by a majority vote that the matter is an "issue of importance and/or interest to the community or has been requested by the Chief of Police." The CPRB may then place the matter on a CPRB agenda and request that the Ombudsman provide information on the matter provided any Department investigation or review has been completed.

Each item placed on the agenda under Community and Tallahassee Police Department Matters will be presented by the Ombudsman with any support from the Department that he or she may deem needed. After each presentation, the Chair will open the forum for discussion by the CPRB. After the discussion, the Chair will entertain a motion from a CPRB member, as well as a second from another CPRB member. Motions related to Community and Department Matters may include, but are not be limited to, "motion that no further action is necessary," or "motion to recommend revisions or additions Department policies and procedures." Motions to recommend revisions or additions will be accompanied by comments as to the policies and/or procedures that were not followed. CPRB members will have an opportunity to discuss the motion and then vote on the motion.

Written recommendation(s) will be signed by the Chair, or designee, and forwarded to the Chief of Police.

VII. ADMINISTRATOR

The CPRB Board Administrator shall (1) ensure that records, unless confidential by law, requested by the CPRB are provided to the CPRB; (2) assist the Chairperson in preparing the agenda for each meeting in accordance with these policies and procedures; (3) provide appropriate public notice of meetings and prepare minutes; (4) assist the CPRB in filing a written report to City Commission, City Manager, and Chief of Police on an annual basis to include the nature of matters considered by the CPRB, the recommendations made to the Chief of Police and the official response of the Department to the recommendations, statistics and summaries of citizen complaints, a comparison of the board findings and conclusions with the actions taken by the Chief of Police and recommendations related to changes in policies and procedures.

VIII. LEGAL COUNSEL

City Attorney or designee shall attend all CPRB meetings in order to assist CPRB members with legal issues as to jurisdiction, procedure, or rules of order. However, the unexpected absence of Legal Counsel shall not preclude the CPRB from going forward with their meeting.

Legal Counsel shall annually review the CPRB's Policies & Procedures and evaluate for revision and submit any proposed revision(s) to the City Commission for approval.

IX. OMBUDSMAN AUTHORITY AND DUTIES

The provisions of this section will be administered by the Ombudsman as designated by the City Manager. The Ombudsman's duties include, but are not limited to, the following:

Maintain a thorough understanding of Department policies and procedures, the governing collective bargaining agreements, the Police Officers' Bill of Rights, the Government-in-the-Sunshine Law, and the Public Records Law and present cases as provided by Sections V and VI.

Assist with the training of CPRB members in accordance with the requirements of this section. Training topics may include, but shall not be limited to: Department's written directives, general orders, policies and procedures; the Department's Manual of Regulations; Florida Statutes; the Department's law enforcement ethics; the use of force policy; pursuit policy; the writing and understanding of offense reports; the professional standards complaint process; grievance procedures; and public records and exceptions.

Serve as the administrative liaison between the CPRB and the Chief of Police and report the CPRB findings and recommendations to the Chief of Police.

X. ADMINISTRATIVE PROCEDURES

Any Internal Affairs investigation reports which will be discussed at CPRB meetings will be provided to the CPRB in advance of the meeting.

XI. SUNSET PROVISION

The City Commission will review the activities and accomplishments of the CPRB every four years to determine if the CPRB has completed its original objectives and to determine if the CPRB should continue its activities.

XII. EFFECTIVE DATE

Any changes to the Policies and Procedures will be reviewed and approved by the City Commission and filed with the City Treasurer-Clerk's designee. These Policies and Procedures shall become effective upon adoption by the City Commission.

Approved: September 23, 2020