

<p>Traverse</p> <p><b>I. Complaints</b></p> <p>Intake via Community Complaint form.</p> <p>Deputy Chief of Adm. tracks complaints and record keeping of essential information. This includes identification of witnesses, documents, evidence, and other information obtained or consulted with during an investigation of use of force incident (UoF) and any response taken.</p> <p>Complaints categorized by BPD as lower, mid, and higher level consistent with CBA.</p> <p><b>II. Investigations.</b></p> <p><b>A. BPD.</b></p> <p>Lower level and some mid level complaints resolved quickly with first level of supervision.</p>	<p>Hightower/Carpenter</p> <p><b>I. Complaints</b></p> <p>Oversight body receives all complaints a week before regularly scheduled meeting.</p> <p>Oversight body shall categorize complaints by severity (low, medium, high per CBA), UoF, discrimination.</p> <p>BPD shall annually report individual-staff level outcomes, data to be disaggregated by race and disability.</p> <p><b>II. Investigations</b></p> <p><b>A BPD.</b></p> <p>Chief will provide updates on each milestone in the investigative process to the oversight committee.</p>	<p>Bergman</p> <p><b>I. Complaints</b></p> <p>All complaints should be reported to the oversight body.</p> <p>Oversight body shall have ability to independently designate level of seriousness of complaint.</p> <p><b>II. Investigations</b></p> <p><b>A. BPD.</b></p> <p>Lower level and some mid level complaints resolved quickly with first level of supervision.</p>
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<p>Mid level, high level, and use of force escalated for Administrative Review (AR). AR determines whether IA investigation occurs. Referrals to SA or VCJC as needed.</p> <p>Reports of all complaints against members of the department sent to Police Commission (PC).</p> <p>Lower and mid level matters will be reported to PC via oral or written summary, status, and disposition. Recommendations of dispositions involving more than a written reprimand will be shared with the PC in advance of issuance.</p> <p>Regular updates provided on status of investigations involving high level matters, UoF, or unlawful discrimination. This includes key demographic information about the officers and subjects involved, reports, and video evidence. Recommendations for dispositions of such matters will be shared with PC before they are issued.</p>	<p>Chief will have the authority to refer resolution matter to restorative justice program, such as CJC.</p> <p>Chief will have authority to launch investigations after decision to refer matter to CJC has been made.</p>	<p>Mid level, high level, and use of force escalated for Administrative Review (AR). AR determines if IA investigation occurs. Referrals to SA or VCJC as needed.</p> <p>Reports of all complaints against members of the BPD sent to oversight body.</p> <p>Lower and mid level matters will be reported to oversight entity via oral or written summary, status, and disposition. Recommendations of dispositions involving more than a written reprimand will be shared with the PC in advance of issuance.</p> <p>Regular updates provided on status of investigations involving high level matters, UoF, or unlawful discrimination. This includes key demographic information about the officers and subjects involved, reports, and video evidence. Recommendations for dispositions of such matters will be shared with oversight entity before they are issued.</p>
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**Commented [JD1]:** Is there an obligation to maintain confidentiality during executive session.

<p><b>B. Oversight Entity.</b></p> <p>Shall have access to all evidence obtained from the investigation of a UoF incidents and their underlying complaints.</p> <p>By majority vote, after receiving Chief recommendation, may initiate independent investigation upon any complaint involving UoF, unlawful discrimination, or high level offense.</p> <p>Investigation to be performed by independent monitor or counsel. Authority includes ability to interview witnesses, obtain documents, and other evidence.</p>	<p><b>B. Oversight Entity.</b></p> <p>Shall have the authority to refer matters for resolution through restorative justice program, e.g., CJC.</p> <p>Shall have the authority to launch a parallel, independent investigation based upon majority vote.</p>	<p><b>B. Oversight Entity.</b></p> <p>Shall have access to all evidence related to an investigation of a complaint.</p> <p>Shall have authority to conduct an independent investigation.</p> <p>Shall have the authority to hire its own investigator.</p> <p>Shall have the authority to publish anonymized complaint reports.</p> <p>Subcommittee of oversight entity would review complaints, oversee investigations, and make recommendations.</p>
<p><b>III. Disposition/Discipline.</b></p> <p>Within 14 days of Chief's recommendation, PC shall accept recommendation, request reconsideration, seek an independent investigation by majority vote, or make an alternative recommendation for disposition.</p>	<p><b>III. Disposition/Discipline.</b></p> <p>Chief will make a recommendation to oversight body for all high level, UoF involving injury, and matters involving bias.</p> <p>Oversight body may make a recommendation for all high level,</p>	<p><b>III. Disposition/Discipline.</b></p> <p>After Chief's recommendation, oversight entity shall accept recommendation, request reconsideration, or make an alternative recommendation for disposition.</p>

**Commented [JD2]:** This may require review of possible issues involving CBA and Public Records Act. In addition, access to evidence may be limited if referral is made to State's Attorney for criminal charges and public disclosure would adversely impact successful prosecution and/or access to a fair trial.

**Commented [JD3]:** JRD Question: Should format be similar to OPR, where there is a panel with a professional investigator, PC member, and counsel?

**Commented [JD4]:** JRD Question: subpoena authority?

<p>If no action is taken by the PC within 14 days after receiving the BPD's recommendation, the Chief's recommendation shall be considered final.</p> <p><b>A. Conflict with Recommendations.</b></p> <p>Chief may accept or reject PC recommendation. If Chief rejects, written explanation provided for rejection. If majority of PC disagrees after explanation, PC shall report disagreement to Mayor.</p>	<p>UoF involving injury, and matters involving bias.</p> <p><b>A. Conflict with Recommendations.</b></p> <p>If a conflict arises between the recommendations of the oversight body and Chief, HR Director shall reconcile.</p>	<p>If the Chief does not follow recommendation for alternative disposition, they shall publish their objections and reasons.</p> <p><b>A. Conflict with Recommendations.</b></p> <p>Oversight body shall have the authority, in cases involving higher level infractions or police abuse, to impose discipline in conflict with the Chief.</p>
<p><b>B. Communication with Complainant.</b></p> <p>Communications with complainant informing them of the disposition or other status.</p>	<p><b>B. Communication with Complainant.</b></p> <p>Communication with complainant informing them of the disposition or other status.</p>	<p><b>B. Communication with Complainant.</b></p> <p>Oversight body shall have authority to publish findings, recommendations, and dispositions.</p>

**Commented [JD5]:** JRD Question, who is the final arbiter of the disagreement?

**Commented [JD6]:** Issues of investigative confidentiality should be addressed.

<p style="text-align: center;"><b>C. Appeal, Step 2 Grievance.</b></p> <p>Appeals to be heard by City Council.</p> <p style="text-align: center;"><b>IV. Auditing</b></p> <p>Changes, modifications and additions to rules and regulations of the department must be adopted by the PC.</p> <p>PC may initiate their own recommendations for modifications or additions to rules and regulations.</p> <p>If BPD objects to proposal or refuses to adopt, matter is referred to the City Council.</p>	<p style="text-align: center;"><b>C. Appeal, Step 2 Grievance.</b></p> <p>Appeals go to HR committee, like rest of City staff. BFD process to be followed.</p> <p style="text-align: center;"><b>IV. Auditing.</b></p> <p>Oversite body shall release annual report with high level data that categorizes complaints by type and severity, and it will identify how often recommendations between body and chief deviated.</p>	<p style="text-align: center;"><b>C. Appeal, Step 2 Grievance.</b></p> <p>Appeals are heard by oversight body.</p> <p style="text-align: center;"><b>IV. Auditing.</b></p> <p>Right to audit and monitor the BPD, both sworn and non sworn staff.</p> <p>Oversight body shall have broad access to data, evidence investigation materials and analysis to carry out monitoring and auditing functions.</p> <p>Oversight body shall have authority to adopt directives, policies, and make recommendations on practices.</p>
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<p>PC may report performance concerns regarding the Chief to the Mayor.</p> <p>Annual report to City Council regarding summary of the number, type, and disposition of complaints, UoF incidents reported to the commission.</p> <p><b>V. Civilian Oversight Entity.</b></p> <p>Entity shall have professional staff including an oversight monitor.</p>	<p><b>V. Civilian Oversight Entity</b></p> <p>One body, up to 9 members, including one or two per district.</p> <p>Subcommittees including directives, discipline, and _____.</p> <p>Professional staff, at least .5 FTE, should be housed within City Attorneys Office, HR, but not BPD.</p>	<p>Oversight body shall have ability to review BPD training.</p> <p>Oversight body shall report auditing and monitoring activities to the public. This includes ability to publish anonymized complaints.</p> <p>REIB shall also have access to oversight body's data and analysis to report on UoF and other interactions that implicate equity issues.</p> <p><b>V. Civilian Oversight Entity.</b></p> <p>Independent body from PC to investigate and decide discipline.</p> <p>Membership appointed by the City Council after soliciting input from a range of community organizations. The body should represent the diverse nature of the City's constituents including those from historically marginalized communities.</p> <p>Professional staff including a monitor to assist with auditing functions, independent counsel.</p>
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		Budget appropriations commensurate with responsibilities, staff, and other community commissions and boards.
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