



ORDINANCE NO. 27589

1 AN ORDINANCE relating to the Tacoma Police Department, and implementing
2 Resolution No. 36536, specifying the procedures for review of
3 citizen-initiated conduct complaints; creating a citizen review panel; and
4 amending Chapter 1.06 of the Tacoma Municipal Code by adding a new
5 Section 1.06.075, entitled "Police Department Citizen Complaint Oversight."

6 WHEREAS, on June 28, 2005, the City Council adopted
7 Resolution No. 36536, adopting the recommendations of the Human Rights
8 Commission ("Commission"), regarding citizen oversight of the Tacoma Police
9 Department ("TPD") and directing the City Manager to implement those
10 recommendations, and

11 WHEREAS the stated purpose of the Commission's recommendations was
12 to improve communication between the TPD and the community, build community
13 trust in the TPD, and improve police accountability, and

14 WHEREAS the cornerstones of the Commission's recommendations were
15 twofold: (1) the review of internal police investigations by an office outside of the
16 TPD that reports directly to the City Manager and (2) the creation of a citizen panel
17 to review the outside office's work, engage in community outreach, and conduct
18 policy review, and

19 WHEREAS, upon further review of available resources and other legal and
20 practical constraints, including the fact that some of the recommendations have
21 been implemented by creation of a Citywide Conduct Complaint Management
22 System, the City Council has determined that the goals set forth in the
23 Commission's recommendations are best met by implementation of the program
24 contained in this ordinance; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 1.06 of the Tacoma Municipal Code is hereby amended by adding a new Section 1.30.670, to read as follows:

1.06.075 Police Department Citizen-Initiated Complaint Oversight.

A. Citizen-Initiated Conduct Complaint System. The City Manager shall appoint a City employee who does not work for the Tacoma Police Department, and who reports directly to the City Manager, to perform the following functions:

1. Receive and forward citizen-initiated conduct complaints to the Police Department;
2. Ensure complainants are notified that their complaint has been received and forwarded and that they are informed of all findings;
3. Produce statistical reports;
4. Serve as a liaison to the Citizen Review Panel;
5. Other duties related to implementation of this section, as may be assigned by the City Manager.

Citizen Review Panel

B. Creation of the Panel.

1. There is created a Citizen Review Panel ("Panel"), consisting of five members representing the diverse communities in the City of Tacoma. Members must be residents of Tacoma. Law enforcement professionals and their family members are eligible to serve, provided that no current member of the Tacoma Police Department or his or her immediate family may serve.



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2. Members shall be appointed by the City Council. Members shall serve for three-year terms, with the first members appointed to staggered terms of one, two, and three years. No member shall serve more than two consecutive three-year terms, notwithstanding the initial staggered term of less than three years.

C. Duties of the Panel.

The Panel shall perform the following duties:

1. Provide advice to the City Council, the City Manager, and the Chief of Police on policy matters relating to the Police Department.

2. Review specific Police Department policies referred by the City Council or City Manager, and other policies they deem appropriate, and make recommendations to the Chief of Police relating to those policies.

3. Receive and review policy complaints from citizens. The Panel shall not review allegations of individual officer misconduct and shall forward the same to the Conduct Complaint Management System.

4. Hold regular public meetings to promote public awareness of the complaint process, listen to community concerns, and hold public hearings on policy matters.

5. The Panel shall develop a community outreach program that includes, but is not limited to, a training segment for both citizens and police officers regarding the complaint process and its implementation.

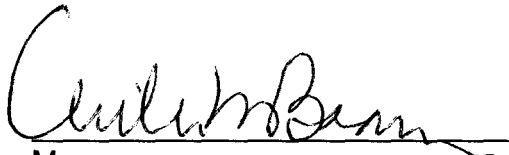
D. The Panel may adopt by-laws and processes for its internal organization.




E. The City Manager's Office will appoint staff to support the Panel.

Section 2. To the extent that any provision of this ordinance conflicts with a collective bargaining agreement, the remainder of this ordinance shall remain in effect and that provision shall only be implemented to the extent that it does not violate the agreement.

Passed ~~FEB 20~~ 2007


Mayor

Attest:


City Clerk

Approved as to form:


Assistant City Attorney



REQUEST FOR ORDINANCE OR RESOLUTION

CITY CLERK USE

Request #:	1279
Ordinance #:	27589
Resolution #:	

1. DATE: JANUARY 26, 2007

2a. REQUESTING DEPARTMENT/DIVISION/PROGRAM City Manager's Office	3. CONTACT PERSON (for questions): Steve Gross	PHONE/EXTENSION 253-591-5638
2b. DO PASS FROM COUNCIL STANDING COMMITTEE <input type="checkbox"/> Yes [Committee Name] <input checked="" type="checkbox"/> No	PERSON PRESENTING (if different):	

4. PREPARATION OF Ordinance IS REQUESTED FOR THE CITY COUNCIL MEETING OF TUESDAY February 13, 2007.

5. SUMMARY TITLE/RECOMMENDATION: (A concise sentence, as it will appear on the Council agenda.)

Ordinance to formally implement recommendations made by the Human Rights Commission and Police Accountability Workgroup by creating a Police Review Panel and identifying the role designated as "Auditor" by the recommendation.

6. BACKGROUND INFORMATION/GENERAL DISCUSSION: (Why is this request necessary? Are there legal requirements? What are the viable alternatives? Who has been involved in the process?)

The City Council adopted the recommendation of the Human Rights Commission by Resolution Number 36536 and directed the City Manager to implement. This ordinance creates and clarifies the role of the Citizen Review Panel. It also formalizes the role that the original recommendation labeled as Auditor and eliminates conflicts with past practice that is protected by existing labor contracts.

7. FINANCIAL IMPACT:

- A. NO
- B. YES, OVER \$100,000. Fiscal note attached.
- C. YES, UNDER \$100,000. Provide funding source information below.

FUNDING SOURCE: (Enter amount of funding from each source)

Fund Number & Name:	State \$	City \$	Other \$	Total Amount
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If an expenditure, is it budgeted? Yes No Where? Cost Center:
Acct #:

8. LIST ALL MATERIAL AVAILABLE AS BACKUP INFORMATION FOR THE REQUEST AND INDICATE WHERE FILED:

Source Documents/Backup Material	Location of Document
City Manager Memo dated February 1, 2007	City Clerk's Office
Citizen Review Implementation Matrix	City Clerk's Office
Resolution 36563 and related material	City Clerk's Office

9. ATTORNEY CONTACT: (Enter name of attorney with whom you've been working.)

Steve Gross

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10. Department Director/Utility Division Approval	Finance Director Approval	City Manager/Director Utilities Approval

Ordinance No. 27589

First Reading of Ordinance: FEB 13 2007

Final Reading of Ordinance: FEB 20 2007

Passed: FEB 20 2007

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Ms. Anderson	/			
Mr. Evans	/			
Mr. Fey	/			
Ms. Ladenburg	/			
Mr. Lonergan	/			
Mr. Manthou	/			
Mr. Stenger	/			
Mr. Talbert	/			
Mayor Baarsma	/			

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