



Legislation Text

File #: ORD-27589, Version: 1

Req. #1 1279

ORDINANCE NO. 2 7 5 8 9

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

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

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

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

WHEREAS, upon further review of available resources and other legal and practical constraints, including the fact that some of the recommendations have been implemented by creation of a Citywide Conduct Complaint Management System, the City Council has determined that the goals set forth in the Commission's recommendations are best met by implementation of the program contained in this ordinance; Now, Therefore,

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1 BE IT ORDAINED BY THE CITY OF TACOMA:

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

4 1.06.075 Police Department Citizen-initiated Complaint Oversight.
5 A. Citizen-Initiated Conduct Complaint System. The City Manager shall
6
7 appoint a City employee who does not work for the Tacoma Police Department,
8 and who reports directly to the City Manager, to perform the following functions:
9 1. Receive and forward citizen-initiated conduct complaints to the
10 Police Department;
11 2. Ensure complainants are notified that their complaint has been
12
13 received and forwarded and that they are informed of all findings;
14 3. Produce statistical reports;
15 4. Serve as a liaison to the Citizen Review Panel;
16 5. Other duties related to implementation of this section, as may be
17 assigned by the City Manager.

4 8 Citizen Review Panel
19 B. Creation of the Panel.

20
24 1. There is created a Citizen Review Panel ("Panel"), consisting of
22 five members representing the diverse communities in the City of Tacoma.
23 Members must be residents of Tacoma. Law enforcement professionals and their
24 family members are eligible to serve, provided that no current member of the
25 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

2 serve for three-year terms, with the first members appointed to staggered terms of
3 one, two, and three years. No member shall serve more than two consecutive
4 three-year terms, notwithstanding the initial staggered term of less than
5 three years.

6 C. Duties of the Panel.

7 The Panel shall perform the following duties:

- 8
- 9 1. Provide advice to the City Council, the City Manager, and the
- 10 Chief of Police on policy matters relating to the Police Department.
- 11 2. Review specific Police Department policies referred by the City
- 12 Council or City Manager, and other policies they deem appropriate, and make
- 13 recommendations to the Chief of Police relating to those policies.
- 14 3. Receive and review policy complaints from citizens. The Panel
- 15 shall not review allegations of individual officer misconduct and shall forward the
- 16 same to the Conduct Complaint Management System.
- 17
- 18 4. Hold regular public meetings to promote public awareness of the
- 19 complaint process, listen to community concerns, and hold public hearings on
- 20 policy matters.
- 21 5. The Panel shall develop a community outreach program that
- 22 includes, but is not limited to, a training segment for both citizens and police
- 23 officers regarding the complaint process and its implementation.
- 24
- 25 D. The Panel may adopt by-laws and processes for its internal
- 26 organization.

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- 1 E. The City Manager's Office will appoint staff to support the Panel.
- 2 Section 2. To the extent that any provision of this ordinance conflicts with a
- 3 collective bargaining agreement, the remainder of this ordinance shall remain in
- 4 effect and that provision shall only be implemented to the extent that it does not
- 5 violate the agreement.
- 6 Passed F913 2 0 UP
- 7

Mayor

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10 Attest:
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12 City Clerk
13 Approved as to form:
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16 Assis ant City Attorney
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CITY CLERK USE

REQUEST FOR ORI)INANCE

Request T1 @@, @

Tacoma

OR RESOLUTION

Ordinance 4 1 a 009

Resolution

1. DATE: JANUARY 26,2007

2a. REQUESTING DEPARTMENT/DivisiON/PROGRAM
City Manager's Office Steve Gross

3. CONTACT PERSON (for questions): PHONE/EXTENSION
253-591-5638

2b. Do PASS FROM COUNCIL STANDING COMMITTEE
El Yes [Committee Name] N No

PERSON PRESENTING (if different):

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

5. SUMMARY TITLE/RECONIMENDATION: (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. M No
- B. F-1 YES, OVER \$100,000. Fiscal note attached.
- C. FJ 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? D Yes F-1 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.)

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10. D @y Division Approval Finance Director Approval al

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Ordinance No. 27589

First Reading of Ordinance: FER 1 3 2007

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Final Reading of Ordinance:

Passed: FEB 2 0 2007

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Ms. Anderson				
Mr.Evans				
Mr. Fey				
Ms. Ladea@@@				
Mr. Lonergan				
Mr. Manthou				
Mr. Stenger	X'			
Mr. Talbert				
Mayor Baarsma				

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Ms. Anderson				
Mr.Evans				
Mr. Fey				
Ms. Laden@@@				
Mr; Lonergan				
Mr. Manthou				
Mr. Stenger				
Mr. Talbert				
I Mayor Baarsma				

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