

# Police Civilian Review Board Recommendations

Presentation to the Richmond City Council

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RICHMOND, VA

# Police CRB Proposal

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# Report Outline

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## Major Elements of Report

- Review of Scholarly Studies on CRBs
- Analysis of RPD Data
- CRB Case Studies
- Observations on *Task Force to Establish Civilian Oversight Report*
- Recommendations for a CRB in Richmond

# RPD Complaint Data

<b>Year</b>	<b>Citizen Complaints</b>	<b>Department Complaints</b>	<b>Total</b>
<b>2021</b>	<b>25</b>	<b>37</b>	<b>62</b>
<b>2020</b>	<b>26</b>	<b>58</b>	<b>84</b>
<b>2019</b>	<b>52</b>	<b>57</b>	<b>109</b>
<b>2018</b>	<b>49</b>	<b>93</b>	<b>142</b>
<b>2017</b>	<b>47</b>	<b>80</b>	<b>127</b>
<b>2016</b>	<b>86</b>	<b>75</b>	<b>163</b>
<b>2015</b>	<b>87</b>	<b>89</b>	<b>176</b>
<b>2014</b>	<b>69</b>	<b>30</b>	<b>99</b>
<b>2013</b>	<b>78</b>	<b>33</b>	<b>111</b>
<b>Totals</b>	<b>519</b>	<b>555</b>	<b>1074</b>
<b>Mean</b>	<b>57.7</b>	<b>61.3</b>	<b>119.3</b>

# RPD Complaint Data: Findings

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- More internal complaints than citizen complaints.
- Important to note that formal citizen complaints are a flawed system.
- RPD reports state that 5-10% of all complaints suggest possible criminal activity
- 10% of 120 complaints per year is 12. Double that is 24 complaints.
- So, perhaps 2-4 cases could come before a CRB per month.
- Additionally, CRB would see appeals of internal investigations and other major incidents.
- Workload expectations for CRB is **5-8** cases per month.

# Case Studies

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## Observations from similarly situated cities

- Identified 13 similarly situated cities, primarily in the southeast.
- Limited utility in comparing Richmond to cities like Portland, New Orleans, or Minneapolis, which are strong union cities and/or have a history of being under a consent decree.
- Reviewed cities in terms of CRB role, authority, membership, budget, and investigation practices.
- There is variation on all fronts—no standard template for a CRB.
- Lessons can be learned, especially when reviewing cities that most closely resemble Richmond.

# CRB Recommendations

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## *CRB Composition*

- Most CRBs have 7-11 people.
- Members should be diverse and representative of community.
- They are appointed by multiple sources: Mayor, City Council, and Police Chief.
- Stipend or payments are the norm.
- Criminal background checks are also normal, felony conviction disqualifying.
- Objectivity, and the appearance of objectivity are important.
- Most CRBs preclude members connected to law enforcement (current, former, family).
- Need a Liaison with RPD: An active duty RPD investigator who can answer questions, secure information, and represent point of contact with agency.

# CRB Recommendations

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## CRB Authority and Investigatory Process

- CRBs review a defined range of cases, usually: serious complaints, deaths or serious injuries while in custody, firearm discharge, citizen appeals of complaints.
- Most CRB investigations are subsequent to police internal investigations. CRB members receive all materials.
- If further investigation is warranted, usually by a majority vote, a contract investigator could be hired.
- Subpoena authority exercised following majority vote.
- Subpoena requested by a city attorney—reviewed by an objective judge/magistrate.

# Conclusions

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- CRB purpose revolves around trust and accountability.
- Difficulty is in the details.
- RPD does not have an extensive history of repeated deaths in custody, federal investigations, consent decree.
- Scope of authority and investigation process should be consistent with best practices and agency history.
- Caseload will define CRB activity.
- First iteration will not be perfect—may need to revise over time.

Questions?