Legislation Details (With Text)

File #:	ORD. 2021-180	**Version:**	1	**Name:**	
Type:	Ordinance			**Status:**	Adopted
File created:	6/15/2021			**In control:**	City Council
On agenda:	6/28/2021			**Final action:**	6/28/2021
Title:	To amend Ord. No. 2020-155, adopted Jul. 27, 2020, which established a Task Force on the Establishment of a Civilian Review Board to review and provide recommendations concerning the creation of such a board, to revise and extend the submission deadlines for certain reporting requirements.				
Sponsors:	Michael Jones, Stephanie Lynch				
Indexes:					
Code sections:					
Attachments:	1. Ord. No. 2021-180				

Date	Ver.	Action By	Action	Result
6/28/2021	1	City Council	adopted	Pass
6/23/2021	1	Governmental Operations Standing Committee	recommended for approval	
6/14/2021	1	City Council	introduced and referred	

To amend Ord. No. 2020-155, adopted Jul. 27, 2020, which established a Task Force on the Establishment of a Civilian Review Board to review and provide recommendations concerning the creation of such a board, to revise and extend the submission deadlines for certain reporting requirements.

I. That Ordinance No. 2020-155, adopted July 27, 2020, be and is hereby amended and reordained as follows:

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the Council establish Task Force on the Establishment of a Civilian Review Board to review and provide recommendations to the Council concerning the creation of a Civilian Review Board with subpoena powers and duties that include the independent investigation of citizen complaints against the Department of Police; and

WHEREAS, it is estimated that the annual operating costs for the Task Force will be approximately $5,000, including ten staff hours;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Council hereby establishes the Task Force on the Establishment of a Civilian Review Board (the "Task Force") pursuant to the following guidelines:

A. **Purpose.** The Task Force shall make recommendations to the Council concerning the creation of a Civilian Review Board with subpoena powers and duties that include the independent investigation of

citizen complaints against the Department of Police. For purposes of section 2-761 of the Code of the City of Richmond (2015), as amended, the Task Force is classified as "advisory."

B. **Composition.**

1. **Appointment.** The Task Force shall consist of nine residents of the city of Richmond appointed by the Council. All appointments shall be otherwise governed by sections 2-755 and 2-756 of the Code of the City of Richmond (2015), as amended.

2. **Qualifications.** The membership of the Task Force should possess a broad range of experience with expertise in policy development, legal, racial, and social justice advocacy, criminal justice education, or human resources. Of the nine members, (i) at least one member shall be a youth age 18 or younger, (ii) at least one member shall be a resident of public housing, and (iii) at least one member shall be a person with a disability.

C. **Duties.**

1. **Review.** The Task Force shall (i) review the policies and standards of the Department of Police that contribute to issues related to police operations, (ii) research and gather data concerning how a Civilian Review Board may be implemented to conduct independent investigations of citizen complaints against the Department of Police, and (iii) consider any other factors as the Task Force may determine is necessary for the establishment of a Civilian Review Board.

2. **Recommendations.** Based on its review pursuant to section 1(C)(1) of this ordinance, the Task Force shall make recommendations to the Council concerning the creation of a Civilian Review Board and incorporate into such recommendations the following:

a. A review of local and state laws to determine the legally permissible scope of a Civilian Review Board's powers, and identify any necessary amendments to local or state laws.

b. Research concerning and comparisons to civilian review boards in other jurisdictions, including consideration of investigative models, by-laws, challenges, and best practices identified by civilian review boards in such other jurisdictions.

c. A proposed review process for the receipt of complaints against the Department of Police by the Civilian Review Board, including the receipt, to the extent permitted by law, of internal complaints filed with the Department of Police and data from the Department's internal affairs division.

d. Consideration of the data, documents, and other information collected in accordance with this ordinance and how the Department of Police's policies, procedures, and training may be revised based on such data, documents, and other information.

e. Input collected by the Task Force through community outreach efforts and from the Department of Police, law enforcement organizations that are not affiliated with the City, the Commonwealth's Attorney, the Office of the City Attorney.

f. A proposed review and hearing process, mission statement, by-laws, qualification for membership, annual budget, and term limits for a Civilian Review Board.

3. **Report.** The Task Force shall submit and present to the [~~Council~~] Council's Governmental Operations Standing Committee a status report on the progress towards the completion of the Task Force's duties set forth in this ordinance by no later than [~~January 4~~] July 28, 2021. The Task Force shall submit to the Council a final written report, containing the Task Force's reviews and recommendations concerning the creation of a Civilian Review Board, including a proposed annual budget for any Civilian Review Board that the Task Force may recommend, by no later than [~~March 1~~] August 30, 2021.

D. **Conduct of Affairs.**

1. **Quorum.** Five members of the Task Force shall constitute a quorum.

2. **Officers.** The Task Force shall select from among its membership a chairman, vice chairman, secretary, and other such officers as it may deem necessary for the conduct its affairs.

3. **Duration.** The Task Force shall continue in existence until it has submitted the final written report called for by section 1(C)(3) of this ordinance.

4. **Meetings.** The Task Force shall meet as often as it deems necessary in order to complete its duties and submit its report by the time called for in section 1(C)(3) of this ordinance.

5. **Freedom-of-Information.** All meetings and records of the Task Force shall be subject to the provisions of the Virginia Freedom of Information Act, codified as sections 2.2-3700 through 2.2-3714 of the Code of Virginia (1950), as amended.

6. **Procedures.** The Task Force may adopt by-laws or rules of procedure not inconsistent with this ordinance to govern the conduct of its meetings and operations.

7. **Staff and Resources.** The Office of the Council Chief of Staff shall provide such staff and resources, and shall coordinate the provision of assistance by members of the City administration and the offices of appointees of the City Council, as may be necessary to assist the Task Force in completing the duties imposed by this ordinance. The Office of the City Attorney shall provide any legal advice or opinions necessary to assist the Task Force in completing the duties imposed by this ordinance.

§ 2. This ordinance shall be in force and effect upon adoption.

II. This amendatory ordinance shall be in force and effect upon adoption.

powered by Legistar™