

Proposals C-1 and C-2

Digest

This proposed amendment proposal would empower the Police Commission to remove the chief of police prior to the expiration of the chief's five-year appointment for any reason, including behavior inconsistent with the interest of the public or the Police Commission or acting with a reckless disregard for the safety of the public or other law enforcement officers. The Police Commission would also have the authority to suspend the police chief. This proposed amendment proposal would also give the Commission greater authority to investigate citizen complaints involving allegations of officer misconduct.

To provide greater accountability when citizens file complaints against police officers, the Police Commission will have the authority to subpoena persons and require the production of evidence pertinent to an investigation before the commission in order for the commission to make recommendations to the chief of police concerning allegations of officer misconduct. The proposal would also require the chief to provide a written response to the Police Commission if the Chief disagrees with a recommendation of the Commission.

Question

Should the Police Commission have greater authority to suspend or dismiss the chief of police, and have additional powers to investigate complaints concerning officer misconduct?

Yes _____ No _____

Present Situation

The chief of police can only be removed for continuous maladministration and only, after being given a reasonable period to correct the maladministration, making it difficult to remove the chief or require accountability. Currently, the chief of police is not required to respond to the Police Commission concerning the Commission's recommendations regarding officer misconduct.

If Proposal Passes

Citizen control over the department would be enhanced by enabling the commission to remove or suspend the chief of police before the end of the chief's five-year appointment for behavior inconsistent with the interest of the public or the city.

Citizens could also be assured complaints of police conduct would be investigated and, if warranted, acted on by giving the Police Commission sufficient powers to provide objective analysis of citizen complaints, thereby ensuring the Police Department complies with policies and procedures, best

practices, and the law. The chief would be required to provide in writing the reasons for any disagreement with a commission recommendation.