

## **DESCRIPTION OF PROPOSED CHARTER AMENDMENT 1**

### **Digest**

This proposed amendment would enable the Police Commission to remove or suspend 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 acting with a reckless disregard for the safety of the public or other law enforcement officers.

This proposed amendment would also give the Police Commission authority to subpoena witnesses and require the production of evidence pertinent to a Police Commission investigation regarding alleged officer misconduct. The proposal would require the chief of police to provide a written response to the Police Commission if the chief disagrees with the findings of the Police 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, and should the chief of police be required to submit a written explanation for his or her disagreement with the Commission?

Yes \_\_\_\_\_ No \_\_\_\_\_

### **Present Situation**

The chief of police can only be removed for continuous maladministration after being given a reasonable period to correct the maladministration. The Police Commission does not have the authority to subpoena witnesses or require the production of evidence relevant to a Police Commission investigation. The chief of police is not required to respond to the Police Commission concerning the Commission's recommendations regarding officer misconduct.

### **If Proposal Passes**

The Police Commission could remove or suspend the chief of police before the end of the chief's five-year appointment for any reason, including behavior inconsistent with the interests of the public or the city. The Police Commission would be able to subpoena witnesses and require the production of evidence pertinent to a Police Commission investigation. The chief of police would be required to provide in writing the reasons for any disagreement with a Police Commission recommendation.