



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Jennifer Pratt

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**Description of Agenda Item:** REGULAR AGENDA

Discussion and Resolution directing staff to draft an ordinance establishing the Citizen Review Board, based on the key elements presented. (Jennifer Pratt and Bill Micheel) CIP/DID #CD-0067-2020

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

### Background:

On June 19, 2020 City Council committed to establishing an independent Citizen Review Board through the unanimous approval Resolution 0721-06-20 which included 6 additional priorities of the local Black Lives Matter Movement including:

1. Form an independent citizens' review board;
2. Make significant investments in diversity, equity, and inclusion;
3. Ban chokeholds and knee to neck maneuvers and strengthen use of force standards;
4. Decriminalize minor marijuana crimes and other low-level offenses;
5. Impose strict body camera provisions;
6. Make negotiations between law enforcement and municipal representatives public; and
7. Abolish qualified immunity

A Citizen Review Board is an independent body created to influence and improve police practices to ensure community law is:

- Constitutional
- Effective
- Responsive to the standards, values, and needs of those to be served

City staff from the Community Development and Planning Department collaborated with the

Cedar Rapids Police Department and the Advocates for Social Justice to create a recommendation containing a set of key elements, which meet the definition and objectives of a Citizen Review Board listed above.

The public input process included three opportunities for collecting community feedback related to this topic, which have been incorporated in this recommendation. With input from ASJ, City staff utilized Polco, a nationally recognized civic engagement and polling company, to create and offer a survey created to understand community interactions with local Law Enforcement and perceptions of the possible impact of the creation of a CRB. Over 2,200 community residents completed the survey. The survey included demographic questions and the respondents tracked closely with the demographics of the city including race, age, and gender.

In addition to the online survey, the City also offered a fillable form on the City's website as an opportunity to provide written responses including detailed information related to interactions with local Law Enforcement and the formulation of a CRB.

Finally, City staff and ASJ collaborated with the National Association for Civilian Oversight of Law Enforcement to conduct focus groups that provided an opportunity for community members to have detailed discussions, facilitated by NACOLE Board members actively engaged in the profession of citizen review, on:

- Impact of CRB on community and law enforcement;
- Interactions with law enforcement;
- CRB models;
- Desired outcomes;
- CRB member representation

A recommendation with key elements of a CRB is being presented in the resolution, as Exhibit A, based on staff research, community feedback, significant input, collaboration with members of ASJ, and assistance from professionals at NACOLE. The key elements were developed to meet the purpose and objectives for a Citizen Review Board that will increase public awareness of community issues, provide opportunities to build and strengthen relationships between local law enforcement and the community.

This Resolution will provide guidance for and direct staff to draft an ordinance, which will create and implement the Citizen Review Board. The ordinance will come back to Council for a public hearing and consideration through the ordinance approval process later this year.

**Action/Recommendation:** City staff recommends approval of the Resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** NA

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on June 19, 2020 the City Council approved Resolution 0721-06-20 recognizing the urgency of the moment and the community conversation, which has focused on the following actions:

1. Form an independent citizens' review board;
2. Make significant investments in diversity, equity, and inclusion;
3. Ban chokeholds and knee to neck maneuvers and strengthen use of force standards;
4. Decriminalize minor marijuana crimes and other low-level offenses;
5. Impose strict body camera provisions;
6. Make negotiations between law enforcement and municipal representatives public; and
7. Abolish qualified immunity; and

WHEREAS, Resolution 0721-06-20 stated that the City of Cedar Rapids and the Cedar Rapids Police Department will form an independent Citizens' Review Board (the "CRB"); and

WHEREAS, the City of Cedar Rapids requested and received significant community feedback related to the creation of a CRB through a combination of multiple online surveys and focus groups demonstrated broad support for the Cedar Rapids Police Department and the creation of the CRB; and

WHEREAS, the City Council desires a CRB be established in accordance with the key elements outlined in Exhibit A which includes the following categories:

- Public Engagement
- Recommendations on Training, Policies, and Procedures
- Review of Citizen Complaint Process
- Board Structure

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

1. The City Manager, or designee, is authorized and directed to draft an ordinance, based upon the key elements, as attached hereto as Exhibit A.
2. At such time as the key elements and regulations within the ordinance are clear and definite, it be brought back to City Council for public hearing and consideration through the Ordinance adoption process.

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MayorSignature

Attest:

ClerkSignature

## Exhibit A

### Recommendation of Key Elements for the Creation of an independent Citizen Review Board

	<b>Key Elements</b>
<b>Public Engagement</b>	<ol style="list-style-type: none"> <li>1. Public forums – quarterly discussions on data/policies/procedures</li> <li>2. Increased public awareness/building relationships</li> </ol>
<b>Recommendations on Training, Policies, and Procedures</b>	<ol style="list-style-type: none"> <li>1. Receive and review quarterly reports from the Chief of Police, including data such as police stops and arrests with breakdowns of the attending demographic information by race and ethnicity.</li> <li>2. Review police data to identify areas for improvement and create a baseline for each area and keep track of progress.</li> <li>3. Issue reports and recommendations to the City on police policies and practices.</li> <li>4. CRB Chairperson or their designee will be on the Chief of Police Candidate Selection Committee.</li> <li>5. Chief of Police conduct may be ultimately remanded to the State Ombudsman</li> </ol>
<b>Review Citizen Complaint Process</b>	<p>CRB reviews results of Professional Standards Investigations of citizen complaints in the form of a Chief’s Report and access to the body camera footage and audio.</p> <ol style="list-style-type: none"> <li>a. If CRB has questions about the disposition of the investigation, the CRB may request the Chief of Police participate in a closed session discussion.</li> <li>b. Disposition of complaint may be remanded back to the Chief of Police for additional consideration.</li> <li>c. CRB may make recommendations on departmental training, policies, and procedures.</li> <li>d. CRB may remand to the State Ombudsman for full independent investigation, if the findings are inconsistent.</li> </ol> <p><i>* Ordinance will stipulate personnel information will be discussed in a closed meeting with all discussions, correspondence, and minutes/records of the closed session deemed confidential documents and not released to the public.</i></p> <p>Citizen complaints will be accepted in the City Clerk’s Office to increase accessibility.</p> <p>Professional Standards Investigation will be completed within 60 days with Chief’s Report provided at the next scheduled CRB meeting.</p>

	<b>Key Elements</b>
<b>Board Structure</b>	<ul style="list-style-type: none"><li>a. 9 members, residents of Cedar Rapids</li><li>b. Gender-balanced and at least 50% people of color</li><li>c. At least one attorney</li><li>d. Staggered 3-year terms with a two-term maximum, initial members serve at least two years</li><li>e. Applications accepted, Mayor makes recommendations, and Council confirms</li><li>f. Majority of seats are designated to local agencies – to be determined, such as NAACP and LULAC</li><li>g. Two non-voting law enforcement representatives attend open meetings, as advisory resources.</li><li>h. Resources necessary to perform duties and functions assigned to the CRB will be provided.</li><li>i. Staffing of the CRB will be provided (to be determined).</li><li>j. Board member training will be provided.</li></ul>