

Police Civilian Review Board

Policies & Procedures Manual Table of Contents

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Police Civilian Review Board Procedures

Request for an Investigation

1. General

Salt Lake City has created a Police Civilian Review Board. A purpose of the Board is to conduct investigations independent of the Police Department in response to allegations of police misconduct. A full-time administrator conducts the investigation and reports to a panel of the Board. The Board serves a strictly advisory role in assessing citizen complaints of police misconduct and has no independent disciplinary power. All disciplinary authority is retained by the Police Chief, but he/she is obligated to consider the recommendations of the Board.

If a person has filed a complaint with the Police Department alleging misconduct by a police officer, he or she may also request an investigation by the Police Civilian Review Board Administrator. The Board will automatically receive all complaints of use of excessive force by police officers and an independent investigation will always be conducted. Therefore, it is not necessary for a person alleging excessive use of force to request an investigation by the Board.

The purpose of this rule is to provide information to the public and employees regarding the process used to request an investigation of alleged misconduct by a police officer. A copy of this procedure will be provided by the Police Department to every person filing a complaint against a police officer.

2. Process to Request an Investigation by the Police Civilian Review Board

- A. A person may request an independent investigation of an allegation of misconduct by a police officer by contacting the Police Civilian Review Board Administrator, at 349 South 200 East, room 490; or by phone (801-535-7230).
- B. The Administrator will provide the complainant with full information about the Police Civilian Review Board process.
- C. The Administrator may, at the Board's discretion, investigate complaints about alleged police misconduct not involving the use of excessive force. The Board's decision of whether to direct the Administrator to conduct an investigation on such complaints is completely discretionary.
- D. The request for an investigation by the Board of cases not involving excessive use of force must be filed with the Administrator within 4 calendar days (96 hours) after a complaint is filed with the Police Department.

3. Language Assistance

- A. This document has been translated into Spanish. To ensure that a translator is available when requesting an investigation, Spanish speaking persons should call 801-535-6333.

- B. Assistance in other languages may be obtained by having an English speaking friend or relative contact the Administrator.

Current Reference: Salt Lake City Code 2.72

1. General

The Board investigates allegations of misconduct by police officers. In order to protect police officers from false, malicious, or frivolous complaints filed with the Board, the ordinance also provides that any person who knowingly files a complaint that is frivolous, malicious, or false is guilty of a Class C misdemeanor. Additionally, it provides that any person knowingly filing a false, malicious or frivolous complaint is civilly liable for all costs and expenses incurred in investigating and responding to the complaint.

The purpose of this rule is to provide information to the public on the consequences of filing with the Board a malicious, false, or frivolous complaint against a police officer. A complaint will be covered by this rule only if the complainant knows or should have known that the complaint is false or frivolous or is made with malice in an attempt to damage a police officer.

2. Process for Determining Whether a Complaint is Malicious, False and/or Frivolous

- A. Once the Administrator has reached a conclusion that a complaint is knowingly, malicious, false, or frivolous, the Administrator will recommend to the Board panel assigned to the case that the complainant filing the malicious, false, or frivolous complaint be referred to the City Prosecutor with a recommendation for prosecution.
- B. In formulating the recommendation, the Administrator will consider the following:
 - a. Whether any evidence was generated during the investigation that supported the facts of the allegation.
 - b. Whether there were other witness(es) whose statement(s) either controvert or support the complainant's allegations.
 - c. Whether the complainant appeared to make the complaint in an attempt to coerce the police officer.
 - d. Whether the complainant knew or should have known the complaint was false.
 - e. Whether the complainant knew or should have known that the police officer was acting within Police Department policy.
 - f. Complainant's complaint history with the Police Department.

3. Actions of the Panel

- A. If the Board panel determines that a complaint was malicious, false, or frivolous, the chair of the panel will contact the Board Chair.
- B. If the Board Chair agrees that a complaint was malicious, false, or frivolous, he/she will direct the Administrator to prepare a summary report for the City Prosecutor, containing the following elements.
 - a. The allegation of the complaint.
 - b. A brief summary of the facts yielded by the investigation that did not support the allegation.

- c. A brief summary of the facts yielded by the investigation that did support the allegation, if any.
 - d. The reason(s) the Board believes the complaint was malicious, false, or frivolous.
 - e. Recommendation for prosecution.
- C. Once the Board Chair approves the report, the Chair will send the report to the City Prosecutor with a copy going to the complainant, the Police Chief, the Internal Affairs Unit, and the officer involved.
- D. The City Prosecutor will determine whether it is appropriate to file criminal charges and/or whether to attempt to secure reimbursement for costs incurred conducting the investigation or response to the complaint.

Current Reference: Salt Lake City Code 2.72

Police Civilian Review Board Panel

1. Responsibilities

It is the responsibility of Board panels, comprised of five members but which can operate with a quorum of three, assigned randomly, to:

- A. Receive and review the investigations of the Administrator and the Internal Affairs Unit.
- B. Meet with the Administrator to discuss the cases.
- C. Direct the Administrator to conduct additional investigation, if necessary.
- D. Make a determination whether a complaint is unfounded, the officer is exonerated, no determination is possible, or sustained.
- E. Make a recommendation to the Police Chief regarding:
 1. Training
 2. Discipline
 3. No Discipline
 4. Any other recommendations deemed appropriate by a majority of the Board panel.
- F. Make recommendations to the full Board regarding changes in Police Department policies and procedures.

2. Access to Information

Board panel members will have access to all information made available to the Administrator and the Internal Affairs Unit, including but not limited to:

- A. All police reports
- B. All written correspondence, including electronic correspondence
- C. Physical evidence
- D. Photographs
- E. Tape recordings of interviews with officer(s) and witnesses
- F. Witness statements
- G. Officer statements
- H. After the panel has made a final decision that the complaint is either sustained or no determination is possible, officers' complaint histories on excessive force cases and other cases for which the Administrator or Board has requested history.
- I. Any other information that has arisen that is pertinent to the case.

3. Method of Providing Information

Because of the need for confidentiality, the following procedures will be followed:

- A. The Internal Affairs Unit case file will be kept in the Administrator's office. Individual panel members wishing to review the case file will come to the Administrator's office/conference area to review it there. The case file will not leave the Administrator's office/conference area at any time.
- B. When Board panel members receive an officer's complaint history, it will be provided in the Administrator's conference area, unless a panel meeting is held elsewhere. If the panel

meeting is held in the Administrator's conference area, the complaint history will not leave that conference area and will be shredded after the panel's deliberations. If the panel meeting is held elsewhere, it will be the responsibility of the Administrator to gather all copies of the complaint history upon conclusion of the panel's review, return them to his/her office, and shred them.

4. Communication

- A. Board panel members must not have any communication about the subject matter of a case pending before the panel with the complainant, witnesses, or the officer(s) against whom the allegation has been made.
- B. Panel members shall confine their discussion regarding the substance and merits of a complaint to official panel meetings.

5. Timeframe

The Board panels will attempt, whenever possible, to convey their recommendations to the Police Chief within 30 calendar days after completion of the Internal Affairs Unit's investigation.

Requests for Investigation

1. Accepting Complaints

- A. The Administrator shall accept a request for investigation (complaint) from any person who alleges police misconduct and who has filed or expressed intent to file a complaint about a police officer with the Police Department. No complaints will be refused. A complaint will be deemed to have been filed with the Internal Affairs Unit regardless of whether the Internal Affairs Unit assigns a case number.
- B. Complaints against City employees other than police officers will not be accepted because the Board does not have jurisdiction.

For purposes of this policy, “complaint” means an allegation received from a citizen alleging conduct by a police officer that, if sustained, would constitute a violation of law or of City policies and/or procedures.

- C. Complaints will be accepted from:
 - 1) Aggrieved parties
 - 2) Witnesses
 - 3) Family members of a complainant who is a minor, disabled, or otherwise legally or physically incapable of filing the complaint himself/herself.
 - 4) Anonymous sources professing first-hand knowledge of alleged police misconduct, when the complainant requests anonymity based upon a credible belief that he/she will face prosecution or harassment. The determination of whether the request for anonymity is based upon a credible belief of prosecution or harassment will be within the sole discretion of the Administrator.
- D. Upon receipt of a request for investigation, the Administrator will ask the complainant whether he/she has filed a complaint with the Police Department. If the complainant has filed a complaint with the Police Department, the Administrator will determine whether the complaint was filed with the Board within four business days of the complaint being filed with the Police Department. If the complaint was not filed within four business days, the Administrator will notify the complainant in writing that the Board no longer has jurisdiction. If the complainant has not filed a complaint with the Police Department, the Administrator will advise the complainant of that requirement and may offer any necessary assistance. If, within 14 business days after receiving that advice, the complainant does not file a complaint with the Police Department, the Board shall decline to investigate the complaint.
- E. The Administrator will notify the Internal Affairs Unit via telephone within one business day of any complaints filed with the Board not involving excessive force. The Administrator will send a confirming password-protected email to the Internal Affairs Unit.
- F. The Administrator will initiate an investigation if at least five Board members state their preference for an investigation.

- G. If fewer than five Board members wish to initiate an investigation, the Administrator will inform the Internal Affairs Unit within one business day and the complainant in writing within five business days that the Board has declined to investigate.

2. Conducting an Investigation

- A. The Administrator will conduct a simultaneous investigation with the Internal Affairs Unit.
- B. The Administrator will categorize the complaint as Category I or Category II in the same way the Police Department categorizes complaints. Complaints will be evaluated and classified, according to the seriousness of the allegations, as either a Category I or a Category II complaint with Category I being the most serious complaints.

Category I complaints include, but are not limited to:

- 1. Improper exercise of police authority
- 2. Misconduct pertaining to:
 - a. Alcohol
 - b. Drugs
 - c. Sex
- 3. Harassment or threats
- 4. Failure to take appropriate police action
- 5. Use of Force
 - a. Excessive force in arrest
 - b. Inappropriate use of force
 - c. Inappropriate use of restraints or detention
- 6. Assault by an officer or other police employee
- 7. Improper use of equipment
 - a. Service weapon
 - b. Flashlight
 - c. Impact tools or chemical weapons
 - d. Vehicle, serious violations
 - e. Other
- 8. Improper handling of evidence
- 9. Unlawful or inappropriate search or seizure
- 10. Unlawful or inappropriate arrest
- 11. Civil rights violations
- 12. Any criminal conduct by an officer or police employee

Category II complaints include, but are not limited to:

- 1. Profanity
- 2. Inconsiderate contact
- 3. Dispatch-related complaints
- 4. Improper vehicle impound
- 5. Police traffic or parking violations

- C. The Administrator will have access to all information related to the specific allegation, including but not limited to all police reports, all written correspondence, including electronic correspondence, physical evidence, photographs, recordings, etc.
- D. Whenever feasible, the Administrator will attend all Internal Affairs Unit interviews with the complainant, witnesses, and the officer(s) against whom the allegation has been made. The Administrator will record interviews whenever possible.
- E. The Administrator may consider hearsay testimony if it is the type of evidence that reasonable persons are accustomed to rely on in the conduct of their serious affairs.
- F. The Administrator will gather, and objectively consider, all information related to the specific complaint.
- G. If necessary, the Administrator may consult with the Board's Police Advisor during the investigatory process.
- H. The Administrator will conduct thorough and unbiased investigations and will attempt to minimize recommendations of "no determination possible." Complaint case files will contain all relevant information gathered during the investigation.
- I. At the conclusion of the investigation the Administrator will prepare a recommendation to a Board panel categorizing the Administrator's evaluation of the complaint as:
 - 1) Unfounded: The incident complained of did not happen.
 - 2) Exonerated: The incident did occur, but the officer's actions were reasonable under the circumstances.
 - 3) No determination is possible: There is insufficient evidence to prove whether the officer violated policy.
 - 4) Sustained: The incident did occur and the officer violated Police Department and/or City policy and procedure.
- J. When the Administrator has concluded the investigation and has prepared a recommended finding of unfounded, exonerated, no determination is possible, or sustained, the Administrator will request a meeting with the Board panel, which will make the final determination.

3. Access to Complaint History

- A. When the Administrator is recommending a finding of sustained or no determination is possible, the Administrator will submit a written request to the City Attorney to review the officers' electronic file for any information that is considered confidential by law. If no information considered confidential by law is in the officer's file, the Administrator will be provided with the complaint history of all of the officer's previous sustained complaints. The Administrator will also receive the no determination is possible complaint history, if there have been three similar complaints alleging violation of the same policy within the previous three years.

- B. The City Attorney's Office will be responsible for determining whether the requested file contains information considered confidential by law. If it does contain such confidential information, the complaint history for all sustained complaints will be provided to the Administrator. When the recommendation is that a complaint be sustained, the Administrator will also be provided the no determination is possible complaint history, if there have been three similar allegations of violation of the same policy within the previous three years.
- C. The Administrator will only have access to the complaint history of the officer(s) against whom the allegation(s) has been made if:
 - 1) The Administrator has finalized a recommendation on a case; and
 - 2) The recommendation is either sustained or no determination is possible.

4. Reviewing the Complaint History of Officers

- A. When the Internal Affairs Unit has concerns that the Administrator may misinterpret a complaint history, the Internal Affairs Unit may request a meeting with the Administrator and the City Attorney's Office to review the history.
- B. Any complaints contained in the history for which there is no documentation will not be provided to a Board panel.
- C. If the Administrator is recommending a finding of sustained or no determination is possible, and the Board panel concurs, the Administrator may provide the complaint history of the officer(s) to the Board panel consistent with the procedure identified in 3(A) above. If no pattern specific to the officer is apparent after a review of the history by the Administrator, the Administrator will include that conclusion in the report of the complaint history to the Board panel.

5. Providing a Complaint History to a Board Panel

- A. No complaint history will be provided to the Board panel before that panel reaches a decision regarding whether the complaint is sustained, no determination is possible, unfounded, or exonerated.
- B. If the Board panel concluded that the complaint is unfounded or the officer is exonerated, no complaint history will be provided to the panel.
- C. If the complaint is one of excessive force and the Board panel has determined that it should be sustained or no determination is possible, the Administrator will provide the complaint history to the Board panel.
- D. If the Administrator did not ask for a complaint history in a case not alleging excessive force and the Board panel determines that a complaint history is necessary, the Administrator shall request a complaint history following the procedure outlined above.

- E. If the Board panel concluded on a case not involving excessive force that no determination is possible or the complaint is sustained, the Administrator will provide the complaint history to the Board panel if he/she had previously determined that the complaint was serious enough to have warranted a request for the history, and, in the judgment of the Administrator the complaint is part of a pattern.
- F. If the Administrator had not asked for a complaint history on a case not involving excessive force, and the Board panel determines that a history is necessary, the Administrator will request a complaint history and provide it to the Board panel following the procedure outlined above.
- G. The Board panel will not use a complaint history to change its conclusion regarding whether the complaint is no determination is possible or sustained. The complaint history will only be used in formulating a recommendation to the Police Chief regarding discipline, training, or other recommendations.

Notification between the Board and the Internal Affairs Unit

The following are guidelines for communicating between the Administrator and the Internal Affairs Unit. **This does not limit the powers of the Board.**

1. Responsibilities of Administrator

- A. Notify the Police Chief's Office and the Internal Affairs Unit within one business day after receipt of any request for investigation or review received by the Administrator (business day is defined as Monday through Friday, excluding holidays).
- B. Notify the Police Chief's Office and the Internal Affairs Unit within one business day after receipt of any request for investigation for which the Board has instructed the Administrator to conduct an investigation.
- C. Notify the Internal Affairs Unit within one business day after receipt of any information or evidence that comes to the Administrator's attention regarding any Internal Affairs Unit investigation.
- D. As a courtesy, consult with the Internal Affairs Unit on the efficacy of requesting the complaint history of the officer(s) against whom allegations have been made on each completed investigation that was "sustained" or "no determination is possible." This consultation does not limit the Administrator's or the Board's access to complaint histories.
- E. Notify complainants in writing of the Board's decision as to whether to initiate an investigation within five business days after receiving the Board's decision.
- F. Notify complainants in writing of the Board panel's final recommendations to the Police Chief within five business days after sending the recommendations to the Police Chief.

2. Police Department Responsibilities

- A. Provide all persons filing a complaint in person with the Internal Affairs Unit a copy of the Board's Administrative Procedure "Requests for Investigation."
- B. Inform all persons filing a complaint telephonically of their option to also file a complaint with the Board, including the requirement that a complaint filed with the Board must be filed within four business days after receipt of the complaint by the Internal Affairs Unit.
- C. Notify the Administrator of all excessive force complaints within one business day after receiving the complaint.
- D. Notify the Administrator of all other types of complaints within five business days after receiving the complaint.

- E. Notify the Administrator of all interviews with officers and witnesses on all excessive force complaints, and those complaints for which the Administrator has notified the Internal Affairs Unit that the Board has initiated an investigation, at least one business day before the interview, whenever possible.
- F. Notify the Administrator of the existence of all evidence relevant to any case within one business day of its acquisition by the Internal Affairs Unit.

Disagreement with the Police Chief's Final Disposition

1. There will be times when a Board panel will disagree with the Police Chief's final disposition of a complaint. Sometimes these disagreements will be substantive and sometimes they will not. Disagreements will be evaluated on a case-by-case basis.
2. If there is disagreement about whether an officer should be exonerated or the complaint classified as unfounded, no action will be taken.
3. If other disagreements occur, the Administrator will take the following action:
 - A. Contact the Police Chief to determine the rationale for the Police Chief's final disposition.
 - B. Email that rationale to all Board panel members
 - C. Organize a conference call with the Board panel members to discuss the disagreement and the rationale. The Board panel may then direct the Administrator to do any of the following:
 - a. Take no action.
 - b. Draft a letter to the Police Chief expressing the panel's opinion, with a copy to the Mayor.
 - c. Request a meeting with the Police Chief and/or his Executive Officer.
 - d. Draft a letter to the Mayor.
 - e. Take other action as determined by the Board panel.

Assigning Board Members to Panels

Board panel members will be assigned to panels “randomly.” The City’s Information Management Division has developed a random number mechanism for making such random assignments. This tool has been provided to the Administrator.

1. As Board members are appointed and approved by advice and consent, the Administrator will enter their names into the randomizer spreadsheet.
2. After the Administrator’s receipt of an excessive force complaint or after being directed by the Board to investigate a complaint, the Administrator will use the random selection mechanism to come up with five names.
3. The result will be reported to the Board Chair for approval.
4. The Chair may contact the selected Board panel members or direct the Administrator to do so.
5. If any of the selected Board panel members are unable to serve, the Chair will instruct the Administrator to randomly select another Board member’s name.
6. The Chair shall ensure that the random selection process does not result in a disproportionate burden of Board panel assignments being placed on any single Board member. Under such circumstances, the Board Chair shall substitute Board members when necessary to accomplish a reasonable equitable workload distribution by directing the Administrator to randomly select another Board member to serve on the Board panel.

Conducting Full Board Meetings

The Board will meet at least every three months. The Board may also hold additional meetings, as directed by the Mayor, a majority of the City Council, the Board Chair or by a majority of the Board.

1. Time and Place of Meetings

Board agendas will be emailed to the Mayor's and City Council's Office at least 24 hours before the meeting. Board agendas stating the time and place of Board meetings shall be posted or provided in the following public places at least 24 hours in advance of the meeting:

- A. City Recorder's Office
- B. In Plaza 349 (Suite 150)
- C. The Utah Public Notice website
- D. The City's Listserv notification system
- E. The Salt Lake Tribune and/or the Deseret News
- F. The PCRB website.

Media representatives will receive electronic copies of agendas, upon request.

2. Election of Chair and Vice Chair

- A. During the last Board meeting in each calendar year, the Administrator will put on the agenda nominations for Chair and Vice Chair.
- B. The Chair will ask Board members for nominations for Chair and Vice Chair.
- C. The Board Chair, or his/her designee, will be responsible for contacting all nominees to determine their ability and willingness to serve in the office for which they have been nominated.
- D. At the first meeting of the following calendar year the Chair will read the names of those nominated for Chair who have expressed a willingness to serve.
- E. The Chair will then present the names of each nominee individually and request a roll call vote of all those wishing to elect that individual as Chair.
- F. The nominee with the most votes will be the new Chair.
- G. As soon as a new Chair has been elected, he/she will conduct the meeting and will follow the same procedure in electing a Vice Chair.

3. Information to Board Members

- A. The Administrator shall provide an agenda and a one page summary of all investigations completed since the last Board meeting, along with recommendations made, to all Board Members at least 24 hours before each Board meeting. Information shall be provided further in advance of the meeting where practicable.
- B. The names of officers and complainants will not be included in the information provided to the Board.
- C. Each investigation summary will be assigned a Civilian Review Board (CRB) number.
- D. All information entered into the early warning system since the last meeting will be provided to the Board.

4. Conducting Meeting

The Chair will conduct all Board meetings. In the Chair's absence, the Vice Chair will conduct meetings. The Chair will call the meeting to order no earlier than the time specified on the posted agenda. The Chair is specifically allowed to make and second motions, and to participate in the discussion of specific issues, unless to do so would disrupt the effective functioning of the Board. Any Board member may object, however, and request that the Chair temporarily delegate his/her chair responsibilities to another Board member while he/she is making or seconding motions or participating in a discussion.

The order of business for full Board meetings will be as follows:

- I. Overview presentation by the Administrator on investigations completed since the previous meeting. Questions by Board members will be entertained.
- II. Overview presentation by the Administrator on the "early warning system," including any apparent trends. Questions by the Board members will be entertained.
- III. Presentation by the Administrator on any recommended changes in Police Department policies or procedures. Questions by the Board members will be entertained.
- IV. Board discussion regarding any cases audited, the early warning system, and/or recommendations to the Police Department.
- V. Presentation of a draft report to the full Board.
- VI. Board direction to the Administrator for any required follow up and preparation of the report to the Mayor.
- VII. Discussion of other Board business.
- VIII. Adjournment.

5. Convening a Special Meeting

- A. It is the responsibility of the Mayor, Board Chair, or Executive Director of the City Council to notify the Administrator of the desire for a special meeting and the proposed time and location.
- B. The Administrator will then notify the Chair, unless he/she requested the meeting, and all Board members either by telephone or electronically at least three business days before the proposed meeting.
- C. The Chair and Board members are responsible for notifying the Administrator by telephone or electronically of their availability for the meeting within 24 hours of being notified by the Administrator of the proposed meeting.

6. Rules for Board Members

- A. Board members will not speak in meetings until they have been recognized by the Chair.
- B. Board members will not interrupt another Board member when that other Board member has been recognized by the Chair.
- C. At the Chair's discretion he/she may open the Board meeting to discussion among Board members that does not require recognition by the Chair.
- D. Board members will not interact during meetings with any members of the public or media in attendance.
- E. Board members will always treat each other, the Board Police Advisor, and the Administrator with civility.

- F. The Chair is responsible for the orderly conduct of each Board meeting. The Chair is specifically authorized to order any member of the public or media to leave the meeting to end disruptive behavior.

7. Public and/or Media Rules

- A. The public and media may attend all Board and Board panel meetings, except closed meetings.
- B. The public and media are prohibited from speaking to the Chair, Board members, or the Administrator during Board or Board panel meetings.
- C. The public and media are prohibited from making comments not directed to the Chair, Board members, or Administrator during the meeting.

Police Civilian Review Board Policies

Timely Filing of Request for Investigation

1. The Board may initiate investigations when requested by citizens.
2. A request to the Board for an investigation will be deemed filed timely under the following conditions:
 - A. A request has a postmark four or fewer business days after the date on which a complaint was filed with the Police Department.
 - B. A request has been made over the telephone within four or fewer business days after the date on which a complaint was filed with the Police Department.
Documentation of the timeliness of a telephone request shall be based on the following:
 1. Contact has been made with the Administrator
 2. A voice mail making an inquiry has been left at the following phone number:
 - a. 801-535-7230
 - C. A request has been emailed to the Administrator with a “sent date” that is four or fewer business days after the date on which a complaint was filed with the Police Department.
 - D. A request has been originated online via the Internet within four or fewer business days after the date on which a complaint was filed with the Police Department.
 - E. Complaints filed with the Board before being filed with the Police Department will be deemed to have been filed timely, provided that the complaint is filed with the Police Department within 14 calendar days after the complaint was filed with the Board.

Investigating Complaints Originating Within the Police Department

1. The Board may look at any complaints filed with the Police Department for possible review and/or investigation.
2. The Board recognizes that some complaints are not filed by citizens, but rather come from within the Police Department.
3. Some matters “reviewed” by the Internal Affairs Unit are not actually complaints, but rather a review required by Police Department policy. Examples are reviews of the circumstances of automobile accidents and vehicle pursuits.
4. Some of the matters handled by the Internal Affairs Unit are management issues that may not directly affect the public. Examples include allegations of insubordination, tardiness, failure to provide timely reports, etc.
5. Matters reviewed or investigated by the Internal Affairs Unit, where no member of the public has been directly affected in any way, will ordinarily not be referred to the Board to determine whether an investigation will be initiated.
6. The Administrator has the discretion to refer cases to the Board where there is no direct effect on a member of the public, if he/she believes that the issues of the case warrant the attention of the Board.

Criteria for Investigation of a Citizen's Complaint Not Involving Excessive Force

1. Complaints That Will Not Be Investigated

- A. No complaint will be investigated where the complaint has not also been filed with the Police Department. If necessary, the Administrator will assist the complainant in filing with the Police Department.
- B. No complaints will be investigated where the complaint is received by the Administrator more than four business days after the complaint was filed with the Police Department.
- C. No complaint will be investigated if the complaint does not fall within the Board's jurisdiction.

2. Other Criteria That Will Be Considered in Making a Decision Regarding Investigating a Complaint

- A. The Administrator is responsible for making a recommendation to the members of the Board regarding whether a citizen requested investigation should be accepted or declined for investigation, along with the rationale of that recommendation.
- B. The criteria to be used by the Administrator in formulating a recommendation include, but are not limited to:
 - a. Egregiousness of the police officer's alleged behavior.
 - b. Potential effect on community perceptions.
 - c. The complaint alleges that the complainant's membership in a group (e.g., race, ethnicity, religion, color, gender, sexual orientation, age, disability status, etc.) was the cause of the police officer's behavior.
 - d. The complaint appears to be consistent with a pattern of behavior for a specific police officer.
 - e. The behavior complained of appears to be a pattern of complaints through the entire Police Department or in a specific geographic area.
- C. The same criteria, as listed above, will guide the Board in directing the Administrator on the types of cases that should be examined with an eye to proceeding to a full panel hearing.

3. Actions After the Decision on Investigating a Complaint

- A. If five members of the Board direct that an investigation should be conducted, the Administrator will:
 - a. Notify the complainant in writing within five business days after the Board's decision.
 - b. Notify the Internal Affairs Unit within one business day after the Board's decision.

- B. If fewer than five Board members decide that an investigation should be conducted, the Administrator will notify the complainant in writing within five business days that the Board had declined to initiate an investigation.

Criteria for Dismissing a Request for Investigation

1. The Administrator may recommend to a Board panel that a request for an investigation be dismissed before the initiation of any investigation under the following circumstances:
 - A. The Board has no jurisdiction.
 - B. The complaint is not about alleged police misconduct.
 - C. The request was not filed timely.
 - D. The request for investigation is clearly frivolous on its face.

2. The Administrator may recommend to the Board panel that a request for an investigation be dismissed after an investigation has commenced under the following circumstances:
 - A. The complainant is not cooperating with the investigation.
 - B. The complainant will not keep appointments.
 - C. The complainant will not provide information.
 - D. After preliminary investigation, the complaint is clearly frivolous.

Board Ethics

1. All members of the Board are subject to and bound by the City's conflict of interest ordinance, Chapter 2.44. Any violations of the provisions of Chapter 2.44 shall be ground for removal from office.
2. Additionally, the Board has adopted the following ethics rules:
 - A. Board members will not discuss the specifics of any case with any individual other than other Board members, the Administrator, the Board Police Advisor, the Police Chief or his/her designee, the Internal Affairs Unit, the Mayor or his/her designee, or the Board legal counsel if the issue under discussion is a matter of law, or thought to be so.
 - B. Board members will declare any conflict of interest regarding specific cases being reviewed or any other Board business.
 - C. If in any matter that comes before the Board, a member of the Board determines that his or her impartiality might reasonably be questioned, the Board member shall recuse him or herself.
 - D. No more than six Board members, including the Chair, will meet informally to discuss Board related issues or information.
 - E. The Board Chair, Board Police Advisor, and Administrator should always be invited to any informal meetings.
 - F. Individual Board members will not make direct or indirect contact with any complainant or any police officer who is the subject of a complaint concerning the content of the complaint or the Board's consideration of the complaint.
 - G. No statements about specific complaints or recommendations will be made to the media other than those that have appeared on the agenda of a full Board meeting with a majority of Board members in attendance voting in favor of releasing a statement to the media. The Chair or Vice Chair will represent the Board in making such statements or they can request that the Administrator make such statements, if such an option is voted upon by the Board at a publicly held quarterly meeting.
 - H. General inquiries about the Board and its processes from the media will be addressed by the Board Chair or Vice Chair or by the Administrator if the Board has elected to use this option by a vote at a publicly held quarterly meeting.

Attendance

Because the work of the Board is of the highest importance, it is critical that all members of the Board participate fully in carrying out the Board's responsibilities. Members must be available and willing to attend meetings of the full Board and to serve on panels reviewing specific investigations.

As a result, it is deemed appropriate to adopt a policy regarding attendance of the Board members.

1. Responsibilities

- A. The Administrator/staff will maintain attendance records and notify the Chair of any breach of the attendance policy.
- B. The Chair will report any such violation to the Mayor along with a recommendation that the Mayor remove that member from the Board.

2. Policy

- A. The Chair will recommend the removal of Board members who miss more than two meetings of the whole Board in any calendar year, unless the absence is caused by a long-term illness or injury. This policy will not apply when the absence(s) were from special meetings for which there was not at least one week notice.
- B. The Chair will recommend the removal of Board members who, after agreeing to attend, miss three panels reviewing specific cases in any calendar year, unless caused by illness, injury, or a conflict of interest.

Training

1. Mandated Training Elements for Board members.
 - A. Completion of a three hour ride along with a police officer in both the Liberty and Pioneer District.
 - B. Diversity training
 - C. Meet with community groups
 - D. Specific training as determined by the Mayor and the Police Chief
 - E. Two hours of training provided by the Internal Affairs Unit

2. Standards for successful completion of each element of mandated training
 - A. Completion of three hour ride along with a police officer in both the Liberty and Pioneer District.
 - B. At least one hour of diversity training provided by the Department of Human Resources or the Police Department, or a community organization, or by members of the Board. Additional diversity training will be provided in the future at the Board's request.
 - C. Invitation of community groups to at least one meeting at which group representatives may provide input to the Board.
 - D. Completion of two hours of training by the Internal Affairs Unit.

Gregory Bambo
Chair

April 24, 2018
Date approved

(Original signed document available for viewing at the SLC Recorder's Office)