

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, CREATING DIVISION 4, SECTIONS 2-253 THROUGH 2-258 IN ARTICLE VI OF CHAPTER 2 IN THE CODE OF GENERAL ORDINANCES; CREATING A CITIZENS POLICE REVIEW BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA, AS FOLLOWS:

Section 1. Division 4. Citizens Police Review Board, Sections 2-253 through 2-258, is hereby created in Chapter 2, Article VI, of the Code of General Ordinances of the City of Tallahassee, Florida, and shall read as follows:

Division 4. Citizens Police Review Board

Sec. 2-253. Citizens Police Review Board for the Tallahassee Police Department.

(a) *Creation.* There is hereby established the Citizens Police Review Board for the Tallahassee Police Department ("CPRB").

(b) *Purpose and declaration of policy.* The purpose of the CPRB is to foster transparency, enhance communication, and ensure a relationship of trust and respect between the Tallahassee Police Department ("Department") and the community by creating an unbiased panel of citizens to review completed Department internal affairs reports, cases, and issues relating to law enforcement that are of importance or of interest to the community and the city, and to increase and demonstrate police accountability and credibility with the public.

(c) *Duties and responsibilities.*

(1) To review completed Department internal affairs reports involving use of force or other cases and issues of importance or interest to the community or the city, provided there is no related pending internal affairs investigation or the same has been completed. In conducting its review, the CPRB may determine whether the investigation and disposition of the case was consistent with Department policies and procedures and make recommendations regarding any revisions or additions to Department policies and procedures.

(2) Through review of matters of importance or interest at its discretion, or at the request of the Chief of Police, the CPRB may make recommendations to the Chief of Police for any revisions or additions to Department policies and procedures after the Department's completed handling of the matter.

1 (3) To make recommendations to the Chief of Police and the City Manager as to current and
2 proposed City Police Department policies, procedures, and practices.

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4 (4) To annually report findings and recommendations to the City Commission, City Manager,
5 and Chief of Police.

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8 Section 2-254. *Membership and organization.*
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10 (a) Persons appointed to the CPRB ("members") are volunteers and shall receive no
11 compensation. The CPRB shall consist of nine (9) members, with five (5) members appointed
12 individually by each member of the City Commission and four (4) members appointed by City
13 Commission from nominations from community-based civic and social service organizations
14 including, but not limited to: the League of Women Voters, the Urban League, Local Chambers
15 of Commerce, the NAACP, the local chapter of the Florida Bar, local organizations of
16 clergymen, and local mental health, juvenile justice or university/college associations. The terms
17 of each member shall be staggered three-year terms. A member's term upon expiration may be
18 extended until requalification and re-appointment or until a qualified replacement is appointed,
19 but said extension shall not exceed 180 days. No member shall serve more than three (3)
20 consecutive full terms. All appointments to the CPRB should be made with sensitivity to the
21 racial, gender, age, ethnic, religious, linguistic, and cultural diversity of the City of Tallahassee.
22

23 (b) The initial terms of members of the CPRB shall be as follows:
24

25 (1) Three (3) members shall be appointed for a term of one (1) year;

26 (2) Three (3) members shall be appointed for a term of two (2) years; and

27 (3) Three (3) members shall be appointed for a term of three (3) years.

28
29 (c) The initial chairperson ("chair") shall be selected by the City Commission to serve for one
30 (1) year. Thereafter, the CPRB shall annually elect a chair from among its members. The chair
31 shall be allowed to vote on all matters appearing before the CPRB. The CPRB shall also
32 annually elect a vice-chair from among its members. The vice-chair shall preside over the
33 meeting in the absence of the chair.
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36 Section 2-255. *Board Member Qualifications.*
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38 CPRB members shall not be a City of Tallahassee employee nor related to a Department
39 employee, have been previously employed by the Department, currently work for any law
40 enforcement agency, hold political office or be campaigning for office, have any pending
41 criminal proceeding, including probation, or have a prior felony conviction or felony withhold of
42 adjudication within the last three (3) years. The definition of "related to" means the Department
43 employee is the father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew,
44 niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,
45 sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother,
46 or half-sister of the board member. Members shall meet the following criteria:

1
2 (1) Be at least 18 years of age.

3
4 (2) Be a current resident, property owner, or utility customer of the City of Tallahassee; or, own
5 or be a principal in a business or a not-for-profit organization in the City of Tallahassee.

6
7 (3) Completed a written application.

8
9 (4) Successfully complete the Tallahassee Police Department Citizens Academy and two (2)
10 hours of diversity/equity training within one (1) year of appointment.

11
12 (5) Devote a minimum of two (2) hours to participate in a ride along in each of the Department's
13 three (3) districts, for a minimum total of six (6) hours within sixty (60) days of appointment.

14
15 (6) Members shall conduct themselves in accordance with and be subject to the City of
16 Tallahassee Code of Ethics.

17
18 (7) Members shall attend a minimum of three-quarters of the scheduled meetings annually.

19
20 (8) Members who no longer satisfy the above criteria, including the prohibitions stated above,
21 shall be automatically removed.

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23 (9) The City Commission may suspend qualifications (4) and (5) due to good cause in the public
24 interest, including a pandemic.

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27 Section 2-256. *Meetings of the Board.*

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29 (1) The CPRB shall meet at a minimum on a quarterly basis.

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31 (2) All meetings of the CPRB shall be open to the public in accordance with the requirements of
32 the Government-in-the-Sunshine Law.

33
34 (3) Five (5) or more members of the CPRB present at any meeting shall constitute a quorum in
35 order for the Board to conduct its business.

36
37 (4) The actions of the CPRB shall not conflict with the provisions of F.S. §§ 112.532 and
38 112.533, known as the Police Officer's Bill of Rights or any other rights afforded pursuant to
39 Florida law or collective bargaining agreements as determined by the City Attorney or designee.

40
41 (5) CPRB meetings and operations shall be conducted in accordance with City Commission
42 adopted policies and procedures. The latest edition of Robert's Rules of Order may be used as
43 guidance.

1 Section 2-257. *Administrative authority, powers and duties.*

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3 (a) The CPRB Board Administrator shall be the City Auditor or designee. The City Auditor or
4 designee shall (1) ensure that records, unless confidential by law, requested by the CPRB are
5 provided to the CPRB; (2) assist the Chair in preparing the agenda for each meeting in
6 accordance with procedures approved by the City Commission; and (3) provide appropriate
7 public notice of meetings and prepare minutes.

8
9 (b) The CPRB ombudsman as designated by the City Manager or designee shall have the
10 following duties:

11
12 (1) Maintain a thorough understanding of Department policies and procedures, the governing
13 collective bargaining agreements, and the Police Officers' Bill of Rights.

14
15 (2) Assist with the training of CPRB members in accordance with the requirements of this Code.
16 Training topics may include, but shall not be limited to: The Department's written directives,
17 general orders, and policies and procedures; Florida Statutes, the Department's law enforcement
18 ethics; the use of force policy; pursuits policy, the writing and understanding of offense reports;
19 the professional standards complaint process; grievance procedures; and public records and
20 exceptions.

21
22 (3) Serve as the administrative liaison between the CPRB and the Chief of Police and report the
23 CPRB findings and recommendations to the Chief of Police.

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25 (c) The CPRB Attorney shall be the City Attorney or designee. The City Attorney or designee
26 shall assist with legal issues as to jurisdiction, procedure, or rules of order.

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29 Section 2-258. *City Commission Reports.*

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31 The CPRB shall file a written annual report to the City Commission, City Manager, and Chief of
32 Police to include the nature of matters considered by the CPRB, the recommendations made to
33 the Chief of Police and the official response of the Department to the recommendations, statistics
34 and summaries of citizen complaints, a comparison of the board findings and conclusions with
35 the actions taken by the Chief of Police and recommendations related to changes in policies and
36 procedures.

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39 Secs. 2-259-2-300. Reserved.

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42 Section 2. Conflicts. All ordinances and parts of ordinances of the City of Tallahassee
43 Code in conflict with the provisions of this ordinance are hereby repealed to the extent of such
44 conflict.

Section 3. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. Effective date. This ordinance shall become effective immediately upon adoption.

INTRODUCED in the City Commission on the 9th day of September, 2020.

PASSED by the City Commission on the 23rd day of September, 2020.

CITY OF TALLAHASSEE

By: _____
John E. Dailey
Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
James O. Cooke, IV
City Treasurer-Clerk

By: _____
Cassandra K. Jackson
City Attorney