



Legislation Details (With Text)

File #: 1819-2020 **Version:** 1

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File created: 7/23/2020 **In control:** Rules & Reference Committee

On agenda: 7/27/2020 **Final action:** 7/30/2020

Title: To submit to the electors of the City of Columbus at the next regular municipal election, scheduled on November 3, 2020, the authority to amend the Columbus City Charter per Section 45 of the Charter, and to provide the Mayor and Council the authority to establish an independent Civilian Police Review Board to receive, initiate, cause investigation of, subpoena and compel evidence relevant to; recommend discipline; and resolve complaints filed with it or initiated by the Board alleging misconduct by sworn members of the Columbus Division of Police; and to establish a Department of the Inspector General for the Columbus Division of Police; and to declare an emergency.

Sponsors: Rob Dorans, Shannon G. Hardin

Indexes:

Code sections:

Attachments: 1. CRB_FINAL, 2. 2020.07.24 Charter Amendment Summary FINAL

Date	Ver.	Action By	Action	Result
7/30/2020	1	CITY CLERK	Attest	
7/29/2020	1	MAYOR	Signed	
7/27/2020	1	COUNCIL PRESIDENT	Signed	
7/27/2020	1	Columbus City Council	Approved	Pass

On May 25, 2020, George Floyd was killed in Minneapolis, Minnesota when a police officer knelt on his neck for an extended period of time. Floyd was African American and the officer is white. Three other Minneapolis police officers stood by and did not intervene despite Floyd's cries that he couldn't breathe.

The tragic, unnecessary and preventable death of George Floyd led to nationwide protests against police brutality and the targeting of people of color by police officers everywhere. Floyd's death inspired communities across the country, including Columbus, to take decisive action to reconcile injustices caused by law enforcement and to reclaim the power granted to police officers by the public.

Though the vast majority of Columbus Police Officers hold tightly their responsibility to protect and serve the entire community, some have abused their authority. Unfortunately, in some cases where misconduct was proven, officers have not been held to account. This is due, in part, to the disciplinary process within the Division of Police, whereby officer misconduct is investigated and adjudicated by their peers - other police officers - and not the public whom officers are sworn to protect.

This same concern has led many communities to create citizen review boards to investigate police misconduct. These boards take on many forms, but all provide for civilian oversight of law enforcement. The City of Columbus is the largest city in America with no form of civilian oversight of police.

The Columbus City Charter, essentially our City's constitution, does not allow for the amendment to the City Charter to create such an entity without the approval of the voters of Columbus. Further, Section 45 of the City Charter allows that amendments to the Charter "may be submitted to the electors of the city by a two-thirds vote of the council and such submission shall be by ordinance."

FISCAL IMPACT: There is no expenditure associated with this ordinance.

EMERGENCY DESIGNATION: Emergency designation is requested to ensure that the ordinance take effect as soon as possible.

To submit to the electors of the City of Columbus at the next regular municipal election, scheduled on November 3, 2020, the authority to amend the Columbus City Charter per Section 45 of the Charter, and to provide the Mayor and Council the authority to establish an independent Civilian Police Review Board to receive, initiate, cause investigation of, subpoena and compel evidence relevant to; recommend discipline; and resolve complaints filed with it or initiated by the Board alleging misconduct by sworn members of the Columbus Division of Police; and to establish a Department of the Inspector General for the Columbus Division of Police; and to declare an emergency.

WHEREAS, it is in the best interest of both the residents of the City of Columbus and The Department of Public Safety, Division of Police that additional, civilian oversight of the Columbus Division of Police be instituted; and

WHEREAS, Section 45 of the Columbus City Charter allows for the amendment of the Charter by the electors of the City of Columbus if an ordinance seeking this authority is approved by a two-thirds vote of Council; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that the residents of Columbus demand action on this initiative and the Columbus City Charter provides for an amendment under these conditions;
NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That there be submitted to the electors of the City of Columbus the question of amending the Charter of the City of Columbus, such question and proposed amendments being set forth as an attachment ("PROPOSED AMENDMENT TO THE CHARTER Civilian Police Review Board and Department of the Inspector General for the Columbus Division of Police") hereto and hereby made a part hereof.

SECTION 2. That the question submitted in Section 1 be and hereby is known as "Proposed Charter Amendment, Civilian Police Review Board and Department of the Inspector General for the Columbus Division of Police."

SECTION 3. That the City Clerk is hereby directed to forthwith serve a certified copy of this ordinance upon the Boards of Elections of Franklin County, Delaware County, and Fairfield County, Ohio to provide notice of this proposed charter amendment as provided for by general laws of the state.

SECTION 4. That the Boards of Elections of Franklin County, Delaware County, and Fairfield County, Ohio be and hereby are requested to place the question, "Proposed Charter Amendment, Civilian Police Review Board and Department of the Inspector General for the Columbus Division of Police" upon the ballot to be submitted to the electors at the next regular municipal election, scheduled on November 3, 2020.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after the earliest period allowed by law passage and approval by the Mayor, or ten days after passage if the Mayor does not approve the same.