



Legislation Details (With Text)

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Title: To adopt a resolution approving the rules and regulations of the Civilian Police Review Board and to declare an emergency.

Sponsors: Emmanuel V. Remy

Indexes:

Code sections:

Attachments: 1. Civilian Police Review Board Rules and Regulations as adopted 051022.pdf

| Date | Ver. | Action By | Action | Result |
|----------|------|-----------------------|---------|--------|
| 6/9/2022 | 1 | CITY CLERK | Attest | |
| 6/8/2022 | 1 | MAYOR | Signed | |
| 6/6/2022 | 1 | COUNCIL PRESIDENT | Signed | |
| 6/6/2022 | 1 | Columbus City Council | Adopted | Pass |

BACKGROUND: In November 2020, an issue was placed on the ballot to amend the City Charter to establish a Civilian Police Review Board and a Department of the Inspector General for the Columbus Division of Police. On November 3, 2020, voters overwhelmingly approved the amendment by nearly 75 percent.

In April 2021, Mayor Ginther appointed, with Columbus City Council's concurrence, the inaugural members of the Columbus Civilian Police Review Board. The members were granted authority to develop administrative rules; receive, initiate, review, and cause the investigation of complaints of misconduct; make recommendations on resolutions of complaints; make recommendations on discipline; and in specific circumstances, to subpoena witnesses and evidence.

In early February 2022, the Civilian Police Review Board approved, and Mayor Ginther confirmed, the hiring of Columbus's first Inspector General. Between March 2022 and July 2022, the Inspector General will be hiring personnel, creating policies and procedures, and forming an organizational structure for the Department of the Inspector General, which is scheduled to begin receiving and reviewing complaints July 11, 2022.

Columbus City Code §235.02(C) grants the Civilian Police Review Board the authority to promulgate rules and regulations in accordance with Columbus City Code §121.05 to carry out its duties as provided for in the Charter and in Columbus City Code Chapter 235. And, Columbus City Code §235.03 directs the Civilian Police Review Board to receive, initiate, review, and, if appropriate, to direct the Inspector General to investigate and prepare a report for review, complaints alleging misconduct and/or excessive use of force by sworn personnel of the Columbus Division of Police.

The Rules and Regulations Committee of the Civilian Police Review Board conducted several meetings to formulate procedural rules for the Board related to its interactions with the Department of the Inspector General. Prior to the May 10, 2022 meeting of the Civilian Police Review Board, a draft version was presented to the each Board member for review. At the May 10, 2022 meeting of the Civilian Police Review Board, there

was additional discussion, motions for edits, and ultimately approval and adoption of a final version of procedural rules and regulations for the Civilian Police Review Board.

EMERGENCY DESIGNATION: An emergency exists in that it is necessary to adopt this resolution to allow for the rules and regulations of the Civilian Police Review Board to be put in place prior to the Department of the Inspector General receiving and reviewing complaints of misconduct and/or excessive use of force by sworn personnel in the Columbus Division of Police, towards the preservation of the public health, peace, property and safety.

FISCAL IMPACT: No funding is required for this legislation.

To adopt a resolution approving the rules and regulations of the Civilian Police Review Board and to declare an emergency.

WHEREAS, Columbus City Charter Sec. 215 establishes a Civilian Police Review Board; and

WHEREAS, Columbus City Charter Sec. 216 grants the Civilian Police Review Board the authority to receive, initiate, cause investigation of, and recommend resolution of complaints filed with it or initiated by it alleging misconduct by sworn members of the Columbus Division of Police; and

WHEREAS, Columbus City Charter Sec. 216, in conjunction with Columbus City Codes §235.02(C), requires the Civilian Police Review Board, subject to the approval of Council, to make rules and regulations providing for the procedures of the Board and for the review of complaints filed with it; and

WHEREAS, Columbus City Charter Sec. 217 creates a Department of the Inspector General for the Division of Police, consisting of an Inspector General, one or more investigators, and administrative support staff; and

WHEREAS, Columbus City Codes §235.05 grants authority to the Department of the Inspector General to receive, review, and investigate complaints of misconduct and/or excessive use of force by sworn personnel in the Columbus Division of Police and prepare reports documenting findings and recommendations for review by the Civilian Police Review Board; and

WHEREAS, an emergency exists in the usual daily operation of the Department of the Inspector General in that it is immediately necessary that this Resolution take effect at the earliest possible date in order to allow for the timely approval of the rules and regulations of the Civilian Police Review Board so that the processing of complaints related to allegations of misconduct by sworn members of the Columbus Division of Police may commence by July 11, 2022; **NOW, THEREFORE,**

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

SECTION 1. That this Council hereby approves the rules and regulations established by the Civilian Police Review Board and approved and adopted by same on May 10, 2022.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Resolution is hereby declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor or ten days after adoption if the Mayor neither approves nor vetoes the same.