

CHAPTER 20I
COMMUNITY POLICE REVIEW BOARD

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20I.010. Community Police Review Board Created; Composition.

(a) The Community Police Review Board (“Board”) is hereby created. The purpose of the Board is to review unresolved complaints against sworn members of the Police Department. For purposes of this Chapter, a complaint is unresolved if it is not resolved to the satisfaction of the complainant within forty-five days of filing the complaint with the City Police Department plus an additional thirty days if necessary for the Police Department to complete its investigation.

(b) The Board shall consist of seven members and two alternate members. (Ord No. 41-2002; Ord No. 36-10)

20I.020. Appointment and Terms of Members.

(a) Members of the Board shall be appointed by the City Council.

(b) Terms of the members other than those originally appointed shall be for staggered terms of two years or until successors are appointed. Terms of the originally appointed members shall run as follows: three members until January 1, 2004, two members until January 1, 2005, and two members until January 1, 2006. Persons appointed to fill vacancies left by members whose terms on the committee have not expired shall have as their term of office the unexpired terms of their immediate predecessors on the committee. Members, other than members who have resigned, may be appointed for additional terms. Members may serve only two consecutive terms.

(c) Members of the Board shall receive no compensation for their services.

(d) When appointing members of the Board, City Council shall consider:

- (1) civic participation within the community
- (2) residency within the City of Salem
- (3) criminal history
- (4) commitment to the goals of the Board
- (5) demonstrated life experiences or training in cultural or ethnic diversity; and
- (6) any experience the individual has had with police officers in general, and the City of Salem Police Department in particular. (Ord No. 41-2002; Ord No. 36-10)

20I.030. Procedures.

(a) The City Manager, with consent of the City Council, may adopt bylaws for its procedures consistent with the laws of the United States, the State of Oregon and with the charter and ordinances of the City of Salem.

(b) Meetings of the Board shall be open to the public, except for meetings conducted in executive session as provided by law or otherwise allowed in this section.

(c) Confidential records shall be reviewed and discussed only in executive session, and because deliberations involve the discussion of confidential records, all deliberations shall be conducted in executive session.

(d) Minutes shall be taken at Board proceedings. Minutes of the open portion of the meetings shall be a matter of public record. Minutes of executive sessions shall not be available to the public. All minutes of the Board's proceedings shall be filed with the City Recorder. (Ord No. 41-2002; Ord No. 82-2002; Ord No. 36-10)

20I.040. Confidential Records.

(a) The Board is designated as a citizen review body authorized to receive confidential records and information contained therein. Such records shall be kept confidential by members of the Board and shall be reviewed only during the executive session portions of meetings. Members shall not reveal the contents of any written or oral internal investigation report, or other confidential records, to any person not a member of the Board or to any Board member who did not participate in the specific matter before the Board. No reports of the Board shall contain any confidential records or information contained therein.

(b) Notwithstanding the provisions of this section, the following confidential information shall not be subject to disclosure to the Board without the written consent of the officer against whom a complaint has been lodged:

- (1) the officer's medical or psychological information;
- (2) the officer's home address or phone number;
- (3) the officer's social security number;
- (4) any information relating to the officer's beneficiaries under any insurance or retirement program; and
- (5) any information identifying the officer's spouse or other relatives.

(c) Board members shall take an oath of confidentiality. Breach of confidentiality may be cause for immediate removal from the Board.

(d) Any person bringing an unresolved complaint to the Board releases and waives any rights the person may have regarding the disclosure of information to the Board.

(e) Any officer claiming to be aggrieved by an unlawful disclosure of confidential information under the provisions of this section shall have a cause of action in any court of competent jurisdiction for damages and such other remedies as may be appropriate. (Ord No. 41-2002; Ord No. 82-2002; Ord No. 36-10)

20I.050. Functions and Duties. The Board shall be advisory to the City Manager of the City of Salem, and shall report its findings to the City Manager. Upon receipt of the findings of the Board, the City Manager shall report the findings to the City Council at the next regularly scheduled City Council meeting. Individual complaints shall not be reviewed by City Council. In addition to hearing unresolved complaints, the Board may also:

- (a) Review and advise on Salem Police Department policy and procedure,
- (b) Review and analyze complaint summaries and trends of the department, and
- (c) Refer issues to the City Manager. (Ord No. 41-2002; Ord No. 36-10)

20I.060. Conflicts of Interest. It shall be a conflict of interest for a Board member to represent any person as an advocate in a proceeding against or involving an officer where the Board member could be construed as having obtained information regarding that officer which would be useful in that proceeding as a result of their membership on the Board. (Ord No. 82-2002)