

Charlottesville Police Civilian Review Board

Major Provisions of the Draft Ordinance for Civilian Oversight

Requests Authority To:

- Receive all citizen complaints (Section 2-457)
- Identify complaints for independent investigation and conduct investigations (2-452, 2-459)
- Independently investigate incidents of “serious abuse of authority” (2-452, 2-459)
- Review investigations of citizen complaints conducted by the CPD, including disciplinary actions (2-458)
- Hold hearings and exercise subpoena power (2-463)
- Make findings of fact regarding investigated allegations of misconduct (2-459)
- Make disciplinary recommendations on sustained allegations of serious breaches of CPD professional standards, in consultation with the Chief (2-460)
- Receive full access to all Police Department reports, files and records related to Board investigations of complaints and incidents... (2-452)
- Analysis of IA investigations citizen-police interactions, make policy recommendations (2-461)

Other Provisions:

- Board membership, terms, and procedures for appointment (2-453)
- Executive Director and staff (2-455)
- Independent counsel (2-456)
- Training (2-468)
- Community engagement (2-467)
- Commendations (2-469)
- Mediation (2-470)

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ARTICLE XVI. – POLICE CIVILIAN OVERSIGHT BOARD

AN ORDINANCE TO AMEND AND REENACT THE PROVISIONS OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, CHAPTER 2 (ADMINISTRATION)

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Sec. 2-450.-Title 2

Sec. 2-451.-Police Civilian Oversight Board Established; Immunities..... 2

Sec. 2-452.-Powers and Duties of the Police Civilian Oversight Board..... 2

Sec. 2-453.- Police Civilian Oversight Board Membership Appointment, and Terms. 4

Sec. 2-454. – Public Meetings. 5

Sec. 2-455.-Police Civilian Oversight Board Executive Director 5

Sec. 2-456.-Police Civilian Oversight Board Legal Counsel. 6

Sec. 2-457. – Receipt and Investigation of Complaints – Authority and Complaint Intake 6

Sec. 2-458. - Review of Police Department Internal Investigations.....7

Sec. 2- 459. - Independent Civilian Oversight Board Investigation..... 8

Sec. 2-460. - Disciplinary Recommendations 9

Sec. 2- 461. - Board Review of Policies, Practices and Procedures..... 10

Sec. 2- 462. - Request Annual Reports of Police Expenditures..... 10

Sec. 2- 463. Authority to Hold Hearings and Issue Subpoenas 11

Sec. 2- 464. - Deferral of Complaint Review and Investigations 11

Sec. 2-465. - Police Civilian Oversight Board Recommendations and Annual Report. 11

Sec. 2-466. - Police Civilian Oversight Board Operating Procedures 12

Sec. 2-467. - Community Engagement and Community Relations.....13

Sec. 2-468. – Training.....13

Sec. 2-469. – Commendations for Exceptional Community Service.....14

Sec. 2-470. – Mediation.....14

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33 WHEREAS, the Charlottesville City Council previously enacted an ordinance establishing a Charlottesville
34 Police Civilian Oversight Board and codified the ordinance within Chapter 2, Article XVI of the Code of
35 the City of Charlottesville (1990), as amended; and

36 WHEREAS, on October 28, 2020 the Virginia General Assembly enacted House Bill 5055, the provisions
37 of which become effective July 1, 2021, and this legislation expressly authorizes the governing body of a
38 locality to establish a law enforcement civilian oversight body; and

39
40 WHEREAS, City Council hereby finds that it is in the public's best interests to amend Chapter 2, Article
41 XVI of the City Code to name the City's Police Civilian Oversight Board in conformity with Virginia Code §
42 9.1-601 and to empower the City's Police Civilian Oversight Board with certain additional oversight
43 authority and duties enabled by the statute.

44
45 NOW, THEREFORE, BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Article
46 XVI within Chapter 2 of the Code of the City of Charlottesville (1990) is amended and reenacted, as
47 follows:

48
49 **ARTICLE XVI-POLICE CIVILIAN OVERSIGHT BOARD**

50 **Sec. 2-450.-Title**

51
52 This article shall be known as the Charlottesville Police Civilian Oversight Board Ordinance.

53 **Sec. 2-451.-Police Civilian Oversight Board Established; Immunities.**

54 There is hereby established a Charlottesville Police Civilian Oversight Board which shall be referred to as
55 the Police Civilian Oversight Board, or "the Board", within this article. The Board shall have the authority
56 and duties of a law-enforcement civilian oversight body, as expressly authorized by state law and as
57 provided within this ordinance. The Police Civilian Oversight Board shall enjoy the protection of
58 sovereign immunity to the extent allowed and provided by Virginia statutory and common law.

59 **Sec. 2-452.-Powers and Duties of the Police Civilian Oversight Board.**

60
61 (a) The Police Civilian Oversight Board shall have the following powers and duties:

62 (1.) To receive, investigate, and issue findings on complaints from civilians regarding the conduct of
63 law enforcement officers and civilian employees of the Charlottesville Police Department;

64
65 (2.) To investigate and issue findings on incidents, including the use of force by a law enforcement
66 officer, death or serious injury to any individual held in custody, serious abuse of authority or
67 misconduct, allegedly discriminatory stops, and other incidents regarding the conduct of law
68 enforcement officers and civilian employees of the Charlottesville Police Department;

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- 70 (3.) At the conclusion of any investigation conducted pursuant to subdivisions (1) and (2), above,
71 and consistent with the Board’s findings in the investigation: to recommend to the Chief of
72 Police disciplinary action in cases that involve serious breaches of departmental and
73 professional standards, as defined by City Council, within Board Operating Procedures adopted
74 pursuant to Sec. 2-466;
75
- 76 (4.) To investigate policies, practices, and procedures of the Police Department and to make
77 recommendations regarding changes to such policies, practices and procedures, as set forth
78 within sec. 2-462 of this article;
79
- 80 (5.) To review investigations conducted internally by the Police Department, as set forth in sec. 2-
81 459 of this article, including internal investigations of civilians employed by the Police
82 Department, and to issue findings regarding the accuracy, completeness, and impartiality of the
83 investigations and the sufficiency of any discipline resulting from such investigations;
84
- 85 (6.) To request reports of the annual expenditures of the Police Department, and to make budgetary
86 recommendations to the City Council concerning future appropriations;
87
- 88 (7.) To make public reports on the activities of the Police Civilian Oversight Board, including
89 investigations, hearings, findings, recommendations, determinations and oversight activities;
90
- 91 (8.) To hold hearings and, if, after making a good faith effort to obtain voluntarily the attendance of
92 witnesses and the production of books, papers, and other evidence necessary to perform its
93 duties, the Board is unable to obtain such attendance or production, it may apply to the Circuit
94 Court for the City of Charlottesville for a subpoena compelling the attendance of such witness or
95 the production of such books, papers and other evidence, and the court may, upon good cause
96 shown, cause the subpoena to be issued. Any person so subpoenaed may apply to the
97 Charlottesville Circuit Court to quash it; and
98
- 99 (9.) To undertake other duties, as reasonably necessary, for the Police Civilian Oversight Board to
100 effectuate its lawful purpose as provided for in this article, in order to effectively oversee the
101 Police Department.
- 102 (b) The Board is authorized to receive and shall be provided full access to all Police Department
103 reports, files and records related to Board investigations of complaints and incidents, or its review of
104 Police Department internal affairs investigations, as authorized in this ordinance. All records,
105 documents and materials in the possession of the Police Department or the City that are determined
106 by the Board to be necessary and requested by the Board to carry out its authorized powers and
107 responsibilities shall be provided to the Board subject to Board procedures adopted, with Council
108 approval, for the protection of confidential information as defined in such procedures.

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109 (c) The Police Civilian Oversight Board shall not exercise the powers and duties set forth within
110 paragraphs (a)(1)-(9), or any of said paragraphs, until (i) City Council approves Operating Procedures
111 for performance of such powers and duties pursuant to sec. 2-466 of this article, and (ii) sufficient
112 public funds have been appropriated by City Council within the Board's annual budget for all staff,
113 independent investigators/auditors, independent legal counsel and other resources as are necessary
114 for the Board to effectively carry out such duties and powers.

115 **Sec. 2-453.- Police Civilian Oversight Board Membership Appointment, and Terms.**
116

117 (a) Board composition. The Police Civilian Oversight Board shall reflect the demographic diversity of the
118 City of Charlottesville. The Police Civilian Oversight Board shall be composed of seven voting
119 members and one non-voting member appointed by the City Council. The members shall be
120 removable by the City Council for cause as specified in Operating Procedures adopted pursuant to
121 section 2-466.

122 (1) The seven voting members of the Police Civilian Oversight Board shall be residents of the City of
123 Charlottesville except that the member who represents an organization that seeks racial or social
124 justice on behalf of historically disadvantaged communities shall either be a resident of the City of
125 Charlottesville or the organization they represent shall perform advocacy on behalf of City of
126 Charlottesville residents.

127 (2) The seven voting members shall include: at least three members who come from historically
128 disadvantaged communities that have traditionally experienced disparate policing or who are
129 residents of public housing, and at least one other member who represents an organization that
130 seeks racial or social justice on behalf of historically disadvantaged communities.

131 (3) The non-voting member of the Police Civilian Oversight Board shall be an individual with policing
132 expertise or experience. The non-voting member may be a retired law enforcement officer, who
133 prior to his or her retirement was employed in a locality similar to the City of Charlottesville.

134 (4) No Police Civilian Oversight Board voting member shall be a current City of Charlottesville
135 employee, a current candidate for public office, a former member of the Charlottesville Police
136 Department, an immediate family member of a current Charlottesville Police Department employee,
137 or a current employee of a law enforcement agency.

138 (b) Appointment Process. The City Council shall appoint the members of the Police Civilian Oversight
139 Board. The Council shall announce a public application process with applications available online
140 and by hardcopy in English and Spanish for individuals interested in serving on the Police Civilian
141 Oversight Board.

142 (c) Terms. Each member of the Police Civilian Oversight Board shall be appointed for a term of three
143 years, which term for any particular Board member may be extended for an additional period of

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144 time, in the determination of the City Council, to provide for staggering as deemed appropriate and
145 necessary.

146 (d) Vacancies. If a Police Civilian Oversight Board member's service on the Board ends before the
147 conclusion of the Board member's term or any extended term, the City Council shall appoint an
148 individual to complete the remainder of the term. A Board member whose term has expired may
149 continue to serve until his or her successor is appointed by City Council.

150 **Sec. 2-454. – Public Meetings.**

151

152 The Charlottesville Police Civilian Oversight Board shall hold public meetings at least once per calendar
153 month. Special meetings may be called by the Chair of the Board or any two Board members, in
154 accordance with the requirements of applicable law.

155 **Sec. 2-455.-Police Civilian Oversight Board Executive Director**

156

157 (a) The City Manager shall appoint a Police Civilian Oversight Board Executive Director with the approval
158 of a majority vote of the City Council.

159 (b) As a part of any Police Civilian Oversight Board Executive Director appointment process , the City
160 Manager shall convene an interview panel that includes two members of the Police Civilian Oversight
161 Board. If the two members of the Police Civilian Oversight Board serving on an interview panel
162 recommend a candidate for appointment as Executive Director, the City Manager shall provide a written
163 justification to the Board if a different candidate is appointed.

164 (c) The duties of the Executive Director shall be to support the Board in the implementation and exercise
165 of all of its functions authorized under this ordinance and to undertake or ensure the performance of
166 specific oversight tasks assigned by the Board. Accordingly, the Executive Director shall be responsible,
167 at the direction of the City Manager, for engaging the services of such investigators and auditors in
168 accordance with City Code Sec. 2-156 as the needs of the Board in the execution of its authority under
169 this ordinance require.

170 (d) The City Manager shall be responsible for day-to-day supervision of the Executive Director. The City
171 Manager will conduct an annual evaluation of the Executive Director's performance, which shall include
172 consideration of a written performance review submitted by the Police Civilian Oversight Board to the
173 City Manager. The Police Civilian Oversight Board may at any time, by a majority vote, request a
174 conference between the Board's Chair and the City Manager to discuss the Executive Director's
175 performance and may at any time, by two-thirds majority vote, recommend to the City Manager that
176 the employment of the Executive Director be terminated. The City Manager shall provide the Police
177 Civilian Oversight Board a written justification for rejecting a recommendation of the Board that the
178 Executive Director's employment should be terminated.

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179 **Sec. 2-456.-Police Civilian Oversight Board Legal Counsel.**
180

181 The Police Civilian Oversight Board may retain legal counsel to represent the Board in all cases, hearings,
182 controversies, or matters involving the interests of the Board, and the Board’s Chair shall have authority
183 to execute a contract in the name of the Board for legal services if the contract has first been approved
184 by the Board and endorsed by the City’s Finance Director to verify that funding is available and has been
185 appropriated to support performance of the payment obligations of the Board under such contract. The
186 Board’s legal counsel shall be paid only from funds that have been appropriated to the Board’s budget
187 by City Council. The Board and the Board’s Executive Director may consult the Office of the City Attorney
188 for legal advice concerning legal questions not related to cases, hearings, investigations, or controversies
189 that are before the Board, or any other matter in which the Board’s and Police Department’s interests
190 may conflict.

191 **Sec. 2-457. – Receipt and Investigation of Complaints – Authority and Complaint**
192 **Intake**
193

194 (1) Authorization. **The Police Civilian Oversight Board is authorized to develop and administer a**
195 **process for receiving community complaints regarding the conduct of Police Department officers and**
196 **civilian employees; for referring complaints to the Charlottesville Police Department for investigation**
197 **or to the City Manager to initiate the Board's independent investigation process,** as authorized herein;
198 and for issuing findings regarding such complaints. The process will be set forth in the Board’s
199 Operating Procedures as approved by the City Council. The Board process shall be in addition to and
200 separate and distinct from any existing procedures by which the Police Department receives community
201 complaints in accordance with Virginia Code § 9.1-600.

202 (2) Complaint Intake. Complaints filed with the Board may be submitted in person, by mail or electronic
203 delivery to the Executive Director using a complaint form developed by the Board in cooperation with
204 the Police Department such that the forms shall be the same in all material respects. The Board may
205 also develop procedures for intake of complaints made by other means, including orally. A complaint
206 shall be considered to have been received upon delivery to the Executive Director by any of the means
207 provided here or in approved Board procedures. The Board will forward all complaints to the Police
208 Department within 24 hours of receipt, and the Police Department shall forward to the Board all
209 complaints received pursuant to its complaint receipt procedures referenced in subsection (1) within 24
210 hours of receipt.

211 (3) Public Information. Information about the process for filing a complaint with the Board, complaint
212 forms, and general information about the Board and its purpose and authority shall be made available
213 online, at the office of the Executive Director, and at other locations deemed reasonable and effective
214 for making such information widely available.

215 **Sec. 2- 458. – Review of Police Department Internal Investigations**

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216 (a.) Scope of Board Review Authority.

217 Except as otherwise provided in Sec. 2-459 for Board investigation of complaints, the Police Department
218 shall continue to investigate complaints submitted to the Police Department or to the Board, subject to
219 such Board review and oversight responsibility authorized by this ordinance. The Board may review any
220 or all completed Police Department internal affairs investigations to ensure their thoroughness,
221 completeness, accuracy, objectivity, impartiality and the sufficiency of any discipline resulting from such
222 investigations, in accordance with review selection criteria set forth in Board procedures approved by
223 City Council. The Board shall review all such completed investigations where a request is filed by a
224 complainant with the Board's Executive Director seeking the Board's review of the Department's
225 findings ("Review Request"). A Review Request shall be deemed filed when it is received by the
226 Executive Director.

227 (b) The Board shall not review:

228 (1) Any Review Request related to an incident that occurred before the date of Council's
229 adoption of this Article, except for those under Internal Affairs investigation on the date as of
230 which the Article is adopted;

231 (2) A Review Request that is filed more than one (1) year after the date of the incident that is the
232 subject of the complaint;

233 (3) A Review Request filed more than seventy-five (75) days after the date of the Police
234 Department notice sent to the complainant that informs the complainant of the completion of
235 the Department's internal affairs investigation (unless the Board determines that there is good
236 cause to extend the filing deadline); or

237
238 (4) A Review Request concerning matters that are the subject of a pending criminal proceeding
239 in any trial court, a pending or anticipated civil proceeding in any trial court (as evidenced by a
240 Notice of Claim or a filed complaint), or any pending City of Charlottesville grievance
241 proceeding.

242

243 (c) Hearings in Support of Review Requests

244

245 The Police Civilian Oversight Board shall conduct a hearing on all Review Requests that it finds to be in
246 conformance with the criteria established in Section 2-459(a), following procedures set forth in Board
247 Operating Procedures, as approved by the City Council.

248

249 (d) Findings

250

251 The Police Civilian Oversight Board shall report its findings within thirty (30) days of the hearing of the
252 Review Request. The Board shall report publicly and to the City Manager and Police Chief, that it has

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253 determined, by a preponderance of the evidence and by a majority vote of Board members, one of the
254 following findings with respect to each allegation or issue under review:

- 255
- 256 (1) The Police Civilian Oversight Board concurs with some or all of the findings of the Police
257 Department investigation; or
- 258
- 259 (2) The Police Civilian Oversight Board finds that the Police Department investigation's findings
260 are not supported by the information reasonably available to the Police Department and makes
261 further recommendations to the City Manager concerning disposition of the Review Request; or
- 262
- 263 (3) The Police Civilian Oversight Board finds that the Police Department's investigation is
264 incomplete or otherwise unsatisfactory and provides a detailed written explanation of the basis
265 for such finding.

266

267 (e) Investigations in Support of Review Requests. The Board may initiate an independent investigation,
268 in accordance with procedures set forth in Sec. 2-459, of any matter that was the subject of a Board
269 Review Request proceeding where the Board determined the Police Department investigation was
270 incomplete or unsatisfactory.

271

272 **Sec. 2- 459. - Independent Civilian Oversight Board Investigation**

273

274 (a.) The Civilian Oversight Board may initiate investigations under any of the following
275 circumstances:

- 276
- 277 (1) When the Board determines that a civilian complaint filed with the Board or an incident as
278 defined in Section 2-452(A)(2), whether or not the incident is the subject of a complaint, merits
279 such an investigation;
- 280 (2) When a Police Department Internal Affairs investigation of a civilian complaint is not completed
281 in 75 days and, after consultation with the Chief of Police, a majority of the Board determines an
282 investigation is necessary; or
- 283 (3) If, after completion of a Review Request, the Police Civilian Oversight Board advises the City
284 Manager that a Police Department investigation is incomplete or unsatisfactory and, after
285 consultation with the Chief, the majority of the Board determines an investigation is warranted
286 in the public interest.

287

288 (b.) Any investigation under this section shall be initiated by notice from the Board Chair to the City
289 Manager, with concurrent notice to the Chief of Police who shall ensure the Police Department's
290 cooperation with the investigation in general, and in compliance with the specific requirements of this
291 ordinance and applicable Board Operating Procedures as approved by the City Council. Any such

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292 investigation shall comply with existing federal, state, and local laws. Board members, the Board's
293 Executive Director, and the Board's legal counsel shall not have any authority to compel a statement
294 from any Charlottesville Police Department employee. When an independent investigation is initiated
295 pursuant to this Sec. 2-459, a qualified investigator independent of the Police Department shall be
296 engaged in accordance with the provisions of City Code Sec. 2-156. Required investigatory qualifications
297 and elements of the scope of work for independent investigations shall be as set forth within Board
298 Operating Procedures. The investigator shall be required to execute a written confidentiality agreement
299 prior to commencement of work.

300
301 (c.) At the conclusion of the investigation, the investigator shall forward the report of investigation
302 and investigative file to the Board. The Board shall hold at least one public hearing, pursuant to
303 approved hearing procedures, on the investigation. At the conclusion of the public hearing(s) the Board
304 shall make findings as to each allegation stating whether the allegation is **founded, unfounded or**
305 **sustained**, as each such finding is defined in Board Operating Procedures approved by the City Council.
306 In addition, the Board may take one of the following actions:

- 307
308 (1) If the investigation was based on a complaint, dismiss the complaint in whole or in part where, from
309 the investigation file and report, it determines that the complaint or any allegation in the complaint is
310 unfounded or the actions justified;
- 311 (2) If the Board finds that any allegation was founded and establishes a serious breach of departmental
312 and professional standards, as defined by City Council within Board Operating Procedures adopted
313 pursuant to Sec. 2-466, recommend disciplinary action be taken by the Chief of Police as described in
314 Section 2-460. If the Chief of Police declines to implement the discipline recommended by the Board,
315 the Chief shall, within 30 days of notice of the Board's recommendation, set forth in writing to the City
316 Council, city manager and the public its rationale for declining to implement the recommendation of the
317 Board.
- 318 (3) Refer the complaint to the Commonwealth's Attorney for the City of Charlottesville if it determines
319 that the investigation establishes a criminal offense was or may have been committed and is not already
320 the subject of criminal investigation;

321
322

323 **Sec. 2-460. - Disciplinary Recommendations**

324
325 (a) Upon receipt of the investigator's report related to a complaint or incident involving a serious breach
326 of departmental and professional standards, as shall be defined within the Board Operating Procedures,
327 the Board shall convene in one or more closed meetings to discuss appropriate recommendations for
328 disciplinary action. The Board shall consult with the Chief of Police as well as the officer's direct
329 supervisor or commander. Disciplinary action to be considered for recommendation by the Board shall
330 include those specified within any applicable disciplinary matrix utilized by the Police Department. The

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331 Board may also consult complainants and witnesses when discussing the appropriate disciplinary action
332 to be imposed. Prior to commencement of any such disciplinary deliberations, the accused officer or
333 employee shall be given notice of the proceedings and of the range of disciplinary actions under
334 consideration, and the officer or employee shall be offered an opportunity to be heard. The officer may
335 be represented by legal counsel during any discussions or deliberations of the Board. No officer or Police
336 Department employee, and no other City employee, shall be compelled to provide statements to the
337 Board during its deliberations.

338

339 (b) Any law enforcement officer or other Police Department employee against whom disciplinary action
340 is imposed by the Chief of Police on recommendation of the Board shall have a right to file a
341 grievance requesting a hearing before the City's Personnel Appeals Board, provided that the matter
342 is a qualifying grievance under the City's grievance procedures.

343 **Sec. 2- 461. - Board Review of Policies, Practices and Procedures**

344

345 (a) The Charlottesville Civilian Oversight Board is authorized to review and make recommendations
346 regarding policies, practices, and procedures of the Charlottesville Police Department, including, without
347 limitation written policies, procedures and standing orders. The Board shall present in writing its
348 findings and recommendations with supporting rationale to City Council, the city manager and Chief of
349 Police within 30 days of the date of Board approval of the recommendations. If the Police Department
350 declines to implement any changes recommended by the Board, the Chief of Police shall create a
351 written record, which shall be made available for public inspection, of its rationale for declining to
352 implement the Board's recommendation, unless the Board instead withdraws the recommendation
353 based on the rationale provided. The Board's withdrawal of any such recommendation shall be made
354 available for public inspection.

355 (b) The Board may require its Executive Director to conduct retrospective examination and audits of
356 patterns in the Internal Affairs investigations, arrest and detention, and other public-police interactions.
357 The scope of such examinations, and the manner in which the examinations may be conducted, shall be
358 set forth within the Operating Procedures.

359 **Sec. 2- 462. - Request Annual Reports of Police Expenditures**

360

361 Not more than once per year, during the City Manager's preparation of a proposed budget for the City,
362 the Budget Office shall provide the Civilian Oversight Board with annual expenditure estimates and
363 future year projections for the Police Department, itemized to the same level of detail as provided to
364 the City Manager . The estimates shall be presented to the Board at the same time they are presented
365 to the City Manager. The Civilian Oversight Board will review the estimates and is authorized to make
366 budgetary recommendations to the City Manager and/or to the City Council during the annual budget
367 process.

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368 **Sec. 2- 463. Authority to Hold Hearings and Issue Subpoenas**
369

370 (a) **The Charlottesville Police Civilian Oversight Board is authorized to hold hearings in connection with**
371 **any of its authorized activities**, including, without limitation:

- 372 (1.) Complaint review;
373 (2.) The conduct of independent investigations of complaints or incidents of misconduct;
374 (3.) Other matters which the Board determines to require the gathering of facts, public testimony,
375 or other information to facilitate adequate police oversight.
376

377 (b) A hearing may be called at the request of any two members of the Civilian Oversight Board. Hearings
378 may be public or closed if confidential information is to be discussed, subject to applicable provisions of
379 law.

380
381 (c) Hearings shall be conducted in accordance with Board Operating Procedures to be developed by the
382 Board and approved by the City Council.

383 **Sec. 2- 464. - Suspension of Complaint Investigations**
384

385 (a.) Suspension of Investigations. If, on its face, a complaint asserts criminal conduct by a police
386 officer or civilian employee of the Police Department or at any point in an investigation of a complaint or
387 incident the Board or an independent investigator becomes aware of a possible criminal act or offense,
388 the Board and investigator shall:

- 389 (1.) Suspend the investigation and notify the Chief of Police and Commonwealth's Attorney of the
390 alleged conduct, ensuring that no statements obtained from the Police Department employee(s)
391 whose actions are the subject of the matter are shared with criminal investigators or any
392 prosecuting authority except in accordance with applicable law; and
393 (2.) **Evaluate, in consultation with Board legal counsel and the City Attorney**, whether competing
394 public interests and civil rights involved permit the resumption of continued, parallel
395 investigation by the Board.
396

397 **Sec. 2-465. - Police Civilian Oversight Board Recommendations and Annual Report.**
398

399 (a) The Police Civilian Oversight Board shall provide the City Council a list of recommendations, if the
400 Board determines any recommendations are necessary, for the Council's consideration to include in its
401 annual legislative program to present to the General Assembly. These recommendations shall be
402 presented to the City Attorney's Office by August 15 of each year.

403 (b) On or before April 15 of each calendar year, the Police Civilian Oversight Board shall provide the City
404 Council with an annual report of activities conducted during the preceding calendar year. The report

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405 shall detail the Police Civilian Oversight Board’s calendar year activities with sections related to the
406 appointment of committees and their actions; the establishment of any community advisory panels; an
407 overview of complaints received during the calendar year including the number of complaints, the
408 complaints’ findings, and the number of complaints deferred due to pending proceedings; the number
409 and outcome of any independent investigations; an overview of proposed policy recommendations and
410 amendments to Charlottesville Police Department policies and whether the recommendations and
411 amendments were implemented by the Charlottesville Police Department; the number, type, and
412 attendance at community listening sessions; recommendations the Police Civilian Oversight Board
413 about policing within the City; and any other information that the Police Civilian Oversight Board deems
414 necessary to provide a complete overview of the Board’s activities.

415 **Sec. 2-466. - Police Civilian Oversight Board Operating Procedures**
416

- 417 (a) City Council shall establish, and may from time to time amend, policies and procedures
418 (“Operating Procedures”) for the performance of each of the powers and duties of the Board
419 authorized within sec. 2-452 (a)(1)-(9) of this article
420 (b) The Police Civilian Oversight Board may from time to time propose to the City Council Operating
421 Procedures and amendments to the approved policies and procedures. Upon an affirmative
422 vote of a majority of Board members having the right to vote, the proposed amendment shall be
423 recommended to City Council for consideration. Any proposed amendment(s) shall be
424 presented by a Police Civilian Oversight Board member in writing to the Board at a regular Board
425 meeting.

426 **Section 2-467. - Community Engagement and Community Relations**
427

428 The Board, supported by the Executive Director, is authorized to engage in community outreach and to
429 enlist the assistance and input of community members. At least quarterly [semi-annually?], the Board
430 shall host public community listening sessions to discuss policing matters of pressing public concern,
431 including the impacts of local policing on historically disadvantaged communities that have traditionally
432 experienced disparate policing.
433

434 The Board may also host or participate in public police-community relations meetings, in which Board
435 members, supported by the Executive Director, mediate discussions between CPD officials, designated
436 by the Chief of Police, and community members about policing matters of pressing public concern,
437 including questions about transparency, availability, legitimacy, mutual respect and trust, equitable
438 treatment, social and racial justice, equal rights, and community safety and order.
439

440 The Board shall report on its community outreach and engagement activities, public input, and any
441 recommendations for community-policing initiatives or for improved police-community relations at least
442 annually as part of the annual report provided for in Section 2-465.
443

This document is under continued review by the PCRB. It has not been approved by the PCRB or City Council.

444 **Section 2-468. - Training**

445
446 At least once every two years, and within 90 days of Board appointments, the City,
447 assisted by Executive Director, shall provide new Board members with training of at least eight
448 hours, presented by the National Association for Criminal Oversight of Law Enforcement or a
449 comparable professional organization. The training shall be consistent with the Board's mission, this
450 enabling ordinance, and the Operating Procedures.

451
452 At least once every two years, and within six months of new Board appointments, the City, assisted
453 by the Executive Director, the Chief of Police/designees, and such other city personnel as may be
454 appropriate shall provide new Board members with training or information:
455 1. describing the legal and ethical obligations of members of a public board;
456 2. explaining Police Department procedures, policies, and regulations;
457 3. describing the substance of Police Department personnel recordkeeping; and
458 4. describing such other City policies, procedures and systems material to the duties of the Board
459

460 As needed, the City shall provide Board members with additional
461 training, including police "ride-alongs", relevant training by subject matter experts on mental health,
462 trauma-informed policing, civil rights and constitutional law, race and racism, community outreach,
463 mediation, investigation, and policing practices.

464 **Section 2-469. – Commendations for Exceptional Community Service**

- 465
466 (a) The Board shall establish procedures for soliciting comments from the public concerning
467 incidents of exceptional performance by employees of the Charlottesville Police Department.
468 (b) The Board may consult with the Chief of Police regarding individual employees who have made
469 outstanding contributions exemplary of equitable, just, and professional policing.
470 (c) The Board may issue public citations recognizing individuals deemed to have made such
471 contributions.

472 **Section 2-470. Mediation**

473
474 The Board may propose procedures for the use of mediation or other alternative dispute resolution
475 techniques to resolve complaints against employees of the Charlottesville Police Department. Such
476 procedures shall not affect the ability of complainants to pursue remedies under other sections of this
477 ordinance.