

## 2.32.030 - Citizen review board.

- A. Creation. There is hereby established the citizen review board for the city police department ("CRB").
- B. Purpose and Declaration of Policy. The purpose of the CRB is to foster transparency, enhance communication and ensure a relationship of trust and respect between the city police department (the "department") and the community it serves by creating an unbiased panel of citizens to review completed internal department investigations involving use of force, and cases and issues of importance or interest to the community, and to increase and demonstrate police accountability and credibility with the public.
- C. Duties and Responsibilities. The CRB shall have the following powers, duties and responsibilities:
1. To receive written citizen complaints of use of excessive force by employees of the department at a designated location and/or online. Complaints received by the CRB shall be logged by the chairperson and forwarded to the department within two business days of receipt. The department shall notify the CRB chairperson or vice-chair within two business days of the department's receipt of any use of force complaints, advising them of the nature of the complaint.
  2. To review completed internal department investigations involving use of force, and cases and issues of importance or interest to the community.
  3. To determine whether any such investigation and disposition of the case was consistent with department policies and procedures. When the CRB determines that the investigation and disposition was not consistent with department policies and procedures, the department shall, within thirty (30) days following receipt of notice of such determination, provide the CRB with a written rationale with supporting documentation explaining why the department disagrees with the CRB's determination.
  4. To make recommendations regarding the department's handling of completed investigations and to determine whether any revisions or additions to department policy and procedures are appropriate. In the event such a recommendation is made, the department shall, within thirty (30) days of receipt of such recommendation, provide the CRB with a written response to such recommendation.
  5. With respect to those items set forth at subsections 2, 3 and 4 of this subsection C, to report findings and recommendations to the chief of police with copies thereof provided to the mayor and council. Provided, however, that the chief of police shall retain full and ultimate authority, power, discretion, management prerogatives, and responsibility to set disciplinary policies or take other lawful actions he or she deems appropriate relative to the police department under the provisions of this code. The police chief shall in no event accept a

recommendation from the CRB that shall punish the same officer more than once for the same act or omission that constitutes misconduct for which the officer has already been punished by the city.

6. To conduct a program of community engagement related to the existence and role of the CRB. The city shall assist with communication efforts supportive of the CRB's role, including but not limited to a website and written materials.

D. Membership and Organization.

1. Persons appointed to the CRB ("members") are volunteers and shall receive no compensation. The CRB shall consist of seven voting members, with one member appointed by the mayor, three members appointed by vote of the city council members representing the East Ward, and three members appointed by vote of the city council members representing the West Ward. In the event the mayor fails to fill any vacancy in the position to be appointed by him for a period of sixty (60) days, the city council may appoint a member to serve the remainder of that term. In the event council members representing the East Ward or West Ward fail to fill any vacancy in a position to be appointed by them for a period of sixty (60) days, the mayor may appoint a member to serve the remainder of that term. The CRB shall also have one non-voting member, appointed by the police chief, who shall not be included in determination of a quorum. The initial terms of the members appointed by the mayor, one member appointed by the East Ward council members and one member appointed by the West Ward council members shall be for three years. All other initial terms shall be for four years. All terms after the initial terms shall be for three years. No member shall serve more than two consecutive terms.
2. The CRB shall elect a chairperson ("chair") from among its members. The chair shall be allowed to vote on all matters appearing before the CRB. The CRB shall also elect a vice-chair from among its members. The vice-chair shall preside over the meeting in the absence of the chair. The chair and vice-chair shall serve two-year terms from the time of their election.

E. Qualifications. CRB members shall not be the mayor or council member, a city employee, an immediate family member of a city employee, currently work for any law enforcement agency, hold political office or be campaigning for office, or have any prior felony convictions or any conviction involving moral turpitude. No member other than the non-voting member appointed by the police chief shall have been previously employed by the Covington police department.

Members shall meet the following criteria:

1. Be at least eighteen (18) years of age.
2. Be a current resident of the city.
3. Completed a written application.
4. Passed a background check with no felony convictions.
- 5.

Successfully complete the Covington Police Department Citizens Academy within twelve (12) months of appointment.

6. Devoted a minimum of nine hours to participate in a ride along on patrol with the department within twelve (12) months of appointment.
7. Members shall conduct themselves in accordance with the code of ethics at Chapter 2.06 of this code.
8. Members shall be absent from no more than three scheduled meetings annually without good cause shown as determined in the discretion of the chair. In the event the chair is absent from more than three scheduled meetings, good cause for such of absences shall be determined in the discretion of the mayor.
9. Members who no longer satisfy the above criteria, including the prohibitions stated above, shall be automatically removed.

F. Meetings.

1. The CRB shall meet at a minimum on a quarterly basis, and more often upon call of the chair or a majority of the members.
2. All meetings of the CRB shall be open to the public in accordance with the requirements of the Georgia Open Meetings Act, O.C.G.A. Title 50, Chapter 14.
3. The actions of the CRB shall not limit the powers and responsibilities of the police chief pursuant to the charter and other applicable laws, nor the rights of members of the police department with respect to disciplinary action, including but not limited to the right to notice and a hearing, which may be established by any provision of law or otherwise. The provisions of this section shall not be construed to prevent or hinder the investigation or prosecution of members of the police department for violations of law by any court of competent jurisdiction, a federal or state grand jury, the United States Attorney for the State of Georgia, the Newton County District Attorney, or other authorized officer, agency, or body.
4. The CRB may adopt rules by majority vote to govern procedure relating to its operation and the conduct of its meetings. The latest edition of Robert's Rules of Order Newly Revised shall govern the proceedings in all cases not provided for.
5. The CRB and its members shall not make public any confidential police document, or information derived from any such confidential police document. The findings of the CRB as they may relate to conclusions drawn from interviews, study, and review of documents, shall remain confidential until the CRB officially releases such findings. Any findings and conclusions of the CRB will be by majority vote by the CRB members and voting by CRB members will be conducted in public.

G.

Administrative Authority, Powers and Duties. The provisions of this section will be administered by the CRB coordinator ("coordinator") who shall be a city employee designated by the city manager. The coordinator's duties include, but are not limited to, the following:

1. Maintain a thorough understanding of department policies and procedures, Georgia Open Meetings Act, O.C.G.A. Title 50, Chapter 14, Georgia Open Records Act, O.C.G.A. Title 50, Chapter 18, Article 4, the city codes of ethics, and the city charter.
  2. Assist with the training of CRB members in accordance with the requirements of this section. Training topics may include, but shall not be limited to: The department's written directives, policies and procedures; the department's manual of regulations; state law, the department's law enforcement ethics; the use of force policy; pursuits policy, the writing and understanding of offense reports; the professional standards complaint process; grievance procedures; and public records and exceptions.
  3. Prepare the agenda for each meeting in accordance with procedures approved by the CRB, as well as background information required for CRB members.
  4. Provide appropriate public notice of meetings and agendas.
  5. Serve as the administrative liaison between the CRB and the chief of police, and report the CRB findings and recommendations to the chief of police.
- H. Reports to City Council. The coordinator shall file a written report to city council on an annual basis, on or before March 1st of each year, informing the city council of the number and nature of matters considered by the CRB, the recommendations made to the chief of police and the official response of the department to the recommendations. The CRB shall be given the opportunity to participate in the drafting of the report and may include a statement within the report to city council.

(Ord. dated 4/5/21, § 1; Ord. dated 3/20/23, § 1)