

City SealPublic Safety Policies & Rules
ARB-PSF-5.11

**CITIZEN REVIEW COMMITTEE (CRC) - INDEPENDENT POLICE REVIEW DIVISION
(IPR) - PRE-HEARING PROTOCOL***Administrative Rules Adopted by Bureau Pursuant to Rule-Making Authority*

1. After a “Request for Appeal” has been made to the IPR, the Chairperson of the CRC, in concert with the IPR Director, shall appoint two members of the CRC (based upon a rotating assignment schedule) to review the appeals request. Both of the assigned members shall personally review the entire internal affairs investigation file in order to assist the Committee in making its decisions. A copy of an IPR Interim report shall be provided to all members of the CRC prior to the scheduled pre-hearing.
2. The IPR will provide notice to the appellant and the relevant police union of any pre-hearing that is scheduled to be conducted by the CRC. The IPR will advise each appellant of the pre-hearing protocols and explain under what circumstances s/he would have an opportunity to address the CRC during the pre-hearing.
3. At the Pre-hearing review, the Chairperson of the CRC shall read the following statement:

“For the information of any citizens or officers who will be observing this hearing: this is a CRC Pre-hearing Review. The CRC conducts this hearing for the purpose of determining whether to hold a full hearing at a future CRC meeting, recommend further investigation by IAD or decline the request for review. This is generally an internal discussion. As such, there are only limited provisions for the appellant or Internal Affairs to be heard during a CRC pre-hearing. This hearing is conducted in public, however, and the appellant, the involved officers and the public will be permitted to participate in any full hearing that the CRC decides to schedule.

This Pre-hearing involves CRC Case No. __-__. We will first hear from the IPR staff member who will present the IPR’s Interim Report to the Committee.”

4. The Pre-hearing shall be conducted in the following manner:
 - a. The IPR Interim Report shall be presented by a member of the IPR staff. If the IPR has any recommendations to make, the IPR Director, or his designee, shall advise the committee of any such recommendations.
 - b. The CRC Chair shall invite the two assigned CRC members to advise the committee of any preliminary recommendations they may have and explain the reasoning underlying their recommendations.
 - c. After both members have had an opportunity to make their comments, the discussion shall

be opened to all CRC members to ask questions and comment on any issues that have been raised.

- d. A motion may then be made, with the first opportunity to make a motion resting with the assigned CRC members.
 1. If the pre-hearing relates to an IAD Declination, a motion may be made as follows:
 - a. Affirm the Bureau's declination, or
 - b. Recommend an investigation by IAD or IPR with a supplemental pre-hearing to follow, or with a full hearing to follow.
 2. If the pre-hearing relates to an IAD Investigation with findings, a motion may be made as follows:
 - a. Affirm the Bureau's findings,
 - b. Recommend further investigation by IAD or IPR, with a supplemental pre-hearing to follow, or with a full hearing to follow, or
 - c. Set the case for a full hearing at the next regular meeting of the CRC.
 - e. If a motion is made to recommend that an IAD investigation be conducted or that further investigation be conducted, a representative of IAD shall be permitted to explain the position of IAD and respond to any comments or answer any questions raised during the course of the hearing
 - f. If a motion is made to affirm the Bureau's decision, the appellant shall be permitted to address the CRC and respond to any comments or answer any questions raised during the course of the hearing. If the appellant is currently represented by counsel relating to the subject matter of the hearing, the CRC shall not communicate with the appellant about the subject matter of the appeal without the IPR having first receiving consent from the appellant's counsel.
 - g. Members of the CRC, IPR Staff or the City Attorney may address any issues brought up by either Internal Affairs or the appellant.
 - h. A roll call vote shall be conducted. Committee members will not be permitted to abstain from voting unless recused by the Chairperson.
 - i. Committee members may discuss possible policy issues or quality of investigation issues to be addressed at a later time by an assigned CRC workgroup.
5. In order for a full hearing to be granted, or a case to be referred to IAD for a full investigation, a majority of the members of the CRC present at the pre-hearing review must vote in favor of such a motion.

HISTORY

Submitted for inclusion in PPD October 23, 2002.

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