

**PSF-5.05 - Citizen Review Committee - Independent Police Review Division - Guidelines for Declinations of CRC Appeals** ([Printable Version](#))**CITIZEN REVIEW COMMITTEE (CRC) - INDEPENDENT POLICE REVIEW DIVISION (IPR) - GUIDELINES FOR DECLINATIONS OF CRC APPEALS***Administrative Rules Adopted by Bureau Pursuant to Rule-Making Authority*

ARB-PSF-5.05

1.

Pursuant to IPR Ordinance Section 3.21.120.F: the Citizen Review Committee has the discretion to deny a citizen's request for appeal for the following reasons:

- a. No act of misconduct would have occurred, even if all aspects of the complaint were true;
- b. The complaint is or appears to be trivial, frivolous or not made in good faith;
- c. The complainant withdraws the complaint or fails to complete the necessary steps;
- d. The complainant does not have standing to make the complaint (a third party complainant where the involved parties decline to make a complaint or refuse to participate in the investigation);
- e. The complaint is similar to a former appeal by the same or similar complainants;
- f. The complaint relates solely to the legitimacy of a criminal conviction or validity of a traffic citation;
- g. The complainant could reasonably be expected to use, or is using, another remedy, or channel or tort claim for the grievance stated in the complaint;
- h. The complaint is untimely;
- i. Other complaints must take precedence due to limited public resources. (Given the nature of the complaint, and the availability of the service complaint process, an IAD investigation is not warranted).
- j. The appeal is not supported by the evidence. (A CRC member making a motion to decline pursuant to this subsection will state the specific reason for the

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decline.)

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## **HISTORY NARRATIVE**

**Adopted 03-14-2002**

**Amended 09-17-2002**

- This protocol was amended to show that the IPR Director no longer declines appeals which are filed in a timely manner. The prior protocol provided a list of reasons why the IPR Director would have the discretion to deny an appeal. The same list was adopted for the CRC, with the exception of the changes listed below:
  - Section (f) was added: "The compliant relates solely to the legitimacy of a criminal conviction or validity of a traffic citation."
  - Section (j) was added: "The appeal is not supported by the evidence. (A CRC member making a motion to decline pursuant to this subsection will state the specific reason for the decline.)"
- Former section 2.b. was removed: "There is no reasonable possibility that the CRC, after conducting a full hearing, will recommend any changes with respect to the Bureau's handling of the complaint"

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## **HISTORY**

Submitted for inclusion in PPD October 23, 2002.

Originally published as CRC PROTOCOL NO. 02-05, approved by IPR Citizen Review Committee, effective March 14, 2002.

Amended by CRC September 17, 2002.

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