CITY OF RIVERSIDE
COMMUNITY POLICE REVIEW COMMISSION

BY-LAWS
Amended July 26, 2006

ARTICLE I
DEFINITION

Section 1. As used in these by-laws, unless a different meaning clearly appears from the context:

A. "Commission" shall mean the City of Riverside Community Police Review Commission (CPRC).

B. "Commissioners" shall mean the members of the Commission.

C. "Executive Director" shall mean the staff liaison person who is appointed by the City Manager to direct the Commission's staff support team.

D. "Independent Investigator" shall mean the person(s) retained by the Executive Director to receive, administer, and/or investigate, at the direction of the Commission, allegations of police misconduct.

E. "City" shall mean the City of Riverside.

ARTICLE II
MEMBERS

Section 1. The Commission shall be comprised of nine (9) members appointed by the Mayor and the City Council, in accordance with City Ordinance No. 6516, as codified in Chapter 2.76 of the Riverside Municipal Code.

Section 2. Appointments to fill unexpired terms on the Commission shall be filled in the same manner as original appointments.

Section 3. Each member must be a qualified elector of the City at the time of appointment and throughout his/her service on the Commission.

Section 4. Members who fail to maintain qualified elector status must resign from the Commission or be removed in accordance with City Charter Section 802.

ARTICLE III
TERMS OF OFFICE

Section 1. The term of office shall be four (4) years. No member shall serve more than two (2) full consecutive terms. Serving less than one (1) year of an unexpired term shall not be counted as service of one term. Commissioners shall be subject to all applicable local, state, and federal laws and codes of ethics adopted by the City Council.

Section 2. In the event that a replacement member has not been appointed when the term of office of an incumbent member expires, the incumbent member may continue to serve until a replacement is appointed.

Section 3. Members may be removed from the Commission by an affirmative vote of five (5) members of the City Council, with the Mayor entitled to a vote, for the following causes:

A. Absence from three consecutive regular meetings, unless by permission of the Commission expressed in the official minutes.

B. Incompetence, malfeasance, misfeasance, nonfeasance, neglect of duty, or conviction of a crime involving moral turpitude.

C. Refusal to resign from the Commission when no longer a qualified elector of the City.

D. Failure to comply with the confidentiality requirements described in Section 2.76.060.

ARTICLE IV
COMPENSATION

Section 1. Members shall serve without compensation for their services on the Commission but may receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the City Council.

ARTICLE V
OFFICERS

Section 1. The Commission shall have at least two officers, Chair and Vice-Chair, and such other officers, as it deems necessary.

Section 2. The Chair shall preside over all meetings of the Commission and shall have the same rights as other members, except the Chair shall not make or second a motion. The Chair shall have the right to vote on all matters. The Chair shall sign all documents on behalf of the Commission after

such documents have been approved by the Commission, and shall perform such other duties and delegated responsibilities as may be imposed upon the Chair by the Commission. The Chair shall also speak to the media on behalf of the Commission on official actions of the Commission.

Section 3. In the absence of the Chair, the Vice-Chair shall assume all the duties and power of the Chair. In the absence of the Chair, all actions taken by the Vice-Chair shall have the same force and effect as if taken by the Chair.

Section 4. The election of officers shall be conducted annually at the first meeting in March.

Section 5. All officers shall be elected by the members for a term of one year. A member may serve no more than two successive years in the same office. This article may be suspended by a majority vote of the Commission to allow any existing officer(s) to serve a term that is greater than two years based upon extenuating circumstances. The length of this term extension will be determined by the commissioners on the day the vote is taken.

Section 6. Election of officers shall be conducted in a manner prescribed by the Commission.

Section 7. In the event of the resignation or removal of the Chair during the year, the Vice-Chair shall become the Chair and a new election shall be held for Vice-Chair. In the event of the resignation or removal of any other officer, a new election shall be held to fill the vacant office.

Section 8. If the Chair and Vice-Chair are both absent at any meeting of the Commission, the Commission shall elect a Chair Pro Tem who shall perform all duties of the Chair.

ARTICLE VI
AUTHORITY, POWERS, DUTIES

Section 1. In accordance with Chapter 2.76 of the Riverside Municipal Code, the Commission shall have the power to:

A. Advise the Mayor and City Council on all police/community- relations issues.

B. Conduct public outreach to educate the community on the purpose of the Commission.

C. Receive complaints of alleged police misconduct filed within six months of the date of the alleged misconduct against a sworn member of the Riverside Police Department, regarding use of excessive force, discrimination or sexual harassment in respect to members of the public, the improper discharge of firearms, illegal search or seizure, false arrest, false reporting, criminal conduct or misconduct.

D. Review and investigate complaints of alleged police misconduct.

E. Conduct hearings into allegations of police misconduct upon the affirmative vote of five (5) Commission members.

F. The extent permissible by law, subpoena and require the attendance of witnesses, the production of books, documents, papers, audio, video and any other electronic media pertinent to the investigation, upon the affirmative vote of six (6) Commission members.

G. To review and advise the Police Department in matters pertaining to police policies and practices, including making formal recommendation for amendment to the Police Department's Policy and Procedures Manual and on Police Department proposed amendments to the Policy and Procedures Manual.

H. Administer oaths to witnesses and to take testimony, which will be recorded verbatim.

I. Submit written findings concerning allegations contained in the filed complaint to the City Manager and the Police Chief.

J. Review and investigate the death of any individual arising out of or in connection with actions of a sworn police officer, regardless of whether a complaint regarding such death has been filed.

K. Review and advise the Police Department in matters pertaining to police policies and practices.

L. Recommend to the City Manager the provision of such staff as is necessary to carry out the Commission's duties.

M. Advise the City Manager regarding the performance of said staff.

N. Submit to the Mayor and City Council an annual written report of its activities during the past year.

Section 2. These by-laws do not, and are not intended to, exceed the powers given to the Commission by the City Charter, City ordinances, or resolutions.

ARTICLE VII
MEETINGS

Section 1. Regular meetings of the Commission shall be held on the fourth Wednesday of each month at 5:30 p.m. in the Art Pick Council Chambers, 3900 Main Street, unless otherwise agreed upon in advance by the Commission.

Section 2. Special meetings of the Commission may be convened at the call of the Chair, or of the Vice-Chair in the absence of the Chair. Upon petition of five (5) members of the Commission, the Chair shall be required to call a meeting of the Commission within one week. Members will be given at least 24 hours notice before any special meeting. The notice and agenda for any special meeting will be distributed in accordance with Brown Act, §54950 et seq. of the California Government Code.

Section 3. All meetings of the Commission and its standing committees shall be open to the public and, whenever possible shall be held in a City-owned facility. Notice shall be given to the public prior to convening of any meeting in accordance with the Brown Act, §54950 et seq. of the California Government Code.

Section 4. Notwithstanding Section 3 above, the Commission will schedule closed session meetings on the second Wednesday of each month for the sole purpose of considering cases and making related findings. The only exceptions to this are when training is to be scheduled and annual officer elections. The notice and agenda for such meetings shall be distributed in the same manner as the notice and agenda for all other Commission meetings. Case Review meetings will not be open to the public; however, public comments may be heard prior to going into closed session. The public will be allowed to attend training sessions. The Commission may, at its discretion, agendize training sessions and / or annual officer elections on the second Wednesday of the month.

Section 5. A majority of all members of the Commission shall constitute a quorum for the transaction of business. A motion shall carry upon the affirmative vote of the majority of the members present at any meeting except as otherwise noted in the Commission's Policies and Procedures or By-Laws.

Section 6. A quorum being present, the order of business at the meetings of the Commission may include the following:

A. Roll Call and Report of Commissioner Absences

B. Minutes of Previous Meeting

C. Executive Director's Report

D. Commissioner Comments

E. Committee Reports

F. Public Comment

G. Unfinished Business

H. New Business

I. Next Meeting

J. Recess to personnel or closed session if required

K. Adjournment

The Executive Director or any Commissioner shall have the right to place an item on the agenda of a future meeting.

Section 7. A Commission meeting may be cancelled by the Chair, due to a lack of a quorum or lack of sufficient agenda voting items.

Section 8. Minutes of each Commission meeting shall be kept on file in the Commission's offices, and copies sent to the Mayor, City Councilmembers and City Manager.

Section 9. The Commission may promulgate such rules, regulations, policies, and procedures for its conduct, as it deems necessary. Meetings shall be conducted informally.

Section 10. All adopted rules, regulations, policies, and procedures shall be promptly filed with the City Clerk, and shall bear the signature of the Chair and the date they were adopted.

Section 11. The annual meeting shall be the March meeting.

Section 12. Special Commissioner training meetings shall be conducted at sites to be determined. Appropriate notices shall be posted in accordance with the Brown Act.

Section 13. It is recommended that Commissioners attend at least one training day every other year, as needed, and one ride-along and sit-along in their first year of appointment, if possible.

Section 14. New Commissioners shall be required to attend an orientation meeting upon their appointment.

ARTICLE VIII
INVESTIGATIONS AND HEARINGS

Section 1. Investigations and hearings shall be conducted in accordance with the Policies and Procedures for processing complaints against police officers adopted by the Commission.

Section 2. The hearing process shall be open to the public to the extent permitted by law and insofar as it does not conflict with state or federal law, as set forth in Section 2.76.060.

Section 3. Investigations and hearings shall be conducted to determine facts and to make recommendations to the City Manager and Police Chief.

Section 4. Hearings shall be scheduled as needed.

ARTICLE IX
CONFIDENTIALITY

Section 1. All personnel records, investigative reports, documents generated within the Riverside Police Department, information relating to closed session deliberations of the Commission, and any other privileged matters, shall be kept confidential to the extent permitted by law.

ARTICLE X
COMMITTEES

Section 1. The Chair may appoint standing committees, which shall consist of an appointed Chairperson and at least two other Commissioners.

Section 2. The Chair may appoint ad hoc committees as needed. Each shall consist of an appointed Chairperson and at least two other Commissioners. Ad hoc committees serve a limited or single purpose, are not perpetual, and are dissolved once their specific task is completed.

Section 3. The elected Chair shall be an ex-officio member of all committees.

ARTICLE XI
REPORT TO THE CITY

Section 1. The Commission shall present an annual written report of its activities for the past year to the Mayor and City Council. It may also make appropriate recommendations. The report shall include the following:

A. The name of the Commission

B. The Commission's goals, objectives, and functions

C. Reference, by category, to all reports and recommendations presented to the City Manager

D. The number of meetings held

E. The number of hearings conducted

F. Attendance records of all members

G. The amount of money expended in support of the Commission, if known

H. A list of City personnel who regularly assist the Commission

Section 2. The report should be submitted by March 31st of each year.

ARTICLE XII
AMENDMENT OF BY-LAWS

Section 1. These By-Laws may be amended at any regular meeting of the Commission by majority vote of the Commission, provided that notice of such amendment shall have been given at the previous regular meeting.

CHRONOLOGY OF AMENDMENTS AND ADOPTIONS

Original Adoption: July 30, 2001
Amended: September 24, 2001
Amended: February 26, 2003
Amended January 26, 2005
Amended July 27, 2005
Amended July 26, 2006

Respectfully Submitted,

Les Davidson, Chair
Community Police Review Commission

July 26, 2006
Date