



Office of the City Clerk
BOARDS, COMMITTEES & COMMISSIONS

**COMMUNITY POLICE ADVISORY REVIEW BOARD
(CPARB)**

CREATED BY:

Tucson Code Chapter 10A, Article VIII
Ordinance 8843; adopted on March 24, 1997
Ordinance 9928; adopted on January 26, 2004
Ordinance 11537; adopted on April 3, 2018
Ordinance 11599, adopted December 4, 2018

MEMBERSHIP / QUALIFICATIONS:

Membership shall consist of ten (10) members: seven (7) voting and three (3) non-voting Ex-Officio members. All voting members shall be residents of the City, shall not have ever been convicted of a felony, nor currently be a peace officer.

The Mayor and Council shall each appoint one (1) voting member of the board. The City Manager, the Chief of Police, and the police employee's labor representation group, recognized by the city, shall each designate a representative to serve on the board as a continuing ex-officio, non-voting member.

Initial comprehensive training shall be provided to each voting board member prior to reviewing any cases. Such training shall be mandatory and shall be designed and implemented by the Board's Training Committee, the Independent Police Auditor and the Police Department. After appointment to the Board, voting and advisory members are required to pursue forty-eight (48) hours of educational opportunities annually and report these to the chairperson.

As provided in section 10A-137 the board may appoint up to four (4) additional non-voting advisory members. The appointment of advisory members shall be made so as to enhance the diversity of the board. Advisory members are required to meet the same qualifications as appointed, voting members.

FUNCTIONS:

The Community Police Advisory Review Board shall report to the Mayor and Council annually, and shall submit such additional reports as it deems necessary or as requested by the Mayor and Council. The board's annual report shall be filed on or before February 1.

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FUNCTIONS (CONT.):

The Community Police Advisory Review Board is authorized to:

- a) Refer citizens who wish to file complaints against the city police department to the department's office of professional standards or to the office of the independent police auditor.
- b) Conduct public outreach to educate the community of the role of the office of professional standards and the office of the independent police auditor in the investigation of complaints against the city police department or one of its officers.
- c) Request that the independent police auditor monitor a particular citizen complaint being investigated by the city police department.
- d) Request from the city police department a review of completed action taken by the department on a citizen complaint or a review of incidents which create community concern or controversy.
- e) Request from the independent police auditor a review of completed action taken by the independent police auditor on a citizen complaint.
- f) Review completed investigations of citizen complaints alleging police officer misconduct in order to comment on the fairness and thoroughness of an investigation and to report any concerns regarding the investigation to the chief of police, the independent police auditor, the city manager and/or the mayor and council.
- g) Provide comments and recommendations to the chief of police, the independent police auditor, the city manager and/or the mayor and council on the citizen complaint review process.
- h) Provide comments and recommendations to the chief of police, the independent police auditor, the city manager and/or mayor and council on police department policy, procedure, and practice.

The Community Police Advisory Review Board shall have the authority to:

- a) Consult with the governing body from time to time as may be required by the mayor and council.
- b) Assist the police in achieving a greater understanding of the nature and causes of complex community problems in the area of human relations, with special emphasis on the advancement and improvement of relations between police and community minority groups.

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FUNCTIONS (CONT.):

- c) Study, examine, and recommend methods, approaches, and techniques to encourage and develop an active citizen police partnership in the prevention of crime.
- d) Promote cooperative citizen-police programs and approaches to the solutions of community crime problems, emphasizing the principle that the administration of justice is a responsibility, which requires total community involvement.
- e) Recommend procedures, programs, and/or legislation to enhance cooperation among citizens of the community and police.
- f) Strive to strengthen and ensure, throughout the community, the application of the principle of equal protection under the law for all persons.
- g) Consult and cooperate with federal, state, city, and other public agencies, commissions, and committees on matters within the board's charge.
- h) At the discretion and express direction of the mayor and council, assume and undertake such other tasks or duties as will facilitate the accomplishment of these goals and objectives, except as hereinafter provided.

LIMITATION OF POWERS

Neither the community police advisory review board nor any member thereof, except as otherwise authorized by law, shall:

- a) Incur city expense or obligate the city in any way without prior authorization of the mayor and council.
- b) Except for the chairperson who is the official spokesperson for the board, make any written or oral report of any committee activity to any individual or body other than to the Mayor and Council.
- c) Independently investigate citizen complaints against the police department or individual police officers by questioning witnesses or otherwise.
- d) Conduct any activity, which might constitute or be construed as a quasi-judicial review of police actions.
- e) Conduct any activity, which might constitute or be construed as establishment of city policy.

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LIMITATION OF POWERS (CONT.):

- f) Violate the confidentiality of any information related to matters involving pending or forthcoming civil or criminal litigation.
- g) Review or comment on the investigation of a citizen complaint where criminal charges are under investigation or pending until the case has reached a final disposition, except in those instances where the Police Department has determined that the citizen complaint is not related to the investigation or prosecution of the criminal charge against the citizen and has completed action on the citizen complaint and any other criminal charges have reached a final disposition.

QUORUM:

A quorum shall consist of four (4) voting members.

TERMS OF OFFICE:

All appointments shall be four (4) year terms, except that members appointed by the Mayor and each Council Member shall be coterminous with the appointing official and shall not serve beyond the term of the Mayor or Council Member making such appointment.

Ex-officio members serve at the pleasure of the individual or group they represent.

As per Tucson Code, Section 10A-137, the term of advisory members is not to exceed two (2) years.

APPLICABILITY OF TUCSON CODE CHAPTER 10A, ARTICLE XIII:

All provisions of TCC Chapter 10A, Article XIII are applicable. T.C. § 10A-134(c) Appointees, except for advisory members and members of the technical code committees named herein, may not serve on more than two (2) bodies at a time.

OPEN PUBLIC MEETING LAW REQUIREMENTS:

This public body is defined as an advisory committee and must comply with all of the provisions of the Open Public Meeting Law.

SUPPORTING DEPARTMENT:

City Clerk's Office 791-3221
 791-4213

Historical Notes:

March 24, 1997, Mayor and Council passed and adopted Ordinance No. 8843 which repealed former Tucson Code, Chapter 10A, Article VIII, Citizens-Police Advisory Committee, and added a new Chapter 10A, Article VIII, establishing the Citizen Police Advisory Review Board.

January 26, 2004, Mayor and Council passed and adopted Ordinance 9928, which amended Tucson Code, Chapter 10A, Article VIII, Sections 10A-90, Subsections C and D and Section 10A-93, Subsection G, and added Section 10A-90, Subsection E to the Tucson Code.

April 3, 2018, Mayor and Council passed and adopted Ordinance 11537, which amended Tucson Code, Chapter 10A, Article VIII, changing the name of the “Citizens Police Advisory Review Board” to the “Community Police Advisory Review Board,” and amending the relevant portions of Tucson Code Chapter 10A, Article VII to reflect that name change, while leaving the rest of Chapter 10A, Article VII unchanged.

- * December 4, 2018 – Ordinance 11599, amended the Tucson Code, Chapter 10A-134(c) allowing members to serve on up to two (2) BCC’s Simultaneously.*