

Attachment A

CITIZEN PETITION
REQUESTING AN UPDATE ON THE STUDY OF A CITY OF PHOENIX CIVILIAN REVIEW BOARD
BY THE ASSISTANT CITY MANAGER AND THE PUBLIC SAFETY AND VETERANS SUBCOMMITTEE (PSVS),
Delegated by the City Council on November 15, 2017
and A REQUEST FOR MONTHLY UPDATES UNTIL ITS ESTABLISHMENT,
Beginning on December 12, 2018 at the PSVS Meeting

2018 NOV 14 PM 3:17
CITY CLERK DEPT.

Submitted on November 14, 2018

Unpublished Progress on the Civilian Review Board from November 15, 2017 to November 14, 2018

The City Manager's initial statement on delegating the study of Civilian Review Board (CRB) to the Assistant City Manager was in February of 2017 at the Public Safety and Veterans Subcommittee Meeting.

The next recorded statement on delegation, approved by a full council vote on November 15, 2017, was to the Assistant City Manager and the Public Safety and Veterans Subcommittee.

It has been one year since published information has been available on its study and selection. It appears we as citizens have lost valuable time in moving toward the equivalent reported success of a Civilian Review Board, such that of the Las Vegas Metropolitan Police Department.

Three years ago, rage and fear preceded the City Manager's Community and Police Trust Initiative (CPTI), specifically following the officer-involved shooting of Romain Brisbon by Officer Mark Rine. Faith followed when it was announced that the CPTI included the recommendation for a CRB. Faith is now being tested by unaddressed progress between November 15, 2017 and November 14, 2018. This Petition requests a follow-up report within a month at the Public Safety and Veterans Subcommittee Meeting on December 12, 2018 and monthly updates thereafter until its establishment which could be included in the pending Transparency Section of the Police Website under "Public Information, Reports & Oversight" and on a proposed social media dashboard for "Community Policing Goals and under proposed social media postings entitled "Community Policing Updates."

Background - Timeline of Progress on the Civilian Review Board

2015 - Three years ago, on November 18, 2015, the recommendation for a CRB was first presented, as one of the recommendations of the CPTI.

2016 - Two and a half years ago, on March 11, 2016, it was placed in one of three categories, that of recommendations that have policy implications, as Item #14, according to a report by Assistant City Manager Milton Dohoney, Jr. to then Police Chief Joseph G. Yahner on that date.

Item #14 read as follows:

"Convene a panel of community members and at least one outside expert (City Manager) to explore the implementation of a Civilian Review Body to hear and review

complaints against PPD with investigative powers to the extent permitted by A.R.S. with auditing authority and the ability to make substantive and binding judgments in connection with complaints. Within six months of being convened, panel would provide a report on best practice models for a PPD civilian review board.”

2017 - One year and close to 9 months ago, on February 8, 2017, the delegation of this work to the Assistant City Manager was announced at that date’s Public Safety and Veterans Subcommittee Meeting. At the meeting City Manager Ed Zuercher announced that Assistant City Manager Dohoney would be “conduct(ing) research over the summer with the intent of facilitating a discussion in the fall based on facts and data from other cities.” This discussion did not occur in the fall.

As to the CPTI, two years later, as confirmed by City Manager Zuercher in a meeting with citizens, coordinated by Joanne Scott Woods on October 19, 2017, there still had been no step taken toward convening a panel of citizens and one expert to study the Review Board, only the delegation of research to Assistant City Attorney Dohoney on February 8, 2017, both actions of which their staff is no longer authorized to pursue per Mayor Greg Stanton’s directive at the September 12, 2017 City Council Meeting.

2018 -Today marks one year since the motion was passed by the Mayor and City Council that the study of a Civilian Review Board would be delegated to the Assistant City Manager and the Public Safety and Veterans Subcommittee. Before casting his vote, Councilman Jim Waring asked for clarification on the motion, that of rejecting Ms. Scott Woods and Len Clark’s Citizen Petition for a Civilian Review Board and continue “doing the investigation, bring forth recommendations and have a separate vote on it.” This was confirmed by the City of Phoenix Attorney Brad Holm. It passed, 6 to 0.

2019-2020/2021 – Future completion will depend upon number of meetings held to select a best practices model and its expense, the scheduling of dates for presentation of the model at the meetings of City of Phoenix Human Relations Commission, the Subcommittee, and the Mayor and City Council, the date it will be scheduled for a full vote before the Council, and the time frame for its adoption as an item into the 2019-2020 or 2020-2021 City Budget.

After its approval, time must be allowed for (1) the selection of a core group of concerned citizens “who will seek out training and support resources prior to its establishment” and “who are willing to unite and work together over an extended period of time,” for (2) staffing needs to be identified, and for (3) the determination of how training and development can be regularly provided to agency staff and/or volunteers. (Page 9 of 19, “Building Public Trust Through Police Accountability and Transparency,” National Association for Civilian Oversight of Law Enforcement, www.nacole.org/faqs)

Overview of Possible Success Upon Completion of Our City’s Civilian Review Board, Based Upon the Reported Success of the Las Vegas Metropolitan Police Department’s Model: The Las Vegas Metropolitan Police Department, upon whom our Department has previously based its models for

changes in policies and increases in training and infrastructure, reported its success with their established Civilian Review Board, as follows:

“Since its inception, the Review Board has been instrumental in effectuating changes in the police department. The Board, through its independent review process, found incidents of police misconduct where investigators with the police department had failed to disclose all of the facts in a case. Two officers were suspended in cases that were reopened and reviewed by the police department as a result of the findings of the Civilian Review Board. The Department at the instance of the Review Board made policy changes and engaged in retraining officers in arrest procedures that were questioned by the Review Board. The Internal Affairs Bureau tripled in size to be able to more thoroughly investigate citizen complaints and to better investigate policies and issues raised by the Citizen Review Board.

“The success or failure of Citizen Review Boards is dependent upon cooperation and understanding between the Citizen Review Board and the police department. Members of the Board need to be trained and understand police practices and procedures. A willingness by the police department to accept criticism and to change policies and procedures to meet a changing community structure is essential. For the police and the community to adequately understand each other’s perspective, it is imperative that they communicate. That communication can best occur through a diversified board of civilians representing the interest of the community at large.” (lvmpd.com)

Summary and Conclusion: According to the International Association of Chiefs of Police, public trust is most effectively developed through continuous and ongoing effort. Sadly, there has been a lack of consistent communication to community stakeholders during the last three years on status of the achievement of some of the publicly stated goals of the CPTI.

Of immediate concern is the lack of updates on the establishment of the Civilian Review Board. The only reporting has been on the delegation of it study and there has not been an update on progress beyond that for exactly one year. This petition requests monthly reports up until the date of its completion, as lives depend upon it.

Our Police Department has shown commitment over the past three years to community policing where “sanctity of life” has become the guiding principle on the use-of-force (March, 2016, the Police Executive Research Forum, “Guiding Principles on the Use of Force,”). A Civilian Review Board can be instrumental in effectuating changes through the detection of poorly performing officers before irreparable harm, due to use of deadly force or a serious injury, is done to a member of the public, “taking policing to a higher standard of performance and services and making policing safer for everyone.”

Respectfully Submitted

Joanne Scott Woods 15449 N. 25th Ave., #2012, Phoenix 85023

A handwritten signature in cursive script that reads "Joanne S. Woods". The signature is written in black ink and is positioned above a horizontal line that spans the width of the signature area.