

Citizens' Panel for Review of Police Complaints and Use of Force
City of Chandler, Arizona

BYLAWS

The Citizens' Panel for Review of Police Complaints and Use of Force (Panel) has been established pursuant to Ordinance No. 3135.

I. ORGANIZATION:

A. Officers and Staff

1. The Panel shall elect annually a Chairman and Vice Chairman from among the appointed members at the first meeting in October.
 - a. The term of Chairman and Vice Chairman shall be one (1) year and any member serving as Chairman or Vice Chairman shall be eligible for re-election. No officer elected by the Panel shall serve in the same capacity for more than two (2) consecutive one-year terms.
 - b. The Vice Chairman shall act as Chairman in the Chairman's absence. In the absence of the Chairman and Vice Chairman, the Panel will select an Acting Chairman to that meeting by majority vote of the members present.
 - c. Any vacancy for Chairman or Vice Chairman as may occur for any reason shall be filled from the Panel membership for the remainder of the term by majority vote of the Panel at the next full-board meeting.
 - d. The Chairman or Vice Chairman may be removed from office at any time by a three-fourths (3/4) majority vote of the Panel members.
2. The Chairman shall preside at all the meetings/sessions of the Panel, decide all points of order and procedure, and perform any duties required by law, ordinance, or these bylaws.
 - a. The Chairman shall have the right to vote on all matters before the Panel, and shall also have the right to make or second motions in the absence of a motion, or a second, made by a member.
3. The City of Chandler Police Department Division Commander, or his designated representative, shall serve the Panel Secretary. The City of Chandler Police Department staff shall furnish professional and technical advice to the Panel.
4. When functioning as a review sub-panel as described in Ordinance 3135 Sec. 10-11.4, the citizen members and chairperson of each sub-panel shall be selected by the City Manager.

5. The Chandler City Attorney, or his designated representative, shall have the responsibility of furnishing such legal advice on all points of order, procedure, or other matters as may be requested from time to time.

II. MEETINGS:

A. Regular Full-board Meetings:

1. Regular full-board meetings shall be held on a quarterly basis, the first Tuesday of each calendar quarter at 7:00 p.m. If the Chairman later determines that the regular full-board meeting is too close to a legal holiday, etc., the Chairman shall reschedule the meeting.
2. Regular full-board meetings of the Panel shall be open to the public. For any matter under consideration, any person may submit written comments and if attending in person, may speak to the issue upon being recognized by the Chairman and stating his or her name and address and the names of any persons on whose behalf they are appearing. The Chairman may limit the amount of time given for each presentation.

B. Sub-panel Meetings:

1. A sub-panel meeting may be held on the call of the Chairman to conduct a review of the record of any police shooting or incident when direct physical force by the police results in serious physical injury or death.
2. Sub-panel meetings shall be open to the public. For any matter under consideration, any person may submit written comments and if attending in person, may speak to the issue upon being recognized by the Chairman and stating his or her name and address and the names of any persons on whose behalf they are appearing. The Chairman may limit the amount of time given for each presentation.

C. Special Meetings:

1. Special meetings for any purpose may be held on the call of the Chairman, or by the request of two or more Panel members or Staff.
2. Special meetings of the Panel shall be open to the public. For any matter under consideration, any person may submit written comments and if attending in person, may speak to the issue upon being recognized by the Chairman and stating his or her name and address and the names of any persons on whose behalf they are appearing. The Chairman may limit the amount of time given for each presentation.

D. Study Sessions:

1. Study sessions for any purpose may be held on the call of the Chairman, or the request of two or more Panel members or by Staff.

2. Study sessions may be held before or after any regular meeting. When a matter is set for a study session, public testimony may be barred or limited to particular persons at the discretion of the Chairman.

E. Executive Sessions:

The Panel may hold an executive session closed to the public during any meeting to consider matters permissible in executive sessions pursuant to the laws of the State of Arizona and the City of Chandler, particularly when dealing with confidential personnel matters.

F. Notice of Meetings:

1. Written notice and/or email notice of all meetings/sessions to the Panel members shall be made at least twenty-four (24) hours before the date of meetings/sessions, except that where required by an actual emergency, members may be notified by telephone by the Police Department Division Commander or his designee.
2. The Police Department Division Commander shall forward notice of any meetings/session with agenda by e-mail to the City Clerk's office on City e-mail as soon as known. At least twenty-four (24) hour notice shall be given to the general public specifying the time and place of the meeting/session, and an agenda of the business to be transacted.

G. Location of Meetings/Sessions:

All meetings/sessions shall be held at the City of Chandler Police Department, 250 E. Chicago Street, Chandler, AZ., unless advertised differently.

H. Agenda:

An agenda shall be prepared by the Police Department Division Commander for each meeting/session. The agenda shall include the various matters of business as scheduled for consideration by the Panel. The Police Department Division Commander shall forward notice of the meeting with agenda by e-mail to the City Clerk Division on City e-mail as soon as known.

I. Quorum:

Eight citizen members and three police members shall constitute a quorum for transacting business at any regular full-board or special meeting. Three citizen members and two police members shall constitute a quorum for a sub-panel meeting. No action shall be taken at any regular full-board, special, or sub-panel meeting in the absence of a quorum, except to adjourn the meeting to a subsequent date. At a study session, any number of Panel members may hold discussion on agenda items.

J. Withdrawal of Request:

An item may be withdrawn upon requests to the Police Department Division Commander, but no item shall be withdrawn after posting of hearing notice of legal ad published for notification prior to the public hearing thereon without formal consent of the panel.

K. Field Trips:

The Panel may take field trips for purposes relevant to a public hearing or other matter under consideration. All Panel field trips shall be taken as part of a regular full-board, sub-panel, or special meeting, and all interested persons shall be afforded the opportunity to be present to hear any reports or comments. A record of the field trips shall be entered into the minutes, so that the records shall indicate that the field trip was taken into consideration as evidence. Nothing herein shall prevent less than a quorum of the Panel, or Panel members individually at their own convenience and expense, from taking field trips, which are related to an action or other matter being considered.

III. ORDERS OF BUSINESS:

A. Parliamentary Procedure:

1. The Chairman shall call the Panel to order and the Police Department Division Commander shall record the members present and absent. The Chairman may call each matter of business in the order filed. Supporting evidence for and against each matter shall be presented to the Panel.
2. The Chairman shall conduct meetings under Robert's Rule of Order unless such rules are suspended by majority vote of the Panel. The Chairman shall direct questions to any person speaking, in order to bring out all relevant facts, circumstances, and conditions affecting the matter being considered, and then call for questions from other members of the Panel and from City Staff.

B. Voting:

1. A majority vote of those Panel members present and voting shall be required to take official action including but not limited to, the adopting of policy or submitting recommendations. When a motion in favor of any action or other matter fails to receive an affirmative majority vote, i.e., a tie vote, it shall be entered into the minutes as a vote to deny the matter being considered. In the event that there is no motion, or the motion dies for lack of a second, it shall be entered in the minutes as a denial of the matter being considered. Nothing herein shall prevent any member from making a subsequent motion on any matter where a prior motion is not approved by a majority vote of all members present.
2. A member shall disqualify himself or herself and abstain from voting whenever he or she has, or may have, a conflict of interest in the action under consideration, as described and provided by the Arizona Revised Statute (ARS 38-501, et.seq.) and the Chandler Code (Sec. 2-4, and successors).

3. Each member attending shall be entitled to one (1) vote. The minutes of the proceedings shall indicate the vote of each member on every matter acted upon, and shall indicate any absence or failure to vote. No member shall be excused from voting except on matters involving the consideration of his own official conduct, on such matters as referred to in Section III, B. (2) of these bylaws.

C. Recommendation to the Chief of Police:

After a review of the record, each review panel shall make one of the following recommendations in a report to the Chief of Police:

1. Agree with the findings of the Police Department investigation.
2. Disagree with the findings of the Police Department investigation.
3. Recommend to the Chief of Police that further investigation be warranted.
4. Upon review of the use of force incident, the review panel shall make further recommendation as to whether the use of force was within Police Department policy.

The recommendation shall be made within six months of receiving the Police Department report pertaining to the complaint. The Panel may extend the period for making a recommendation for up to one (1) year upon a majority vote of the Panel.

IV. OFFICIAL RECORDS:

A. Retention of files:

The official records of the Panel shall include these rules and regulations, minutes of meetings, resolutions, and its adopted reports, which shall be deposited with the City Clerk's Office and which shall be available to public inspection during customary office hours.

B. Recording of Meetings:

A court recorder shall take minutes and provide a transcript of each meeting/session. Minutes with approval signatures of the Chairman will be submitted to the City Clerk's Office.

All public meetings of the Panel may be recorded by electronic device. Any person desiring to have a meeting recorded by an electronic device or by a stenographic reporter, at his or her own expense, may do so, provided that he or she consults the Panel's Police Department Division Commander to arrange facilities for such recording prior to the commencement of the meeting, so not to disrupt the proceedings.

V. AMENDMENTS:

These bylaws may be amended by majority vote at a regular full-board or special meeting of the Panel providing that notice of said proposed amendment is given to each member in writing at least five (5) days prior to said meeting.

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Panel voted/approved: 1/5/16