



July 15, 2021

Honorable Mayor Treece and Honorable Members of the City Council:

On July 14, 2021, Governor Parsons signed into law Senate Bill 26, which contains a police officer bill of rights. This new state law will impact civilian oversight in Columbia and will require changes to the City Code. These changes include closing the records related to complaints and closing the meetings in which complaints are discussed. The new law also contains strict time limits within the police officer bill of rights. The City's failure to comply with the time limits may result in the City being unable to take any employment action against a police officer who commits misconduct. In order to assist the City in compliance with the strict time limits contained in the police officers bill of rights, the Citizens Police Review Board discussed the new law and considered ways in which to streamline the City's complaint and review processes in accordance with the requirements of the new law. As a result of that discussion, the Board is also recommending the following additional ordinance changes.

On a vote of five to two, the Board passed a motion to recommend that the ordinances be amended to remove community service aides from the review board's jurisdiction. The City Code was amended in 2014 to add community service aides within the jurisdiction of the Board. Since 2014, the Board has not received an appeal alleging misconduct of a community service aide. Under the new statute, only police officers are entitled to the protections contained within the police officers bill of rights. Community Service Aides are not licensed police officers. They do not carry weapons and do not have the power of arrest. Therefore, the Board felt it more appropriate for city staff who serve as community service aides to be treated and to have the same personnel rights as all other employees who are not police officers and for complaints about employees who serve as community service aides to be treated similar to complaints about other employees who are not licensed police officers.

On a vote of four to two with one member abstaining, the Board passed a motion to recommend that the ordinances be amended to remove police officer appeals from the Board's jurisdiction. Under the current ordinances, a police officer currently employed by the City may appeal to the Citizens Police Review Board. For a police officer who desires further appeals, the officer may either appeal to the City Manager or to the Personnel Advisory Board, depending upon the type of discipline administered. *See* Section 21-53. The Citizens Police Review Board has never received an appeal from a then currently employed police officer¹ and has only received appeals from citizens. Therefore, to allow for meaningful review within the strict statutory time limits,

¹ Only one former police officer attempted to appeal to the Citizens Police Review Board and that former officer was directed to the Personnel Advisory Board as the officer had already been discharged.

the Board is recommending that the ordinances be changed to remove police officer appeals from the Board's jurisdiction. Should Council agree with this recommendation, the Citizens Police Review Board's jurisdiction would be limited to hearing appeals from citizens, not police officers.

On both of these motions, a majority of the Board felt that these changes would help the City preserve meaningful oversight and review for citizens and a path for appeal for police officers and community service aides. The Board also felt that these changes would allow the City the best opportunity to comply with the strict time limits within the police officer bill of rights.

Sincerely,

Travis Pringle, Chair