

Charter Review Committee

Recommendation Summary

Police Accountability

Brief Summary of Recommendation:

- Establishes an Office of Police Accountability to function as a department or division of the City with a Director appointed by a majority of the Council.
- Assigns powers and duties to Office of Police Accountability to be further implemented by ordinance.
- Establishes an Oversight Committee for Police Accountability, consisting of the existing Citizen Police Advisory Committee or successor committee.
- Assigns membership powers and duties to Oversight Committee to be further implemented by ordinance.

Committee Activity:

Amendment:

Police Accountability.

Section XXX.

By XXXX year, an Office of Police Accountability shall be established for the purpose of oversight of the Tacoma Police Department, the Director of which shall report to and be supervised by the Council. The Director shall be appointed by the Council and serve for a term of four years, subject to reappointment and to serve until a successor is appointed. The Director may be removed at any time for cause. Both appointment and removal shall require the affirmative vote of no less than five members of the Council. The Office shall be provided with sufficient staff and budget to perform its powers and duties.

The powers and duties of the Office of Police Accountability shall be as provided by ordinance and should include, but not be limited to:

- (a) independent investigatory powers;

- (b) full access to and the expectation of cooperation from the Chief of Police and Tacoma Police Department internal affairs staff;
- (c) access to and authority to obtain all relevant information, including but not limited to by such means as:
 - (1) review and copying of relevant Tacoma Police Department files;
 - (2) subpoena of witnesses, documents and other evidence;
 - (3) administration of oaths;
 - (4) inspection of crime scenes;
 - (5) conduct of interviews;
 - (6) conduct of investigations;
 - (7) holding hearings;
- (d) manage and administer an external and accessible civilian complaint process;
- (e) review and analysis of conduct of sworn Tacoma Police Department officers that have been the subject of a complaint;
- (f) review and analysis of use of force by sworn Tacoma Police Department officers whether or not the use of force it has been the subject of a complaint;
- (g) review and analysis of internal investigations conducted and disciplinary action taken by the Chief of Police regarding conduct or use of force by sworn Tacoma Police Department officers.
- (h) make and publish findings, conclusions and recommendations related to the Office of Police Accountability's oversight of the Tacoma Police Department;
- (i) recommend specific disciplinary actions to be implemented by the Chief of Police.

The implementation of disciplinary recommendations made by the Office of Police Accountability shall be monitored and evaluated by the Council subject to a systematic and transparent process. Any witnesses subpoenaed by or appearing before the Office of Police Accountability shall have the right to be represented by counsel.

Section XXX

There shall be an Oversight Committee for Police Accountability, consisting of the existing Citizen Police Advisory Committee or successor committee, which committee shall have the power to and shall be required to review, advise, and report on the activities and effectiveness of Office of Police Accountability. The membership, qualifications, process for appointment, powers, duties, and procedures of the Oversight Committee for Police Accountability shall be provided by ordinance and shall include but not be limited to:

- (a) reviewing the Office of Police Accountability's reports, findings, and recommendations prior to finalization and presentation to the Council by the Office of Police Accountability;
- (b) community outreach to seek input on equity and social justice matters and to advise the Chief of Police and the City Council on these matters as they relate to the Tacoma Police Department;
- (c) advise the Chief of Police and the City Council on systemic problems with and opportunities for improvement in the law enforcement practices of the Tacoma Police Department.

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

Section 2.3

Charter Review Committee

Recommendation Summary

Brief Summary of Amendment:

This amendment does the following:

- Changes the Salary Commission procedure to align with the requirements of RCW 35.21.015.

Committee Activity:

Insert date of vote and voting record for approval of recommendation

Amendment:

Section 2.3 – A Citizen Commission on Elected Salaries will determine the compensation and salary of the Mayor and each Council Member. The Commission shall set the salary and any salary changes for the Mayor and Council Members. ~~The salary and any salary changes set by the Commission shall be adopted by the City Council.~~ Any change in salary shall be filed by the Commission with the City Clerk and shall become effective and incorporated into the City budget without further action of the City Council or Salary Commission.

(a) The Salary Commission shall consist of seven members appointed as follows:

- (1) Five of the seven Commission members shall be selected by lot by the County Auditor from among those registered City of Tacoma voters eligible to vote at the time the persons are selected for appointment to the Commission. There shall be one member selected from each of the City's Council districts. The Auditor shall establish policies and procedures for conducting the selection by lot to be forwarded to the City Council for appointment.
- (2) The remaining two of the seven Commission members must be residents of the City of Tacoma and shall be appointed by the Mayor and confirmed by the Council. One person shall have experience in human resource management. The second person shall have experience in the legal profession.

(b) Members of the Commission may not include any public office holder, filed candidate for public office, officer, official or employee of the City of Tacoma or any of their immediate family members. For the purpose of this section, the phrase "immediate family member" means the parents, spouse, siblings, children or dependent relative of any officer, official or employee whether or not living in the household of the officer, official or employee.

(c) The terms of the Commission shall be as follows:

- (1) The terms of office for the members shall be three years, except initial appointment to the Commission shall be for the following terms:

- (2) For the members selected by lot by the Auditor, two shall be appointed to serve a one-year term, two shall be appointed to a two-year term, and the remaining member shall be appointed to serve a three-year term.
- (3) For the members selected by the Mayor and confirmed by the Council, one shall serve a one-year term and one shall serve a three-year term.
- (d) Upon a vacancy in any position on the Commission, a successor shall be selected and appointed to fill the unexpired term in the same manner as outlined in this section.

The Commission shall meet each year beginning in 2015 in one or more regular or special meetings to carry out its duties set forth in this section. ~~Determinations for any change in the salaries of these elected officials shall be filed with the City Clerk and transmitted to the Council for adoption no later than September 1 of the calendar year.~~

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

Charter Review Committee

Recommendation Summary

Section 3.8

Brief Summary of Amendment:

The amendment does the following:

- Increases the membership of the Planning Commission from 9 to 11.
- Changes the composition of the Planning Commission to require diversity of membership.
- Changes the six positions that are not appointed to represent a district to general appointments that provide more flexibility and diversity of appointments. The six positions should be filled with members with diverse experience and provides a list of potential membership expertise.
- Eliminates the Charter prohibition on Planning Commission members receiving pay.

Committee Activity:

Insert date of vote and voting record for approval of recommendation

Amendment:

Section 3.8 – There shall be a Planning Commission, composed of ~~nine (9)~~ eleven (11) members, with such powers and duties as are provided by ordinance. The ~~nine~~ eleven members shall be residents of the City of Tacoma and be appointed and confirmed by the City Council for terms of three (3) years each.

The Council must ensure the appointments provide for diversity of planning commission members. The diversity should include race, ethnicity, gender, backgrounds, experiences, and expertise and must not be over-represented in any areas of expertise or experience. The membership of the commission shall include ~~One member shall be appointed by the City Council for each of the five council districts and the Council shall appoint to the four~~ six remaining positions an individual from each of the members appointed by the Council with experience that may include, but is not limited to, the following:

- (a) the development community;
- (b) the environmental community, including environmental sustainability;
- (c) public transportation, ~~and~~
- (d) ~~a designee with background of involvement in architecture, or historic preservation, and/or;~~
- (e) urban design;
- (f) affordable housing;

(g) public health; or

(h) the business community.

A majority of the voting members of such Commission shall constitute a quorum for the transaction of business. The Commission shall be authorized to adopt rules for the transaction of business not inconsistent with this charter or ordinances of the City of Tacoma. ~~Said Planning Commission members shall serve without pay.~~

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

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