



Legislation Text

File #: 21-2011, Version: 2

TO: Mayor and Members of City Council

THRU: Douglas J. Hewett, ICMA-CM, City Manager

FROM: Telly C. Whitfield, Ph.D., Assistant City Manager

DATE: June 7, 2021

RE:
Citizens Advisory Board Proposal

COUNCIL DISTRICT(S):
ALL

Relationship To Strategic Plan:

Goal I: Safe and Secure Community

Goal VI: Collaborate citizen and business engagement

Executive Summary:

City Council gave consensus direction to staff to formally establish a Citizens Advisory Board at the March 2021 Work Session in an effort to enhance lines of communication between the Fayetteville Police Department and residents. Staff has conducted research and identified options for a proposed charter and selection criteria. Previously, staff provided information on various board types at the November 9, 2020 Regular Meeting and January 4, 2021 Work Sessions as part of the Diversity Equity and Inclusion (DEI) Committee work. Staff now seeks Council direction on next steps.

Background:

The City Council passed Resolution 2021-018 on March 8, 2021 indicating its support and advocacy for special legislation from the General Assembly to allow the City to establish a Citizen Review Board that would provide greater transparency and accountability.

Under current law, records of criminal investigation and law enforcement agency recordings are not public records. Additionally, City personnel files are not public records and cannot be accessed except in minimal circumstances. The board would only have access to those records deemed a public record as set out in N.C.G.S. §132.

Staff researched current law and analyzed examples of active citizen board across the state to make recommendations for the City of Fayetteville.

Issues/Analysis:

Given the legal constraints, the board should have a clearly defined mission.

- The mission of the Community Police Advisory Board (C.P.A.B.) is to provide sound advice and recommendations to the City Council, City Manager, and Police Chief to improve the quality of policing in Fayetteville in a cooperative effort between the community and the police by reviewing and recommending policy enhancement to meet the needs of the community better, provide and support a training curriculum that allows for police and community experiences to both be shared and understood with greater context, and analyzing existing public records all of which results in improved perception of procedural justice, and enhanced trust of the police.

City Council will also need to approve the membership composition, qualifications and procedure for the board.

Membership (Composition/qualifications):

- 7-11 members
- Residence within Fayetteville
- Disqualifiers; such as criminal convictions, lack of residency
- Demographic Representation; ie. LGBTQ+, former law enforcement, African American community, Hispanic/Latinx community, and the Asian community

Appointment Process:

- By City Council same as other current boards
- Hybrid City Council and City Manager
- City Manager only

Terms:

- 3 years, 2 years, or 1 year
- Combination; some members appointed to different terms

Reporting:

- Directly to City Council
- To City Manager and Police Chief
- To City Manager

Budget Impact:

None.

Options:

Council reviews the recommended formation and charter document and provides consensus direction to staff to move forward with implementation of the Community Police Advisory Board (C.P.A.B.).

Council makes revisions to the recommended formation and charter document and provides consensus direction to staff to move forward with implementation of the Community Police Advisory Board (C.P.A.B.).

Council does not provide consensus direction to move forward and provides further guidance to staff on next steps.

Recommended Action:

Council reviews recommended formation and charter document and provides consensus direction to staff to move forward with implementation of the Community Police Advisory Board (C.P.A.B.).

Attachments:

Recommended Formation and Charter Community Police Advisory Board.

2021 CRB Resolution (R2021-018)

Council Presentation