

Redlands' Police Advisory Commission

Strengthening the Police-Community Relationship

For many years the Redlands Police Department (RPD) has operated under a community policing philosophy that emphasizes a collaborative partnership between the police department and the community to combat crime and disorder. Any true community policing “partnership” incorporates mechanisms for the partners to provide meaningful input into the strategies employed to create a safer community. These typically include police/community participation in community meetings or working groups intended to stimulate dialogue regarding social issues such as homelessness, mental illness, adolescent problem prevention, illegal drug use, prisoner reentry, neighborhood “quality-of-life” issues and traffic safety concerns.

These community forums are essential in framing responses that are appropriate to the specific issue and will remain an important part of the RPD’s response to controlling crime and community problem solving. However, they fall short of achieving the crucial goal of on-going community input in the strategic, organizational *development and direction* of the police department. If one believes, – as the RPD’s current leadership does – that the community actually “owns” the police department, and that the department’s employees are simply serving as good stewards of the community’s investment in the police department, then it logically follows that the “owners” should have meaningful input into the long-term direction of the department.

President John F. Kennedy once said, when speaking about the need for America to address a pressing national issue before it blossomed into an unmanageable problem, that, “the time to repair the roof is when the sun is shining.” The people of Redlands and the RPD enjoy a wonderful relationship. This is not to say there isn’t room for improvement. Positive newspaper articles, letters, e-mails, phone calls from citizens commending department members and the ability to recruit Redlands residents as police officers provide anecdotal evidence of community support for the department. More empirical findings, from a City’s citizen survey on a potential bond issue, indicated the department’s “approval rating” to be exceptionally high and support this suggestion of positive police-community relations.

Many California cities have formed police commissions as a means of increasing community interaction with their police departments. Unfortunately, many of those boards were created as the result of tragic events – usually fatal officer involved shootings – and in environments that polarized the communities and their police officers. This is one of the worst possible conditions under which such an advisory board can be created.

On October 2, 2007, Police Chief Jim Bueermann asked the City Council to create the *Police Advisory Commission* as a means of establishing meaningful community input into the type of policing the people of Redlands desire. The Council delayed a decision on the request until its police management consultant offers an opinion on the issue. The Council is expected to discuss the idea of the commission again at its October 16, 2007 meeting.

As proposed, the *Police Advisory Commission* would be created in an advisory capacity rather than the investigative oversight mandate of “citizen review boards” typically found in larger urban centers (e.g. the *Los Angeles Police Commission*).

California Government Code Section 38630 gives control of the police department specifically to the chief of police who has the sole responsibility for investigating citizen complaints against members of the police department. Under California law, “general law” cities such as Redlands cannot create review boards with oversight responsibilities that transfer these type duties to another officer or body such as a civilian review board (see Article 11, section 7 of the California Constitution and Government Code Sections 34004 and 37100). Duties that cannot be transferred from the purview of the police chief to a police advisory or review board in general law cities like Redlands typically include investigating citizen complaints, conducting internal affairs investigations, conducting officer use-of-force investigations and the review of police officers’ personnel files. However, citizen boards can provide *input and advice* relating to the process of conducting these investigations, police department policies, practices, equipment, resources and strategic direction.

“Charter” cities in California operate under a different body of laws and are not prohibited from transferring this exclusive police chief responsibility to a body such as a police commission or civilian review board.

At the October 2 Council meeting, Chief Bueermann suggested that the following items be addressed during the discussion of this issue. A brief discussion of these is outlined below with the attendant staff recommendations.

Mission and scope of the Commission

The Chief proposed that the mission of the Police Advisory Commission should be *to provide citizen input regarding the public safety strategies of the City’s Police Department*. However, the commission’s mission should ultimately be determined by the City Council with the relevant statutory restrictions in mind.

It was the Chief’s recommendation that the commission be advisory in nature with a focus on informing the City Council, City Manager, and Police Chief of their citizen perspective regarding the City’s policing operations. Setting policy, directing day-to-day operational issues or involvement in personnel issues such as complaints or internal affairs investigations, are outside the purview of the commission and are regulated by various state statutes.

Composition, appointment and term of members

The Chief recommended that the composition of the commission be seven adult members of the community, a high school student representing the youth of Redlands and a student from the University of Redlands. Appointments and length of terms should follow the process laid out in the appropriate City Ordinance(s) and established City practice. The commission’s initial non-student appointments should be made with four members appointed to four-year terms and the other three should be two-year terms to allow for subsequent staggered four-year appointments. The terms of the student members should be one-year terms.

Annual report

It was suggested that the commission be directed to produce an annual report of its accomplishments to the City Council.

Citizen complaints

It is a common misconception that citizen police advisory commissions such as proposed herein are granted the authority to conduct citizen complain investigations or review investigations conducted at the direction of the police chief. As previously mentioned, under California law, “general law” cities such as Redlands cannot create review boards with oversight responsibilities that transfer these type duties to another officer or body such as a police commission or civilian review board. Accordingly, this proposal maintains that the appropriate role for this commission will be limited to the review of the complaint *process*. A citizen advisory commission, aware of the process that the department undertakes to investigate citizen complaints, or even the specific process undertaken in a specific complaint, should have more than enough information to formulate an opinion, and make any appropriate suggestions, that will ensure the community’s confidence in the police department.

Department Liaisons

The police department will provide senior executives to the commission as department liaisons. These staff members are salaried and their attendance at the commission will generally be after their regular shifts, without additional cost to the City. The police department will also provide the necessary, on-duty (non-overtime) clerical support to the commission.

If Redlands is to ever establish a police advisory commission the time to do so is now. Heeding Kennedy’s advice, the leadership of the RPD suggests that the current relationship between the people of Redlands and the police department is positive, healthy, framed around the common purpose of enhancing community safety and conducive of this type of community engagement. Waiting until the “roof” that protects all of Redlands (the police-community relationship) is leaking, and in desperate need of repair (because of a tragic incident) in the form of a police advisory board, is short-sighted and ignores the unfortunate realities of American policing and the significant challenges police officers face in protecting their communities.