

BYLAWS

CITIZENS' PUBLIC SAFETY ADVISORY BOARD

ARTICLE I – THE BOARD

Section 1. Name of Board

The name of the board shall be the Citizens' Public Safety Advisory Board hereinafter referred to as the Board.

Section 2. Purpose

The purpose of the Board is to enhance trust, accountability and transparency and promote higher standards of services in the Fresno Police Department. This will increase public confidence in the Police Department and work to strengthen and ensure the application of equal protection under the law for all citizens in the City of Fresno. More trust and public confidence in the Police Department will help make our police officers safer and more effective in the performance of their duties

Section 3. Powers and Duties

- a. Advise the Office of Independent Review (OIR) in helping to define, assess and further develop Community-Based Policing citywide.
- b. Monitor and develop performance metrics to measure effectiveness of Community-Based Policing.
- c. The OIR will serve as a liaison between the community and the Police Department to mediate problems or conflicts and serve to improve the relationship between the community and the Police Department and report such efforts to the Board.
- d. Review all legally available information regarding policies, practices, and procedures of the Police Department and make recommendations to the OIR.
- e. The OIR shall actively monitor Officer Involved Shooting investigations. The OIR shall also participate in the Officer Involved Shooting Review Committee and report to the Board the results of the investigations and review, excluding information protected under the Public Safety Officers Procedural Bill of Rights Act (POBRA).
- f. The OIR shall actively monitor excessive force and/or unnecessary use of force investigations and report to the Board the results of the investigations, excluding information protected under the POBRA.

g. Serve as a panel to review critical incidents for discussion purposes that will be used for recommending policies and practices to the Office of Independent Review. Discussions shall exclude information protected under the POBRA.

h. Prepare quarterly reports and recommendations to be voted on by the Board. The report shall be voted on separately, as will each separate recommendation. The approved quarterly reports and recommendations will then be provided to the OIR.

i. The Board shall only possess powers and duties that are expressly authorized by these bylaws and approved amendments per Article VII of these bylaws.

ARTICLE II -- MEMBERSHIP

Section 1. Total Membership/Appointment Procedure

The voting membership shall be comprised of nine individuals appointed by the Mayor. In addition, there shall be five non-voting members serving the Board in an advisory capacity: one appointed by the Police Chief from among members in the Department, one appointed by the Fresno Police Officers Association from among their members, one appointed by the District Attorney, one appointed by the Mayor from the Mayor's staff, and the Office of Independent Review.

The Board shall represent the diversity of the community in race, social and economic composition. Members shall be at least eighteen years old, must live in and should also be registered voters in the City of Fresno. Members will be required to complete designated training courses including Perishable Skills, De-Escalation, Force Options, periodic ride alongs with Fresno police officers and such other training as may be added by the Mayor.

Section 2. Term of Office and Filling Vacancies

Members shall serve for four-year terms. Any vacancy occurring during the term of any member shall be filled for the unexpired term in the same manner in which regular appointments are otherwise made.

Section 3. Removal of Members

Members serve at the pleasure of the Mayor and may be removed at any time for any reason. If a member of the Board does not attend three consecutive regular meetings of the Board, unless excused by majority vote of the Board, his/her membership shall be automatically terminated, and his/her successor shall be appointed in the manner set forth in Article 2, Section 2, to serve the remainder of the unexpired term.

Section 4. Resignation

Any Board member may resign at any time by giving written notice to the Chairperson. Any such resignation shall take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Section 5. Staff

The Administrative Assistant to the OIR, working in conjunction with the City Clerk, shall serve as Secretary to the Board. The Secretary shall prepare agendas and minutes of meetings of the Board, and shall maintain files and records for the Board. The City Attorney shall serve as attorney to the Board, and shall serve the Board in an advisory capacity. The City Manager shall provide or cause to be provided adequate staff, technical assistance and clerical help.

Section 6. Confidentiality

No member of the Board shall divulge confidential information, including identities of witnesses and contents of confidential testimony and documents, either during his or her term of office or thereafter. Prior to taking office, each member of the Board shall take an oath and sign a non-disclosure agreement to comply with this requirement of confidentiality.

ARTICLE III – OFFICERS

Section 1. Officers

The officers of the Board shall consist of a Chairperson and Vice Chairperson, who shall be chosen in the manner set forth in this Article.

Section 2. Chairperson

The Chairperson shall preside at all meetings of the Board.

Section 3. Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation or removal of the Chairperson, the Vice Chairperson shall assume the Chairperson's duties until such time as the Mayor shall select a new Chairperson.

Section 4. Selection

The Chairperson and Vice Chairperson shall be selected from among the members of the Board by the Mayor and shall serve a term of one year and until their successors are selected.

Section 5. Vacancies

Should the office of Chairperson or Vice Chairperson become vacant, the Mayor shall select a successor from among the Board members at the next regular or special meeting, and such office shall be held for the unexpired term of that office.

ARTICLE IV – MEETINGS

Section 1. Regular Meetings

The Board shall meet monthly for the purpose of exercising the authority and responsibility delegated to it. The Board shall establish a regular time and place of meeting. The City shall provide meeting space for the Board at City Hall. All meetings shall be closed to the public and shall not be subject to the provisions of the Ralph M. Brown Act.

Section 2. Special Meetings

Special meetings may be held upon notice of the Chairperson, or by written request of at least a majority of the members of the Board, for the purpose of transacting any business designated in the notice, after notification of all members of the Board by written notice personally delivered at least twenty-four hours before the time specified in the notice for a special meeting. At such special meeting, no business other than that designated in the notice shall be considered.

Section 3. Quorum

The powers of the Board shall be vested in the members thereof in office from time to time. A majority of the total membership of the Board shall constitute a quorum for the purpose of conducting the business of the Board, exercising its powers and for all other purposes, but less than that number may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members of the Board qualified and eligible to vote shall be required for approval of any matters brought before the Board.

Section 4. Order of Business and Rules of Order

All business and matters of the Board shall be transacted in conformance with Robert's Rules of Order Newly Revised and any additional procedural rules adopted by resolution by the Board.

Section 5. Minutes

Minutes of the meetings of the Board shall be prepared in writing by the secretary. Copies of the minutes of each Board meeting shall be made available to each member of the Board. Approved minutes shall be filed in the official book of minutes of the Board.

ARTICLE V – REPRESENTATION BEFORE PUBLIC BODIES

Any official representations on behalf of the Board before the City Council or any other public body shall be made by the Chairperson, the Vice Chairperson in the Chairperson's absence, or a member of the Board specifically so designated by a majority vote of the Board.

ARTICLE VI – AUTHORITY

The Board shall report directly to the Office of Independent Review. The Office of Independent Review shall report all findings and recommendations from the Board to the City Manager. The City Manager shall report all findings and recommendations to the Council on a quarterly basis.

ARTICLE VII – AMENDMENTS

These bylaws may be amended upon an affirmative vote by a majority of the total membership of the Board, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the Board. Notice of the amendment shall identify the section or sections of these bylaws proposed to be amended. No amendment shall become part of these bylaws until after they have been ratified and approved by the Mayor.

ARTICLE VIII – SUNRISE AND SUNSET

The Board shall begin operation once the Mayor has selected all nine (9) members and the City of Fresno has hired a new OIR, expected to occur on or before June 30, 2017. Unless specifically and publicly renewed by the Mayor of the City of Fresno, the Board will cease functioning on December 10, 2020.

CERTIFICATE OF CHAIRPERSON

I, the undersigned, do hereby certify:

(1) That I am the duly selected and acting Chairperson of the Citizens' Public Safety Advisory Board; and

(2) That the foregoing Bylaws comprising 6 pages, constitute the Bylaws of such Board as adopted by the members at a duly constituted meeting held on _____, 2017.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this _____ day of _____, 2017.

_____, Secretary