

MAYOR'S EXECUTIVE ORDER	NUMBER:
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CITY OF BIRMINGHAM CIVILIAN REVIEW BOARD	DATE EFFECTIVE: APRIL 19, 2021
	<i>This executive order establishes the creation of a civilian police Review Board.</i>
	<input checked="" type="checkbox"/> ORIGINAL ISSUE <input type="checkbox"/> REVISION

I. PURPOSE:

- A. This Executive Order establishes and creates the City of Birmingham Civilian Review Board (“Review Board”), to improve relationships between the community-at-large and the Birmingham Police Department (“BPD”). The primary purpose of this Review Board shall be to:
 - i. provide transparency to the public about police operations;
 - ii. provide the mayor with an independent assessment of police operations;
 - iii. create a space for accountability of the City and the police department for its operations in support of public safety, and;
 - iv. to review community complaints of alleged officer misconduct as an independent, civilian-led review board of the Birmingham Police Department
- B. The Review Board shall serve as a standing committee that will advise the Mayor on community concerns, suggestions, and complaints regarding BPD. The Review Board shall also advise the Mayor on innovative techniques and solutions needed to increase transparency, accountability, and trust between the community and local law enforcement.
- C. The Review Board shall provide information and insight, in accordance with the mission statement, directly to the Chief of Police on community matters and issues involving the Birmingham Police Department and its officers, including but not limited to: receiving and reviewing complaints submitted by the community in response to alleged officer misconduct, investigating the allegations raised in the community complaints, and rendering non-binding recommendations regarding policy changes, disciplinary action and/or training considerations, as long as such recommendations are consistent with the Commission on Accreditation for Law Enforcement (CALEA) Standards;
- D. The Civilian Review Board shall have general investigative and subpoena authority as allowed under Alabama law, except with respect to matters that have been referred to the District Attorney, City of Birmingham Department of Human Resources, and/or the Jefferson County Personnel Board and/or Internal Affairs.

II. MEMBERSHIP:

- A. The Civilian Review Board will consist of five (5) members. Each member will serve at the will of the Mayor, and any member may be removed for cause or at the direction of the Mayor. The Board shall be comprised of one (1) representative from each of the following groups: (1) a former judge and/or prosecutor; (2) a Birmingham resident; (3) a retired Birmingham Police Department officer designated by the current Chief of Police; (4) a criminal defense attorney practicing in Jefferson County; and, (5) an at-large Board member that will serve as the Board chairperson.

B. Review Board Members must be:

1. Over the age of nineteen (19);
2. Must be a resident of the City of Birmingham for at least one year;
3. Agree to submit to a background check;
4. Not have any pending criminal cases;
5. Concerned about police and community relations;
6. Sensitive to community needs and perceptions and have a willingness to commit themselves to community service and conduct themselves in a manner consistent with the purposes for which the Review Board is formed;
7. Committed to seeking input from the community and applying that input to further the purposes of the Review Board; and,
8. Committee Members may not be employed by the City of Birmingham.

III. MEMBERSHIP TERM:

- A. The members of the Review Board first appointed by the Mayor shall serve a single term that will expire on March 22, 2023. Thereafter, members of the Review Board shall serve for terms of three (3) years.
- B. A member of the Review Board may be removed with or without cause by the Mayor at any time.
- C. Vacancies for any reason shall be filled by the Mayor.

IV. TRAINING

Each member of the Civilian Review Board must agree to complete the Birmingham Police Department's Community Police Academy within one year of appointment. Academy of Civic Engagement (ACE) participation is recommended but not required for this position.

V. CHAIR AND VICE-CHAIR:

- A. The Review Board shall elect a Chair and a Vice-Chair from among the members of the Review Board. Such officers shall be elected for a term of one (1) year.
- B. The Review Board's Chair shall preside over meetings of the Committee, shall represent the Committee before the Mayor, and shall otherwise serve to facilitate the business of the Review Board. The Chair shall use *Roberts Rules of Order* as a guide for the conduct of all meetings of the Review Board.
- C. The Chair shall have a vote on all matters coming before the Review Board.
- D. The Vice-Chair shall exercise such duties in the absence of the Chair.

VI. COMMUNITY COMPLAINTS:

- A. Community members may make complaints directly to the Civilian Review Board. Upon receipt of a community complaint, the Office of Peace and Policy shall conduct a review and appropriate investigation. The date of referral shall trigger a 30-day review period, and unless the Office of Peace and Policy is granted an extension from the Review Board to complete their review, a report to the Review Board from the Office of Peace and Policy shall be transmitted to the Review Board for a public hearing, if necessary. Digital complaint forms will be made available on a website that will be created to support the Review Board, on the Office of Peace and Policy's website, and paper forms will also be available in the Office of Peace of Policy.

B. Public complaints made directly to the Civilian Review Board may also be forwarded to the Birmingham Police Department's Internal Affairs Division.

C. Upon consideration of community complaints, the Civilian Review Board will report its findings to the Chief of Police and, when appropriate, may make non-binding recommendations for policy changes, disciplinary action, or training considerations, as long as consistent with the Commission on Accreditation for Law Enforcement (CALEA) standards.

VII. MEETINGS:

- A. The Review Board shall schedule and conduct a regular meeting at least once a month.
- B. All meetings of the Review Board shall be open to the public, and the Review Board shall conduct its meetings in accordance with the Alabama Open Meetings Act.
- C. Regular meetings shall be conducted at City of Birmingham's City Hall.
- D. Three (3) members of the Review Board shall constitute a quorum, and a quorum shall be required in order for the Review Board to conduct business.
- E. The Civilian Review Board is required to meet a minimum of twice per month to discuss community concerns related to BPD with the Mayor and the Chief of Police.

VIII. PROTOCOLS AND PROCEDURES:

The Review Board shall adopt protocols and procedures to:

- A. The submission of complaints;
- B. Custody of documents;
- C. Publication of data on complaints;
- D. Public Hearings; and
- E. Other such matters required for the transparent and effective operations of the Review Board.


IX. COMPENSATION:

- A. No member of the Review Board shall receive compensation for service.
- B. No member of the Review Board shall receive reimbursement or any form of refund for any expenditure or obligation incurred as result of his or her service on this Committee.

X. DISSOLUTION:

- A. This Review Board may be dissolved with or without cause at any time by the mayor.

APPROVED ON THIS THE 19TH DAY OF APRIL, 2021.



RANDALL L. WOODFIN, MAYOR