

ORIGINAL

**BOARD OF METROPOLITAN POLICE COMMISSIONERS
TOWN OF WHITESTOWN, INDIANA
RESOLUTION NO. 2016- 2**

A RESOLUTION CONCERNING THE ESTABLISHMENT OF A CITIZENS COMPLAINT BOARD

WHEREAS, the Whitestown Town Council ("Town Council"), asked the Whitestown Board of Metropolitan Police Commissioners ("Board") to investigate and report its findings and proposal regarding the establishment of a Citizens Complaint Board ("CCB") as a separate body to review complaints submitted by members of the public regarding the conduct of members of the Whitestown Metropolitan Police Department ("WMPD"); and

WHEREAS, the Board has completed its investigation and believes it is in the best interest of the Town and the WMPD to establish a CCB.

NOW, THEREFORE, BE IT RESOLVED by the Whitestown Board of Metropolitan Police Commissioners as follows:

Section 1. The Board recommends that the Town Council establish the Whitestown Citizens Complaint Board as proposed in attached Exhibit A.

Section 2. This Resolution shall be in full force and effect from and after its passage.

[Signature Page Follows]

10/04/16

PASSED AND ADOPTED BY THE WHITESTOWN BOARD OF METROPOLITAN POLICE COMMISSIONERS THIS 4th DAY OF October, 2016.

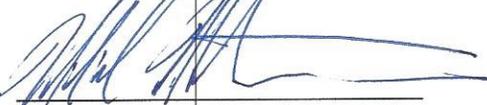
WHITESTOWN BOARD OF METROPOLITAN POLICE COMMISSIONERS

YAY/NAY



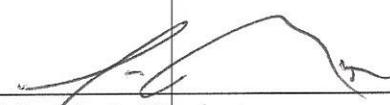
Kevin Russell, President

YAY



Mike Martin, Vice President

NAY



John Nixon, Member

YAY



Karen Lawler, Member

NAY



Mike Roberts, Member

YAY

ATTEST:

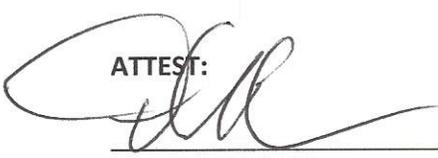


EXHIBIT A

- I. Membership. The CCB shall consist of the following:
 - A. Voting Members
 - Five voting members with one civilian member appointed from each of the five Town Council voting districts.
 - Each Town Council member shall recommend the member from his or her respective district to be approved by a majority of the Town Council.
 - B. Non-Voting Members
 - Two civilian members who have served as a police officer or public safety for at least 5 years.
 - One appointed by the Board of Police Commissioners
 - One appointed by the Chief of Police of WMPD
 - Non-voting members should, if available, reside in the Town
- II. Term.
 - A. Voting members shall serve three-year terms which shall be staggered at the initiation of the CCB as follows:
 - 1st district appointment – 1 year
 - 2nd and 3rd district appointments – 2 years
 - 4th and 5th district appointments – 3 years
 - B. After the initial terms, all voting members shall serve three-year terms.
 - C. Non-voting members shall serve three-year terms from the first appointment.
 - D. Voting and non-voting members may be removed at any time during their term at the discretion of the Town Council.
- III. Meetings.
 - A. The CCB will meet at minimum of quarterly each year and each meeting will be published through the Town Clerk's Office.
 - B. At the first meeting each year, the CCB shall elect a president and vice-president by majority vote.

- C. The president and or vice-president of the CCB will ensure that accurate meeting minutes are kept for all CCB meetings with the same being filed with the Town Clerk within 45 days following any official meeting.

IV. Complaint Review Process.

- A. The CCB shall review and issue findings on a complaint as follows:
- Upon receiving a complaint, the CCB shall provide a copy of the complaint to the Chief of Police.
 - The Chief of Police shall notify the officer of the complaint and shall ensure that the complaint is investigated.
 - Within 30 days of receiving the complaint, the Chief of Police shall return a written report of the investigation findings to the CCB for review. The report shall state that the allegations in the complaint are:
 - i. Sustained (the investigation revealed that the complaint was accurate)
 - ii. Not sustained (the investigation revealed conflicting evidence and the validity of the complaint could not be determined)
 - iii. Unfounded (the investigation reveals the complaint was without merit)
 - The CCB will set a meeting date to review the investigation findings. The CCB shall notify the complainant of the time, date, and location of the meeting.
 - The CCB shall review the investigation findings at the meeting, but shall not take additional testimony or evidence from either the Chief of Police or the complainant.
 - If the CCB upholds the findings and recommendation, the Chief of Police shall carry out any disciplinary measures, if warranted and recommended in the findings.
 - Should the CCB fail sustain the findings of the Chief's Office and /or the Chief Office fails to sustain the recommendations of the CCB regarding action to be taken, the matter will then go before the Board of Metropolitan Police Commissioners for final determination or action.

V. CCB Review Exceptions.

- A. Any recommendation from the Chief's Office for a reduction in rank shall not be subject to review by the CCB, but shall move direct to the Board of Metropolitan Police Commissioners.
- B. Any recommended suspension of duty from the Chief's Office shall not be subject to review by the CCB, but will move direct to the Board of Metropolitan Police Commissioners.

- C. Any recommendation for termination of employment from the Chief's Office shall not be subject to review by the CCB, but shall move direct to the Board of Metropolitan Police Commissioners.