

City of Novato – Police Advisory Review Board

Why the Review Board was established:

- The Citizen – Police Advisory Review Board was established by the Novato City Council in 1992 by way of City Ordinance
- The Board was set up as an unbiased independent body completely separate from the Police Department. Its purpose was to advise the City Council, City Manager and Chief of Police on matters pertaining to the administration of the Police Department
- The Board met quarterly at the Police Department
- The Board encourages citizens to express ideas and concerns regarding police services
- The Board was also established for the purpose of encouraging positive police-community relations
- One goal of the board was to initiate, suggest and present programs to the public regarding departmental policies and services
- Another goal was to review and recommend programs addressing cultural and ethnic diversity within the Police Department – and to review the Department’s hiring practices and procedures
- Another goal was to review policy and procedure relative to crime prevention and crime suppression
- And finally, the Board would review, recommend and develop policies and procedures to assist in facilitating the citizen complaint process

What the Review Board Cannot do:

- The Board cannot investigate complaints that had not been first filed with the Novato Police Department of the City Manager and the City Manager authorized what complaints the Board was entitled to investigate
- The Board cannot impose discipline on police officers for alleged misconduct
- The Board cannot impose or change policy
- The Board cannot hear an appeal if the citizen had initiated legal action against the City
- The Board is not entitled to receive, review, copy or investigate citizen’s complaints against individual police personnel except as expressly authorized by the Council Resolution
- In making its recommendations to the Chief of Police regarding policies or programs, the Board shall not attempt to direct the method of implementation of any resulting changes to Police Department programs, policies or procedures

Board Compliance:

- The Board's investigation shall comply with all federal, state and local laws and any binding labor contracts or agreements and shall preserve the privacy of City Employees, the confidentiality of their personnel files and the confidentiality of other confidential information to maximum extent permitted by law, including but not limited to the closing of meetings or portions thereof consistent with applicable provisions of the Brown Act, and state law.
- The Board shall suspend any pending investigation if the complainant initiates litigation or files a claim against the City related to the complaint.
- No member of the Board shall divulge confidential information, including identities of witnesses and contents of confidential testimony and documents either during his/her term of office or thereafter. Prior to taking office, each member of the board shall take an oath to comply with this requirement of confidentiality.

Citizen Complaints:

- If a citizen who had filed a complaint with the police department was not satisfied with the outcome, they had the opportunity to appeal the department's decision through the Police Advisory & Review Board
- The appeal of that complaint to the board must be first authorized by the City Manager
- Upon reviewing an appeal, the Board would send its finding and recommendations to the City Manager. The City Manager then reports the Board's findings to the Chief of Police

What constitutes a complaint?:

- On-Duty police conduct which violates federal, state or local laws, or which violates Police Department policies regulations or procedures. Examples might include unnecessary or excessive use of force, failure to perform a required duty, unwarranted actions such as improper stops, searches, arrests, racial or sexual slurs and discourteous treatment of an individual.

Notification:

- Written notification will be given by the department to the complainant regarding the disposition of the complaint

Board Members:

- Appointed to 2 year terms – Must live in the City Limits and are subject to a background check

Board Staff Duties:

- The Assistant City Manager shall plan and direct the work of the Police Advisory and Review Board