

ORDINANCE NO. ____

AN ORDINANCE to amend and reordain Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) and Article AA (INDEPENDENT COMMUNITY POLICING REVIEW BOARD) and to amend Article A (GENERAL PROVISIONS) of Chapter 1 (POLICE PROTECTION) of Title 4 (PUBLIC SAFETY) of Sections 4-1-5 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR) and 4-1-6 (INDEPENDENT POLICING AUDITOR/INVESTIGATOR DUTIES AND RESPONSIBILITIES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 4 of Title 2 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting it in its entirety and adding the text shown in underline as follows:

Sec. 2-4-220 Independent community policing review board.

There is hereby established a commission to be known as the independent community policing review board ("board"). The operation of the board established pursuant to this article shall be consistent with Virginia law and regulations.

(Ord. No. 5337, 4/17/21, Sec. 1)

Sec. 2-4-221 Board purpose and scope.

(a) Purpose: The purpose of the board is to enhance policing legitimacy and to increase and maintain trust between and among the police department, city council, city manager and the public. The board shall: provide timely, fair and objective review and evaluation of policing policies, practices, procedures, and outcomes in Alexandria; provide meaningful assessments and corrective recommendations intended to remedy discriminatory practices, including racial and social inequities, that it may find; ensure the protection of all communities through recommended actions and reform, including in the criminal justice system; and recommend strategies for effectively implementing these reforms in our community.

(b) Scope: The board shall have the authority to review investigations completed by the Alexandria Police Department (APD) for certain matters as assigned in section 2-4-227, request investigations pursuant to identified patterns and practices of potential discrimination, bias, unequal treatment or other abuses of police authority as identified in section 2-4-227(c)3, and evaluate policing practices, policies, procedures, and outcomes in Alexandria, issue findings to the public, and provide actionable recommendations to the city council, the city manager, Alexandria Independent Policing Auditor (AIPA), the school board, the school superintendent, APD and other public agencies regarding appropriate discipline, policing practices, policies and procedures in Alexandria.

- 1
2 (c) Procedural memorandum of understanding: In order to carry out its scope and authorized
3 functions and to define in more detail the process and terms articulated in its scope, the
4 board shall enter into a memorandum of understanding ("MOU") with the APD. The MOU
5 shall be signed by the police chief and the city manager. The MOU shall define the terms
6 of the relationships and mutual obligations between the board and APD. The board is
7 authorized to negotiate the provisions of these MOUs, assisted by the city council
8 appointed independent policing auditor, and the city attorney's office. If a provision of
9 these MOUs conflict with a provision of this enabling ordinance, the provision of the
10 enabling ordinance shall govern.
- 11
- 12 (d) Access to APD records: The board and the AIPA, shall be provided full access to all APD
13 reports, files and records related to the board's review of complaints filed with the board or
14 with APD. All records, documents and materials in the possession of APD or the city that
15 are determined by the board to be necessary and requested by the board to carry out its
16 scope and authorized functions shall be provided in unredacted form. If the documents
17 requested are part of a criminal investigative file for an active criminal investigation which
18 could be compromised by the revelation of the process, evidence, methods, scope, or other
19 factors in such investigation, APD shall provide such documents to the AIPA who shall not
20 provide it to the board or share with the public until such time as the investigation is
21 completed or a determination is made that the criminal investigation will no longer be
22 compromised.
- 23
- 24 (e) Board reports: The board shall produce public reports regarding the work of the board and
25 disseminate such reports in hardcopy and online, including, but not limited to:
- 26
- 27 (1) a written report to the city council by September 1 of each fiscal year of its activities
28 for the prior fiscal year under the provisions of this chapter along with any comments
29 and recommendations as it may choose to make; and
- 30
- 31 (2) a written report of each review conducted pursuant to section 2-4-227(c) which shall
32 not include any personally identifiable information, or criminal or juvenile information
33 prohibited from being disclosed by Virginia State Code or federal law. A summary of
34 such reviews and inquiries shall be provided to City Council quarterly and published on
35 the Board's website.
- 36
- 37 (f) Other duties: Undertake any other duties as reasonably necessary for the board to
38 effectuate its purpose as defined in this article.

39 (Ord. No. 5337, 4/17/21, Sec. 1)

40 **Sec. 2-4-222 Board member requirements and term of office.**

- 41 (a) The board shall be composed of seven voting members appointed by the city council,
42 which shall endeavor to create a fair, objective, independent, diverse, and representative
43 body which shall reflect the demographic diversity of the city.

- 1 (b) The seven voting members of the board shall be residents of the City of Alexandria and
2 shall demonstrate fairness, integrity and objectivity and will be chosen on the basis of
3 expertise and personal experience relevant to the performance of the duties of the
4 board. City council shall appoint voting members who are representatives of the
5 following groups (though one member may be representative of more than one group):
6
- 7 (1) at least three members who come from historically, racially or socially marginalized
8 communities that have commonly experienced disparate policing in Alexandria or
9 the Commonwealth of Virginia; and
- 10
- 11 (2) at least one member who represents an organization, office, or agency that seeks
12 racial or social justice or that otherwise advocates on behalf of historically, racially
13 or socially marginalized communities, particularly communities that may have
14 experienced disparate policing.
- 15
- 16 (c) Ex-officio, non-voting members:
- 17
- 18 (1) at least one nonvoting, ex-officio member who shall have past experience in law
19 enforcement but shall not be a current employee of a law enforcement agency.
20
- 21 (d) No voting or nonvoting member shall be a current or former city employee, a current or
22 former city elected official, a current candidate for public office, a current employee of
23 a law enforcement agency, or an immediate family member of any former or current
24 city employee, former city elected official, or a current candidate for public office.
25 When used in this section, the definition of "former" means less than three years
26 separated from service.
27
- 28 (e) Except as to the inaugural board, members shall be appointed for terms of three years
29 each. Board members' terms shall be staggered. To that end, the city council shall
30 appoint three voting members of the inaugural board to 18-month terms and four voting
31 members to three-year terms. A board member may be appointed to no more than two
32 consecutive three-year terms.
33
- 34 (f) Ethics: in addition to the requirements of section 2-4-7(g) of this code, board members
35 shall have the following requirements:
36
- 37 (1) board members shall sign and comply with the terms of a Standards of Professional
38 Conduct Statement which shall address the board members' ethical and professional
39 obligations.
40
- 41 (g) In addition to the reasons set out in section 2-4-7(i) of this code, board members may be
42 removed by the city council for the following reasons:
43
- 44 (1) failure to keep confidential privileged information to which they receive access as
45 members of the board, including that information described in section 2-4-223(b) of
46 this code;

1 (2) failure to complete initial and annual training requirements; and

2
3 (3) failure to sign or comply with the terms of the Standard of Professional Conduct
4 Statement.
5

6 (Ord. No. 5337, 4/17/21, Sec. 1)

7
8 **Sec. 2-4-223 Conflicts of interest and confidentiality.**
9

10 (a) The board and each member shall comply with the Virginia State and Local
11 Government Conflict of Interests Act under Virginia Code sections 2.2-3100 et seq.
12

13 (b) Except as included in the board reports defined in section 2-4-221(f) and to the extent
14 allowed under the Virginia Freedom of Information Act, each member shall maintain
15 the confidentiality of all confidential or privileged information, including but not
16 limited to:

17
18 (1) disciplinary actions, memos, reports, and any investigatory documents or
19 information, including audio recordings or videotapes and footage, that the member
20 receives during service on the board;
21

22 (2) statements of a police officer, or APD employee, who was required by APD to give
23 a statement; and
24

25 (3) criminal investigative files.
26

27 (c) All original records provided to the board by APD shall remain official APD records.
28

29 (Ord. No. 5337, 4/17/21, Sec. 1)

30
31 **Sec. 2-4-224 Quorum, voting, and meetings.**
32

33 (a) The board shall comply with the procedures for board and commissions in article A
34 of title 2, chapter 4, unless expressly amended in this article.
35

36 (b) The board, assisted by the AIPA, is authorized to develop and implement its own
37 bylaws, administrative systems, and operating policies and procedures, consistent
38 with existing federal and state law, state regulation, and this enabling article. Such
39 bylaws shall be subject to public notice and public hearing before approval by City
40 Council and adoption by the board. The bylaws become effective upon adoption by
41 city council.
42

43 (c) The board shall meet as often as necessary to conduct its business, but no less
44 frequently than four times per calendar year.
45

1 (d) Meetings of the board shall comply in all respects with the meeting regulations of
2 the Virginia Freedom of Information Act including being open to the public except
3 under circumstances when the topic is authorized by the law to be discussed in
4 closed session.

5
6 (e) Quorum:

7
8 (1) To take any action authorized by section 2-4-227 of this code, a quorum of five
9 must be present.

10
11 (2) To take any action except those referred to in subsection (1), above, a quorum of
12 voting members must be present.

13
14 (f) The board shall keep minutes of its board meetings, and those minutes shall
15 include:

16
17 (1) the date, time, and location of each meeting;

18
19 (2) the members present and absent;

20
21 (3) a summary of the discussion on matters proposed, deliberated, or decided;
22 and

23
24 (4) a record of any votes taken.

25
26 (g) The board meeting minutes are public records and subject to inspection pursuant to
27 the Virginia Freedom of Information Act.

28
29 (Ord. No. 5337, 4/17/21, Sec. 1)

30
31 **Sec. 2-4-225 Support of board.**

32
33 (a) Board staff.

34
35 (1) The city council shall appoint an independent policing auditor pursuant to sections
36 4-1-5 and 4-1-6 of this code who shall staff the board and coordinate the board's
37 administrative functions.

38
39 (2) The city attorney, or its designee, shall serve as legal advisor to the board. As to a
40 particular matter, and in the event the city attorney determines that there is a
41 conflict of interest that precludes effective representation by the city attorney's
42 office, the board shall retain outside counsel to advise the board from a list of
43 attorneys recommended by the city attorney. If the board disagrees with the city
44 attorney's conflict-of-interest determination, it may request the determination from
45 the Commonwealth's Attorney for the City of Alexandria, which will be
46 controlling.

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(b) Other support from the city.

- (1) A website shall be established for the board hosted on the city's website. The board shall control what is posted on the board's website to the extent it complies with all applicable federal, state and local laws.
- (2) All public meetings of the board may be videotaped, or audiotaped when there is an inability for video recording. All video or audio recordings of the board's public meetings shall be made available to the public on the city's website.
- (3) The city shall not interfere unreasonably with the board's decisions, assisted by the AIPA, to post materials to or remove materials from the board's website.
- (4) Board members shall be provided with a city email address to be used exclusively for board-related matters.
- (5) The city, including all city departments, boards, commissions, and staff shall make good faith effort to cooperate with and assist the board, and shall comply with all reasonable board requests or expeditiously provide a reason for rejection.

(Ord. No. 5337, 4/17/21, Sec. 1)

Sec. 2-4-226 Board training.

- (a) Initial training: Before members may vote in board meetings, they shall complete the following training:
 - (1) at least 4-hours of ride-alongs with APD patrol operations;
 - (2) an eight-hour training, approved by the AIPA and presented by the National Association for Civilian Oversight of Law Enforcement (NACOLE) or a comparable experienced professional; and
 - (3) legal and ethical obligations of members of the board, to include relevant privacy rules and matters related to police operations.
- (b) Training that an appointee to the board undertakes within the three months prior to his/her swearing in as a board member counts towards that appointee's initial training requirements.
- (c) Annual training: Once every year, board members shall participate in training consisting of:
 - (1) At least 8-hours of ride-alongs with APD patrol operations

- 1 (2) A four-hour civilian oversight of law enforcement training presented by NACOLE
2 or a comparable experienced professional;
3
- 4 (3) Legal and ethical obligations of members of a public board; and
5
- 6 (4) APD policies, systems, processes, structure and operations, including but not
7 limited to simulated training exercises, defensive tactical training, crisis
8 intervention training, and de-escalation training and city Administrative Regulations
9 related to liability, employee discipline and matters related to police operations.
10
- 11 (d) The city and the AIPA, shall provide board members with additional training, which
12 shall include but not limited to relevant training by subject matter experts on mental
13 health, trauma-informed policing, civil rights and constitutional law, race and systemic
14 racism, community organizing and outreach, mediation, investigation, and policing
15 practices, policies, and administration.
16

17 (Ord. No. 5337, 4/17/21, Sec. 1)

18
19 **Sec. 2-4-227 Board duties.**
20

21 (a) Board readiness resolution.
22

23 When the board has established its procedures for how to take in inquiries (defined
24 in subsection (b)(1), below), how reviews will be conducted, and the memorandum
25 of understanding required pursuant to section 2-4-221(c) has been executed by all
26 parties, it shall pass a resolution indicating its readiness to take on the
27 responsibilities designated to it in this article. No current processes for inquiry
28 intake or reviews of inquiries shall be transferred to the board unless and until such
29 resolution is adopted by the board.
30

31 (b) Inquiry intake.
32

- 33 (1) The board will develop and administer a process for receiving community
34 questions, concerns, or comments regarding conduct of APD law enforcement
35 officers and civilian employees (“inquiries”) and referring these inquiries to APD)
36 and AIPA. Once in receipt of an inquiry, the APD and the AIPA shall determine
37 whether to process the inquiry as a complaint that shall be investigated by the APD
38 and monitored by the AIPA or investigated by the AIPA.
39
- 40 (2) Inquiries submitted to the board and formal complaints submitted to the AIPA may
41 be submitted using a form provided by the board or may be submitted orally.
42
- 43 (3) Information about the process for filing an inquiry with the board, the process for
44 filing formal complaints with the AIPA and general information about the board
45 and its purpose and scope shall be made available online and at the AIPA, APD, the
46 office of human rights, as well as other locations deemed effective for making such

1 forms and information widely available. This information shall be made readily
 2 available in English, Spanish, Amharic and Arabic and in any additional language
 3 requested.

4 (4) Complaints made directly to the AIPA shall contain information regarding the
 5 incident including, but not limited to, the following:

6
 7 A. Name, address and contact information for the person filing the complaint;

8
 9 B. a statement describing the reasons for the complaint;

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 11 C. the specific police behavior of concern;

12
 13 D. a description of the incident in which the behavior occurred; and

14
 15 E. information regarding witnesses to or persons with knowledge of the
 16 incident known to the complainant, including but not limited to names,
 17 addresses, and phone numbers, if known at the time the complaint is filed.

18 Failure to provide all information on the form by the complainant shall not render the
 19 complaint unreviewable.

20
 21 (5) This process shall be separate and distinct from any existing procedures by which
 22 the APD receives community complaints as specified under Virginia Code section
 23 9.1-600;

24
 25 (c) Board review of APD investigations.

26
 27 (1) APD shall continue to investigate all complaints submitted to APD or to the AIPA.
 28 The AIPA shall monitor APD investigations throughout the process, providing
 29 ongoing assurance that internal investigations by law enforcement are thorough, fair
 30 and unbiased and that police practices are transparent. APD shall complete its
 31 investigation of the complaint and provide its full investigation report to the AIPA
 32 within 60 days. The Chief of Police may extend the 60-day period to protect an
 33 ongoing criminal investigation, or for other good cause with notice to the
 34 complainant, board and AIPA.

35
 36 (2) The board may review investigations conducted by APD regarding conduct of APD
 37 law enforcement officers and civilian employees, whether the initiating complaint is
 38 received by the APD or the AIPA.

39
 40 (3) APD investigations of the following types of wrongdoing shall be reviewed by the
 41 board at its discretion. Those investigations the board decides to review shall be
 42 monitored by the AIPA throughout the investigative process, providing ongoing
 43 assurance that internal investigations by law enforcement are thorough, fair and
 44 unbiased and that police practices are transparent:
 45

- 1 A. Violations that fall under APD Directives Chapter 2 (Ethics and Conduct),
 2 Chapter 7 (Weapons) and Chapter 10.32 (Use of Force), as may be amended
 3 from time to time; and
- 4 B. "Severe misconduct" defined as dereliction of duty or unlawful or improper
 5 behavior which shall include the offenses listed in AR 6-20, Group III
 6 offenses, as the same may be amended from time to time:
- 7
- 8 1. Sexual conduct, even consensual conduct, on the job; and
- 9
- 10 2. Verbal or other conduct regarding an individual or group that
 11 maligns or shows hostility for the individual or group because of
 12 race, color, religion, gender, national origin, age, disability,
 13 sexual orientation, or gender identity and expression.
- 14
- 15 (4) At the conclusion and receipt of the investigation, the AIPA shall within 30 days
 16 forward a report with a summary of the investigation completed by APD to the
 17 board. All personal identifiable information shall be removed or redacted from the
 18 report. Within 30 days of receiving the AIPA review, the board shall hold at least
 19 one public hearing on the investigation. The review of the investigation can
 20 be extended for up to 60 days for good cause with notice to the complainant and
 21 APD. At the conclusion of the public hearing, the board may take one of the
 22 following actions:
- 23
- 24 A. Concur with all or some of the findings and determinations detailed in the
 25 investigation report;
- 26
- 27 B. Advise city council, the city manager, the APD, and the AIPA that the
 28 findings are not supported by the information reasonably available to the
 29 APD and recommend further review, consideration, and/or action by the
 30 police chief; or
- 31
- 32 C. Advise city council, the city manager, the APD, and the AIPA that, in the
 33 board's judgment, the investigation is incomplete and recommend additional
 34 investigation.
- 35
- 36 D. Recommend referral of the complaint to the commonwealth's attorney for
 37 the City of Alexandria.
- 38
- 39 (5) If the APD declines to implement the recommendation by the board, the chief of
 40 police or designee, shall, within 30 days of the board's recommendation, create a
 41 written record, which shall be made available to city council, the city manager, the
 42 board, the AIPA and the public, of its rationale for declining to implement the
 43 recommendation of the board.
- 44
- 45 (6) The board may also request investigations pursuant to identified patterns and
 46 practices of potential discrimination, bias, unequal treatment or other abuses of

1 police authority as identified in section 2-4- 227(c)3. If a requested investigation is
2 not completed by the responsible party, that party will provide a written letter to the
3 Board explaining the reasons the investigation will not be completed.
4

5 (d) Board policy recommendations and duties.
6

7 (1) The board shall have the following duties regarding review of police policy and
8 procedure:
9

- 10 A. review and evaluate existing APD administrative directives, including all
11 rules, policies, and procedures which direct the operation of the APD;
12 -
13 B. review and evaluate reports issued and data collected by the APD related to
14 policing practices, policies, procedures, and outcomes;
15
16 C. receive, review and evaluate the annual budget and expenditures of the APD
17 and make budgetary recommendations;
18
19 D. advise city council on the hiring and annual evaluation of the independent
20 policing auditor;
21
22 E. recommend legislation, policy changes and other actions related to review
23 and evaluation conducted by the board to the city council, city manager,
24 APD, school board, school superintendent, and other public agencies;
25
26 F. conduct community outreach in the city related to the review and reform of
27 policing practices, policies and procedures in Alexandria and the work of the
28 board;
29
30 G. undertake any other duties as reasonably necessary for the board to
31 effectuate its lawful purpose to effectively review the policing agencies as
32 authorized by the city; and
33
34 H. review and evaluate periodic reports from the police chief regarding
35 implementation of recommendations made by the board.
36

37 (2) The board may recommend policies or procedures to city council, the city manager
38 and the APD concerning police practices, policies and procedures. The board shall
39 present in writing its findings, and recommendations with supporting rationale to
40 city council, the city manager and the APD within 30 days from the date the board
41 adopted the recommendations.
42

- 43 A. The board's recommendations shall be included in any public reports issued
44 by the board, including hardcopy and online.
45

1 B. If the APD declines to implement any changes recommended by the board,
2 the chief of police shall, within 30 days of the board's recommendation, create
3 a written record, which shall be made available to city council, the city
4 manager, and the public, of its rationale for declining to implement the
5 recommendation of the board.

6
7 (Ord. No. 5337, 4/17/21, Sec. 1)

8 **Sec. 2-4-229 Exclusions.**

9 (a) The board shall not consider claims or issues involving the following:

- 10 (1) Complaints involving any incident that occurred more than two years before the
11 filing of the complaint with the AIPA or the APD;
- 12 (2) Any financial management, or procurement decisions made by the APD, or any
13 individual hiring, assignment and promotional decisions made by the APD;
- 14 (3) If any agency having responsibility for criminal investigations or prosecutions has
15 initiated a criminal investigation or proceeding against any police officer or
16 officers who are the subject(s) of an incident or complaint that the board has
17 responsibility for reviewing pursuant to this article, the board shall defer its
18 preliminary inquiry and review until said criminal proceedings have been
19 withdrawn or concluded; and
- 20 (4) Any other claim outside the scope of the board's authority as determined by this
21 article or applicable state law.

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26
27 (Ord. No. 5337, 4/17/21, Sec. 1)

28
29 Section 2. That Article A of Chapter 1 of Title 4 of the Code of Alexandria, Virginia, 1981, as
30 amended, be, and the same hereby is, amended, deleting it in its entirety Section 4-1-5 and 4-1-6
31 and adding the text shown in underline as follows:

32
33 **Sec. 4-1-5 Independent policing auditor.**

34
35 City Council shall appoint an Independent Policing Auditor (AIPA) with the terms and
36 conditions of such appointment set forth in an employment agreement. The AIPA shall serve at
37 the pleasure of City Council. The AIPA shall have professional experience in the investigation of
38 allegations of police misconduct and be provided an annual budget and secured office space by
39 the City, but such space shall not be housed in any Alexandria Police Department facility. The
40 AIPA shall act independently consistent with its duties.

41
42 (Ord. No. 5337, 4/17/21, Sec. 2)

43
44 **Sec. 4-1-6 Independent policing auditor duties and responsibilities.**

1
2 The independent policing auditor shall:

- 3
4 (a) Budget: In order to carry out its duties, the AIPA shall be provided a sufficient annual
5 budget subject to appropriation by City Council, and shall expend the funds provided
6 consistent with:
7
8 i. the purposes and scope of the Independent Community Policing Review Board
9 (ICPRB) and AIPA;
10
11 ii. the budget and appropriation approved by City Council; and
12
13 iii. city procurement and expenditure regulations and practices.
14
15 (b) provide the necessary administrative and policy support for the community policing
16 review board, as well as assist the board with achieving its purpose and in carrying out its
17 scope;
18
19 (c) be responsible for the day-to-day operations of the AIPA;
20
21 (d) have authority to hire and supervise and make employment decisions regarding the
22 independent policing auditor's staff within existing city human resources systems and
23 city administrative regulations;
24
25 (e) be responsible for the independent review of Alexandria Police Department current or
26 proposed policing practices, rules, policies, procedures, directives, training, compliance,
27 risk management tools and outcomes and present findings of such reviews and any
28 resulting recommendations to the board;
29
30 (f) perform a quality assurance function with the goal of identifying systematic changes that
31 will improve police services to the community;
32
33 (g) create and manage a community complaint and case tracking system;
34
35 (h) participate in, organize, and or attend community engagement activities in coordination
36 with the ICPRB;
37
38 (i) periodically issue reports and recommendations to the City Manager, City Council,
39 Police Department, and ICPRB;
40
41 (j) conduct community engagement activities to enhance fair and equitable policing in the
42 City of Alexandria;
43
44 (k) receive both complaints of law enforcement misconduct and law enforcement
45 commendations regarding the Alexandria Police Department;
46

- 1 (l) monitor and/or conduct investigations of incidents regarding the matters assigned by the
2 section 2-4-227 of the City Code;
3
- 4 (m) review completed investigations by the APD;
5
- 6 (n) review of any disciplinary actions taken that may arise as a result of investigations
7 conducted by the APD;
8
- 9 (o) review the strategic planning/long range policy, practices and training of APD and police
10 related activities impacting the community;
11
- 12 (p) have full access to unredacted Alexandria Police Department reports, files and records,
13 including disciplinary records, related to complaints filed with the AIPA, the board or
14 with the department, as well as related to and use of force reviews by the department;
15
- 16 (q) receive all records, documents and materials in the possession of APD or the City that are
17 determined to be necessary and requested by AIPA to carry out its scope and authorized
18 functions, in unredacted form;
19
- 20 (r) except as included in the board reports defined in section 2-4-221(f), maintain the
21 confidentiality of such disciplinary records and criminal investigative files as well as any
22 statement of a police officer of APD employee who was required by APD to give a
23 statement;
24
- 25 (s) apply to the Alexandria Circuit Court for a subpoena compelling the attendance of such
26 witness or the production of such books, papers, and other evidence, and the court may,
27 upon good cause shown, cause the subpoena to be issued;
28
- 29 (t) enter into a MOU with APD, executed by the Police Chief, the Independent Policing
30 Auditor and the City Manager, that defines the terms of the relationships and mutual
31 obligations between AIPA and APD;
32
- 33 (u) including but not limited to, the timely exchange of information and the efficient
34 coordination of APD and AIPA investigations; and
35
- 36 (v) enter into a MOU with any other agency in support of the investigatory authority
37 granted.
38
- 39 (w) Complaints made directly to the AIPA shall contain information regarding the incident
40 including, but not limited to, the following:
41
- 42 1. Name, address and contact information for the person filing the complaint;
 - 43 2. a statement describing the reasons for the complaint;
 - 44 3. the specific police behavior of concern;
- 45
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- 1
- 2 4. a description of the incident in which the behavior occurred; and
- 3
- 4 5. information regarding witnesses to or persons with knowledge of the incident known
- 5 to the complainant, including but not limited to names, addresses, and phone
- 6 numbers, if known at the time the complaint is filed.
- 7

8 Failure to provide all information on the form by the complainant shall not render the complaint
 9 unreviewable.

10

11 (x) This process shall be separate and distinct from any existing procedures by which the
 12 APD receives community complaints as specified under Virginia Code section 9.1-600;

13

14 (Ord. No. 5337, 4/17/21, Sec. 2)

15

16 Section 3. That this ordinance shall become effective upon the date and at the time of its final
 17 passage.

18

19

20

21

22 _____

23 JUSTIN M. WILSON

24 Mayor

25

26

27 ATTEST:

28

29

30

31 GLORIA A. SITTON, CMC

32 City Clerk

33 Ordinance Attachments

34

35

36 Introduction:

37 First Reading:

38 Publication:

39 Public Hearing:

40 Second Reading:

41 Final Passage:

42