

ORDINANCE NO. _____

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE AND CREATING A LAW ENFORCEMENT REVIEW BOARD

WHEREAS, the City Council approved Resolution 19,887 authorizing a law enforcement services contract with the Los Angeles County Sheriff's Department (hereinafter referred to as "Sheriff's Department"); and

WHEREAS, the Sheriff's Department has provided law enforcement services to the City of Compton (hereinafter referred to as "the City") pursuant to an annual contract since September 12, 2000; and

WHEREAS, the City is committed to improving public safety by working in partnership with the Sheriff's Department to enforce local and state law, reduce incidents of crime and treat violators of crime with fairness and dignity; and

WHEREAS, black men and boys are two and a half (2.5x) more likely than white men to die during a police encounter according to a series of studies conducted by the National Academy of Sciences published in August of 2019; and

WHEREAS, on May 31, 2020, a video was posted on various news outlets depicting Sheriff's Department Deputies repeatedly assaulting Dalvin Price, a detained black man, in the City and investigation by the Sheriff's Department is currently pending; and

WHEREAS, recent events have sparked global protests and ignited activism from individuals and organizations demanding action to be taken to end racially motivated violence by police and law enforcement agencies; and

WHEREAS, organizations such as the National Association for the Advancement of Colored People (NAACP) and the American Civil Liberties Union (ACLU) are calling for police reform all across the United States; and

WHEREAS, the Obama Foundation has challenged Mayors and City Council members to take immediate action and make a pledge to address the use of police force in each respective City; and

WHEREAS, in alignment with the City's commitment to maintain a safe environment for the public and recognizing the need for police reform, it is proposed that the City establish a Law Enforcement Review Board, pursuant to *Compton City Charter, Article X, Section 1000*, which authorizes the City Council to create advisory boards and commissions granting them powers and duties consistent with the provisions of the Charter; and

WHEREAS, calls for law enforcement reform are reverberating loudly throughout the country, and the public's response to these killings and abuses by law enforcement has created instability and threatens the public safety of residents; and

WHEREAS, the City is a powder keg for civil unrest as residents feel they are not being heard in response to their long-standing and recent cries for justice and transparency from law enforcement; and

WHEREAS, systemic racism within law enforcement and police violence against civilians are at epidemic levels, and the recent murders of George Floyd, Breonna Taylor and Ahmaud Aubrey have not only magnified the disproportionate use of police force against Black Americans, but has heightened tensions between law enforcement and communities of color; and

WHEREAS, due to these recent events, it is evident that there is a need for the City of Compton to establish a Law Enforcement Review Board to independently review allegations of misconduct and increase accountability and trust with the public and those that provide law enforcement services for the City; and

WHEREAS, the proposed ordinance to establish such a Board is being brought as an urgency ordinance because there exists an immediate threat to public safety and without the immediate creation of said Board, the residents lack the means to lodge complaints with the City about law enforcement abuses or any recourse to ensure that they are protected from retaliatory acts which may otherwise fail to be reviewed and investigated.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That Chapter II of the Compton Municipal Code is hereby amended to add a new Section 2-17 (titled Law Enforcement Review Board) to read as follows:

2-17 LAW ENFORCEMENT REVIEW BOARD.

2-17.1 Creation; Membership

There is hereby established a Law Enforcement Review Board which shall consist of eleven members.

2-17.2 Definitions

For purposes of this Section of the Municipal Code, “Law Enforcement” shall mean the Los Angeles County Sheriff’s Department.

2-17.3 Duties

1. The duties of the Law Enforcement Review Board shall be to:
 - a. Receive and review citizen complaints of allegations and incidents by the Los Angeles County Sheriff’s Department occurring within the jurisdictional limits of the City of Compton. The Law Enforcement Review Board will encourage persons with complaints about law enforcement actions of misconduct (or other offense) to file a complaint and will widely publicize the procedures for filing complaints.
 - b. Forward citizen complaints to the Los Angeles County Sheriff’s Department and/or the Los Angeles County Civilian Oversight Commission.
 - c. Advocate for policies which promote fair and humane treatment for alleged violators of crime and that will also provide for safety of both citizens and law enforcement officers.
 - d. Discuss issues and formulate recommendations on policy and training improvements that are consistent with community values related to law enforcement policies and practices.
 - e. Prepare a written report about the complaints and recommendations which are to be submitted to the Los Angeles County Sheriff’s Department and/or Los Angeles County Civilian Oversight Commission.
2. The Law Enforcement Review Board shall not be authorized to:
 - a. Conduct its own investigation of complaints against law enforcement personnel.
 - b. Interfere with the performance of the powers and duties of the Los Angeles County Sheriff’s Department.
 - c. Decide policies, direct activities or impose discipline on Los Angeles County departments, officers and employees.

2-17.4 Appointment of Members

The members of the Law Enforcement Review Board shall be either residents of or licensed business owners in the City. With the advice of the City Attorney, each Council member shall appoint two (2) members to the Committee and the Mayor shall appoint three (3) members to the Committee (each such appointee, individually, a “Council Appointee” and collectively, “Council Appointees”).

The Board shall invite to each meeting the groups familiar with the issues involved in building and maintaining trust between the City, County and the community, including but not limited to representatives from the City, County, Civilian Oversight Board, faith-based groups, youth groups, advocacy groups, residents of the City and, to the extent practicable, formerly incarcerated members of the community.

2-17.5 Election of Officers

The Law Enforcement Review Board shall elect a Chair and a Vice-Chair in accordance with the City Charter, Section 1004.

2-17.6 Staff Liaison

The City Manager shall assign a staff liaison to the Board to be responsible for staff liaison duties. These duties shall include:

- a. Attending all meetings of the Law Enforcement Review Board.
- b. Prepare meeting agendas and maintain records of meeting agendas and minutes.
- c. Submitting records, agendas and minutes to the City Clerk.
- d. Participate in discussions and make recommendations with reference to any matter coming before the Law Enforcement Review Board.

The Staff liaison shall be a non-voting representative of the Board.

2-17.7 Terms of Office

Pursuant to the City Charter, Section 1002, each Council Appointee appointed thereafter shall serve for a term of four (4) years and until their respective successors are appointed and qualified.

2-17.8 Vacancies

If a vacancy occurs other than by expiration of term, it shall be filled by appointment for the unexpired portion of the term.

2-17.9 Removal of Members

Any Council Appointee of the Law Enforcement Review Board may be removed by four (4) votes pursuant to Section 1002 of the Charter.

2-17.10 Regular Meetings

The Law Enforcement Review Board will schedule regular meetings, at a minimum, on a quarterly basis. The meetings will be held at such location designated by the City Manager.

- a. For the purpose of conducting meetings and making recommendations pertaining to the Board, any six (6) Council Appointees of the Law Enforcement Board shall constitute a quorum.
- b. The Board and its members shall be governed by the Ralph M. Brown Act ("Brown Act"), applicable City laws, rules and polices (including, without limitation, with respect to conflicts of interest) and all other applicable laws. Unless excepted by provision of the Brown Act, all meetings of the Board shall be open and public, and any person shall be permitted to attend any meeting of the Law Enforcement Review Board. Agendas shall be prepared prior to each meeting and posted by the staff liaison designated by the City Manager.
- c. The Board shall keep a record of its proceedings, which shall be a public record.
- d. The Board may adopt rules and regulations to govern procedures.

2-17.11 Special Meetings

Special Meetings may be called at any time by the Chair or six (6) Council Appointees of the Law Enforcement Review Board by advance written notice and procedure as provided by law.

2-17.12 Compensation

Council Appointees of the Law Enforcement Review Board shall receive compensation at the rate of fifty dollars (\$50.00) for each meeting, not to exceed a total compensation of one-hundred dollars (\$100.00) in any one (1) quarter. Funds in an amount not to exceed Four Thousand Four Hundred Dollars (\$4,400) for payments in future fiscal years shall be funded in the fiscal year budget of the City Attorney's Office.

2-17.13 Absence From Meetings

If a Council Appointee is absent from regular meetings without being excused by the Board, the Board shall act in accordance with City Charter, Section 1005.

2-17.14 Liability of City

The Law Enforcement Review Board shall have no power or authority to bind or obligate the City or any office or department for any money, debt, undertaking or obligation of any kind in excess of the appropriation which the City Council may have made for the purposes of the Board.

SECTION 2. SEVERABILITY

That the City Council declares that, should any provision, section, subsection, sentence, paragraph, clause, phrase or word of this Ordinance, hereby adopted, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, subsections, sentences, paragraphs, clauses, phrases or words of this Ordinance hereby adopted shall remain in full force and effect.

SECTION 3. DISTRIBUTION

That a copy of this Ordinance shall be distributed and/or filed in the offices of the City Manager, City Attorney, City Controller, City Clerk, Code Enforcement and the Los Angeles County Sheriff's Department – Compton Station.

SECTION 4. EFFECTIVE DATE; URGENCY

That the City Council finds and declares the need that this Ordinance is required for the immediate protection of the public peace, health, safety and welfare for the reasons set forth in the preface of this Ordinance and thus shall take immediate effect.

SECTION 5. ATTESTATION

That the Mayor shall sign and the City Clerk shall attest to the adoption of this Ordinance and shall cause the same to be published as required by law.

ADOPTED this ____ day of _____, 2020.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF COMPTON)

I, Alita Godwin, City Clerk of the City of Compton, do hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the ____ day of _____, 2020.

That said Ordinance was adopted by the following vote, to wit:

AYES: COUNCILMEMBERS-
NOES: COUNCILMEMBERS-
ABSENT: COUNCILMEMBERS-
ABSTAIN: COUNCILMEMBERS-

CITY CLERK OF THE CITY OF COMPTON