

"NEW CHAPTER"

Note: The Chapter number and title shall also be inserted chronologically in the Table of Contents for Title 8.

Chapter 8.102

Civilian Review Board

Sections:

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8.102.010 Created.

A Civilian Review Board is hereby created and will hereafter be referred to as the CRB.

8.102.020 Purpose of the Commission.

The purpose of the Civilian Review Board is to assure timely, thorough, and objective investigations of complaints alleging inappropriate uses of force or serious misconduct by members of the Pierce County Sheriff’s Department, and to recommend related policies and procedures.

8.102.030 Board.

A. Membership. The Board shall consist of five members. All members shall be appointed by the Executive and confirmed by a majority of the Council. Board members shall be appointed for three-year, staggered terms and may serve up to two terms. The Board members shall annually elect a Chair.

B. Qualifications.

1. Preferred Board member attributes include:
 - a. Criminal justice expertise;
 - b. Civil rights expertise; and
 - c. Gender, race and ethnic diversity.
2. Members must be Pierce County residents.
3. The Executive is prohibited from nominating anyone who is or has been employed by a law enforcement agency within the previous five years, or whose immediate family includes anyone who is or has been employed by a law enforcement agency within the previous five years. For the purpose of this Section, “immediate family member” includes, whether living in the household or not: partner; spouse; parent; parent of a partner or spouse; sibling; child; child of a partner or spouse; or dependent.

C. Meetings. Board meetings shall be conducted in accordance with the Open Meetings Act, Chapter 42.30 RCW.



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2 **8.102.040 Director.**

- 3 A. **Appointment.** A Director shall be appointed by the County Executive and confirmed by
4 a majority of the Council
- 5 B. **Qualifications.**
- 6 1. The minimum qualifications for the Director shall include:
- 7 a. Criminal justice expertise; and
- 8 b. Civil rights expertise.
- 9 2. The Executive is prohibited from nominating anyone who is or has been employed by
- 10 a law enforcement agency within the previous five years, or whose immediate family
- 11 includes anyone who is or has been employed by a law enforcement agency within
- 12 the previous five years. For the purpose of this Section, “immediate family member”
- 13 includes, whether living in the household or not: partner; spouse; parent; parent of a
- 14 partner or spouse; sibling; child; child of a partner or spouse; or dependent.
- 15 3. The Director must successfully pass a background check and obtain Criminal Justice
- 16 Information Services (CJIS) certification.
- 17 C. **Removal.** The Director may be removed for cause, by the Executive.
- 18 D. **Other Duties.** The Executive may assign the Director other duties that do not interfere
- 19 with Board obligations.
- 20

21 **8.102.050 Support.**

- 22 A. To the extent necessary to fulfill the duties of the CRB, the Executive shall provide staff
- 23 and support to the CRB. The Executive may assign staff other duties that do not interfere
- 24 with Board obligations.
- 25 B. The Sheriff shall designate a member of the Sheriff’s Department to provide law
- 26 enforcement expertise. The Prosecuting Attorney shall designate a Deputy Prosecuting
- 27 Attorney to provide legal advice. The member of the Sheriff’s Department and the
- 28 Deputy Prosecuting Attorney are not members of the Board and do not have any voting
- 29 powers.
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31 **8.102.060 Powers and Duties.**

- 32 A. **Access.** Board members and the Director shall be provided access to the completed
- 33 Internal Affairs investigation and all relevant materials, including but not limited to
- 34 complaints, police reports, 911 calls, computer-aided dispatch (CAD) logs, witness
- 35 statements, transcripts and/or recordings of interviews, and body and dash camera video
- 36 recordings. All materials shall be disclosed only to the Board and its designees as
- 37 necessary to provide review under this Chapter, in accordance with state and federal law,
- 38 and returned when the Board issues its report in no more than 90 calendar days.
- 39 B. **Complaints.**
- 40 1. All complaints alleging inappropriate uses of force or serious misconduct by
- 41 members of the Pierce County Sheriff Department may be filed with the Board or the
- 42 Sheriff’s Department. The CRB Director shall notify the Sheriff’s Department of all
- 43 complaints received by the Board and the Sheriff’s Department shall notify the Board
- 44 of all complaints received by the Department.
- 45 2. The Board may conduct a preliminary review of each complaint filed with the Board
- 46 and make recommendations on whether an investigation by the Sheriff’s Department
- 47 is warranted. Board preliminary findings and recommendations will be forwarded to
- 48 the PCSD Division of Internal Affairs.



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C. Review.

1. The Board may review Internal Affairs investigations involving the Pierce County Sheriff's Department to ensure investigations are timely, thorough, and objective as Board capacity and the significance of the complaint warrant.
2. The Board may limit the investigations it reviews based on time, resources, and public interest. The Board will give priority consideration to investigations involving allegations of improper use of force and serious misconduct detrimental to public trust, including but not limited to discrimination and harassment on the basis of race, creed, color, national origin, citizenship or immigration status, sex, honorably discharged veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability.
3. The Board will not review investigations conducted by the United States of America, the State of Washington or any investigative body organized pursuant to WAC 139-12. The Sheriff's Department shall give the Director at least five days' notice of any meeting of the Board of Professional Standards. The Director or their designee may attend and observe any meeting of the Board of Professional Standards.

D. Reports.

1. The Board by majority vote may issue a report on the investigation findings, including an assessment of the timeliness, thoroughness, and objectivity of the investigation, and any proposed refinements of related policies and practices. Each Board member may submit findings and recommendations that concur with or dissent from the findings and/or recommendations of the majority. All reports shall be provided to the Sheriff, Prosecuting Attorney, Executive, Council, and will be made available to the public.
2. The Board shall publish an annual public report.

- E. Training.** Board members, the Director, and designated staff shall attest to the satisfactory completion of education and training programs on law enforcement policies and procedures, labor law, diversity, equity, and inclusion, cultural intelligence, including but not limited to American Indian and Alaska Native tribes, and other topics relevant to Board duties, as established by the Executive, Sheriff, and Prosecuting Attorney.

