

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 2.50 THEREOF, FOR THE PURPOSE OF ESTABLISHING AN AMES RESIDENT POLICE ADVISORY COMMITTEE, REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 2.50 as follows:

“Sec. 2.50. AMES RESIDENT POLICE ADVISORY COMMITTEE ESTABLISHED.

There is hereby established the Ames Resident Police Advisory Committee (ARPAC) for the City of Ames, Iowa.

Sec. 2.51. CHARGE.

The mission of the Ames Resident Police Advisory Committee is to provide a resident perspective to the Chief of Police into the resolution of complaints against the Ames Police Department, provide thoughtful recommendations regarding the policies and practices of the Ames Police Department, report concerns regarding complaint investigation outcomes to the City Manager, and increase public confidence in the professionalism and accountability of the Ames Police Department.

Sec. 2.52. MEMBERSHIP.

(1) The Committee shall consist of seven members appointed by the Mayor with the approval of the City Council. The members of the committee shall be representative of the diversity of the community, insofar as practicable.

(2) Applicants for the Committee shall provide with their application a statement of their commitments to serve impartially, to review complaints based only upon facts and evidence, and to remain unprejudiced for or against police officers or complainants. Applicants must agree to hold in strict confidentiality any record or deliberation that qualifies as a confidential record or deliberation under Iowa law. When presenting a prospective Committee member for City Council approval, the Mayor shall include a statement describing the rationale for selecting the appointee.

(3) The term of office shall be three (3) years, and shall begin April 1 of the year of appointment, except that the Mayor may prescribe a shorter term for any appointment or reappointment in order to stagger terms. Vacancies shall be filled for any unexpired term in the same manner as original appointments. No member who has served six (6) consecutive years is eligible for reappointment.

(4) The Committee shall elect one of its own members to be chairperson and another to record minutes of its proceedings.

(5) Any member or all members may be removed from office at any time by the Mayor with the approval of the City Council, for good cause.

Sec. 2.53. RESPONSIBILITIES.

The Ames Resident Police Advisory Committee shall have the following responsibilities:

(1) To accept complaints from the public regarding the conduct of sworn Ames police officers and forward such complaints to the Chief of Police for investigation in accordance with Police Department policies and applicable law.

(2) To review policies and procedures of the Police Department and provide comments and suggestions for improvement to the Chief of Police and City Manager.

(3) To conduct outreach and engage individuals and groups in the Ames community regarding concerns related to public safety and police procedures, rights and responsibilities of residents in law enforcement actions, and processes and resources for filing complaints.

(4) To provide feedback to the Chief of Police regarding whether a police officer's conduct merits commendation, in instances where a commendation is being considered.

(5) To issue an annual report to the City Council containing the number of complaints received and the nature of such complaints, demographic information of complainants (when disclosed by complainants), a summary of policies reviewed and any changes recommended, a summary of training provided to the Committee, a summary of outreach activities conducted, and concerns regarding complaint investigation outcomes, if any.

Sec. 2.54. COMPLAINT REVIEW PROCESS.

(1) When a complaint regarding the Ames Police Department or one of its sworn officers is received, the complaint shall be investigated in accordance with Police Department policies and applicable law.

(2) At the conclusion of an investigation into a complaint, the Chief of Police shall convene the Committee to discuss the investigation and seek the input of the Committee, prior to making a decision as to personnel action, if any. A summary of the input received from the Committee regarding a complaint shall be provided to the City Manager. The review of the complaint by the Committee shall be advisory in nature and separate from the formal internal investigation and disciplinary processes.

(3) The Chief of Police shall seek the review of a complaint by the Committee when the complaint concerns Police Department policy violations, improper or inadequate investigation, excessive use of force, discrimination, or harassment, or any other complaint in which the Chief of Police determines a review by the Committee to be desirable.

(4) The Committee is authorized to convene in closed session upon advice of the City Attorney to discuss confidential records and other matters as prescribed by and in accordance with the procedures outlined in state law. All meetings held in closed session will be attended by the Chief of Police or designee.

(5) To preserve impartiality, once a complaint has been filed, members of the Committee may not engage in communications with a party to that complaint until the complaint has been disposed of.

Sec. 2.55. MEETINGS, RESOURCES, AND TRAINING.

(1) The Committee shall hold regular meetings not less than four times per year and shall hold special meetings as needed to review complaints upon the request of the Chief of Police. The Police Department shall provide meeting space and materials as necessary for the Committee to conduct its meetings. The Chief of Police or designee shall attend meetings to serve as a resource to the Committee; however, the Committee is not empowered to direct the Chief of Police or the activities of the Police Department.

(2) The Police Department shall allocate funding in its budget each year for the operations of the Committee, including for supplies, materials, training, and other resources.

(3) Committee members shall receive ongoing education and training in subjects recommended by City staff, including local ordinances, state law, City and departmental policies, organization and roles of the Police Department, traffic stops, searches, seizures, arrests, booking, use of force, police equipment and facilities, the investigative process, biased-based policing, officer selection and training, and other pertinent matters.

Section Two. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of the conflict, if any.”

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor