



ANNUAL REPORT 2008

CIVILIAN INVESTIGATIVE PANEL

The City of Miami Civilian Investigative Panel (CIP) was created February 14, 2002 under Chapter 11.5 of the Code of the City of Miami and Ordinance No. 12188 ("Ordinance"). The CIP consists of thirteen members, twelve of whom are appointed by the City Commission and one by the Chief of Police. All members of the CIP, with the exception of the Chief's appointment, are permanent residents of the City of Miami, or work or maintain a business within the City. Members serve on a volunteer basis and are required to have a good reputation for integrity and community service.

IS THE BOARD SERVING THE PURPOSE FOR WHICH IT WAS CREATED?

The CIP remains committed to its purpose and vigilant in its service to the City of Miami. It operates, as mandated, to:

- Conduct investigations, inquiries and evidentiary hearings into allegations of police misconduct.
- Issue subpoenas for the purpose of obtaining evidence from witnesses, production of documents, etc., upon consultation by the CIP Independent Counsel with the State Attorney.
- Make factual determinations, facilitate resolutions and propose recommendations to the City Manager and Chief of Police.
- Review the Miami Police Department's policies and procedures; provide input and recommendations to the Chief of Police prior to the department's implementation of new or revised policies or procedures.
- Issue reports to the Mayor, City Commission, City Attorney, City Manager, Chief of Police and the public.
- Conduct regularly scheduled general meetings (every third Tuesday of each month) and convene committee, special and emergency meetings and public hearings as necessary.

IS THE BOARD SERVING CURRENT COMMUNITY NEEDS?

The CIP follows its mandate to provide for independent and impartial civilian oversight of the Miami Police Department (MPD). It continues to be sensitive to needs of the diverse community it serves. Our office is centrally located in downtown Miami which provides for a greater degree of accessibility to all persons who reside, visit or conduct business in any of the various sections of the City.

Citizen complaints are accepted electronically, by mail or in-person. Information on how to file a complaint, the work and accomplishments and other CIP related information are also available on the CIP website (www.miamigov/cip.com), at Neighborhood Enhancement Team (NET) Offices and at the Miami Police headquarters and substations.

Throughout each year, Panel members and staff share jointly in outreach efforts and projects to include appearances on radio and television and presentations at community meetings to discuss the CIP and respond to citizens' concerns.

The CIP conducts monthly and special meetings all of which offer an opportunity for the public to hear and be heard by the Panel. Regular monthly meetings are conducted on the third Tuesday of each month at 6:00 P.M. Unless otherwise noticed, CIP regular monthly meetings are held at the Miami City Hall. Meeting notices are posted with the Office of the City Clerk and e-mailed to the media, NET offices, community groups and other interested groups and individuals.

THE CIP'S SIGNIFICANT ACCOMPLISHMENTS OR FISCAL YEAR 2008

GENERAL ADMINISTRATION:

- Provided reports to the MPD, City Manager and City Commission on CIP investigations and police policies reviews conducted in FY 2008.
- Submitted the Panel's FY 2007 Annual Report of Boards to the City Manager, Mayor and City Commission.
- Hired two staff investigators to replace CIP contract investigators so as to provide additional controls and accountability to the investigative function and providing for significant cost savings.
- Provided multi-lingual services to citizens in both written and oral communication.
- Conducted recruitment and selection process to fill vacancies on the Panel.
- Successfully underwent an audit of its FY 2007 Financial Statements.
- Provided training opportunities to staff and Panel members consistent with the CIP Ordinance. Three Panel and two staff members attended the 12th National Association for Civilian Oversight of Law Enforcement (NACOLE) held in Boise, Idaho.
- Assisted in planning and coordination of the 2008 National Organization of Black Law Enforcement Executives (NOBLE) Conference.

POLICY REVIEW & INVESTIGATIONS:

- Opened 426 cases of alleged police misconduct. *(Revised)*
- Investigated/Closed 350 cases. *(Revised)*
- Provided recommendations to the MPD arising from the investigation of complaints. Among the FY 2008 recommendations to the MPD were: Placement 13 officers on the CIP Monitor List, said officers having accumulated complaints that meet CIP pre-determined thresholds or other pre-set criteria; Incomplete IA investigations; Recommendation for additional safeguards in the MPD policy

regarding transportation of female prisoners; Recommended prohibition against leaving arrestees unattended in unventilated police vehicles; Concerns regarding promotion of officers with repeat complaints into supervisory positions; and Recommended use of Consent Forms to validate Consensual Searches.

- Reviewed MPD proposed revisions to its Departmental Orders (D.O's) and MPD policies brought into question as a result of a citizen generated complaint. Among the FY 2008 recommendations made to the MPD as a result of CIP review of proposed revisions and complaint generated policy questions were: Institution of a requirement for use of seatbelts on arrestees or other persons being transported in police vehicles; Inclusion of additional safeguards in the inventory and security of cash and property being seized or impounded; Re-examination of directives pertaining to off-duty/secondary employment; Prohibition on direct cash payments to officers for off-duty work and the surcharges due to the City; Revision of directives and imposition of specialized training for officers who work off-duty jobs as bodyguards and/or personal security escorts; Recommended changes to MPD procedures for reporting attempted motor vehicle thefts so as to be consistent with UCR standards and state laws and avoid the probability of under-reporting of these crimes; Recommendation against an MPD proposed language change in the Departmental Orders that would remove the requirements for sewn-on name tapes on police uniforms, and afford officers the opportunity to opt for pin-on name plates.

OUTREACH:

- Convened monthly, regular and special meeting of the Panel and its various sub-committees to consider administrative issues, police policies and procedures and misconduct complaints. Provided opportunities at meetings of the full panel and sub-committees for interested persons to address the Panel and/or Committees on issues before the Panel or matters of concern within the authority of the CIP.
- Attended and participated in meetings and programs hosted by such agencies and organizations as the Miami-Dade Independent Review Panel (IRP), Communities United, Miami Dade County Public Schools and the Miami Dade College.
- Disseminated CIP brochures and complaint forms (English, Spanish and Creole) to all Neighborhood Enhancement Team Offices, Miami Police Headquarters and Substations. Met with all NET administrators; devised collaborative community outreach efforts and role of CIP.
- Worked with the City of Miami's Information Technology Department to conduct minimum monthly updates of the CIP's website to ensure citizen access to current and relevant information and features.
- Increased coverage of CIP services, projects and accomplishments through dissemination of monthly and special written advisories; personal appearances on radio and television.

- Created with the assistance of the Office of Communications, Public Service Announcements in English, Spanish and Creole for dissemination to twenty-two television and radio stations.

IS THERE ANY OTHER BOARD, EITHER PUBLIC OR PRIVATE, WHICH WOULD BETTER SERVE THE FUNCTION OF THE BOARD?

The CIP was created pursuant to a referendum overwhelmingly approved by the citizens of Miami. Panel members are appointed following an in-depth screening and selection process by a nominating committee and commit up to 20 hours monthly to the work of the Panel. No other board would better serve the CIP function.

SHOULD THE ORDINANCE CREATING THE BOARD BE AMENDED TO BETTER ENABLE THE BOARD TO SERVE THE PURPOSE FOR WHICH IT WAS CREATED?

A standing Ordinance Revision Committee was created to annually review the CIP enabling Ordinance (12188) and to submit any recommended changes to the full panel and City Commission. Recommended changes to the Ordinance which are being considered are expected to better define operations and include clarifications in reference to the powers and duties of the CIP, its composition, investigative processes as well as mutual responsibilities and obligations between the CIP and the Miami Police Department.

Upon a majority, affirmative vote of the full Panel, the proposed Ordinance amendments will be submitted to the City Commission for consideration.

SHOULD THE BOARD'S MEMBERSHIP REQUIREMENTS BE MODIFIED?

This is an issue that is being considered by the Panel in light of recent efforts to fill expired terms and vacant positions. The CIP adequately functions within the membership requirements as outlined in the Ordinance, however, a review of its current composition and to address any possible misperceptions of imbalances in ethnic representation.

THE COST, BOTH DIRECT AND INDIRECT OF MAINTAINING THE BOARD

The CIP operated in FY 2008 with a budget of \$1,056,561.

Should you require further information, I may be contacted through Executive Director Shirley E. Richardson at (305) 579-2444.

Respectfully submitted this 15th day of January 2009.

Brenda B. Shapiro, Chairperson

BBS/SER/caa