

Sec. 51. Civilian investigative panel.

The city commission shall, by ordinance, create and establish a civilian investigative panel to act as independent citizens' oversight of the sworn police department, to be:

(A) Composed of an appointee of the chief of police who is not a City of Miami police officer, and exclusively of a number of civilian members to be determined who shall be nominated by the public and appointed by the city commission;

(B) Advised by independent counsel who is a competent member of the Florida Bar with at least seven years membership in the Florida Bar and is generally knowledgeable in municipal law, and appointed by the panel with the approval of the city attorney and with authority to remove by the city attorney;

(C) Staffed with professional personnel including an "Independent Counsel," and operated on an annual approved budget;

(D) Authorized with "subpoena powers" that may only be used upon the approval of the "Independent Counsel" and in "consultation" with the state attorney of Miami-Dade County, further, the CIP may not confer immunity and must advise all city employees appearing before it that no adverse consequences will result from the valid exercise of their right to be free from self incrimination, further, all actions of the CIP shall not interfere with any pending or potential criminal investigation or prosecution; and

(E) Authorized to:

(1) Conduct independent investigations of police misconduct,

(2) Review policies of the police department, and

(3) Make recommendations to the city manager and/or directly to the police chief, to which a timely written response shall be received within 30 days.

(Res. No. 01-844, § 2, 8-9-01)