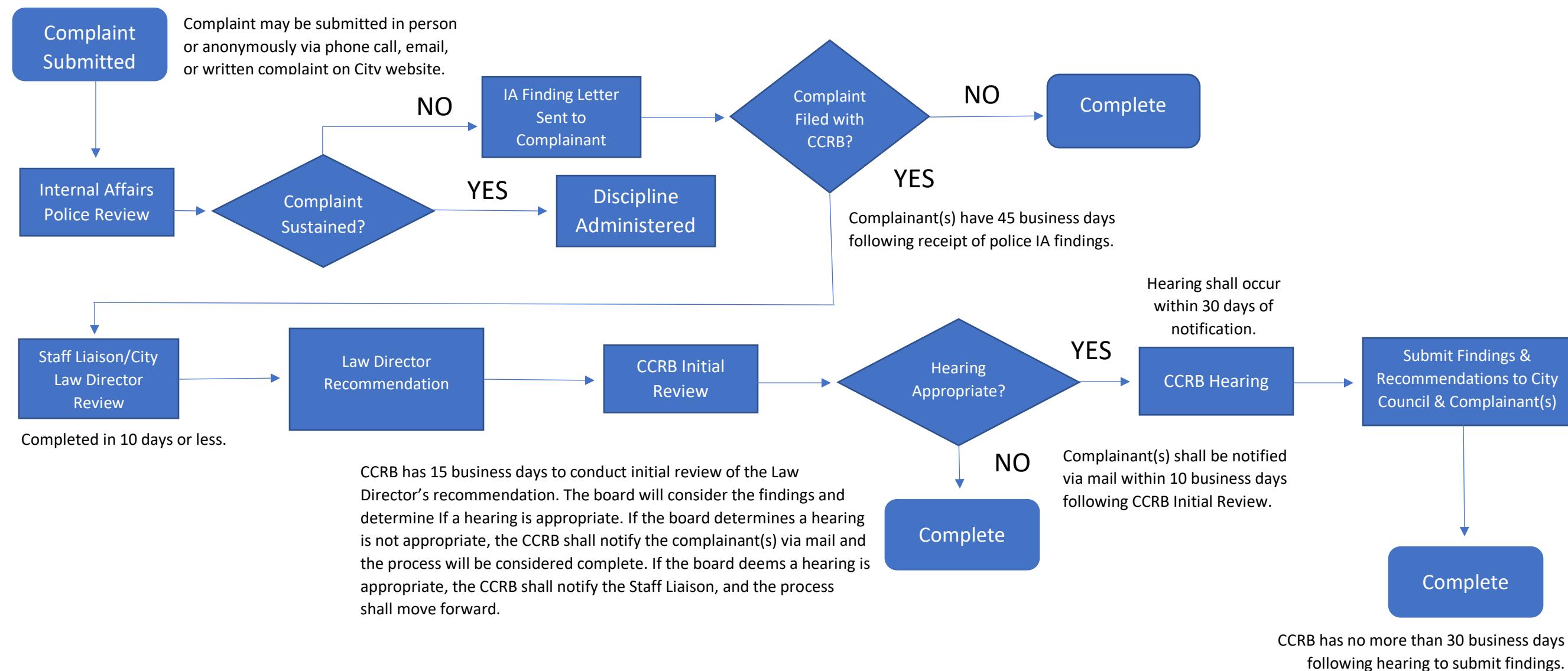


City of Huber Heights CCRB Process





**City of Huber Heights
Citizen Complaint Review Board Procedure Policy**

City of Huber Heights
6131 Taylorsville Rd.
Huber Heights, OH 45424

937.233.1423
937.233.1272 fax
www.hhoh.org

Intent:

The intent of this policy is to provide guidance on the utilization of the Huber Heights Citizen Complaint Review Board (CCRB) to the City's employees, residents, visitors, and volunteers

Purpose:

The CCRB exists as an additional community resource to help ensure the actions of the City of Huber Heights, Ohio, Division of Police (HHPD) are absent undue influence or bias in matters of race, color, religion, sex, or national origin. The CCRB may review those complaints involving completed HHPD Internal Affairs investigations where the complainant believes race, color, religion, sex, or national origin were influencing factors in an investigation's outcome.

Authority:

The CCRB is limited in its authority to recommendations with respect to HHPD policy and training. In no instance shall the CCRB be empowered to effect disciplinary actions on any member of the HHPD or review matters of race, color, religion, sex, or national origin in any department or division of the City beyond the HHPD.

Legitimacy:

The CCRB shall be a Council-established Board, considered a public body, and subject to the City of Huber Heights Board and Commission Handbook.

Membership:

The CCRB shall consist of no fewer than five (5) and no more than seven (7) voting elector-members appointed by the City Council. The members of the Board will be balanced to reflect the culture and diversity of the community and should be able to provide in-depth knowledge and understanding of the community issues that create discrimination and the ability to address and make recommendations for the resolution of these issues.

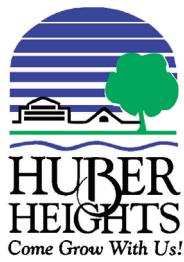
Two (2) ex-officio non-voting members by virtue of office with the City. These two ex-officio members shall be the Chief of Police (or designee) and the City Manager (or designee) and shall provide technical assistance and respond to additional inquiries.

All elector-members of the CCRB shall be required to attend the Huber Heights Police Division Citizens Police Academy within twelve (12) months of appointment.

Procedures:

In furtherance of its purpose, the CCRB shall utilize the following processes and procedures to accomplish its primary objectives:

- 1) When an HHPD Internal Affairs Investigation has been completed and such investigation was predicated on a complaint filed external to the City, a letter shall be sent to the complainant(s) notifying them of the investigation's outcome. Such letter, a sample of which is attached hereto,



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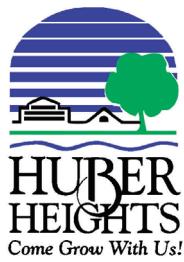
shall inform the recipient of their option to seek further considerations from the CCRB and how to file for said review.

In such instances where an individual has a direct, vested interest in an incident or internal affairs investigation in which they believe race, color, religion, sex, or national origin were influencing factors; and an internal affairs investigation is not underway; such persons may access the appropriate CCRB forms from the City's website, City administrative offices, or by emailing any senior member of the HHPD or City Manager's Office.

- 2) Upon receipt of the internal affairs finding letter, the complainant(s) has forty-five (45) business days to take definitive action by filing a complaint with the CCRB. If no such definitive action is taken by the complainant(s) within forty-five (45) business days, the CCRB process shall be considered closed. Upon completion of the CCRB process, the Staff Liaison shall maintain all official documents related to the case for no less than twelve (12) months from the date of the initial HHPD Internal Affairs investigation.

If a complaint is filed with the CCRB, the Assistant To The City Manager shall assume the role of Staff Liaison, and act as a link to facilitate the CCRB process. As the Staff Liaison, the Assistant To The City Manager shall be responsible for directing communication and information to any party which may have a direct, vested interest in the matter. Staff Liaison communication may be conducted via written correspondence, telephone, and email. Additional responsibilities of the Staff Liaison include, but are not limited to:

- a. Reserve a meeting room.
- b. Make advance public notice of any meeting or meeting change or cancellation. Provide a notice to the Clerk of Council of any meeting date or location changes or cancellations for dissemination to the City Council. Post public notice of any meeting or meeting change or cancellation at the entrance of City Hall and on the City's website. Add the meeting to the Community Calendar on the City's website.
- c. Arrange for a person to take minutes for the meeting,
- d. Set up the meeting room and ensure that the digital audio/video recording system operable (if applicable).
- e. Ensure that a sign-in sheet is available and that all Board members and guests sign-in. Provide the sign-in sheet to the person taking the minutes before the end of the meeting.
- f. Develop an agenda and a meeting packet for the meeting in consultation with the Board Chair within three (3) business days in advance of a meeting and transmit copies of the agenda and the meeting packet to the Board members. Post the agenda and the meeting packet to the AgendaQuick system.
- g. Ensure that a complete file for each meeting is maintained pursuant to Ohio statutes and City of Huber Heights retention schedules for public records. This includes but is not limited to: (a) agenda for the meeting;



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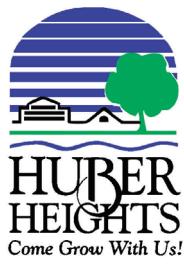
(b) sign-in sheet; (c) copies of all materials handed out or displayed during meeting presentations; (d) meeting packet; (e) all agenda materials provided to the Board; and (f) minutes for the meeting.

h. Advise the City Manager of any topics or recommendations requiring City Staff time and funds beyond reasonable City Staff duties for the Board.

Upon receiving notification that a complaint has been filed with the CCRB, the Staff Liaison shall collect all pertinent information to the incident and forward a notice via written correspondence or email to the City Law Director within two (2) business days from the date the complaint is filed with the CCRB. Upon receipt of the notification and all pertinent documents and information, the Law Director shall conduct a review of the complaint prior to the initial CCRB review. The purpose of the Law Director review is to assess whether the complaint merits the review of the CCRB on the grounds that the complainant(s) was subjected to undue influence or bias in matters of race, color, religion, sex, or national origin. The Law Director's assessment and subsequent recommendation shall be established employing only the information presented, in conjunction with the Law Director's professional opinion and expertise.

3) The Law Director's review shall be completed in ten (10) business days or less from the date the notification is received from the Staff Liaison. If the Law Director's review determines that the complaint is not sustained on the grounds that race, color, religion, sex, or national origin were influencing factors in the matter, the Law Director shall submit such recommendation to the Staff Liaison via written communication or email. The Staff Liaison shall subsequently forward the Law Director's recommendation, to include a synopsis of the incident and the Law Director's review and rational, to the CCRB for review within (10) business days from the date of the Law Director's conclusion. The CCRB shall have fifteen (15) business days to conduct an initial review of the recommendation to determine if the Board concurs with the assessment. If the Board concurs, the CCRB will notify the complainant(s) via mail and the process shall be considered closed. Upon completion of the CCRB process, the Staff Liaison shall maintain all official documents related to the case for no less than twelve (12) months from the date of the initial HHPD Internal Affairs investigation.

If upon completion of the Law Director's review, it is determined that undue influence or bias in matters of race, color, religion, sex, or national origin was present during the incident, the Law Director shall report such recommendation to the Staff Liaison via written correspondence or email. The Staff Liaison shall notify the Board, via written correspondence or email within ten (10) business days from the date of the Law Director's conclusion. The Staff Liaison's notification shall include a synopsis of the incident, the initial findings of the HHPD Internal Affairs investigation, the intent to file with the CCRB, and a summary of the Law Director's review



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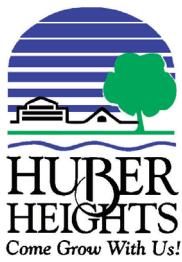
www.hhoh.org

and rational for decision. The Staff Liaison shall also send a separate notification via written correspondence to the complainant(s) within ten (10) business days from the date of the Law Director's conclusion. This notification letter shall advise the complainant(s) that the incident has been recommended to be reviewed by the CCRB. Additionally, the notification letter shall advise the complainant(s) that the CCRB will conduct a review to determine if a hearing is appropriate, and the Staff Liaison will inform them once a decision is made. Lastly, the Staff Liaison will identify themselves as the Point-of-Contact (POC) moving forward and provide the complainant(s) with appropriate contact information, should the complainant(s) need further assistance.

- 4) The CCRB shall conduct an initial review, to include the Law Director's assessment, and the members of the Board shall determine if a hearing is appropriate. If the Board deems a hearing is not appropriate, the CCRB shall submit a report of their recommendation and rational of their decision via written correspondence or email to the Staff Liaison within ten (10) business days following the initial Board review. Subsequently, the Staff Liaison shall notify the complainant(s) of the Board's decision via written correspondence within ten (10) business days following the initial Board review. This notification shall include a synopsis of the incident and a summary of the Board's review and rational. Upon this action, the CCRB Process shall be considered closed, and the Staff Liaison shall maintain all official documents related to the case for no less than twelve (12) months from the date of the initial HHPD Internal Affairs investigation.

If a hearing is deemed appropriate, the CCRB shall report their recommendation to the Staff Liaison via written correspondence or email. The Staff Liaison shall notify the complainant(s) of the hearing via written correspondence within ten (10) business days following the initial review. The Staff Liaison's written correspondence shall include the Board's recommendation to hold a public hearing, the date, time, and location of the hearing (if readily available), and guidelines for public participation in a meeting, as approved by the City Council. Additionally, the Staff Liaison shall ensure that proper notice of the hearing is provided. Board elector-members shall review the statutes, rules or procedures governing the type of meeting being held and follow the appropriate public notice requirements as outlined in the City of Huber Heights Board and Commission Handbook. The complainant(s), recorded witnesses, and officer(s) involved in the incident are not required to attend the hearing. If the beforementioned decline to attend the hearing, their statements recorded during the internal investigation shall serve as their record of statement during the hearing.

- 5) A CCRB Hearing shall be conducted within thirty (30) business days of issuing the hearing notification letter. In accordance with the purpose of this policy, it is the objective of the CCRB to help ensure the complainant(s)



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was not subjected to undue influence or bias in matters of race, color, religion, sex, or national origin. The findings and recommendations of the CCRB shall be grounded solely within the purpose of this policy.

- 6) Upon completion of the hearing, the CCRB shall have no more than thirty (30) business days following the hearing to submit findings and recommendations to the City Council, copied to the complainant(s). In accordance with the authority of this policy, the CCRB is limited in its authority to recommendations, and in no instance shall the CCRB be empowered to effect disciplinary actions. Disciplinary action, if applicable, shall be administered by the HHPD.

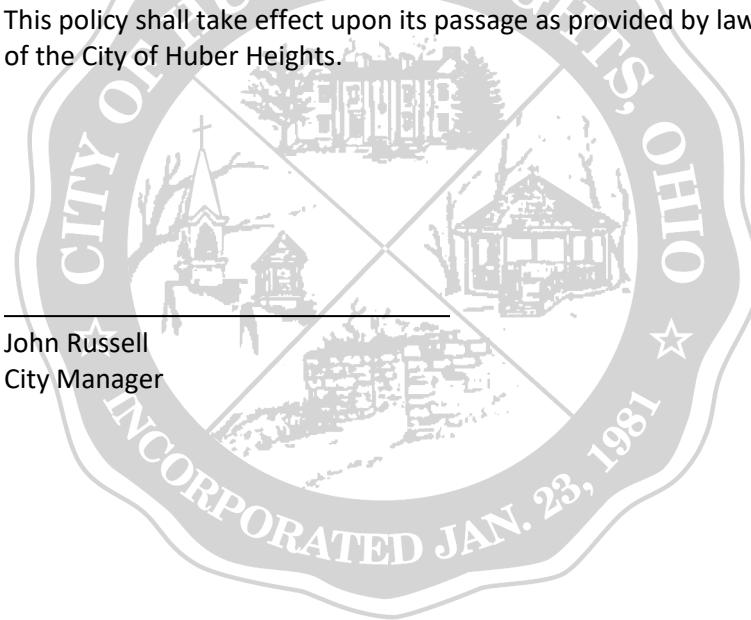
Upon submission of findings and recommendations, the CCRB Process shall be considered complete. The Assistant To The City Manager shall maintain all official documents related to the case for no less than twelve (12) months from the date of the initial HHPD Internal Affairs investigation.

Effective Date: This policy shall take effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Authorized:

John Russell
City Manager

_____ Date





HUBER HEIGHTS POLICE DIVISION

Integrity, Courage, Honor, Respect, Equality



Mark E. Lightner
Chief of Police

6121 Taylorsville Rd. Huber Heights, OH 45424 937-237-5850 937-237-5851 fax

January 1, 2023

John Doe
123 Sesame Street
Huber Heights, OH 45424

Dear Mr. Doe,

I have completed the investigation of your complaint you filed with the Huber Heights Police Division concerning (summarize complaint). I have come to the conclusion the allegation of (state complaint) by officer/s involved in this incident is Not Sustained. I appreciate the concerns you have for your well-being and the Huber Heights Police Division will continue to offer our support and assistance when called upon. I hope you are satisfied with the response you received from the Huber Heights Police Division.

Sincerely,

Lt. (Name)
Administrative Lieutenant

If you believe issues of race, color, religion, sex or national origin were factors influencing the findings of this complaint, you may request a review of your complaint's outcome by the Citizen's Complaint Review Board.

A Request For Review by the Citizen Complaint Review Board can be found on the City of Huber Heights website at www.hhoh.org.





HUBER HEIGHTS POLICE DIVISION

Integrity. Courage. Honor. Respect. Equality



Request For Review By Citizen Complaint Review Board

Name: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone number: Click or tap here to enter text.

Email (optional): Click or tap here to enter text.

Internal Affairs case number : Click or tap here to enter text.

Officer(s) involved: Click or tap here to enter text.

Witnesses: Click or tap here to enter text.

SAMPLE

The Board will make no recommendations concerning the discipline of an employee, which is determined solely by the Chief of Police. Instead, the Board will decide if it concurs or does not concur with the results of the Police Division investigation. The Board's findings may be discussed with City Council and City Staff to discuss the review and potential recommendations. The Board may not change any discipline previously given by the Chief of Police in response to the original complaint.

Be advised: under ORC 2921.15: No person shall knowingly file a complaint against a peace officer that alleges that the peace officer engaged in misconduct in the performance of the officer's duties if the person knows the allegation is false. Whoever violates this is guilty of Making a False Allegation of Peace Officer Misconduct – first degree misdemeanor.

Having been advised of the above law, I hereby affirm the facts contained on this information form and my statement of allegation(s) against Huber Heights Police Division officer(s) are true and accurate.

Signature: Click or tap here to enter text.

Date: Click or tap to enter a date.





City of Huber Heights
LAW REVIEW NOTIFICATION LETTER- NO CCRB REVIEW RECOMMENDED

City of Huber Heights
6131 Taylorsville Rd.
Huber Heights, OH 45424

937.233.1423
937.233.1272 fax

www.hhoh.org

January 1, 2023

John Doe
123 Sesame Street
Huber Heights, OH 45424

SAMPLE

Dear Mr. Doe,

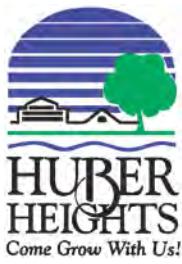
On (date complaint was submitted to Huber Heights Police Division Internal Affairs) you, or someone acting on your behalf, submitted a complaint which was reviewed and investigated by the Huber Heights Police Division Internal Affairs. The results of the investigation yielded that the complaint was not sustained on the grounds that issues of race, color, religion, sex, or national origin were factors influencing the findings of the complaint. On (date requested for CCRB review) you, or someone acting on your behalf, requested a review of the complaint's outcome by the Citizen Complaint Review Board (CCRB).

In accordance with the City of Huber Heights CCRB Procedure Policy, prior to an initial CCRB review, all complaints are first reviewed by the City Law Director for recommendation. The purpose of the Law Director's review is to assess whether the complaint merits the review of the CCRB on the grounds that the investigation's findings were subjected to undue influence or bias in matters of race, color, religion, sex, or national origin. The Law Director's assessment and subsequent recommendation shall be established employing only the information presented, in conjunction with the Law Director's professional opinion and expertise.

Upon review of the complaint, it is recommended that this matter does not merit the review of the CCRB. This recommendation is based on the following:

- (Synopsis of the incident)
- (Summary of the Law Director's findings and rationale)

Upon this recommendation, the complaint is considered closed, and the CCRB process complete. The City of Huber Heights denounces all forms of systemic and institutional racism and discrimination and declares that racism is a public health crisis. If you have any additional questions or concerns, please feel free to contact the Staff Liaison, Jeffrey Adams, at (937) 237-5836 or at jadams@hhoh.org.



City of Huber Heights

LAW REVIEW NOTIFICATION LETTER- NO CCRB REVIEW RECOMMENDED

Sincerely,

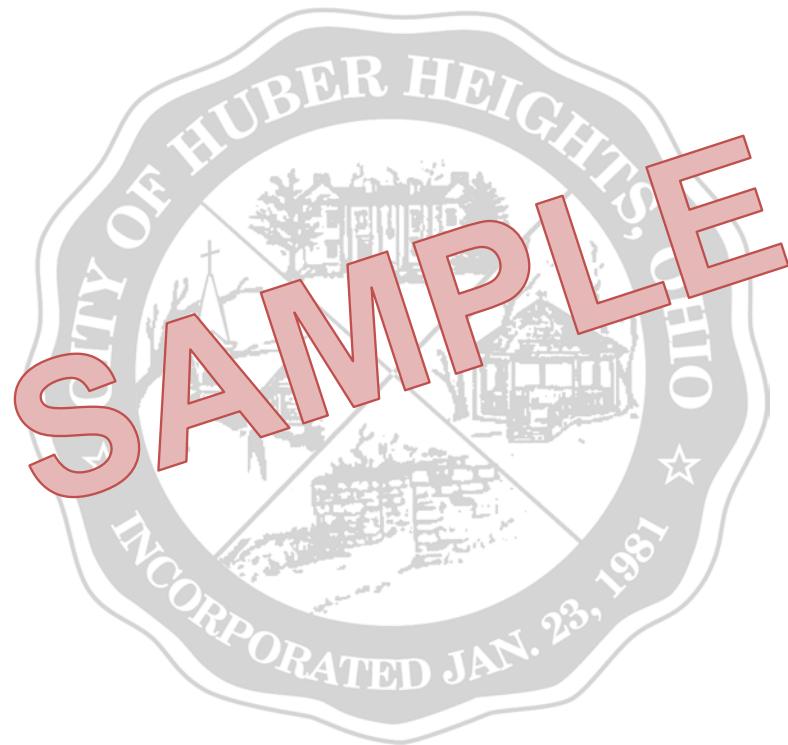
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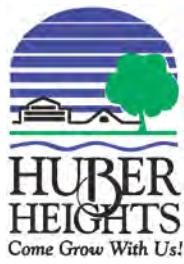
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Jeffrey Adams
Assistant To The City Manager

Date





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City of Huber Heights
LAW REVIEW NOTIFICATION LETTER- CCRB REVIEW RECOMMENDATION

January 1, 2023

John Doe
123 Sesame Street
Huber Heights, OH 45424

Dear Mr. Doe,

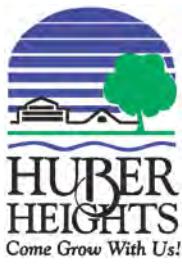
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In accordance with the City of Huber Heights CCRB Procedure Policy, prior to an initial CCRB review, all complaints are first reviewed by the City Law Director for recommendation. The purpose of the Law Director's review is to assess whether the complaint merits the review of the CCRB on the grounds that the investigation's findings were subjected to undue influence or bias in matters of race, color, religion, sex, or national origin. The Law Director's assessment and subsequent recommendation shall be established employing only the information presented, in conjunction with the Law Director's professional opinion and expertise.

Upon review of the complaint, it is recommended that this matter does merit the review of the CCRB.

In accordance with the City of Huber Heights CCRB Procedure Policy, the CCRB shall have no more than fifteen (15) business days from the date of this correspondence to conduct an initial review of the complaint and deem if a public hearing is appropriate. During the CCRB process, I shall act as the Staff Liaison, and I shall notify you via mail of the Board's decision to move forward with a public hearing. If you have any questions or concerns, please feel free to contact me at (937) 237-5836 or at jadams@hhoh.org.

SAMPLE



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Sincerely,

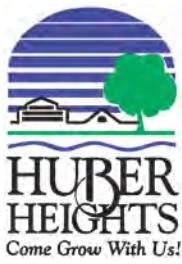
City of Huber Heights

LAW REVIEW NOTIFICATION LETTER- CCRB REVIEW RECOMMENDATION

Jeffrey Adams
Assistant To The City Manager

Date





City of Huber Heights
HEARING NOTIFICATION LETTER- HEARING NOT RECOMMENDED

City of Huber Heights
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937.233.1272 fax

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January 1, 2023

John Doe
123 Sesame Street
Huber Heights, OH 45424

SAMPLE

Dear Mr. Doe,

On (date requested for CCRB review) you, or someone acting on your behalf, requested a complaint submitted to the Huber Heights Police Division Internal Affairs be reviewed by the Citizen Complaint Review Board (CCRB). In accordance with the City of Huber Heights CCRB Procedure Policy, that request was initially reviewed by the City Law Director, and it was subsequently determined that the complaint warranted a CCRB Initial Review.

Upon further review, the CCRB has determined that the complaint does not merit a public hearing. This recommendation is based on the following:

- (Synopsis of the incident)
- (Summary of the Board's findings and rationale)

Upon this recommendation, the complaint is considered closed, and the CCRB process complete. The City of Huber Heights denounces all forms of systemic and institutional racism and discrimination and declares that racism is a public health crisis. If you have any additional questions or concerns, please feel free to contact me at (937) 237-5836 or at jadams@hhoh.org.

Sincerely,

Jeffrey Adams
Assistant To The City Manager

Date



City of Huber Heights
HEARING NOTIFICATION LETTER- HEARING RECOMMENDATION

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January 1, 2023

John Doe
123 Sesame Street
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SAMPLE

Dear Mr. Doe,

On (date requested for CCRB review) you, or someone acting on your behalf, requested a complaint submitted to the Huber Heights Police Division Internal Affairs be reviewed by the Citizen Complaint Review Board (CCRB). In accordance with the City of Huber Heights CCRB Procedure Policy, that request was initially reviewed by the City Law Director, and it was subsequently determined that the complaint warranted a CCRB Initial Review.

Upon further review, it is the recommendation of the CCRB that a public hearing regarding this matter is appropriate and warranted.

In accordance with the City of Huber Heights CCRB Procedure Policy, the CCRB has no more than thirty (30) business days from the date of this correspondence to conduct a public hearing. As the Staff Liaison, it shall be my duty to ensure proper notice of the hearing is provided. I shall notify all parties involved via mail no less than two (2) weeks from the date of the hearing with appropriate date, time, and location of the hearing. Please be advised of the guidelines for public participation in a public meeting, as approved by the City Council. If you have any additional questions or concerns, please feel free to contact me at (937) 237-5836 or at jadams@hhoh.org.

Sincerely,

Jeffrey Adams
Assistant To The City Manager

Date