

# Annual RTM Meeting Schedule 2021 Calendar

All meetings listed below of the Representative Town Meeting begin at 7:30 PM unless otherwise indicated and will be held electronically until further notice. Special Meetings may be called at the discretion of the Moderator.

The schedule of the **2021** Representative Town Meeting is as follows:

<b>TUESDAY</b> Meeting Date	<b>MONDAY</b> Agenda Deadline	<b>MONDAY/4 PM</b> Report Deadline	<b>THURSDAY</b> Mailing Date	<b>Supplemental</b> Meeting (if needed)
January 5, 2021	December 14, 2020 **one week early	December 28, 2020	December 30, 2020 **Wednesday	January 19, 2021
February 2	January 15 **Friday	January 25	January 28	February 16
March 2	February 12 ** Friday	February 22	February 25	March 16
April 6	March 22	March 29	April 1	April 20
May 3, 4, 5 Mon, Tues & Wed if required	April 19	April 26	April 29	May 18
June 1	May 17	May 24	May 27	June 15
July 6	June 21	June 28	July 1	July 20
August 3 if required	July 19	July 26	July 29	August 17
September 14**	August 30	September 7 **Tuesday	September 9	September 28
October 5	September 20	September 27	September 30	October 19
November 9**	October 25	November 1	November 4	November 23
December 7 *	November 22	November 29	December 2	December 21
January 4, 2022	December 20, 2021	December 27, 2021	December 29, 2021 **Wednesday	January 18, 2022

\*Organizational Meeting

\*\* Holiday/Election (earlier/later)

Patricia H. Strauss, Town Clerk

## RESOLUTIONS

(1)

**RESOLVED:** That upon the request of at least 20 electors, a Civilian Police Review Board Ordinance is hereby adopted. (First Reading. Full text is as follows)

Sec. X-XXX. - Civilian Police Review Board.

(a) Establishment.

There is hereby established a civilian police review board ("Review Board") to investigate complaints concerning misconduct by members of the Westport Police Department ("WPD"), to participate in hiring decisions for officers of the WPD, and to receive and make recommendations for service awards for officers of the WPD. It is in the interest of Westport residents and the WPD that investigations of complaints concerning misconduct by police officers and hiring decisions be thorough, transparent and impartial.

(b) Composition.

(1) The Review Board shall be comprised of five elected voting members each serving four-year terms.

(2) Review Board members shall be electors of the Town who are at least 21 years of age and, who have no felony convictions. Review Board members shall not be current employees of the WPD or the Town of Westport, elected officials of the Town of Westport, or an immediate family member of a current WPD employee.

(3) Party Affiliation of Members. In accordance with CGS § 9-167a and Chapter 2 of the Town Charter, no more than a bare majority of members of the Review Board shall be members of the same political party. Pursuant to CGS § 9-414, no Town committee, caucus or convention shall endorse and certify to the Town Clerk, and no primary shall choose, more candidates for nomination to the Review Board for which than an elector may vote. Candidates may run without party endorsement.

(4) Staggered Terms. Board members will serve staggered terms. For the term beginning in 2021, the candidates with the three highest vote totals shall each be elected for four-year terms and the candidates with the next two highest vote totals shall each be elected for two-year terms. Beginning in 2023, all candidates elected to the Review Board will be elected to four-year terms.

(5) Review Board members shall be sworn to the faithful performance of their duties and shall serve without compensation. Any actual expenses and disbursements incurred in the performance of their duties shall be paid from the Westport Town treasury.

(c) Resignation.

Any member of the Review Board who misses three consecutive regularly scheduled Review Board meetings or four regularly scheduled Review Board meetings in a twelve consecutive month period shall be considered to have resigned. Any vacancy on the Review Board occasioned by resignation, death, inability to serve, or otherwise shall be filled for the unexpired term in accordance with Section C38-3 of the Town Charter.

(d) Powers, Jurisdiction and Duties Regarding Complaints.

(1) With the assistance of the WPD when requested as set forth in subsection (e), the Review

Board shall review, investigate and have jurisdiction over all citizen complaints against WPD officers. The Review Board shall have the authority and responsibility for reviewing and investigating allegations of police misconduct, to review input from WPD's Professional Standards Division to ensure that reports and conclusions are complete, accurate and factually supported, to hold hearings and make credibility determinations, and to make recommendations to the Chief of Police or Acting Chief of Police ("Chief") in connection therewith.

- (2) The Review Board and WPD shall inform all complainants that complaints should be filed contemporaneously with both the WPD and the Review Board. Upon receipt of a complaint, the WPD and Review Board shall promptly share such complaints with each other in order to ensure both have been contemporaneously notified of a new complaint. The WPD shall post a sign in the lobby of WPD headquarters and on the WPD website informing complainants of the dual-filing requirement. The WPD and Review Board complaint forms must have the same dual-filing instructions clearly printed at the top of the complaint forms, along with notification that the Review Board will investigate and respond to the complaint. Complaints are to be filed with the WPD in accordance with CT Gen Stat § 7- 294bb.
  - (3) The Review Board shall have the power to issue subpoenas to compel witness attendance before the Review Board and to require the production of records it deems relevant to any matter under investigation or in question.
  - (4) To the extent permitted by the Connecticut Freedom of Information Act, witness testimony will be taken outside the presence of other potential witnesses, in order to ensure independent testimony and that no witness intimidation occurs. However, the complainant and the WPD employee against whom the complaint is made shall have the right to remain in the hearing room during the testimony of other witnesses, even when the complainant or accused may be called as potential witnesses. Except as provided under the Law Enforcement Officers Safety Act (LEOSA), 18 USC §§ 926B and 926C, and other applicable law, no firearms will be permitted at a Review Board hearing.
  - (5) The Review Board may refer to and follow the Connecticut Rules of Evidence during all hearings, proceedings, and in determining the scope of subpoenas. The Review Board may refer to the Connecticut Rules of Civil Procedure for guidance in proceedings to the extent the Board members consider it useful or necessary.
- (e) WPD Support for the Review Board
- (1) The WPD shall provide members of the Review Board with copies of the policies, procedures and directives of the WPD relevant to the WPD's duties.
  - (2) The Review Board shall have access to the same files and reports as the WPD's Professional Standards Division, to the extent legally permissible.
  - (3) When requested by the Review Board, the Chief shall assign the Captain of Professional Standards to advise the Review Board as to police policies and procedures and to attend any meetings at which the Review Board requires his or her presence, and to assist when requested with investigations of complaints.
  - (4) The WPD shall assist the Review Board with the Review Board's investigations when reasonably requested to do so by the Review Board.
- (f) Evaluation of Prospective Police Hires.
- The Review Board shall be included in the evaluation process for prospective police officer hires and will make recommendations to the First Selectman and Chief in connection therewith. Solely for purposes of hiring decisions, the Chief shall serve as an ex officio member of the Review Board.

(g) Operations.

(1) The Review Board shall elect one (1) of its members to be Chair and one (1) of its members to be Secretary on an annual basis. It shall hold regular monthly meetings whenever there are open complaint investigations or hiring decisions to be made and shall keep written records of all meetings. Such monthly meetings can be cancelled with advance notification if there is no business to be conducted. When sufficient cause exists, the Review Board may convene special meetings, in accordance with its policies and procedures, with 24 hour advance published notice. A majority of the members of the Review Board shall constitute a quorum.

(2) The Review Board shall designate a spokesperson for, and as liaison between, the Review Board and the First Selectman with respect to each decision, recommendation and finding, as described further herein.

(3) The meetings of the Review Board shall be open to the public, except that the Review Board may hold executive sessions in accordance with state law. Meetings of the Review Board shall be held in accordance with the provisions of the Connecticut Freedom of Information Act. The meetings of the Review Board shall be held at Town Hall or at such other place, or electronically, as determined by the Chair of the Review Board. The Review Board can adopt rules and regulations for its operation, so long as they are not inconsistent with this legislation.

(4) In the course of its proceedings with respect to citizen complaints, the Review Board may take testimony from witnesses concerning the alleged conduct which is the subject of the complaint. All testimony by witnesses before the Review Board shall be sworn under oath. The Review Board may require a WPD officer to participate in a meeting where the Review Board is evaluating a complaint against that officer, provided that no such WPD officer shall be compelled to testify in the event his or her Fifth Amendment right is implicated.

(5) Following the review of a citizen complaint, the Review Board will determine whether or not the citizen complaint is upheld and make its recommendation for or against disciplinary action. The Review Board will promptly report its findings and determinations to the Chief. A copy of the complaint and the Review Board's findings and determinations shall be maintained by the Review Board. Final decisions upheld by the Chief shall be maintained in the WPD officer's personnel file.

(6) The Review Board will seek to complete its review of every civilian complaint within sixty (60) days of receipt thereof. In the event that circumstances prevent the completion of a review of a civilian complaint within sixty (60) days, the Review Board will submit written cause for the delay and reason(s) for the same to the office of the First Selectman.

(7) The Chief shall consider the findings and recommendations of the Review Board and determine whether to accept or reject the recommendation within two weeks of the Chief's receipt of the Review Board's decision. In the event that the Chief seeks an extension, the Board may grant it if good cause is shown. Within two weeks of receipt of the Review Board's decision, or upon the end of any extension granted by the Review Board if later, the Chief shall notify the Review Board in writing of his or her decision and the reasons for said decision related to each specific civilian complaint. The Chief shall impose the discipline that he or she determined to be appropriate, as soon as possible, after notifying the Review Board of his or her decision, unless the Chief determines that public safety requires discipline to be imposed

earlier.

(8) Nothing herein shall prevent the Chief from immediately terminating or suspending a police officer, department employee, or detective, from the WPD, should circumstances so warrant.

(h) Continuous Improvement of Complaint Process. The Review Board may also make recommendations to the Chief and First Selectman for revision of specific police department policies and procedures related to the civilian complaint process.

(i) Accountability.

(1) The Review Board shall prepare an annual report to the First Selectman indicating: the total number of complaints filed, the number of each type of complaint filed, the names of police officer(s) about whom complaints were filed, the name and number of complaints filed against each police officer against whom multiple complaints were filed, and the disposition of the complaints.

(2) The Chief shall prepare an annual report to the Review Board and the First Selectman indicating any disciplinary actions taken and training and assistance offered to police officer(s) against whom civilian complaints were received.

(j) Police and Citizen Awards.

Westport citizens may also submit to the Review Board any recommended commendations of WPD officers whose conduct goes above and beyond the call of duty. Each year, the Review Board shall determine whether to recognize WPD officers for commendable service, to be announced at an annual awards ceremony.

(k) Effective date.

This ordinance shall be effective March 15, 2021.