

COMPARISON OF CITIZEN REVIEW BOARD vs. ELECTED CITIZEN OVERSIGHT PANEL

CITIZEN REVIEW BOARD		ELECTED CITIZEN OVERSIGHT PANEL	
<i>COMPOSITION</i>		<i>COMPOSITION</i>	
Number of Members	9	Number of Members	7
Selection of Members	Appointed: Each Council Member and Mayor shall nominate one member; all members of City Council shall nominate two members at large ¹	Selection of Members	Elected: One civilian from each ward Chairperson at large
<i>TERMS</i>		<i>TERMS</i>	
3 years – no more than 2 full consecutive three year terms without a three year period of non-membership.		Unknown	
<i>QUALIFICATIONS</i>		<i>QUALIFICATIONS</i>	
Resident of the City, American citizen, or resident alien of the United States. If a member moves out of the City, they must resign. Members cannot be a convicted felon. Each member shall pass the standard City background check. Members must not be currently holding or running for political office in the City at any point during their term, if so, that member will be removed from the board. At the time of appointment a member cannot knowingly have a relative employed with the police department, and the definition of relative means an individual who is related to that member as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister. ²		Civilian member who shall be elected, one member from each ward and a chairperson elected citywide	

¹ Ordinance No. Creating the Citizens Police Review Board

² Final Model for Fort Myers Citizens Police Review Board as recommended by the Citizens Police Oversight Study Committee

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<i>DUTIES</i> ³		<i>DUTIES</i> ⁴	
Type	Appointed by Mayor and City Council; advisory to chief of police	Type	Elected civilian citizen oversight panel to act as independent civilian oversight of sworn police department
Subpoena Power	No	Subpoena Power	Yes with approval of independent counsel and in consultation with the state attorney of Lee County in a manner that shall not interfere with any pending or potential criminal investigation or prosecution; panel 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.
Authorized to:	Review unsworn citizens complaints no currently investigated by Police Department and closed departmental investigations conducted thereof in the following instances (1) Use of deadly force. (2) Alleged use of excessive force. (3) Any instance wherein police action results in death or serious bodily injury. (4) Any complaint referred to it by a member of city council, city manager, or chief of police. (5) Any complaint selected by majority vote of the board for review.	Authorized to:	Conduct independent investigations of police misconduct
	Review policies, procedures, rules, regulations, general or special orders pertaining to the use of force and police conduct toward the citizenry		Review policies of the Police Department
	Submit a written report to the mayor, city council, city manager and chief of police		Make recommendations to city manager and/or directly to the police chief to which a timely written response shall be received within 30 days

³ Ordinance No. 3507

⁴ Citizens Initiative Petition Charger language

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<i>FISCAL IMPACT</i>				<i>FISCAL IMPACT</i>			
		Start Up Cost	Annual Cost			Start Up Cost	Annual Cost
Election		\$.00	\$.00	Election	29,000 registered voters @ \$4.00 each ⁵	\$116,000.00	⁷ \$58,000.00
					Advertising 2 display advertisements	25,000.00	\$ 12,500.00
					Sample Ballot Mailing		
					Security – 19 Polling Locations ⁶	18,070.00	\$ 9,035.00
					Miscellaneous Supplies	600.00	\$300.00
Background Check for Board Members	\$25.00 each	\$225.00	\$75.00	Background Check for Board Members		.00	.00
Compensation for Members		\$.00	\$.00	Compensation for Members		Unknown	Unknown
Training	<ul style="list-style-type: none"> o Ride along with police officer o Use of Force Class o Attend Fort Myers Citizen Police Academy 			Training	Unknown		
Board Staff ⁸	City Attorney	N/A	N/A	Board Staff	Professional personnel:		
	City Clerk	N/A	N/A		Executive Director	\$117,000.00 ⁹	\$117,000.00
					Benefits		
					FICA	\$8,170.00	\$8,170.00
					Insurance	\$13,500.00	\$13,500.00
					Pension		\$17,901.00

⁵ Source: Lee County Elections Office

⁶ Source: Fort Myers Police Department

⁷ Every Other Year

⁸ Final Model for Fort Myers Citizens Police Review Board as recommended by the Citizens Police Oversight Study Committee

⁹ Average of Salaries for Directors Key West, Miami, Miami-Dade

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<i>FISCAL IMPACT</i>				<i>FISCAL IMPACT</i>			
					Total Executive Director	\$138,670.00	\$160,453.00
	Recording Secretary (annual overtime)	\$919.00	\$919.00		Administrative Assistant	\$38,000.00	\$38,000.00
					Benefits		
					FICA	\$2,907.00	\$2,907.00
					Insurance	\$13,500.00	\$13,500.00
					Pension		\$5,814.00
					Total Administrative Assistant ¹⁰	\$54,407.00	\$83,700.00
					Independent counsel who is a competent member of the Florida Bar with at least 5 year membership and knowledge of Florida law. ¹¹	\$129,106.00	\$129,106.00
					FICA	\$8,170.00	\$8,170.00
					Insurance	\$14,201.00	\$14,201.00
					Pension		\$24,710.00
		\$1,144.00	\$994.00			\$151,477.00	\$177,054.00
					ITS work order hours based on 20 work orders ¹²		\$2,000.00 Due 2 nd Year
					ITS Service Fixed Fee/System ¹³		\$2,000.00 Due 2 nd Year

¹⁰ Budget Office 04/27/2009

¹¹ Citizens Initiative Petition Charter language

¹² ITS Department 04/29/2009

¹³ ITS Department 04/29/2009

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<i>FISCAL IMPACT</i>				<i>FISCAL IMPACT</i>			
					Blackberry (purchase) ¹⁴	\$150.00	
					Blackberry (annual service) ¹⁵	\$660.00	\$660.00
					Aircard for laptop annually ¹⁶	\$540.00	\$540.00
					Telephones ¹⁷	\$250.00	
					Long Distance ¹⁸		\$50.00
					Desk Phones (purchase) ¹⁹	\$750.00	
				Office Furniture ²⁰	Director	\$12,000.00	
					Attorney	\$12,000.00	
					Administrative Assistant	\$8,000.00	
					Conference Room for 10	\$15,000.00	
				Office Space including Conference Room	3,000 square feet @ \$18.00 per square foot	\$54,000.00 ²¹	\$54,000.00
				Office Space Common Area Maintenance	\$200.00 per month	\$2,400.00	\$2,400.00 ²²
				Water	\$84.00 per month	\$1,008.00	\$1,008.00
				Solid Waste	\$96.48 per month	\$1,160.00	\$1,160.00
Total Estimated Cost		\$1,144.00	\$1,144.00			\$612,142.00	\$536,632.00

¹⁴ ITS Department 04/29/2009

¹⁵ ITS Department 04/29/2009

¹⁶ ITS Department 04/29/2009

¹⁷ ITS Department 04/29/2009

¹⁸ ITS Department 04/29/2009

¹⁹ ITS Department 04/29/2009

²⁰ Facilities Maintenance Division

²¹ Housing and Real Estate Division

²² Housing and Real Estate Division