



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 22

Agenda Date: October 14, 2021

In Control: City Council A Session

DEPARTMENT: Office of the City Clerk

DEPARTMENT HEAD: Debbie Racca-Sittre

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Appointments to the Citizen Advisory Action Board

SUMMARY:

Approving the appointment of the following members of the community to the Citizen Advisory Action Board for a two-year term to expire on October 14, 2023. The Citizen Advisory Action Board (CAAB) is also commonly referred to as the Complaint and Administrative Review Board (CARB) [Debbie Racca-Sittre, Interim City Clerk]

1. Raquel Zapata
2. Juan Carlos Merlo
3. Ronnell Bright
4. Lyn Wincott
5. Sydney Knowles

The recommended appointments were reviewed with the Public Safety Committee at the September 21, 2021, Public Safety Committee Meeting. After this presentation Mr. Guzman, one of the applicants, withdrew his application. Ms. Sydney Knowles is being recommended to be appointed to the CARB in place of Mr. Guzman. Ms. Knowles was previously appointed to the CARB by City Council on December 3, 2020.

BACKGROUND INFORMATION:

The Complaint & Administrative Review Board (CARB) was established through the Collective Bargaining Agreement (CBA) and it functions in accordance with the CBA. The Board is responsible for reviewing allegations of police misconduct and submitting recommendations on disciplinary action to the Police Chief. The Board is comprised of 14 members (7 civilians and 7 sworn members).

Process to Apply and Requirements – Interested residents apply to the Office of the City Clerk. To be eligible, an applicant must be a San Antonio resident for at least two years and has not been indicted for a felony or a crime of moral turpitude, or officially charged with a Class A or B Misdemeanor.

Process to Appoint members – An interview panel comprised of the Deputy City Manager, Chief of Police, and the City Attorney interviews all civilian applicants. Upon the selection of applicants, a letter listing the recommended applicants is sent to the San Antonio Police Officers Association (SAPOA) providing the Union with an opportunity to provide feedback prior to City Council consideration. The applicants are presented to the City Council for consideration and approval to serve a two-year term.

Civilian members serve at the pleasure of the City Council, which may remove them, or replace them at any time, with or without cause. If not removed or replaced, a member serves for a two (2) year period.

Sworn members interested in serving on the CARB submit their name for consideration to the Office of the Chief.

How It Works – The CARB meets every two weeks. The civilian members serve two-year terms and actively serve a maximum of 180 days consecutively. The sworn members serve for 6-month terms. No appointee shall serve for more than two consecutive 180-day periods. The City Ethics ordinance applies to all members of the CARB.

A total of 14 civilians are appointed with seven civilians serving as alternates. The seven sworn members include a Deputy Chief serving as the chairperson, 1 Captain, 1 Lieutenant, 1 Sergeant, 1 Detective and 2 Patrol officers.

Roles/Responsibilities

- o All members of the CARB shall be given the opportunity to review each case that will be presented for consideration
- o The Chairperson shall be responsible for the maintenance of the confidentiality of all files submitted for review by the CARB.
- o The Chairperson of the CARB, on recommendation from any member of the CARB may elect

to hear testimony from complainants or responding Officers. Attendance to these boards meetings where testimony is requested are entirely voluntary and complainants or responding Officers may elect to remove themselves at any stage of the questioning by either board without fear of reprisal.

o The Chairperson shall determine the manner in which all meetings shall be conducted and shall be the determining factor as to the hearing of testimony or attendance by any person. No responding Officer or complainant shall have the right to be represented by counsel but may be accompanied by an observer.

o Each board (civilian and sworn) makes an independent recommendation to the Chief of Police. Such recommendations are advisory only and are not binding on the Chief. The CARB may not conduct a separate independent investigation but may recommend to the Chief of Police that further investigations should be undertaken.

o After a final ruling by the Chief of Police occurs, the Commander of the Professional Standards Section notifies the Complainant(s) and accused Officer(s) as to the final disposition of the case within twenty-one (21) calendar days.

ISSUE:

This Ordinance will appoint community members to serve on the San Antonio Police Citizen Advisory Action Board (CARB).

ALTERNATIVES:

If applicants are rejected, the City Manager would recommend other appointments for City Council consideration. The Office of the City Clerk will continue to promote vacancies.

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Staff recommends approval of the Citizen Advisory Action Board appointments. Attachment I contains the list of existing CARB members and recommended members.

