

Your guide to the

Police Complaint Process & the Citizens Review Board



What is the Citizens Review Board?

The Citizens Review Board (CRB) is an 11-member board. Three members are appointed by the Mayor, five members appointed by the City Council, and three members by the City Manager. Their job is to hear appeals filed by residents who are not satisfied with the decision made regarding their complaint against an officer with the Charlotte Mecklenburg Police Department (CMPD).

The CRB will hear appeals of cases involving the use of force, unbecoming conduct, arrest search and seizure, arbitrary profiling and discharge of a firearm by an officer which results in death or injury to a citizen. The CRB holds an initial hearing in every case, and if the Board finds sufficient evidence of error, the appeal proceeds to an evidentiary fact-finding proceeding.

Following the evidentiary hearing, the Board issues written findings and a recommendation to the Chief of Police and City Manager. The City Manager makes the final decision. The CRB meets as needed on the 2nd or 4th Tuesday at 4:00 p.m., or otherwise as necessary.

I want to file a complaint against a CMPD officer. How do I get started?

A complaint can be filed 3 ways:

- In person at the Community Relations (CR) office, at 700 Parkwood Avenue, Monday through Friday, 8 a.m.-5 p.m. CR phone: 704-336-2424 or 704-336-5426.
- In person at the CMPD Internal Affairs Office, located in CMPD headquarters at 601 E. Trade Street, Monday through Friday from 8 a.m.-5 p.m., CMPD Phone: 704-336-2336. You may file after-hours with CMPD by calling 704-336-2141.
- Complete an online form at <http://charlottenc.gov/crc>. Go to the Events and Programs Forms section on the bottom of the page, and click on the form entitled "Allegation of Police Misconduct."

What you will need to complete the form:

- Personal identification information
- Date of incident
- Time of incident
- Location of incident
- Name of officer (if known)
- Summary of allegation(s)

What happens after I file a complaint?

Your complaint is investigated by the Internal Affairs Division at CMPD. They review all types of complaints made against officers. Depending on the allegation and if it meets the criteria of severity, an internal hearing is conducted by the Chain of Command Review Board, which includes a member of the CR staff. If the complaint does not meet the criteria for review by the Chain of Command Review Board, the complaint is

investigated internally. When that investigation is complete, a letter will be sent, notifying you of the decision.

I have filed a complaint and it is considered serious misconduct by the officer. Once the internal hearing is held, how is the complaint settled?

After the Chain of Command Review Board investigates the complaint, the complaint can be settled in one of four ways:

- *Sustained*: The complaint is proven by the evidence given.
- *Not Sustained*: There is not enough evidence from either side to prove or disprove the complaint.
- *Exonerated*: The incident that the complaint was based on did occur, but the officer acted properly and according to the law.
- *Unfounded*: A false complaint was filed. The incident did not occur.

Once the complaint has been settled, you will receive a letter from CMPD notifying you of the decision.

I am not satisfied with the decision that the Chain of Command Review Board made about my complaint. What is my next step?

You have the right to appeal the decision. Your appeal must be filed within 30 days after receiving the decision letter from CMPD. You must provide a valid current address in order for you to be contacted during the appeal process.

The appeal can be filed 3 ways:

- In person at the Charlotte City Clerk's Office, at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, 7th floor, Monday through Friday, 8 a.m.-5 p.m.
- In person at the Community



Relations office, 700 Parkwood Avenue, Monday through Friday, 8 a.m.-5 p.m.

- Online at <http://charlottenc.gov/CityClerk/Pages/CitizensReviewBoard.aspx> or <http://charlottenc.gov/crc>. Go to the Events and Programs Forms section on the bottom of the page, and click on the form entitled "Citizens Review Board Appeal Form."

I filed an appeal to the Citizens Review Board. What happens next?

Once your appeal is filed, the CRB will hold an initial hearing within 45 days to decide if your case warrants additional fact-finding proceedings. At the initial hearing, the complainant (person who filed the appeal) may have legal representation or may have someone else to speak on their behalf. The Board hears presentations and asks questions from each side separately. If the CRB finds sufficient evidence that CMPD's decision was in error, the Board must conduct evidentiary fact-finding proceedings within 45 days. At the evidentiary

hearing, witnesses testify under oath and are subject to cross-examination.

What happens after the evidentiary hearing?

Upon conclusion of the evidentiary hearing, the CRB decides whether the evidence supports overturning CMPD's decision. The Board issues a recommendation, supported by findings of fact, to the Chief of Police and City Manager. The Chief of Police has 7 days to take such action as he deems appropriate and report his decision to the City Manager, who makes the final determination. You will be notified by mail of the City Manager's decision.

If I don't agree with the City Manager's decision, what is my next step?

If you do not agree with the decision, it is up to you to seek legal help to determine your next steps. For more information, visit or call Community Relations: 704-336-5426, 700 Parkwood Avenue Charlotte, NC, 28205. <http://charlottenc.gov/crc>



Information about the Citizens Review Board

Charlotte-Mecklenburg Community Relations is an agency of the City of Charlotte and Mecklenburg County. The mission of Community Relations is to advocate for an inclusive community where trust, acceptance, fairness and equity are the community norms.

Community Relations assists residents of Charlotte-Mecklenburg in the following ways:

- Promotes the quality of opportunity for all citizens
- Promotes understanding, respect and goodwill among all citizens
- Provides channel of communications among the various racial, religious and ethnic groups in Charlotte-Mecklenburg and
- Studies problems in the area of human and community relations and provides the results to the public

The police complaint process is designed to give residents a way to file a complaint against a Charlotte-Mecklenburg police (CMPD) officer. This brochure outlines the process, resident responsibilities, and role of the Citizens Review Board (CRB).

Charlotte-Mecklenburg Community Relations

700 Parkwood Avenue
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704-336-5426

<http://charlottenc.gov/crc>