

# BYLAWS OF

## Civilian Complaint Review Board

### ARTICLE I

#### DEFINITIONS and TERMS

As used herein, the terms hereunder are defined as follows:

1. Civilian Complaint Review Board. “Civilian Complaint Review Board” shall mean the entity established by Ordinance No. 6PSF-B
2. CCRB. “CCRB” means the Civilian Complaint Review Board, as the same may be constituted from time to time.
3. Board. “Board” means the Civilian Complaint Review Board, as the same may be constituted from time to time.
4. Bylaws. “Bylaws” means the Bylaws of the Civilian Complaint Review Board, as amended from time to time.
5. Chairperson. “Chairperson” means the Chair of the Civilian Complaint Review Board.
6. Public Safety Department, Division of Police or NPD. “Division of Police. Newark Police Division” or “NPD” shall mean the City of Newark Department of Public Safety, Division of Police.
7. Ex-Officio Board Member. “Ex-Officio Board member” means an individual who serves on the Board in a non-voting capacity at the pleasure of the remaining members of the Board by virtue of their position, as provided by these Bylaws.
8. Individual. “Individual” means a natural person.
9. Quorum. A “Quorum” is the number of Trustees necessary for the transaction of business at all meetings of the Members or the Board. Unless otherwise specified in the Bylaws, at a meeting of the CCRB, a Quorum shall mean the presence, of a majority of the Trustees entitled to vote at such. A Quorum must be maintained for any duration of a meeting in which voting takes place, with the exception of brief interruptions when a Trustee must excuse him/herself for not more than ten minutes during any meeting.
10. Written Notice. “Written Notice” means notice provided by any form of mail, including electronic mail.

**ARTICLE II**  
**NAME, MISSION AND PRINCIPAL OFFICE**

1. Name. This BOARD shall be known as the Civilian Complaint Review Board.
2. Mission. The Civilian Complaint Review Board (CCRB) is an independent Department in the City of Newark, NJ. It is established to foster positive relations between the NPD and the Newark community by providing transparency, fairness and equality in the practice and policies of the NPD. The CCRB is a critical part of the process for the implementation of reforms, policy and creating protections for the citizenry, as well as instilling confidence in the resolution of NPD internal police investigations.
3. Principal Office. The Board shall have its principal office at 44 Mount Prospect Avenue, in the City of Newark, County of Essex, State of New Jersey, and it may also maintain offices at such other places as the Board may from time to time designate.

**ARTICLE III**  
**PURPOSE**

1. Recognizing that a properly conceived and functioning police oversight system is necessary to promote transparency of the police department and protect the rights of citizens, the City Council adopted the Ordinance, 6PSF-b.
2. Through the Police Oversight Ordinance, the City Council created the CCRB as an independent agency of City Government, not part of either the City Administration or City Council. The CCRB provides oversight of the NPD through review of NPD policies and citizen complaint investigation trends.
3. Ordinance 6PSF-b along with these policies and procedures set forth the structure of the CCRB and the manner in which it will operate. The policies and procedures may be supplemented by office policies the CCRB may approve related to internal operations of the Administrative Office.

**ARTICLE IV**  
**MEETINGS**

1. **Regular Meetings**. The CCRB will hold regular monthly meetings to conduct any Board related business. All meetings must be held in accordance with the New Jersey Open Public Meetings Act.

2. **Committee meetings.** Any meeting of subcommittees of the Board will be scheduled as needed for Board business.

3. **Public Comment and Addressing Meetings.**

A. The CCRB will provide an opportunity for public comment during each public meeting. Public comment shall be limited to three minutes, unless extended by the Chairperson.

C. Public comment must be directed to the CCRB through the Chairperson or presiding Board member, not at staff members or members of the audience.

D. The CCRB may invite representatives of the City, other government bodies, or the public to speak on matters relevant to the CCRB's work.

4. **Records.** The Recording Secretary shall serve as the custodian of records for the CCRB and shall retain the minutes and records of all CCRB proceedings.

5. **Attendance.** Board members shall attend all meetings of the CCRB unless excused by the Chairperson or Senior Administrative Staff on the Chairperson's behalf.

6. **Disturbing Meetings.** It shall be unlawful to disturb any meeting of the CCRB or any of its subcommittees, or to behave in a disorderly manner at any such meeting. There will be no tolerance for disruptive public outbursts or disruptions that impede the orderly progress of a meeting. If necessary, the Chairperson or presiding Board member may ask that security escort that person out of the Chambers. Such removal from the Chambers or Committee Room will be effective for the remainder of that meeting. If continued disruptions occur, the Chairperson or presiding Board member may recess the meeting until order is restored, and, if necessary, may clear the Chambers or Committee Room of persons participating in the disturbance.

**ARTICLE V**  
**ORGANIZATION OF THE CIVILIAN COMPLAINT REVIEW BOARD**

1. **Membership.** The makeup, selection process and terms of membership for the CCRB shall be defined in the Newark, NJ Ordinance No. 6PSF-b.
2. **Appointment of Chairperson.** The Mayor of the City of Newark, NJ shall appoint one of the members to be the Chairperson.
3. **Election of Vice-Chairperson.** The CCRB shall elect one of its members as the Vice-Chairperson. The CCRB shall select the Vice-Chairperson at the first meeting in the month of March of each calendar year or upon vacancy of an office to fill the remaining term. The Vice-Chairperson shall serve at the pleasure of the CCRB until March 1st of the next year or until their successors have been selected.

4. **Powers and Duties of the Chairperson and Vice-Chairperson.**

A. With assistance from the Administrative office, the Chairperson shall:

- (1) Call the CCRB to order and, upon a quorum being present, proceed to business;
- (2) Preserve order and decorum and, during CCRB meetings, have general direction of the at any location where the meeting is held;
- (3) Have the responsibility for preparation of the agenda and dissemination of the agenda with the public notice for the meeting;
- (4) Decide all questions of order, subject to a Board member's right to appeal to the CCRB as a whole;
- (5) Have the right to speak, as other Board members, on general questions from his or her chair;
- (6) Vote upon all questions in the same manner as other Board members;
- (7) Appoint all subcommittees and membership thereof;
- (8) Sign all resolutions, letters, and official documents on behalf of the CCRB;
- (9) Receive all formal messages and communications from the Mayor, City Council, and others;
- (10) Hold over or refer to the appropriate subcommittee any issue of interest to the CCRB;
- (11) Have the authority to sign all agreements for professional/technical services entered into by the CCRB to facilitate its functions pursuant to applicable procurement statutes and requirements.
- (12) The Chairperson of the CCRB may act as the Chairperson of the Governance Subcommittee.

B. In the absence of the Chairperson, upon the Chairperson's inability to act, or upon request of the Chairperson, the Vice-Chairperson shall preside and shall have all the powers and authority of the Chairperson.

## **5. Subcommittees.**

A. The CCRB through majority vote may create additional subcommittees as it deems necessary or desirable in performing the functions it is authorized to perform. Subcommittees shall consist of any number of Board members fewer than a quorum.

B. Subcommittees only shall vote when a quorum of the subcommittee is present. A Board member may designate an alternate Board member to attend a subcommittee meeting when the Board member regularly assigned to the subcommittee is unable to attend. A majority of the members of the CCRB assigned to a subcommittee and designated alternates shall constitute a quorum of a subcommittee.

C. The Chairperson of a subcommittee shall vote on all matters before the subcommittee in the same manner as other members of the subcommittee. The Chairperson also may make or second motions.

D. At each regular CCRB meeting following a subcommittee meeting, the subcommittee Chairperson shall give an oral report from the subcommittee meeting. The regular meeting minutes shall contain a summary of the subcommittee report.

E. The CCRB Chairperson may request that subcommittee reports be submitted in writing and provided to the full CCRB. If written reports are submitted, reports of the minority of the subcommittee may be also included.

F. Subcommittees shall report on all matters referred to them without unnecessary delay. If a subcommittee refuses or neglects to report on any matter referred to it, the Chairperson may take the matter from the subcommittee.

G. The policies and procedures of the CCRB apply to all subcommittees, except as otherwise provided and except that subcommittees may establish their own time limitations for witnesses addressing the subcommittee and for debate by members of the subcommittee, and except that notice to the public, including an agenda, shall be given for any regular or special meeting of a quorum of the members of any subcommittee.

H. Several Subcommittees can be formed to act as panels, consisting of at least three Board members in each, for the purpose of reviewing NPD policies. Panel recommendations shall be referred to the full Board for consideration. Policies may also be reviewed by the full Board without panel review.

**6. Conflicts of Interest.** A Board member shall withdraw from any proceeding in which he or she has a direct or indirect conflict of interest, or does not believe he or she can provide a fair and impartial hearing. Board members should err on the side of caution and withdraw from any proceeding in which there is an appearance of a conflict of interest.

**7. Removal of Members.** The CCRB may vote to recommend to the Mayor of the City of Newark, NJ a removal of any member for cause by a 2/3 vote of the full Board. Any such vote shall be made after following the discipline policy developed by the Board.

**8. Membership.** The makeup and selection process of CCRB membership shall be defined in the Newark, NJ Ordinance 6PSF-b

## **ARTICLE VI** **PROCEDURES**

**1. General Rules.** Any matter not covered by these rules shall be governed by Roberts' Rules of Order (latest edition), or, if not covered by Roberts' Rules of Order, by a decision of the Chairperson, subject to the right of appeal.

**2. Amendment of Rules.** These rules, or any part thereof, may be amended, repealed, altered or rescinded by a vote of a majority of all CCRB members.

3. **Early Departure.** Any Board member leaving a CCRB meeting early shall make the Chairperson or Senior Administrative Staff aware of such departure as early as possible via written notice, so that allowances in scheduling business can be made. Any Board member leaving a subcommittee meeting when the departure will cause a loss of quorum shall make every effort to secure an alternate Board member to sit on the subcommittee.

4. **Policy Recommendations.**

A. The CCRB shall review and analyze policy suggestions, analysis, studies, and trend data the NPD has collected or developed supplemented by such additional data and information it obtains directly or instructs the NPD to collect.

B. By majority vote, the CCRB will recommend policies related to programs and procedures or other matters relating to NPD.

**ARTICLE VI**  
**BUDGET**

1. **Budget.** CCRB staff shall present to the CCRB a budget at such a time as to provide the CCRB sufficient time to recommend and propose the CCRB budget to the Mayor and City Council during the City's budget process. The proposed budget shall provide for sufficient funding to carry out the powers and duties set forth in Ordinance No. 6PSF-b, including the funding for staff and all necessary operating expenses.

**ARTICLE VII**  
**Public Speaking**

1. The Chairperson (and Vice-Chairperson in the absence of availability of the Chairperson) is the only member that may speak on behalf of the entire Board at any public event or in response to press inquiries. The Chairperson or Vice-Chair must speak in accordance to discussed sentiments of the majority of the Board expressed during a previous meeting or conference call.