

ORDINANCE NO. 11-85 N.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND AMENDING
CHAPTER 3.54 OF THE RICHMOND MUNICIPAL CODE PERTAINING TO THE
POLICE COMMISSION

The Council of the City of Richmond do ordain as follows:

Section 1. Section 3.54.070 of the Municipal Code
of the City of Richmond is hereby amended to read as follows:

3.54.070 Police Commission Investigative Officer. The City Council shall appoint a Police Commission Investigative Officer who shall assist the Commission in performing its duties. The Investigative Officer shall, in accordance with this ordinance, conduct investigations of citizen complaints alleging misconduct by Richmond Police Officers. The Investigative Officer shall conduct such investigations in a fair, objective and ethical manner, and shall comply with the Public Safety Officers Procedural Bill of Rights Act (Government Code Sections 3300, et seq.) in interviewing police officers. In addition, the Investigative Officer shall serve as Secretary to the Commission.

Section 2. Sections 3.54.080(2)(b) and (c) of the Municipal Code of the City of Richmond are hereby amended to read as follows:

- (b) No complaint shall be accepted, investigated, or heard if it is not filed with the Commission within forty-five (45) days of the alleged misconduct by the Richmond Police Officer unless the complainant establishes to the Investigative Officer's satisfaction that the failure to file the complaint within the required time limit was due to mistake or excusable neglect.
- (c) The Investigative Officer shall investigate timely complaints as soon as possible. At the conclusion of the investigation, the Investigative Officer shall submit findings and recommendations, either orally or in writing, to the Commission.

Section 3. Section 3.54.080(3)(b) of the Municipal Code of the City of Richmond is hereby amended to read as follows:

- (b) The Investigative Officer shall investigate timely appeals and transmit findings and recommendations, either orally or in writing, to the Commission.

Section 4. This ordinance shall take effect and be in force on and after its final passage and adoption.

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First read at a regular meeting of the Council of the City of Richmond held March 4, 1985, and finally passed and adopted by the Council of the City of Richmond at a regular meeting thereof held March 11, 1985, by the following vote:

Ayes: Councilmembers Washington, Niccolls, Greco, Livingston, Silva, McMillan, MacDiarmid, Ziesenhenne and Mayor Corcoran.

Noes: None.

Absent: None.

HARLAN J. HEYDON
Clerk of the City of Richmond

Approved:

(SEAL)

THOMAS J. CORCORAN
Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

State of California)
County of Contra Costa : ss.
City of Richmond)

I certify that the foregoing is a true copy of Ordinance No. 11-85 N.S., finally passed and adopted by the Council of the City of Richmond at a regular meeting held March 11, 1985, and published in accordance with law.

Harlan J. Heydon
Clerk of the City of Richmond

of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section III. Effective Date. This ordinance becomes effective after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond, California, held April 15, 1985, and finally passed and adopted at a regular meeting thereof held April 22, 1985, by the following vote:

AYES: Councilmembers Niccolls, Livingston, Silva, McMillan, MacDiarmid, Ziesenhenne and Vice Mayor Washington.

NOES: None.

ABSENT: Councilmember Greco and Mayor Corcoran.

HARLAN J. HEYDON
Clerk of the City of Richmond

Approved:

LONNIE C. WASHINGTON, JR.
Vice Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

State of California)
County of Contra Costa : ss.
City of Richmond)

I certify that the foregoing is a true copy of Ordinance No. 16-85 N.S., finally passed and adopted by the Council of the City of Richmond at a regular meeting held April 22, 1985, and published in accordance with law.

Harlan J. Heydon
Clerk of the City of Richmond

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