

BILL NO. 8 - 2020

Moved by: _____

An Ordinance amending Part 5 of the Administrative Code under Chapter 2-500, adding thereto Chapter 2-515 to establish a Citizens Law Enforcement Advisory Committee.

WHEREAS, the Council of the City of Harrisburg recognizes that the mission of the Harrisburg Bureau of Police is to protect and serve the public with honor, integrity, and professionalism; and

WHEREAS, the Council further recognizes that the people to be served must be a fundamental resource that assists the Bureau of Police in their mission to serve all people; and

WHEREAS, the Bureau of Police are committed to working in partnership with people throughout the City so that Harrisburg is a safe place for each and every person to live, work, and play; and

WHEREAS, the Council recognizes that there is significant community interest in ensuring a positive relationship between the community at large and the Bureau of Police; and

WHEREAS, the Council finds that providing opportunities for the improvement and ongoing maintenance of that relationship will promote community confidence in the Bureau of Police and the law enforcement officers that serve our community, and thereby realize a genuine improvement in public safety; and

WHEREAS, to achieve greater improvement in community relationships and to further promote public safety, the Council desires to establish an advisory committee of City residents to be known as the Citizens Law Enforcement Advisory Committee.

31 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
32 **HARRISBURG, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE SAME, AS**
33 **FOLLOWS:**

34
35 Ch. 1-201.1.C PROVIDES "AMENDMENTS TO EXISTING LEGISLATION ARE TO
36 BE UNDERLINED; DELETIONS ARE TO BE INDICATED BY [BRACKETING]. ADDITIONS TO
37 PROPOSED LEGISLATION WHICH AMENDS EXISTING LEGISLATION SHALL BE CAPITALIZED;
38 DELETIONS SHALL BE INDICATED BY STRIKING (-)." "

39
40 **SECTION 1. AMENDMENT TO THE ADMINISTRATIVE CODE.**

41 Part 5 of Title 2 of the Codified Ordinances for the City of Harrisburg is hereby amended
42 as follows:

43 "PART 5 (2-500), BOARDS, COMMISSIONS, AUTHORITIES

44 CHAPTER 2-501

45 BOARDS, COMMISSIONS AND AUTHORITIES

46
47 § 2-501.1. Boards, commissions and authorities.

48 A. The following boards and commissions have been created by ordinance:

49
50 ****

51
52 (18) Citizens Law Enforcement Advisory Committee

53
54 ****

55
56 CHAPTER 2-515

57 CITIZENS LAW ENFORCEMENT ADVISORY COMMITTEE

58
59 § 2-515.1. Title.

60 This Chapter of the Codified Ordinances for the City of Harrisburg shall be known and may be
61 cited as the CITIZENS LAW ENFORCEMENT ADVISORY COMMITTEE.

62

63 § 2-515.2. Establishment.

64 There is hereby created an advisory committee for City residents to be known as the Citizens
65 Law Enforcement Advisory Committee for the City of Harrisburg.

66

67 § 2-515.3. Intent and Purpose.

68 It is the intent and purpose of the Chapter to establish a citizen advisory committee to improve
69 community relationships with law enforcement throughout the City and promote public safety,
70 which shall be known as the Citizens Law Enforcement Advisory Committee (CLEAC).

71

72 § 2-515.4. Role and Function.

73 The core functions of CLEAC shall be to:

74 A. Assist in fostering a better understanding of the role of law enforcement
75 throughout the City, reviewing as necessary law enforcement policies, practices
76 and data. The goal should be to improve transparency and accessibility to public
77 information.

78 B. Provide City residents a forum to give voice to concerns about police interactions
79 and responses, to help identify critical, systemic or recurring issues of importance
80 for residents and businesses throughout Harrisburg, and to facilitate whenever
81 necessary changes in local law enforcement practices.

82 C. Promote policies and practices for the protection of the local community to further
83 the goal of the fair, just and dignified treatment of each and every person.

84 D. Provide recommendations as necessary to the Harrisburg Bureau of Police, the
85 Mayor and City Council on policies to maintain public safety for all, promote law
86 and order, assist in the reduction of crime, and protect all in the community.

87 E. Foster positive relationships and an improved understanding between the
88 Harrisburg Bureau of Police and the members of the community.

89

90 § 2-515.5. Composition.

91 A. The CLEAC shall be comprised of seven (7) voting members, with the Chair of
92 the City Council Public Safety Committee and the Commissioner or Chief of the

93 Harrisburg Bureau of Police, or a designee thereof, each serving as a non-voting,
94 ex officio member of the Committee.

95 B. All members must have resided in the City of Harrisburg for at least three (3)
96 years leading up to the appointment and must maintain residency within the City
97 for the duration of their term on the Committee.

98 C. With the exception of ex officio members, no member shall be a public official or
99 municipal employee.

100
101 § 2-515.6. Original Committee Appointments.

102 A. The original Committee shall be comprised of four (4) members appointed by the
103 City Council and three (3) members appointed by the Mayor, each of whom must
104 be confirmed by a majority vote of the Council prior to being seated on the
105 Committee.

106 B. Four (4) of the original members shall be appointed to three (3) year terms and
107 three (3) shall be appointed to two (2) year terms, apportioned in the same manner
108 as the appointing authorities, each of whom shall serve until the appointment of
109 their successor.

110 C. Each of the seven (7) original members shall reside in a different policing district
111 within the City from the other members.

112 D. At its inaugural meeting, the Committee shall elect a Chairperson to act as the
113 presiding officer.

114
115 § 2-515.7. Expiration of Appointed Terms and Vacancies.

116 A. A person appointed to fill a vacancy shall serve for the balance of the term for
117 which their predecessor was appointed. All other appointments shall be for terms
118 of three (3) years.

119 B. The Chairperson shall notify the Office of the Mayor and the City Clerk in writing
120 no less than 30 days prior to the expiration of a member's term or within 30 days
121 of any vacancy occurring on the Committee.

122 C. The Chairperson shall advise at that time of the Committee's recommendation, if
123 any, for filling any vacant or expired seat.

- 124 D. The Mayor shall accept the Committee's recommendation(s) or otherwise appoint
125 another eligible individual, subject to the advice and consent of the City Council
126 in accordance with the provisions of Chapter 2-301.3 of the Administrative Code.
127 E. Should a member fail to attend three (3) consecutive meetings without providing
128 prior notification, the seat shall be deemed vacant and the Chairperson shall
129 proceed to provide prompt notice in accordance with the forgoing provisions.
130

131 § 2-515.8. Membership Qualifications.

132 Members of CLEAC must have the following qualifications:

- 133 A. An appointee must be concerned about the relation of members of law enforcement
134 and community members, sensitive to community needs and perceptions, willing to
135 commit themselves to community service and to conduct themselves in a manner
136 consistent with the purposes for which the Advisory Committee is formed.
137 B. An appointee must be committed to seek and receive input from the community, as
138 well as to apply input received to further the purposes of the Advisory Committee.
139 C. An appointee must participate no less often than annually in a City ride-along with a
140 law enforcement officer.
141 D. An appointee must attend and complete an orientation and education program
142 provided by the Harrisburg Bureau of Police within six (6) months of their
143 appointment or otherwise have previously completed a City-sponsored Citizens'
144 Police Academy.
145 E. At least two (2) members must have a minimum of two (2) years of recent training
146 and experience in social services, human services or be a licensed social worker.

147

148 § 2-515.9. Powers and Duties.

149 The following advisory powers and duties are vested in CLEAC.

150

151 § 2-515.9.1. Information Gathering.

152 To gather, maintain, summarize and report on public information and statistics regarding
153 local law enforcement in one (1) or more of the following categories:

- 154 A. Officer and supervisory training and education programs and options.

- 155 B. Harrisburg Bureau of Police (HBP) published General Orders and related
156 policies.
157 C. Reports on law enforcement interactions with the public.
158 D. Citizen complaint summaries and reports.
159 E. Similar categories of public information on other law enforcement agencies.
160

161 § 2-515.9.2. Analysis.

162 To analyze public information and data derived from any of the foregoing HBP records
163 for comparison with other similarly situated municipalities, other municipalities in the
164 region or national statistics.

165
166 § 2-515.9.3. Communications.

167 To promote and encourage open communications, cooperation and dialogue between the
168 HBP and the residents and businesses of Harrisburg through any of the following
169 activities:

170 A. Developing recommendations on how to better inform the community on
171 individual rights and responsibilities when a person has contact with law enforcement
172 officers.

173 B. Facilitating effective means of participation for City residents in the making of
174 program recommendations to effectively supplement law enforcement training, when
175 needed, to assure that a sensitive, effective and responsive approach to the needs of
176 residents becomes self-evident.

177 C. Providing a community perspective to law enforcement and City officials when
178 concerns of the effectiveness of law enforcement services and relations are at issue.

179 D. Foster and encourage public participation in crime prevention activities
180 throughout the City.

181 E. Promoting productive law enforcement and community interaction to assist the
182 HBP in achieving a greater understanding of the nature and causes of complex
183 community problems in the areas of diversity and human relations.

184 F. Effectively addressing the concerns of the community by promoting cooperative
185 programs and approaches to the solutions of community crime.

- 186 G. Advocating for the principle that the administration of justice requires total
187 community involvement and personal responsibility.
- 188 H. Hold public meetings from time to time for the purpose of soliciting public input
189 on general or specific ways to improve communication and partnership between local
190 law enforcement and the communities they serve.
- 191 I. To serve as a liaison between the HBP and the community, as necessary.
- 192 J. Engaging and encouraging neighborhood and community organizations
193 throughout the City to participate in training, discussions and promotion of programs
194 and opportunities to foster public safety and improve communication with and
195 regarding local law enforcement.

196

197 § 2-515.9.4. Reports and Recommendations.

198 To approve and issue advisory reports and recommendations to the Harrisburg Bureau of
199 Police, the Mayor and City Council as follows:

- 200 A. To provide recommendations consistent with the purposes of this legislation in
201 respect to the modification, adoption or reform of any internal HBP policy, practice
202 or procedure that CLEAC determines would benefit public safety or otherwise foster
203 improved relations between law enforcement personnel and the community they
204 serve.
- 205 B. To issue reports to the Council and the Mayor on any practice or specific action of
206 law enforcement that in the assessment of CLEAC are matters of genuine community
207 concern or controversy.
- 208 C. To provide recommendations to the Council and the Mayor on legislative or non-
209 legislative actions to improve relations between local law enforcement and the
210 community.
- 211 D. To provide recommendations of the adoption of any program, intergovernmental
212 agreement, or activity that CLEAC determines would serve to strengthen bonds
213 between the HBP and the community, so as to thereby make manifest the promise of
214 equal protection and service for all citizens.
- 215 E. To provide an annual written report on their activities to the Council and the
216 Mayor.

217 § 2-515.10. Bylaws, Organization and Quorum.

218 The following provisions shall govern the organizational structure of the Committee:

- 219 A. The members may adopt bylaws to govern the organization in the carrying out of
220 their duties.
- 221 B. Bylaws or any amendments thereto are subject to the prior review and approval of the
222 City Solicitor.
- 223 C. Members may from time to time select and appoint by majority vote a Chair, Vice-
224 Chair and Recording Secretary from its members, with or without the adoption of
225 bylaws.
- 226 D. Proposed bylaws and other CLEAC policies shall be consistent with the purposes of
227 this legislation and applicable law.
- 228 E. A majority of the Committee shall constitute a quorum for the purpose of conducting
229 committee business and for all other purposes.
- 230 F. All actions of the Committee shall be taken by a vote of the majority of voting
231 members present.
- 232 G. No Committee business may be conducted if a majority of voting seats are vacant.

233
234 § 2-515.11. Meetings.

235 CLEAC shall hold an annual public meeting and such other committee meetings as the members
236 deem necessary in public meeting rooms or facilities of the City. The provisions of 65 Pa.C.S.
237 Ch. 7 (relating to open meetings) shall apply to the Committee.

238
239 § 2-515.12. Notice, Advertising and Venue.

240 The City Clerk shall assist CLEAC to coordinate meetings of the organization, including the
241 drafting and publication of required legal advertisements, posting of notices on the City website,
242 reserving public meeting rooms in City facilities and acting as custodian of the official minutes
243 and records of the organization.

244
245 § 2-515.13. Compensation.

246 Committee members shall not receive any compensation for serving as a member of the
247 Committee.

248 § 2-515.14. Removal of members.

249 A Committee member may be removed from his or her position by Council for failing to comply
250 with the provisions of this legislation or for other cause shown.

251

252 § 2-515.15. Statutory Authority.

253 This Chapter is enacted under the authority of Section 410 (b) of the Optional Third Class City
254 Charter Law, authorizing the creation of commissions and other bodies with advisory powers.

255

256 § 2-515.16. Related Provisions and Restrictions.

257 Nothing in this legislation is intended or shall be deemed to mandate or authorize any person,
258 official, department, bureau or public employee to release any record or information otherwise
259 subject to non-disclosure under Pennsylvania's Criminal History Record Information Act, 18
260 Pa.C.S. §9101, et seq. or that otherwise would impact the continuation or completion of an open
261 criminal investigation. Nothing in this legislation is intended to alter, diminish or impede a
262 Mayor's exercise of their exclusive authority to supervise city police, as provided under the
263 Third Class City Code, 11 Pa. C. S. §11103 (a)(2) and otherwise by law.

264

265 **SECTION 2.** DELEGATION. Appropriate City officials are authorized to take such actions as
266 are necessary to effectuate this ordinance.

267

268 **SECTION 3.** SEVERABILITY. If any provision, sentence, clause, section or part of this
269 ordinance or the application thereof to any person or circumstance is for any reason found to be
270 unconstitutional, illegal or invalid by a court of competent jurisdiction, such unconstitutionality,
271 illegality or invalidity shall not affect or impair any of the remaining provisions, sentences,
272 clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Council of
273 the City of Harrisburg that this ordinance would have been adopted had such unconstitutional,
274 illegal or invalid provision, sentence, clause, section or part not been included herein.

275

276 **SECTION 4.** REPEALER. All ordinances or provisions of ordinances in conflict with the
277 provisions of this ordinance are hereby repealed in so far as they are inconsistent herewith.

278

279 **SECTION 5.** EFFECTIVE DATE. This ordinance shall take effect in accordance with the law.

280

281

282 Seconded by: _____

283

284 Passed by Council: _____

285

286 Signed by the Mayor: _____

Passed by City Council _____

President of City Council

Attest _____

City Clerk

Approved

Returned to City Council with objections

Mayor

Date

YEAS		NAYS
	MR. ALLATT MS. BOWERS MS. DANIELS MS. GREEN MR. MADSEN MR. MAJORS MS. WILLIAMS	
Yeas	_____	
Nays	_____	

INTER

OFFICE

MEMO

To: HARRISBURG CITY COUNCIL
From: Kirk Petroski, City Clerk
LEGISLATIVE APPROVAL FORM

Date:

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2020 RESOLUTION NO. -2020

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:

/s/Neil A. Grover
City Solicitor

June 22, 2020
Date

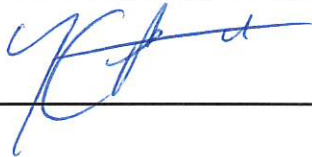
Requested by Department/Bureau: City Council/Public Safety Committee

Department/Bureau Contact Person: Councilwoman Ausha Green/Solicitor

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

Received by: _____



Date: _____