

City of Canton
Executive Order 2016-002
Mayor's Community Relations Commission

WHEREAS, the existence of the Mayor's Community Relations Commission enhances community confidence, improves the operation of government, and promotes public understanding of City of Canton government operations; and

WHEREAS, the Mayor's Community Relations Commission's review of alleged police misconduct helps to ensure the integrity of the City of Canton Police Department Internal Affairs Bureau's investigations; and

WHEREAS, the Mayor's Community Relations Commission's consideration of citizen concern regarding the conduct of City of Canton employees during the performance of duties is important to the day-to-day operation of the City of Canton; and

WHEREAS, as the Chief Executive Officer of Canton, Ohio, the Mayor is charged with the ultimate responsibility of supervising and directing the day-to-day affairs of City Departments and Agencies as prescribed by the Ohio Revised Code and Codified Ordinances of the City of Canton; and

NOW, THEREFORE, I, Thomas M. Bernabei, Mayor of the City of Canton, under the authority conferred by the State of Ohio hereby order that:

- I. There is hereby established and reconfirmed the Mayor's Community Relations Commission, and Executive Order 2008-001 and 2009-011 are superseded.

II. MEMBERS

The Commission shall consist of seven members who shall be appointed by the Mayor. The members shall meet the following qualifications:

- A. A member shall either be a resident of the City of Canton, or work or own a business in the City of Canton which obligates the individual to pay City income taxes.
- B. Members shall undergo a background review including a criminal record check. Members shall not ever have had any criminal felony convictions. Members shall not have had any misdemeanor convictions for an offense against a police officer such as resisting arrest, assaulting a police officer, obstructing official business, or a conviction for an offense involving dishonesty.
- C. Interested applicants shall complete the Mayor's Boards and Commissions Application

Office of the Mayor
Boards and Commissions
218 Cleveland Ave SW
Canton, Ohio 44702
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- D. Members shall serve without compensation.
- E. In addition to the seven permanent Commission members, the Mayor may temporarily appoint individuals from time to time who may serve as consultants or render advice on an ad-hoc basis concerning specific issues that come before the commission.

III. TERM AND VACANCY

- A. Members shall be appointed for terms of two years. Of the seven members first appointed, three members shall be appointed for a term of one year. The four remaining members shall be appointed for terms of two years. Thereafter, terms of office are for two years, each term ending on the same day of the same month as the term it succeeds. Members may be reappointed for a second term.
- B. In the event of a vacancy on the Commission, a new member shall be appointed within thirty (30) days by the Mayor. The new member shall serve the balance of the unexpired term.

IV. TRAINING AND ORIENTATION

Each member shall attend and complete a training program at the Citizens Police Academy sponsored by the Canton Police Department either before appointment or concurrent with appointment. Orientation to the following policies and practices of the Canton Police Department will also be provided:

1. Police Department's General Orders and Rules and Regulations
2. Collective Bargaining Agreements
3. Police selection standards for recruits and training program
4. Disciplinary practices, policy and appeals process
5. Citizen's Complaint Procedure

V. ORGANIZATION AND MEETINGS

The Commission shall organize by electing a Chairperson, Vice-Chairperson, and a Secretary, each of whom shall serve for a period of one year. The Chairperson is authorized to do the following:

1. Maintain order and appropriate decorum
 2. Preside over all meetings and have the right to vote on all issues
 3. Assure that all meetings are conducted in compliance with all applicable City, State, and Federal laws
 4. Select any member to preside in his or her absence or in the event of a personal conflict, if the Vice-Chairperson is unable to preside.
- A. A quorum of the full Commission shall consist of four members and no official meeting shall be held unless a quorum is present. The affirmative vote of the majority of the members present at any meeting when those present constitute a quorum at any regular or special meeting shall be necessary to pass any resolution or make any decision or recommendation.

- B. Meetings concerning the Police Department's Internal Affairs Bureau shall be attended by the Director of Public Safety, Chief of Police or their designees, and an officer of the Internal Affairs Unit. The Law Director or an Assistant Law Director may attend any meeting.
- C. The Commission shall meet once each calendar quarter at a regularly scheduled time and place to carry on the Commission's business with more frequent meetings, if necessary, to be scheduled at the request of the Chairperson. The Secretary of the Commission shall be responsible for the sending of all meeting notices to Commission members, and to the media as required by law.
- D. The Commission shall tape record or keep minutes of all meetings held and all business transacted. The Secretary of the Commission shall be responsible for the performance of these duties.
- E. Any requirements of Ohio's Sunshine Law and Public Records Act that applies to the Commission shall be followed.

VI. POWERS AND DUTIES

A. Internal Affairs Bureau Investigations

1. The Commission shall meet and review the completed Internal Affairs cases from the preceding quarter which have been presented by an Internal Affairs Bureau Officer to the Commission. The review of any specific Internal Affairs case shall not take place until the investigation of the complaint is complete, provided that the Commission shall not review any if they contain information that is confidential or their release is prohibited by State or Federal law. In cases where charges are filed against a City of Canton police officer, the Commission's review shall not be conducted until the disciplinary process is completed including the Director of Public Safety's hearing. If criminal charges are pending against the citizen who filed the complaint or any person who is directly involved in the allegations of the complaint, the Commission shall not review the file until the prosecution of the case has been completed, including trial.
2. The Commission shall assess whether the investigations conducted by Internal Affairs are thorough, accurate, credible, and impartial. The Commission may discuss the investigation with the Internal Affairs Officer at the meeting. If the Commission is satisfied with the investigation or disposition of the case, such conclusion shall be noted in the minutes of the meeting.
3. The Commission shall educate the public concerning the Internal Affairs and disciplinary process in order to promote public understanding of the system.
4. The Commission shall study and review those functions of the Internal Affairs process consistent with the purpose and intent for which it was created; provided, however, that this Commission shall have no authority to conduct its own investigations, call or subpoena witnesses, or impose disciplinary action against any police officer.

VII. RULES AND PROCEDURES

- A. The Commission shall adopt rules and regulations of procedure which it may, from time to time, change with the approval of the Mayor and by a two-thirds vote of approval. However, no rule or regulation shall be in conflict with any statute, ordinance, collective bargaining agreement or law. Such rules and regulations shall fix the time and place of regular meetings and shall provide for special meetings, for appearances by private citizens before the Commission and for such other matters that are pertinent to the operation of the Commission.

IN WITNESS THEREOF, I have hereunto signed my name and caused the seal of the City of Canton to be affixed this 22nd day of September, 2016.



A handwritten signature in blue ink, which appears to read "Thomas M. Bernabei", is written over a horizontal line.

Thomas M. Bernabei

Mayor, City of Canton