



## About The Civilian Police Review Board

The CPRB is comprised of nine members, appointed by the City Manager and confirmed by the City Council. The CPRB's mandate is to review the determinations of Internal Affairs investigations when a review is requested.

The CPRB considers cases involving the following actions:

1. Use of force
2. Unethical conduct and/or conduct unbecoming of Police Department personnel
3. Arrest, search and seizure

Civilian Police Review Board meetings are open to the public; however, individual cases are discussed in closed session.

For additional information, contact the City Manager's Office at (919) 560-4222.

### DPD Complaint Process

File Complaint

IA Investigates

Complainant Notified by Internal Affairs

### CPRB Review Process

Complainant files request for a review by CPRB within 30 business days of receiving determination letter from the Police Department

CPRB reviews investigative materials

The CPRB will meet and determine whether to conduct a hearing and notifies complainant of Board decision

If the board grants a hearing, all parties are notified and a hearing is scheduled

CPRB notifies all parties of the results of the hearing

## How to File a Complaint Against The Durham Police Department and Request a Review



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### Anyone can file a complaint against a Durham Police Department employee

A proper relationship between the community and police is essential. This relationship includes confidence and trust between both sides. Police officers must exercise their best judgment and initiate action in a reasonable, lawful and impartial manner. Police must also observe the rights of all people. If you feel a police officer or employee has conducted him/herself improperly in an interaction with you or another person, you are encouraged to file a complaint.

### Here's the process to file a complaint:

#### Online

- <http://durhamnc.gov/formCenter/Police-Department-13/Citizen-Complaint-Form-82>

#### In person at

- City Manager's Office, 2nd floor of City Hall
- Durham One Call, 1st floor lobby of City Hall
- Police Department headquarters or any substation

#### Via telephone

- Durham One Call: 919-560-1200

- City Manager's Office: 919-560-4222

After the complaint is filed, the Police Department's Internal Affairs Unit investigates the complaint. The unit prepares a report with taped and/or signed statements from the complainant, witnesses and police officers or personnel involved.

The final report is reviewed by staff in the employee's chain of command to recommend an outcome to the Chief of Police, including disciplinary action, if determined appropriate.

### Internal Affairs investigations will result in one of the following determinations:

1. **Unfounded** – Incident **did not** occur or officers not involved
2. **Exonerated** – Incident **occurred** but officer acted lawfully and properly
3. **Not Sustained** – Insufficient evidence to prove or disprove the allegation
4. **Sustained** – Allegation is supported by sufficient evidence
5. **Policy Failure** – The allegation is true; however, there is no written policy governing the conduct or performance in question.

In all cases, the DPD employee is notified of the outcome of the investigation.

- A determination letter will be sent to the complainant (with the outcome of the investigation.)
- The Personnel Privacy Act prevents disciplinary actions from being shared with anyone other than the DPD employee.

### How to Request a Review of the Determination

*If you are not satisfied with the Internal Affairs investigation or its findings, you may request a Civilian Police Review Board (CPRB) review by submitting a written request to the City Clerk's Office within 30 business days of receiving the determination letter from the Police Department.*

The form to request a review by the CPRB will be enclosed with the determination letter from the Police Department, but it can also be accessed from the City Manager's webpage at <http://durhamnc.gov/FormCenter/City-Clerk-6/Civilian-Police-Review-Board-Request-for-45>.

The CPRB will notify the complainant and will review the Police Department's investigation. The CPRB will determine whether the Internal Affairs investigation was deficient. The CPRB does **NOT** investigate the alleged incident/encounter itself.

After a complete review, a hearing may be granted. The CPRB may make written recommendations to the City Manager and Police Chief as a result of their review. The City Manager's decision is final.