

City of Philadelphia



Council of the City of Philadelphia Office of the Chief Clerk Room 402, City Hall Philadelphia

(Resolution No. 200265)

RESOLUTION

Authorizing the City Council Committee on Public Safety to hold hearings to investigate the Police Board of Inquiry's disciplinary process within the Philadelphia Police Department.

WHEREAS, The Police Board of Inquiry (PBI) has a hearing process in place for officer discipline within the Philadelphia Police Department (PPD). All hearings follow a classification and can either be deemed as "Public" or "Internal"; and

WHEREAS, In general, not much is known about the "internal" investigatory and PBI processes. These investigations are conducted in secret and the classification of "internal" seems to be given on an "ad hoc" basis. An overwhelming number of Police Investigations are classified as "internal." This classification shields these cases completely from public view; and

WHEREAS, While there may be sound rationale for classifying these cases as "internal," there is no PPD policy available to the public that would guide the classification. Cases are classified as "internal" regardless of whether confidentiality is actually needed when reviewing the matter; and

WHEREAS, From what has been observed of "public" PBI hearings, the system does not seem to be designed with officer accountability in mind. The PPD and the Police Union are involved in all aspects of the process as the accused, prosecutor, jury, judge and witnesses. The accused is represented by hired counsel, while the PPD is represented by a department advocate without formal legal training. Additionally, the procedure often relies on a higher criminal burden of proof as opposed to an administrative standard of preponderance of the evidence. Finally, the determination of guilt is made by a hearing board, also solely compromised of police officers, and in all cases the final decision is made by the Police Commissioner; and

WHEREAS, The PPD receives thousands of citizen complaints every year, yet only 2% of these complaints result in a guilty verdict. Moreover, those receiving a guilty verdict are usually not disciplined in a manner that would deter problematic behavior in the future; and

WHEREAS, In many cases, the legitimacy of the PPD has been eroded because of the disciplinary process or lack thereof. The public must have confidence in the procedures the PPD

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has in place to hold their own accountable. Having a stronger system in place for officer accountability will ultimately benefit the PPD and the residents of the City; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby authorizes the City Council Committee on Public Safety hold hearings to investigate the Police Board of Inquiry's disciplinary process within the Philadelphia Police Department.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twelfth day of March, 2020.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Jones

Sponsored by: Councilmembers Jones, Gilmore Richardson, Parker,
Quiñones Sánchez, Thomas, Gauthier, Brooks, Bass, Squilla,
Oh and Gym