

# Police Civilian Oversight Board

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Proposed Transition of Oversight Model

**Joint Work Session with City Council**  
**May 18, 2026**



# Purpose

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A joint work session between City Council and the Police Civilian Oversight Board to present and discuss a series of recommended ordinance revisions to Article XVI of the City Code. The purpose of these revisions is to:

1. Transition the PCOB to a “Monitor, Audit, and Review” model of oversight.
2. Remove barriers to implementation of the current investigation-dominant model.
3. Clarify the duties, processes, and outcomes of the new model with a robust framework.

## **Review**

The PCOB will review the core ordinance revisions recommended.

## **Discuss**

The PCOB will discuss recommended revisions with City Council to provide details.

## **Inform**

City Council will inform and advise the PCOB with feedback regarding proposed revisions.

# Purpose Statement Reimagined

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## **Recommended Change**

The Board's purpose changes from a generalized vision of trust to a mission-oriented statement focused on definable oversight actions with measurable outcomes.

## **Why**

The current purpose statement asks the PCOB to “establish and maintain trust” among several city stakeholders and the community. This is not reflective of the PCOB's ability or authority nor does it clearly provide a sense of objective tasks taken to achieve measurable outcomes. This revision sets the tone for a clarified ordinance giving the PCOB a purpose which is actionable and aligned to core principles of a Monitor, Audit, and Review Model of Oversight.

# Transition to a Monitor, Audit, and Review Framework

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## Recommended Change

New ordinance sections lay a framework for a Monitor, Audit, and Review Model of Oversight with clear expectations and procedures.

- Clarifies Department monitoring of internal affairs, meetings, briefings, training, data systems, budget, etc.
- Audit process formalized with audit plans, department cooperation requirements, and structured reporting.
- Board review section establishes parameters for the Board's review authority and process.

## Why

The current ordinance includes all of these authorities at a theoretical level but does not provide a framework for how each is to be conducted. New sections form the foundation of what “oversight” is expected of the Police Civilian Oversight Board and supporting Office staff.

# Emphasis on Public Reporting and Oversight Outcomes

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## Recommended Change

A new section consolidates the Board's outcomes, including findings on internal affairs case review (four determination options), incident review outcomes, disciplinary policy recommendations, audit and policy outcomes, hearing process, a 30-day Department response requirement, follow-up review authority, and mandatory public reporting.

## Why

The current ordinance does not clearly define the work product of the PCOB or supporting Office staff, and what was included was scattered among a variety of sections. This revision brings all expected outcomes from the PCOB under a single section and clarifies the format and process for each.

# Workable Scope for Board Hearings

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## Recommended Change

Hearings remain authorized but are refocused. They may no longer be convened to adjudicate individual complaints or make findings of misconduct against specific Department officers or employees. Instead, hearings may examine policies, practices, patterns, audit findings, and systemic concerns. Participation is voluntary for department representatives.

## Why

The hearing structure in the current ordinance presented an inherent conflict between confidentiality and public meeting requirements. It also represented a trial-based framework which was not actionable. This transition bolsters the value of hearings, makes them functional, and aligns them to the Monitor, Audit, and Review Model of Oversight while also removing existing conflicts.

# Alignment of the Subpoena Authority

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## Recommended Change

Subpoena power is clarified as applying only to third-party (not under Department control) witnesses, third-party records, and department records. The authority to compel department employee attendance or statements is removed. This aligns with the broader Monitor, Audit, and Review Model of Oversight and represents a more realistic legal feasibility.

## Why

The ability to subpoena Department officers or employees to attend hearings and provide statements in response to questions contained an inherent conflict with the guaranteed rights of officers and confidentiality provisions in Virginia Code, case law, and the local CPD Collective Bargaining Agreement. This authority could not be practically applied within the legal limits of the PCOB.

# Barrier Removal: Independent Investigation Model

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## Recommended Change

The model of oversight contained in the ordinance is refined and focused to a Monitor, Audit, and Review Model of Oversight, rather than an investigation-dominant model. All references to the Board, Director, or Office conducting independent investigations of complaints, incidents, or employee conduct have been removed. This change flows through elements of the full ordinance.

## Why

The Monitor, Audit, and Review Model of Oversight allows the PCOB to prioritize its time and resources on achievable outcomes and removes the vast majority of existing barriers or conflicts which arise from the independent investigation component, which include: (1) no framework to compel officer testimony; (2) resource and staffing limitations; (3) investigation procedures required by Virginia Code, CPD General Orders, and the CPD Collective Bargaining Agreement; (4) lack of a relevant binding disciplinary authority negating the purpose of an independent investigation.

# Barrier Removal: Case Disciplinary Recommendations

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## Recommended Change

The authority to recommend specific disciplinary action against an identified employee of the Department at the conclusion of an investigation has been removed. In its place, the Board may issue recommendations regarding the Department's disciplinary policy and its consistent application by the Chief.

## Why

Case-specific disciplinary recommendations are not feasible for two reasons: (1) the timeline of when a case is closed and when discipline is determined by the Chief is unrealistic for the Board to meet on such short notice (timeline set by policy); and (2) Sec. 29.8(G) of the CPD Collective Bargaining Agreement removes Board recommendations from any appeal or grievance proceeding. This limits the role of Board input, especially in high-profile cases, and creates a negative incentive for disciplinary appeals.

# Clarifications to Board Membership

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## Recommended Change

Revisions provide clarification to Board membership and terms, including: (1) The mandated demographic composition requirements are removed with counsel from the City Attorney's Office; (2) Residency eligibility is clarified: voting members must reside in the City or Albemarle County with clarified priority to city residents. Includes an exception clause (VA residents) to address lack of applications; (3) A 30-day application window is added; (4) Terms are shortened from 3 years to 2 years, with up to 4 consecutive terms (aligns with City Code).

## Why

These revisions resolve concerns related to the clarity of priority levels for appointments, address legal concerns, and provide shorter term lengths as a result of feedback from current and former Board members. The 30-day application window is added to address prior concerns of shortened application windows which did not provide time to advertise the Board seats effectively.

# Consolidation of SOP and MOU

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## **Recommended Change**

Provisions currently found in a separate Standard Operating Procedure (for department records access, delivery, and format) and a separate Memorandum of Understanding (for real-time administrative interview monitoring) have been consolidated and codified directly into the revised ordinance.

## **Why**

This revision creates a more robust framework to support the Monitor, Audit, and Review Model of Oversight beyond the current Chief of Police and Department culture, which provides broad access as a current practice. This revision prevents document sprawl of conditional agreements and offers sustainability to the new model.

# Transformed Mediation and Alternative Resolution

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## Recommended Change

The former mediation and informal resolution subsections are replaced. The Office may now offer early resolution through information, education, or referral before formal investigation. If the department maintains a mediation or alternative dispute resolution program, the Office may inform complainants of its availability. Participation is voluntary, and the right to pursue a formal complaint is preserved.

## Why

The existing mediation structure was not functional as it placed the authority in the PCOB without the ability to implement it due to budgetary and legal concerns. The new structure reflects current practice and allows for more flexibility with informal resolution which is practical and actionable.

# Clarification of Commendation Process

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## **Recommended Change**

The former three brief subsections are replaced with a detailed framework: a stated purpose, five specific bases for commendation (de-escalation, community engagement, corrective action, critical incident performance, and other exemplary conduct), three information sources (public nominations, oversight activities, department data), and a verification and issuance process.

## **Why**

The existing commendation framework was not robust enough to be objective, but was retained as a function of objectivity in the work of the PCOB as it relates to the Department. It also offers an actionable way to respond to positive community input regarding the Department and officers.

# **Addition of Definitions Section**

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## **Recommended Change**

Moves existing ordinance definitions and references to this section, and adds new key concepts (authorized purpose, hearing, records, personal information, securely retained, etc.)

## **Why**

Consolidates all defined terms and references into a single section, resolving the issue of sporadic definitions throughout the ordinance and merging any definitions from the PCOB's Standard Operating Procedure and Memorandum of Understanding. Provides a location for any future term clarification without disrupting other sections.

# Next Steps

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## Following the Joint Work Session

- All Council feedback on proposed revisions will frame any further revisions necessary.
- Continued work with City Attorney's Office and Independent Counsel to finalize specific language in the proposed revision.
- Answers provided to any questions posed by Council or the public.
- Create and distribute community messaging regarding the transition to answer questions or concerns concisely.
- Present to City Council for first and second reading by July-August 2026.