



Legislation Details (With Text)

**File #:** 16-1130      **Version:** 1      **Name:** Ordinance Amending Civilian Complaint Review Board  
**Type:** Ordinance      **Status:** Returned to Administration  
**File created:** 7/1/2016      **In control:** Mayor's Office  
**On agenda:** 7/7/2016      **Final action:** 8/3/2016

**Title:** AN ORDINANCE AMENDING ORDINANCE 6PSF-B, MARCH 16, 2016 CREATING AND ESTABLISHING A CIVILIAN COMPLAINT REVIEW BOARD, TITLE II, CHAPTER 2, OFFICE OF THE MAYOR AND AGENCIES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY 2000, AS AMENDED AND SUPPLEMENTED, BY REMOVING LA CASA DE DON PEDRO AND REPLACING THE ORGANIZATION WITH A REPRESENTATIVE FROM THE LESBIAN, GAY, BI-SEXUAL, TRANSGENDER AND QUESTIONING (LGBTQ) COMMUNITY AND AMEND THE SELECTION PROCESS.

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/3/2016	1	Municipal Council	Returned to administration	Pass
7/7/2016	1	Municipal Council	Advanced and Adopted on First Reading as	Pass

**AN ORDINANCE AMENDING ORDINANCE 6PSF-B, MARCH 16, 2016 CREATING AND ESTABLISHING A CIVILIAN COMPLAINT REVIEW BOARD, TITLE II, CHAPTER 2, OFFICE OF THE MAYOR AND AGENCIES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY 2000, AS AMENDED AND SUPPLEMENTED, BY REMOVING LA CASA DE DON PEDRO AND REPLACING THE ORGANIZATION WITH A REPRESENTATIVE FROM THE LESBIAN, GAY, BI-SEXUAL, TRANSGENDER AND QUESTIONING (LGBTQ) COMMUNITY AND AMEND THE SELECTION PROCESS.**

**WHEREAS,** the Mayor of the City of Newark presented an Ordinance Creating and establishing a Civilian Complaint Review Board to the Municipal Council of the City of Newark for adoption; and

**WHEREAS,** on March 16, 2016, the Municipal Council voted to enact the Ordinance creating a Civilian Complaint Review Board; and

**WHEREAS,** Ordinance 6PSF-b, March 16, 2016, sets forth seven organizations, each of which submits to the Mayor a representative from its organization as a nominee for consideration to be one of eleven Members to sit on the Civilian Complaint Review Board; and

**WHEREAS,** La Casa de Don Pedro is one of the seven listed organizations; and

**WHEREAS,** the Ordinance provides that in the event any of the organizations, for any reason, declines to recommend a member or any one or more of the organizations cease to exist, the Mayor

may designate another organization which may in turn recommend a representative in good standing for membership which appointment shall be with the advice and consent of the Municipal Council; and

**WHEREAS**, on or about April 11, 2016, the nominee presented to the Mayor by La Casa de Don Pedro advised the Office of the Mayor, that he could not accept the nomination due to a conflict of interest; and

**WHEREAS**, the Director of Programming and Fund Development for La Casa de Don Pedro, was advised of the communication from the nominee and no other nominee has been submitted to the Office of the Mayor, for consideration; and

**WHEREAS**, the Mayor, as authorized by the Ordinance, is desirous of amending the Ordinance to replace La Casa de Don Pedro's organization with a representative from the Lesbian, Gay, Bi-Sexual, Transgender and Questioning (LGBTQ) Community and make changes to the selection provision of the Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

**[Note: Bold and underlined text represents additions, strikethroughs represents deletions]**

Section 1: Title II, Chapter 2, Office of the Mayor and Agencies, of the Revised General Ordinances of the City of Newark, New Jersey 2000, as amended and supplemented, amending Structure, Civilian Complaint Review Board, be amended by removing La Casa de Don Pedro and replacing the organization with a Representative from the Lesbian, Gay, Bi-Sexual, Transgender, and Questioning (LGTBQ) Community and change the selection process, as follows:

2. Structure - Civilian Complaint Review Board

The Civilian Complaint Review Board will have the following structure:

(a) Members, Selection Process

The Civilian Complaint Review Board (hereinafter referred to as the "CCRB" or the "Board", shall consist of eleven (11) members of the public, all appointed by the Mayor with advise and consent of the Municipal Council: One (1) of which shall be the appointment, by the Mayor, of the City of Newark's Inspector General, three (3) shall be elected members of the Municipal Council or their designees, who shall be nominated by the Municipal Council and recommended to the Mayor; the Mayor shall accept nominations from the seven (7) organizations, one (1) from each of the organizations listed below, which individuals shall be members or representatives in good standing with said organizations, for consideration for appointment to the Board by the Mayor with the advice and consent of the Municipal Council.

- i. American Civil Liberties Union ("ACLU") - New Jersey
- ii. National Association for the Advancement of Colored People ("NAACP") - New Jersey
- iii. People's Organization for Progress ("POP")
- iv. ~~La Casa de Don Pedro~~ **A Representative from the Lesbian, Gay, Bi-Sexual,**

**Transgender and Questioning (LGBTQ) Community**

v. Ironbound Community Corporation (“ICC”)

vi. Newark Anti Violence Coalition (“NAVC”)

vii. Representative of the Clergy (referring to any person who provides moral, spiritual, or philosophical guidance as a profession.)

In selecting representatives to serve on the CCRB, nominators are encouraged to consider potential members’ professional experience in law, civil rights or law enforcement. Nominators shall provide the Mayor with the resumes and any other submissions that establish the nominee’s qualifications to be appointed to the Board and such information shall be provided to the Municipal Council for its review and consideration. ~~In the event any of the organizations, for any reason, declines to recommend a member or any one or more of the organizations cease to exist, the Mayor may designate another organization which may in turn recommend a representative in good standing for membership which appointment shall be with the advice and consent of the Municipal Council.~~ The Mayor shall retain the authority to remove an organization and its representative ~~for cause and designate another organization which can then recommend a representative in good standing for membership on the CCRB which appointment shall be with the advice and consent of the Municipal Council.~~ Any member of the clergy appointed to the Board shall represent the public interest and may not render decisions based on any personal religious belief.

Section 2: Any existing ordinances or parts thereof inconsistent with this ordinance are hereby repealed.

Section 3: This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

**STATEMENT**

An Ordinance amending 6PSF-b, March 16, 2016, to remove La Casa de Don Pedro and replace the organization with a representative from the Lesbian, Gay, Bi-Sexual, Transgender, and Questioning (LGBTQ) Community and amend the selection process.