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## Function of the Commission

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### Overview

The Police-Civilian Internal Affairs Review Commission consists of five members from the community and two police officers who are appointed by the Mayor with approval of the City Council.

This Commission reviews all citizen complaints involving allegations of excessive force, discrimination, discharge of a firearm for other than training purposes, poor public relations, improper procedures and any other complaint referred to it by the Mayor or Chief of Police.

Members of the Commission will recommend a final disposition on investigations they review and further recommend disciplinary action when warranted. In all cases, the Chief of Police will be the final authority on case disposition and discipline.

### Complaint Procedure

The police department's [complaint procedure](#) is intended to provide corrective action when a police officer exhibits improper conduct. At the same time, officers are afforded protections from unwarranted criticism when discharging their duties in line with established policies and procedures.

### Civilian Coordinator

The Commission has a Civilian Coordinator to assist in receiving complaints from the public. This person is employed by the police department for the specific purpose of building trust in the complaint investigation process and serving as a staff position to the Commission.

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## Resolving Complaints

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### Overview

At the conclusion of an investigation, Internal Affairs submits the completed case file to the Police-Civilian Internal Affairs Review Commission for review. The Commission makes a recommendation for disposition and discipline to the Chief of Police. The Chief may agree with the Commission and take the recommended action.

If the Chief disagrees with the Commission's recommendations, the Chief will meet with the Commission Chairperson within five days and seek to agree on final action to be taken on the case.

Depending on the facts and the need for immediate administrative action, the Chief of Police may take immediate action himself. **In all matters, the Chief of Police is the final decision-making authority.**

### Case Disposition

Once the final disposition has been determined, the Civilian Review Commission will advise the complainant of the case disposition in a letter. The possible dispositions are:

- **Unfounded** - Allegation is false or not factual
- **Not Sustained** - Insufficient evidence to prove or disprove the incident
- **Exonerated** - Incident occurred but it was lawful and proper
- **Sustained** - Allegation is supported by sufficient evidence to justify reasonable conclusion of guilt

Although a complainant will be informed of the disposition of their complaint and any actions taken against the officer, statements, witness statements, police officer statements and other evidence obtained by Internal Affairs investigators will be classified as Public, Private or Confidential data in accordance to Minnesota Data Privacy Act (Chapter 13) and other State and Federal Laws.

### Criminal Investigation of a Police Officer

Where an investigation requires an inquiry into a matter that may be both criminal and a breach of department policy or procedures you will be advised that either course of action may be pursued. If a criminal investigation concerning a police officer is opened, it will be conducted under normal police investigative procedures. The administration will take no action regarding a breach of policy or procedure until the issue of the criminal charges is resolved.

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## Police Civilian Review Commission

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### Member Requirements

**Saint Paul Residency:** Required

**Other Requirements:** Graduation from the [Saint Paul Citizen's Police Academy](#).

All interested residents should call Don Luna at the contact below

**Staff:** Don Luna (651) 266-5583

Note: All prospective commission members must have passed through the Civilian Police Academy

### Powers & Duties

- Reviewing materials and reports on all investigations of complaints concerning members of the Saint Paul Police Department regarding alleged acts of:
  - Excessive force
  - Inappropriate use of firearms
  - Discrimination as defined in Chapter 183.02
  - Poor public relations
- Reviewing other complaints that may be referred by the Mayor and/or Chief of Police