



## Legislation Details (With Text)

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**Effective date:**

**Title:** Ordinance supplementing the Pittsburgh Code of Ordinances, Title One, Administrative, Article Three, Organization, Chapter 116, Department of Public Safety, by adding language.

**Sponsors:** Reverend Ricky V. Burgess, R. Daniel Lavelle, Douglas Shields

**Indexes:** PGH. CODE ORDINANCES TITLE 1 - ADMINISTRATIVE

**Code sections:**

**Attachments:** 2010-0234.doc, 2010-0234 Version 2.doc, 2010-0234 Version 3.doc, 2010-0234 Version 4.doc

Date	Ver.	Action By	Action	Result
6/22/2011	4	Standing Committee		
6/15/2011	4	Standing Committee	Held in Committee	Pass
6/15/2011	4	Standing Committee	AMENDED BY SUBSTITUTE	Pass
6/8/2011	3	Standing Committee		
4/27/2011	3	Standing Committee	Held in Committee	Pass
3/2/2011	3	Standing Committee	Held in Committee	Pass
2/15/2011	3	Hearings Committee	Public Hearing Held	
2/10/2011	3	Post Agenda	Post Agenda Held	
12/21/2010	3	Standing Committee	Held for Public Hearing	
12/21/2010	3	Standing Committee	Held for Post Agenda	
7/28/2010	3	Standing Committee		
7/14/2010	3	Standing Committee		
7/7/2010	3	Standing Committee	Held in Committee	Pass
7/7/2010	3	Standing Committee	AMENDED	Pass
5/5/2010	2	Standing Committee	Held in Committee	Pass
4/14/2010	2	Standing Committee	Held in Committee	Pass
4/14/2010	2	Standing Committee	AMENDED	Pass
3/24/2010	1	Standing Committee	Held for Post Agenda	Pass
3/16/2010	1	City Council	Read and referred	

### Title

Ordinance supplementing the Pittsburgh Code of Ordinances, Title One, Administrative, Article Three, Organization, Chapter 116, Department of Public Safety, by adding language.

Body

Whereas, the residents of the City of Pittsburgh have right to hold the Pittsburgh Police Department Accountable; and

Whereas, the public has a right to an annual report summarizing overall Police Activities; and

Whereas, an annual report by the Chief of Police will increase public safety by ensuring citizen confidence.

**Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:**

**Section 1.** The Pittsburgh Code of Ordinances, Title One, Administrative, Article Three, Organization, Chapter 116, Department of Public Safety is hereby supplemented as follows:

**§ 116.02 POWERS AND DUTIES OF BUREAU CHIEFS AND THE DIRECTOR OF PUBLIC SAFETY**

(e) The Director of Public Safety and the Chief of Police shall prescribe the on-duty and off-duty conduct of Pittsburgh police officers, specifying the general conditions under which it is permissible and impermissible for police officers to assert their police authority related to:

- i. the consumption of alcohol, illegal drugs, prescribed medication or other medication;
- ii. personal involvement of the on-duty or off-duty officer; personal involvement shall mean when the officer, a family member, or a friend is involved in a dispute or incident involving a personal matter with the person to be arrested or any other person connected to the incident;
- iii. nothing in this section intends or is to be interpreted as preventing or prohibiting a Pittsburgh police officer from defending himself/herself or others from assaults or threats of serious injury or death, regardless of duty status.

(f) The Chief of Police shall require a police officer to obtain prior approval from his/her supervisor of any police complaints, or arrest warrant affidavits, related to the charge of aggravated assault on a police officer when that arresting police officer is also the alleged victim of the alleged assault, before the accused is arraigned on the alleged charge.

(g) The Chief of the Bureau of Police will assure that all strip searches are conducted in compliance with applicable law and current professional standards. It shall be the policy of the Bureau of Police to permit police officers to conduct strip searches only when authorized by a supervisor and then only if the officer is specially trained to conduct strip searches.

- i. Any such strip search shall be conducted in conformance with hygienic procedures and practices, in a room specially designated for stripsearches, by the fewest number of personnel necessary all of whom must be of the same gender as the person searched, and under conditions that provide privacy from all but those authorized to conduct the search.

ii. Field strip searches of persons in custody shall be conducted only in exigent circumstances where the lives of officers or others may be at risk, and only in privacy with the explicit approval of a supervisor or senior supervisor.

(h) The Chief of the Bureau of Police will require all officers, including those officers assigned to joint investigative task forces, to complete a written report each time an officer:

- i. exercises a use of force;
- ii. performs a body cavity search or strip search;
- iii. conducts any warrantless seizure of property (excluding towing vehicles);
- iv. makes a traffic stop;
- v. makes a pedestrian stop that includes a field interview or a stop and frisk.

The report shall include the officer's name and badge number; the race, approximate age and gender of the individual searched or stopped; approximate time and location; whether the stop involved a frisk or pat-down search; any weapons, evidence, or contraband found during the search; whether the individual involved was arrested or cited, and if so, the charges and the specific reason/s for the stop or encounter. *(This report is not intended for disclosure to the general public at large.)*

Whenever force is used, the report shall also include the specific level of force used; a description of all injuries and treatment location for all individuals and police officers injured in the incident; names and badge numbers of all other officers who used force in the incident; the names and addresses of all other witnesses and the signature of the reporting officer(s) and his/her immediate supervisor.

(i) The Director of Public Safety and the Chief of the Bureau of Police will notify the public annually, of the right to initiate a complaint against an officer, in person, electronically, by facsimile, letter or telephone and such notice will include the physical and electronic address, telephone number, and facsimile number of the Office of Municipal Investigations and the Citizen Police Review Board. Notice shall be provided to the public by posting said notice on the Bureau of Police website, and in the annual public report.

(j) The Chief of the Bureau of Police will publish an annual police service report to the public that includes:

1. Number of sworn police personnel authorized for the calendar
2. Number, by rank, race and gender, of officers on active duty during the reporting period;
3. Number, by rank, race and gender, of officers assigned to each duty and duty location in the reporting period;
4. Number of officers on workers' compensation during the reporting period;
5. Number of officers on disability leave during the reporting period;
6. Number of officers on military or other specified leave during the reporting period;
7. Number of officer retirements during the reporting period;

8. Recruitment and retention plan, including race, ethnicity and gender of applicants for police officer positions, those on the eligibility list(s) and those hired;
9. Number of civilian complaints against Pittsburgh police officers received by the Office of Municipal Investigations (OMI) and the Pittsburgh Bureau of Police PBP, broken down by type of complaint, OMI finding status or the PBP's internally recommended disposition, and the PBP's actual disposition;
10. Number of internally-generated complaints against officers received by OMI, broken down by type of complaint, OMI's finding status and the PBP's actual disposition;
11. Number of officers suspended and period of each suspension;
12. Number of officers placed on administrative leave with pay, pending a criminal or internal misconduct charge.
13. Number of officers disciplined, distinguished by level of discipline, including termination;
14. Number and nature of grievances and of arbitrations taken from a disciplinary action and the results thereof;
15. Number of officers losing state municipal police officer certification and reason for revocation;
16. Number of officers sued, with a statistical breakdown showing the types of claims, in which court or administrative body they were filed, and the result in terms of payment and/or equitable relief;
17. The number of police related civil actions filed during the reporting period against the City of Pittsburgh and the Bureau of Police distinguished by the type of claim and the name of the court or administrative body in which the claims were filed.
  - a. The number of civil actions settled during the reporting period and the monetary amount of each settlement identified by the year of the claim, the parties' names and, if applicable, relevant docket number.
  - b. The number of civil actions resolved during the reporting period by a court or jury or administrative body, the monetary amount distinguished by compensatory and punitive award(s) identified by the year of the original claim, the parties' names and relevant docket number.
  - c. The number of civil actions pending at the beginning and at the end of the reporting period in a court or jury or administrative body, identified by the year of the claim, the parties' names and relevant docket number.
18. Number of officers arrested and number of officers criminally charged, with a listing of the charges filed, the disposition of those criminal charges, and the personnel action taken against the officer
19. Number of calls for service answered by police, calculated and reported by Zone and specialized units;
20. Average response time to calls by police by Zone;
21. Number of arrests by charge, race, age and gender distinguished by Zone and

- specialized units, with particular specification of the number by race, age and gender, of discretionary arrests for resisting arrest, disorderly conduct, public intoxication, or interfering with the administration of justice;
22. Number of convictions differentiated by charge and the race, age and gender of those convicted of each charge, distinguished by Zone and specialized units;
  23. Number of traffic stops, broken down by race, and gender of driver, for each Zone and specialized unit;
  24. Number of traffic stops initiated by an officer's observation of an equipment violation, suspected intoxicated driver, serious moving violations or due to an open investigation, with each cause differentiated by race, and gender;
    - a. Number of traffic stops, resulting in a search of a driver, the vehicle, and/or passenger(s); with each action differentiated by race, and gender of the driver and passenger(s),
      - b. Number of traffic stops resulting in seizure of a person or contraband, differentiated by the race, and gender of the arrestee and person possessing the contraband and type of contraband seized;
  25. Number of traffic stops initiated by police officers, differentiated by marked police vehicles, unmarked police vehicles or police motorcycles.
  26. Number of pedestrian stops by race, approximate age and gender, conducted during the reporting period, distinguished by Zone and specialized units, specifying:
    - a. Number or pedestrians subjected to pat-down search for weapons ("Terry frisk")
    - b. Number of pedestrians searched pursuant to pat-down
    - c. Number and types of weapons confiscated pursuant to pedestrian searches
    - d. Number of pat-downs and number of searches leading to confiscated contraband other than weapons
    - e. Number of arrests resulting from pedestrian stops
    - f. Number of citations issued pursuant to pedestrian stops
    - g. Number of pedestrian stops initiated by:
      - i. Officers patrolling on foot
      - ii. Officers using marked police vehicles including bikes and horses
      - iii. Officers using unmarked police vehicles
      - iv. Officers using police motorcycles
      - v. Officers in uniform
      - vi. Officers in plainclothes
    - h. the general circumstances leading to pedestrian stops such as, but not limited to:

- i. Field interview
- ii. Carrying contraband or dangerous objects in plain view
- iii. Fits description of a wanted or missing person
- iv. Suspicious loitering
- v. Suspicious bulge
- vi. Actions consistent with drug transactions
- vii. Actions consistent with violent crimes
- viii. Other reasonable suspicion

- 27. Number of motor vehicle pursuits and foot pursuits initiated by Pittsburgh police officers due to a DUI or Suspected DUI Operator, involvement in a felony criminal offense(s), misdemeanor criminal offense(s), a stolen or suspected stolen vehicle, summary criminal offense(s) or other traffic offenses and number of individuals apprehended, differentiated by race, age and gender of those apprehended;
- 28. Number of motor vehicle pursuits initiated by police officers, differentiated by officers in marked police vehicles, officers in unmarked police vehicles or police motorcycles;
- 29. Number of motor vehicle pursuits resulting in crashes and number of fatalities and injuries sustained by involved, uninvolved persons and police officers;
- 30. Number of motor vehicle pursuits terminated by crash, by police officer/supervisor decision to terminate, the operator eluded police, or the