

## **ORDINANCE NO. 1503**

### **AN ORDINANCE TO ADD DIVISION 12 TO ARTICLE V - BOARDS AND COMMISSIONS - OF CHAPTER 2 - ADMINISTRATION - OF THE CODE OF THE CITY OF EAST LANSING TO ESTABLISH AN INDEPENDENT COMMUNITY POLICE OVERSIGHT COMMISSION**

#### **The City of East Lansing ordains:**

The City amends Article V, “Boards and Commissions,” within Chapter 2 of the City Code, “Administration,” to add new Division 12, “Police Oversight Commission,” which reads as follows in its entirety:

#### **DIVISION 12. – POLICE OVERSIGHT COMMISSION**

##### **Sec. 2-472. Purpose**

The purpose of this Commission is to increase accountability of the East Lansing Police Department and to strengthen conditions leading to trust in the police department by the community that it is pledged to serve. Because the City Council is committed to the goal of racial equity, the Commission will give priority to addressing racial inequities as well as use of force in policing. The Commission will enable members of the community to participate in reviewing and making recommendations about police department policies, practices, and procedures, and it will provide means for prompt, impartial, and fair review of complaints brought by individuals against police officers or the police department.

##### **Sec. 2-473. Definitions**

- A. “Commission” means the Independent Community Police Oversight Commission.
- B. “Complaint” means an allegation of excessive force, sexual abuse, racial, ethnic, religious, or gender discrimination, mishandling of evidence, or other abusive behavior, patterns or practices by the Police Department or a department employee.
- C. “Confidential information” means records or information specifically described and exempted from disclosure by statute. For purposes of this ordinance, “confidential information” does not include a permissible exemption that a public body is permitted to invoke under section 13 (1) of the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.243 (1). “Confidential information” only includes mandatory

exemptions from public disclosure that a state or federal statute or rule requires a public body to invoke.

D. “Criminal justice system” means law enforcement, including the police, courts, prosecution and defense lawyers, as well as agencies for detaining and supervising people, such as prisons, jails, lockups, and probation agencies.

E. “Individual in crisis” means a person who exhibits symptoms of known, suspected, or perceived behavioral or mental health conditions, including, but not limited to, mental illness, intellectual or developmental disabilities, or substance use disorders.

F. “Investigation” or “investigate” means searching for and collecting information and records, regardless whether a complaint is involved or contemplated.

G. “Disciplinary complaint” means a complaint that alleges employee misconduct.

H. “Policy complaint” means a complaint that alleges a deficiency or problem with a Police Department policy or practice.

#### **Sec. 2-474. Commission Members**

A. East Lansing City Code, section 2-241 et seq., governs the commission except to the extent modified in this ordinance.

B. The commission shall include eleven members.

C. Members shall serve three-year staggered terms. A member may serve no more than two consecutive full terms.

D. The City may remove a member who breaches the member’s promise to protect confidential information.

E. At least two commission members shall be licensed social workers or psychologists professionally engaged in helping people experiencing crisis, homelessness, mental illness, substance use disorders, or domestic abuse.

F. The City Council shall appoint people to the Commission who reflect the city’s diverse population and particularly segments of the community that are protected by the civil rights ordinance. These include diverse people based on race, ethnicity, national origin, income level, age, student status, gender, disability, sexual orientation, and gender identity or expression. People who are vulnerable and have been marginalized and who tend to have significant negative interactions with the police should be amply represented. Having an arrest or conviction record is not a disqualification for

membership on the Commission. Up to two members of the Commission who contribute to the desired composition of the Commission as described above may be persons who are not residents of East Lansing.

#### **Sec. 2-475. Independence**

- A. The commission's staff and offices shall be separate from the Police Department to the extent feasible.
- B. The City shall not appoint a person to the commission if the person has, in the past two years, held a job that requires licensure by the Michigan commission on law enforcement standards.
- C. No member may hold a job that requires licensure by the Michigan Commission on Law Enforcement Standards.
- D. No member may be a candidate or applicant for employment in the Police Department.

#### **Sec. 2-476. Commission Duties**

- A. The scope of the Commission is the criminal justice system in East Lansing, both within the Police Department and relating to the Police Department. The Commission may investigate matters within its scope by collecting information from the City and other sources.
- B. The Commission may conduct an investigation on its own initiative or in response to a request from the City Council or a member of the public.
- C. If twenty residents of the city sign a petition on an issue of concern within the scope of the Commission, the Commission shall hold a special hearing for the purpose of inquiring into the petitioners' concern.
- D. The Commission will hold at least one meeting annually designed to receive input from the public.
- E. The Commission and members of the Commission may participate in events, organize events, engage in public education, and listen to people in the Lansing metropolitan area concerning matters within the Commission's scope.
- F. The Commission may make recommendations, file disciplinary and policy complaints, and refer matters to the Michigan Commission on Law Enforcement Standards or other agencies.

G. The Commission may make recommendations to the City regarding policy and practice within the Police Department and relating to the Police Department.

H. The Commission may investigate the 911 dispatch system and the availability of unarmed emergency response service agencies, such as social work agencies, trained and able to alleviate dangerous or threatening situations. The Commission may make recommendations to the city and county regarding dispatch systems.

I. The Commission may recommend that the City Council make changes in policy regarding criminal charges under the city code.

J. The Commission may research and recommend grant opportunities to help improve the criminal justice system in East Lansing.

K. The Commission may investigate the training that police officers and supervisors receive or access. The Commission may investigate the training that is available to police officers and supervisors. The Commission may make recommendations regarding training.

L. The Commission may review the Police Department's accreditation status and make recommendations about how to implement accreditation standards in a way that best benefits the community.

M. The Commission may investigate the Police Department's early intervention system and make recommendations regarding maximizing the effectiveness of that system.

N. The Commission may collect and analyze data on matters within and relating to the Police Department. The Commission may contract with a professional researcher to design and carry out research. The Commission may issue reports and make policy recommendations based on research.

O. The Commission may communicate with insurance industry risk management services available to the Police Department.

P. Given the limited time and resources available to the Commission, and the enormity of its task, the Commission may prioritize its work and shall report its priorities to the City Council and the public.

#### **Sec. 2-477. Staff**

A. The City shall assign staff to perform functions for the Commission pursuant to Section 2-251 of the East Lansing City Code.

B. The City shall also assign staff to maintain a separate website and other social media platforms for the Commission.

C. Staff members assigned to the Commission shall not be employees of the Police Department.

#### **Sec. 2-478. Panel of Investigators**

The City Council or City Manager shall prepare a list of professional investigators, licensed under the professional investigator licensure act, MCL 338.821 *et seq.*, or possessing equivalent qualifications, and available to conduct investigations for the Commission.

#### **Sec. 2-479. Education of Commission Members**

A. The Commission and members of the Commission shall keep informed as to the latest practices in the field of police accountability and inaugurate new Commission practices that appear to be of benefit to the Commission's service and to the public.

B. The Commission may facilitate training and other activities for Commission members in cooperation with the Police Department. The Police Department shall allow members of the Commission to participate in suitable training and activities. Members may choose to participate in those trainings and activities.

C. Members of the Commission may join state or national organizations whose scope is similar to the Commission's scope, pay dues and fees, and attend events and educational opportunities sponsored by those organizations.

#### **Sec. 2-480. Free Speech**

The City recognizes the right of the Commission and its members to speak freely on matters within the Commission's scope, except for disclosure of protected confidential information. The City shall not retaliate against the Commission or a Commission member for exercising that right. Members of the Commission must not represent that they are speaking on behalf of the City Council, City Manager, or Police Department.

#### **Sec. 2-481. Budget**

The Commission shall prepare an itemized estimate of its expenditures for each coming year, pursuant to Section 10.2 of the East Lansing City Charter, and the City Manager shall include in the budget recommendation sufficient financial support for the Commission's activities, including:

- A. Investigations and complaints
- B. Research and evaluations
- C. Public outreach and recommendations
- D. Publication production, website and social media
- E. Commission member education

#### **Sec. 2-482. Adjustment for Impact on the Police Department**

If the Commission makes a recommendation to the Police Department which has financial implications, and the department chooses to accept the recommendation, then the department may propose to the City Manager a budget item to cover compliance with the recommendation.

#### **Sec. 2-483. Evaluations**

Every 4 years, the City Council shall contract with a qualified agency, with experience in evaluating police oversight boards, to evaluate the Commission and its work.

#### **Sec. 2-484. Disorderly Conduct and R&O Charges**

- A. The Commission may investigate police and court records and track criminal cases in which the City charges individuals with disorderly conduct under the East Lansing City Code, sec. 26-52.
- B. The Commission may investigate and track criminal cases in which the Ingham County prosecutor charges individuals with assaulting, battering, wounding, resisting, obstructing, opposing or endangering a police officer or other state authorized person or public official, charges commonly referred to as “resisting and obstructing” or “R&O”, under MCL 750.81d.
- C. When those disorderly conduct and R&O cases are finally adjudicated, the Commission may publish summaries of the underlying facts and case dispositions.
- D. The summaries shall describe behavior but not include the names of individuals.

#### **Sec. 2-485. Use of Force Incident Summaries**

A. The Police Department shall provide a monthly report to the Commission summarizing each incident involving use of force by a police officer against a person. The report shall include at a minimum, a brief description of the incident and the names and demographic data about the officers and members of the public involved in the incident. The Commission may choose to conduct additional investigation of an incident.

B. Annually, the Commission shall publish summaries of use-of-force incidents based on the Police Department reports and the Commission's investigations. Published summaries shall describe behavior but not include the names of individuals.

#### **Sec. 2-486. Encounters with People Experiencing Homelessness**

A. Every six months, the Police Department shall provide a report to the Commission summarizing each incident where a Police Department employee transports, arrests, issues a citation to, or stops (based on reasonable suspicion) a person who is or appears to be experiencing homelessness, including at a minimum, a brief description of the incident. In the case of a citation, arrest, or stop, the report shall include names and demographic data about the officers involved in the incident and demographic data about the other people involved in the incident. The Commission may choose to conduct additional investigation of an incident.

B. Annually, the Commission shall publish summaries of police encounters with people experiencing homelessness based on the Police Department reports and the Commission's investigations. Published summaries shall describe behavior but not include the names of individuals.

#### **Sec. 2-486a. Encounters with Individuals in Crisis**

A. Every six months, the Police Department shall provide a report to the Commission summarizing each incident in which a Police Department employee transports, arrests, issues a citation to, or stops (based on reasonable suspicion) an individual in crisis. The report shall include, at a minimum, a brief description of the incident. In the case of a citation, arrest, or stop, the report shall include the names and demographic data about the officers and demographic data about the other people involved in the incident. The Commission may choose to conduct additional investigation of an incident.

B. Annually, the Commission shall publish summaries of police encounters with individuals in crisis based on the Police Department's reports and the Commission's investigations. Published summaries shall describe behavior but not include the names of individuals.

#### **Sec. 2-486b. Encounters with Juveniles**

A. Every six months, the Police Department shall provide a report to the Commission summarizing each incident in which a Police Department employee transports, arrests, issues a citation to, or stops (based on reasonable suspicion) a juvenile. The report shall include, at a minimum, a brief description of the incident. In the case of a citation, arrest, or stop, the report shall include the names and demographic data about the officers and

demographic data about the other people involved in the incident. The Commission may choose to conduct additional investigation of an incident.

B. Annually, the Commission shall publish summaries of police encounters with juveniles based on the Police Department's reports and the Commission's investigations. Published summaries shall describe behavior but not include the names of individuals.

#### **Sec. 2-487. Annual Reports**

A. In its annual report to the City Council pursuant to Section 2-252 of the East Lansing City Code, the Commission shall include a summary of its work during the previous year and its work priorities for the coming year. The report shall be published or posted on the Commission's website.

B. Annually, the Commission shall publish or post on its website any summaries of significant encounters between civilians and the police that the Commission has compiled in the past year regarding -

1. Use-of-force incidents.
2. Criminal cases involving charges of "disorderly conduct" and "resisting and obstructing".
3. Incidents in which the Police Department transports, arrests, issues a citation to, or stops (based on reasonable suspicion) a person experiencing homeless.
4. Incidents in which the Police Department transports, arrests, issues a citation to, or stops (based on reasonable suspicion) an individual in crisis.
5. Incidents in which the Police Department transports, arrests, issues a citation to, or stops (based on reasonable suspicion) a juvenile.

#### **Sec. 2-488. Brady Lists**

A. The Commission may investigate "Brady" or "Do Not Call" or similar lists maintained by the police, prosecutors, criminal defenders, and courts.

B. If a Police Department employee appears on such a list, the Commission may refer that information to the Police Department or to the Michigan Commission on Law Enforcement Standards for their review.

#### **Sec. 2-489. Summary of Biased 911 Calls**

The Police Department shall provide to the Commission notice of any instances in which the department has referred a matter for prosecution for making a 911 call based in significant part on a person's race, color or national origin, allegedly in violation of Section 22-36a of the East Lansing City code. The department shall file the notice with the Commission when it refers the matter to the City Attorney.

#### **Sec. 2-490. Confidential Information**

A. If the Commission asks for information from the Police Department and the information is confidential as described in subsection 2 or there is a compelling reason not to release the information to the public, then the Commission and the Department may agree to the procedure described in this section.

B. The police department may communicate the confidential information to the commission in a closed session at a meeting of the commission if a closed session is permissible under Section 8 of the Michigan Open Meetings Act, Act 267 of 1976, MCL 15.261 *et eq.* The police department will not deliver written records of the confidential information to the commission, and the commission will not create public records that include the confidential information. The commission may, but is not required to, prepare a summary of the confidential information that it receives, and the summary is a public record. The summary shall include the following:

- i. The statute or rule that renders the information confidential,
- ii. The source of the information,
- iii. The author or authors,
- iv. The date or dates when the information was produced or compiled, and
- v. A description of the information as detailed as possible without revealing privileged or confidential content.

C. In responding to a person's request for information in the records of the commission, the City will not invoke any of the discretionary exemptions listed in section 13 (1) of the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.243 (1). For purposes of this section, a "discretionary exemption" is an exemption that a public body may invoke, but is not required to invoke.

#### **Sec. 2-490a. Redactions**

A. If, in the course of a Commission investigation, the Police Department or other department is obligated to disclose records to the Commission, but the records contain

confidential information that the department cannot by law release, or the department can demonstrate a compelling reason not to release the information, then the department may redact the confidential information in compliance with subsection B. The Oversight Commission may appeal such a refusal to the City Council. The City Council's decision is final and is not subject to further appeal or judicial review.

B. The department shall produce a log that describes each particular redaction, including:

- i. The statute or rule that renders the information confidential,
- ii. The source of the information,
- iii. The author or authors,
- iv. The date or dates when the information was produced or compiled, and
- v. A description of the information as detailed as possible without revealing privileged or confidential content.

The Commission may disclose that log to people outside the Commission.

C. Staff planning in the Police Department with respect to multiple employees and job assignments in the Police Department shall not be treated as confidential personnel information.

#### **Sec. 2-490b. Investigation Resources and Personnel**

A. The Commission may subscribe to fee-based information or investigation services that the Commission deems necessary to investigate matters within its scope.

B. With the consent of the City Council, the Commission may retain a professional investigator to investigate a complaint alleging misconduct or unethical conduct, by the Police Department or a department employee, affecting a member of the public.

#### **Sec. 2-490c. Cooperation**

A. City employees and departments shall cooperate with the information requests submitted by the Commission or a professional investigator retained by the Commission.

B. City employees and departments shall provide the information requested by the Commission unless disclosure is prohibited by statute. In responding to the commission's request for information directed to the Police Department, the City will not

rely on any of the discretionary exemptions listed in MCL 15.243 (1) and will provide all information subject to a discretionary exemption unless there is a compelling reason for non-disclosure. The Oversight Commission may appeal such a refusal to the City Council.

C. For purposes of this section, “discretionary exemption” includes exemptions that a public body may invoke, but does not include exemptions that a public body is required to invoke.

D. The Police Department shall not require the Commission to file a freedom of information request as a prerequisite to disclosure of information, charge the Commission a fee, or assert a discretionary exemption under section 13 (1) of the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.243 (1). as justification for denying the Commission’s information request.

E. The Police Department shall respond to an information request from the Commission within 21 days unless the Commission and the Department agree to a different schedule.

F. The Police Department may not charge the Commission a fee for responding to the Commission’s information requests, but if the Commission’s information requests, overall, create a significant financial burden for the Department, the City shall provide financial resources to the Department to account for that burden.

#### **Sec. 2-490d. City Council Resolution Resolving Information Conflicts**

A. If a dispute arises between the Commission and a City employee, official, or department regarding the disclosure of information requested by the Commission, the City Council shall hear the dispute and decide the matter by passing a formal resolution.

B. The City Council shall give effect to statutes that render information confidential.

C. The City Council is not bound by discretionary exemptions listed in the Freedom of Information Act but may invoke a discretionary exemption when there is a compelling reason to withhold the information. For purposes of this section, “discretionary exemption” includes an exemption that a public body may invoke, but does not include an exemption that a public body is required to invoke.

#### **Sec. 2-490e. Freedom of Information Acts**

A. The Commission may file requests under the state or federal freedom of information acts to seek information from public bodies outside the city’s jurisdiction.

B. If the Commission deems it necessary, the Commission may recommend that the City Council pursue legal action to obtain the information under subsection A.

C. The City shall not charge a fee for responding to freedom of information act requests for records in the possession of the Commission.

### **Sec. 2-491. Who May File a Complaint?**

Any person may file a complaint, including, but not limited to, residents, non-residents, city employees, Police Department employees, Police Department supervisors, and the Commission.

### **Sec. 2-491a. Places Where Complaints May Be Filed**

A. The following offices and persons are approved to accept complaints from the public.

1. Commission website or office
2. City clerk
3. City Manager
4. Police Department
5. Director of Human Resources
6. Diversity, Equity, and Inclusion Administrator

B. The Commission may approve other offices or persons with whom complaints may be filed.

### **Sec. 2-491b. Police Department Complaint Investigation**

A. When a complaint is submitted at an approved location, the person accepting the complaint shall document receipt of the complaint, keep a copy of the complaint, and forward the complaint as soon as possible to the Police Department and the Commission.

B. The Police Department shall investigate each complaint. The department shall attempt to complete the investigation within 90 days. If the Police Department cannot complete an investigation within 90 days, the department shall notify the Commission and explain the circumstances.

C. If a complaint has taken longer than 90 days to complete, then every 30 days thereafter, the department shall send the Commission a tracking report together with an explanation of the progress of the investigation.

### **Sec. 2-491c. Complaint Forms**

A. The Commission may establish a standard complaint form for complaints submitted by members of the public. The form shall ask the complainant to explain what they want to see happen as a result of the complaint, and it will ask whether the complainant wishes to engage in mediation. If the complaint is based on an incident, the form shall ask the complainant to explain what happened.

B. An office or person authorized to accept complaints shall accept a complaint even if the complainant fails to complete a standard complaint form. If a complaint is verbal, the person who accepts the complaint shall give the complainant an opportunity to complete the standard complaint form. If a complaint is verbal, and the complainant does not put it in writing, the person who accepts the complaint shall make a written memorial of the complaint.

C. A complaint may be accepted even if it is anonymous.

#### **Sec. 2-491d. Classifying Complaints**

A. The Police Department shall develop and publish separate protocols for investigating disciplinary complaints, policy complaints, and internal complaints. An “internal complaint” is a disciplinary action initiated by the department that does not involve employee behavior that affects a member of the public. The Commission may make recommendations regarding the protocols.

B. When the Police Department receives or initiates a complaint of any kind, the Police Chief shall determine whether to classify the complaint as a disciplinary, policy, or internal complaint, or a combination. The department shall initiate the appropriate protocol.

C. The Commission may inquire about complaints of any kind that are being investigated by the Police Department. The Commission may recommend that the department change the classification of a complaint or the protocol used to investigate it.

#### **Sec. 2-491e. Complaint Tracking**

A. When the Police Department receives or initiates a complaint of any kind, the department shall assign a tracking number and develop a tracking report. The Commission may specify the information to be included in tracking reports.

B. At a minimum, tracking reports shall include a brief description of the complaint. If a complaint involves an incident in which a member of the public is involved, the tracking report shall contain, at a minimum, a brief description of the incident and the names and demographic data about the department employees and members of the public involved in the incident.

C. Quarterly, the Police Department shall submit a tracking report to the Commission for each pending complaint of any kind active in the department at any time during the quarter.

#### **Sec. 2-491f. Mediation of Disciplinary Complaints**

A. The Commission may facilitate mediation of any disciplinary complaint filed with the Commission or with the Police Department that involves a citizen and an individual police officer if both the citizen and the officer consent to mediation. If a complaint form is established under Section 2-491c, the complaint form will ask whether the complainant wishes to engage in mediation.

B. If the Police Department and the involved individuals agree, investigation of the disciplinary complaint shall be suspended and the matter referred to mediation. When mediation is complete, the Police Department shall decide whether to close or resume investigation of the disciplinary complaint.

C. The Commission shall develop a procedure for mediation.

D. The City shall cover the cost of mediation services.

#### **Sec. 2-492. Police Department Investigation Findings**

When the Police Department completes its investigation, but before the Police Department determines a disposition for the case, the investigator shall make one or more of the following findings with respect to each disciplinary or policy complaint:

A. Sustained - where the review discloses sufficient facts to prove the allegations made in the complaint.

B. Not Sustained - where the review fails to disclose sufficient facts to prove or disprove the allegation made in the complaint.

C. Exonerated - where the acts which provide the basis for the complaint occurred, but the review shows that such acts were proper.

D. Unfounded - where the review shows that the act or acts complained of did not occur or were misconstrued.

E. Policy or Practice - where there is a problem with department policy or practice. If this finding is made, the department shall produce a corrective action plan.

F. No Finding - where, for example, the complainant failed to produce information to further the investigation; or where the investigation revealed that another agency was responsible, and the complaint or complainant has been referred to that agency; or where the complainant withdrew the complaint; or where the complainant is unavailable to clarify the complaint; or where the officer is no longer employed by the City.

G. Mediated - where the complaint is resolved by mediation.

H. Criminal – where a criminal investigation has been opened.

I. Referred—where a complaint has been referred to another agency.

### **Sec. 2-493. Commission Investigation and Recommendation**

A. Within ten days after the Police Department completes an investigation of a policy complaint or a disciplinary complaint involving behavior affecting a member of the public, the department shall send the complete investigation record to the Commission, subject to any redactions of confidential information.

B. The Commission shall make the investigation record it receives available to the public on request, subject to any promises to protect confidential information.

C. The Commission shall give a complainant, a Police Department employee involved in a complaint, or other person who has information bearing on the complaint, an opportunity to provide information to the Commission during a meeting. At the person's request, the meeting shall be in person if feasible.

D. The Police Department shall give the Commission enough time to review the investigation record and conduct any investigation of its own before the Police Department takes final action. The Commission shall complete its investigation as soon as possible, but no longer than 60 days, unless the Police Department agrees to a longer time.

E. The Commission may recommend particular action, additional investigation on a specific issue, a change in the corrective action plan, or reclassification of the complaint and reinvestigation according to a different protocol.

F. The Commission shall not make a recommendation regarding any aspect of a disciplinary complaint if the complaint does not involve employee behavior that affects a member of the public.

G. If the Commission recommends additional investigation, and the Police Department does not agree with that recommendation, the Commission may, with the consent of the

City Council, retain a professional investigator, who shall have the full force and authority of the City Council to conduct an investigation under section 4.9 of the City Charter. The investigation shall be limited to the issue approved by the City Council.

H. The commission may refer a matter to the Michigan Commission on Law Enforcement Standards for its review.

#### **Sec. 2-494. Police Chief Decision and Commission Appeal**

A. Final disposition of the complaint on behalf of the Police Department shall be made by the Police Chief. The Police Chief shall issue a written opinion and send a copy to the Commission.

B. If the Commission disagrees with the findings of the Police Chief, the Commission may, within 30 days after receiving the Police Chief's decision, recommend that the City Manager modify or reverse the Police Chief's action. The City Manager shall issue a written opinion and send a copy to the Commission and the City Council.

#### **Sec. 2-495. Summaries of Final Action on Complaints**

The Commission shall publish a summary of the facts, as known to the Commission, relating to each policy complaint and relating to each disciplinary complaint involving behavior affecting a member of the public. The summary shall include the underlying facts, a description of the steps and procedure used to decide the complaint, and the final decision. The Commission shall publish the summary on its website within 60 days after receiving the Police Chief's opinion or the City Manager's opinion, whichever comes later. A published summary shall not include the names of individuals.

#### **Sec. 2-496. Modification of Existing Policies**

A. Police Department policies and procedures for processing mistreatment complaints shall not conflict with the procedures prescribed in this ordinance.

B. The Police Department shall modify its existing procedures as necessary to conform to this ordinance.