



Bynum supports bill that would require law enforcement review panels to be majority law enforcement officers

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Mayor G.T. Bynum said he supports proposed state legislation that would require government review bodies investigating alleged law enforcement misconduct to be made up of at least two-thirds law enforcement officers.

But he doesn't necessarily believe that **House Bill 2161** would have precluded the city from implementing the Office of the Independent Monitor he proposed in 2019.

"I do not believe this would have applied to that proposal because the (Citizen Oversight) board in that instance was monitoring the work of the OIM, not making recommendations on discipline to the chief," Bynum said in an email. "That proposal did not interfere with the chief's chain of command when it came to discipline.

"That, at least, is my reading of it."

HB 2161 states that a review board established by government entities to investigate alleged misconduct by law enforcement officers or that "makes a recommendation or imposes disciplinary action" shall comprise at least two-thirds CLEET-certified officers.

The measure would also require a majority vote of the review board to do any of the following: investigate law enforcement misconduct; influence the conduct of or certify law enforcement misconduct investigations; recommend disciplinary action; or impose discipline.

The House voted 54-36 earlier this month to approve the measure. It now awaits action in the Senate.

Rep. Ross Ford, R-Tulsa, a former longtime Tulsa police officer, is sponsoring the legislation.

“People are portraying it as I am trying to stifle the citizens, and I am not,” Ford said. “I am just wanting to make sure that we are having open dialogue with people.”

Ford said he believes law enforcement has done a good job policing itself and that officers don’t want rogue or abusive people in their ranks.

“My argument is: People are perfectly fine, if you have a problem with an attorney, you file a complaint with the bar association, who are all attorneys,” Ford said. “If you have a problem with a CPA, you file a complaint with the CPA board. They are all CPAs, they all understand how the system works, but when it comes to law enforcement, we want to think that everybody is looking for a way to cover something up. In my opinion, that is not the case.”

Bynum makes a similar argument in explaining his support for the measure.

“I do not think untrained civilians should be given disciplinary authority over police officers,” Bynum said. “At a time when we already face challenges around police recruitment and retention, I can think of few things that would be more devastating to public safety staffing levels in Tulsa than placing untrained people in the disciplinary chain of command for police officers.”

In addition, studies have shown that review boards composed of law enforcement personnel are actually more strict in their handling of cases, Bynum said.

To support that assertion, Bynum pointed to an article titled “**Civilian Oversight of Police Appeals to Many. But Is It Always Effective?**”

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The story explains that surveys conducted nationwide by Cato Institute's Project on Criminal Justice have found civilian review boards to be "vulnerable to political manipulations, inadequate funding and staffing, slow-moving investigations and a lack of authority or jurisdiction to meaningfully investigate complaints."

Tim Lynch, director of the Project on Criminal Justice, notes in the article that citizen review board members are sometimes required to have a law enforcement background.

"Or they have connections of some kind with law enforcement," Lynch said. "They're often not your typical business owner, what we would think of as people from the community."

The story also cites the work of Samuel Walker, author of "Police Accountability: The Role of Citizen Oversight."

According to the story, Walker is not an advocate of citizen review boards and instead supports citizen oversight that would include an inspector general or police auditor who would oversee internal affairs investigations and have access to information the public does not.

Walker singles out **Denver's Independent Monitor** program as a "particularly good example" of an oversight program. Bynum's OIM proposal was based on the Denver model.

His proposed OIM ordinance would have established an independent monitor to audit internal affairs reports to ensure they were done according to policy, and a Citizen Oversight Board whose main responsibilities would have been to assess the effectiveness of the OIM, make policy-level recommendations and do community outreach.

The COB would have consisted of 11 members, one from each City Council district and two at-large members, appointed by the mayor and approved by the City Council. State or local law enforcement officers or their immediate family members would not have been eligible to serve.

COB members would have been required to take training "to possess the applicable knowledge to perform their duties," according to the proposed ordinance.

They would have had no authority to recommend or enforce discipline.

Bynum withdrew his OIM proposal in September 2019 after city councilors could not agree on the scope and authority that should be granted to the monitor. Later proposals, including one from Councilor Vanessa Hall-Harper, would have given the OIM the authority to initiate investigations, subpoena witnesses and recommend discipline.

Bynum has indicated that he no longer plans to pursue an OIM program because of the initiatives put in place by Police Chief Wendell Franklin. They include the creation of Community Advisory Boards and an internal Use of Force Review Board. Franklin also established a new position — director of planning, policy and quality control for the department.

“We have a chief of police in Wendell Franklin who was hired because he sets high standards and holds officers accountable,” Bynum said. “Notably, during the police chief hiring process in 2020, one of the common themes from both activists and officers was that they wanted these qualities in a chief.

“I would not want a review board that dilutes his ability to do the job he was hired to do.”

Franklin did not respond to a request for comment on this story.