

The purpose of this Order is to set forth Citizens' Police Review Board (CPRB) policy regarding continuances of cases once they have been set for hearing and appropriate notices and/or subpoenas have been issued. Scheduling cases for hearing is a very complex matter. Many factors go into scheduling cases for hearing, including officer availability, statutorily imposed time limitations established by the Police Officers Bill of Rights, compliance with CPRB ordinance, CPRB case priorities, and the readiness of case reports. Further, continuing CPRB hearings may adversely impact CPRB's ability to schedule or conduct hearings in other pending matters in accordance with the demands of Due Process and the applicable rights and limitations set forth in the Police Officers Bill of Rights.

CPRB hearings are generally held on the 2nd and 4th Thursday of each month, with the exception of the month of August recess of all public meetings. Accordingly, continuances of cases that have already been scheduled for CPRB hearing are discouraged and will be granted only for "Good Cause" as legally defined. **Good Cause may include, but is not limited to extraordinary circumstances such as a medical emergency, failing health, or other unexpected and unforeseen circumstances.** . Mere **inconvenience or difficulty in appearing shall not constitute Good Cause.** Determinations of Good Cause shall be made by the CPRB Board pursuant to a vote, based on the recommendation of the CPRB Executive Director, and with the advice of counsel as appropriate.

Non Appearance

If the complainant, subject officers, or witnesses having been previously noticed and subpoenaed (with a proof of service on file) – fails to appear at the hearing without Good Cause, the CPRB Commissioners may proceed with the evidentiary hearing. The CPRB shall make its recommendations based upon the written Investigative Report, including statements and other evidence contained therein, as well as testimony by any other party and witnesses in attendance.

Request for a Continuance

When seeking a continuance of a duly noticed CPRB hearing, the party seeking the continuance must:

- Submit a written request for continuance to the CPRB Executive Director, detailing the specific circumstances occasioning the request (including the date in which the reason for the request was first discovered and any alternative available date requested). The written request must be sent to the CPRB Executive Director as soon as possible and at least 72 hours (excluding weekends and court holidays) before the scheduled hearing.

Requests that are received in sufficient time prior to the hearing will be reviewed by the Executive Director, who will advise all Board members. If the Board members approve the request for continuance the parties involved will be notified and a notice of the hearing

cancellation will be posted on the CPRB website and on the door of the hearing room.

If there is insufficient time to obtain the decision of the Board members, the party seeking the continuance, or his or her representative, is required to attend the hearing and make his or her request to the Board. The Board will vote on the request consistent with this policy and the hearing requirements provided under the CPRB ordinance.