

# Fairfax County Police Civilian Review Panel Subcommittee Initial Review Report

## Request for Review – Basic Information

**CRP Complaint Number:** CRP-23-08

**Subcommittee Meeting Date:** August 31, 2023

### Subcommittee Members:

- Dirck Hargraves, Subcommittee Chair (Panel Member)
- Fazia Deen, Subcommittee Member
- Janell Wolfe, Subcommittee Member

**Complaint Submission Date:** Review Request received on 4/20/2023. Other Key Dates: Complaint to FCPD: 5/16/2022; FCPD Disposition letter: 3/13/2023

This report is subject to Federal and Virginia Freedom of Information Acts. Panel members will maintain to the greatest extent possible under the law and in accordance with the Bylaws all sensitive and confidential information not intended for a public release.

## Purpose

The Subcommittee Initial Review Report sets forth the Subcommittee’s recommendation on whether the Complainant’s allegation(s) meet the standard for review provided in the Panel’s Bylaws. The Panel may accept or not accept the Subcommittee’s recommendation on whether to review a complaint.

## Findings

The Panel’s review authority states in Article VI (A)(1) of its Bylaws: “The Panel shall review Investigations to ensure their thoroughness, completeness, accuracy, objectivity and impartiality where (1) the subject matter of an Investigation is an allegation of ‘abuse of authority’ or ‘serious misconduct’ by a FCPD officer, and (2) a Review Request is filed.”

The subject matter of this investigation concerns allegations by the Complainant that her Disposition Letter from the Fairfax County Police Department (FCPD) was factually incorrect and that the FCPD response to her 4/30/2022 call for service was handled poorly.

The Subcommittee finds that the subject matter of the investigation, as stated in the allegations, **does not meet** the threshold requirement for “abuse of authority” and “serious misconduct.”

## Recommendation

The Subcommittee recommends that the Panel **not undertake** a review of CRP-23-08 because the complaint **does not meet** the scope of review criteria set forth in its Bylaws.

## Panel Bylaws Abuse of Authority and Serious Misconduct Checklist

Criteria Met?	Abuse of Authority and/or Serious Misconduct	Complainant Details*
<b>No</b>	Use of abusive racial, ethnic or sexual language or gestures.	
<b>No</b>	Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability.	While alleged, no substantiation in the investigative file.
<b>No</b>	Acting in a rude, careless, angry, retaliatory or threatening manner not necessary for self-defense.	
<b>No</b>	Reckless endangerment of detainee or person in custody.	Not applicable
<b>No</b>	Violation of laws or ordinances.	
<b>No</b>	Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.	

**\*Confidential and sensitive information shall not be disclosed in this document. Contact the Chair or Panel Legal Counsel for questions and/or additional information.**

Police Civilian Review Panel

August 31, 2023

Fairfax County Government Center, Conference Room 232

Subcommittee Meeting Summary (CRP-23-08)

Panel Members Present:

Dirck Hargraves, Subcommittee Chair

Fazia Deen

Janell Wolfe

Others Present:

Sanjida Lisa, PCRCP

Rachelle Ramirez, OIPA

Richard Schott, OIPA

2nd Lt. Matthew Lane, Internal Affairs Bureau

The Panel's business meeting was called to order at 6:19 p.m. Mr. Hargraves welcomed everyone to the Panel's June 20, 2023 Subcommittee meeting. Everyone who was present in Conference Room 7 stated their name and their position.

Motions to Subcommittee Meeting: Mr. Hargraves provided a brief overview of the purpose of the subcommittee to review a complaint and determine whether to recommend to the full Panel for review. Ms. Wolfe provided a brief summary of the events that led to the complaint and the reason for the request for a review by the Panel. Ms. Deen agreed and provided additional information from her perspective and review of the investigative file.

Mr. Hargraves also provided his observations from his review of the investigative file and the body worn camera footage.

Initial Review of CRP-23-08: Mr. Hargraves read aloud the first criterion on the Panel Bylaws Abuse of Authority and Serious Misconduct Checklist. Panel members agreed the first criterion was not alleged and was not met.

Mr. Hargraves read aloud the second criterion on the checklist. Panel members agreed that while alleged, the evidence did not meet the criteria.

Mr. Hargraves read aloud the third criterion on the checklist. Panel members agreed the third criterion was not alleged and was not met.

Mr. Hargraves read aloud the fourth criterion on the checklist. Panel members agreed the fourth criterion was not applicable.

Mr. Hargraves read aloud the fifth criterion on the checklist. Panel members agreed the fifth criterion was not alleged and was not met.

Mr. Hargraves read aloud the sixth criterion on the checklist. Panel members agreed the sixth criterion was not alleged and was not met.

Mr. Hargraves concluded that the complaint did not fall within the Panel's purview of jurisdiction for a review due to the allegations not fitting the criteria on the checklist. Ms. Deen moved that the Subcommittee Panel not recommend that the full Panel undertake this matter. Ms. Wolfe seconded and it carried unanimously.

Meeting adjourned at 6:45 p.m.

Next Meeting: The Panel's next business meeting will be held on September 7, 2023, at 7:00 p.m.