

Police Civilian Review Panel

March 4, 2024

Fairfax County Government Center, Conference Room 232

Subcommittee Meeting Summary (CRP-23-25)

Subcommittee Members Present:

Fazia Deen, Panel Member

Michael Lau, Panel Member

Janell Wolfe, Chair of Subcommittee

Others Present:

Sanjida Lisa, PCRCP

The Panel's meeting was called to order at 6:15 p.m. Ms. Wolfe welcomed everyone to the Panel's March 4, 2024, Subcommittee meeting.

Ms. Wolfe described the purpose of the subcommittee and its procedures to conduct an initial review of a complaint. She stated that subcommittee will complete the Initial Review Report, which was included in the meeting materials, and will make its recommendation to the full Panel at its March 7, 2024, meeting. Mr. Lau and Ms. Deen were also present in the room.

Initial Review of CRP-23-25:

Ms. Wolfe stated that the subcommittee members reviewed the complainant's statements, the Fairfax County Police Department (FCPD) disposition letter, and the FCPD's investigative files, which included body-worn camera (BWC) recordings. Ms. Wolfe provided a summary of the events of the incident that led to the complaint (CRP-23-25) and took comments from Mr. Lau and Ms. Deen. She identified the allegations made by the complainant in their correspondence to the Panel:

1. Failure to interview two witnesses and document their statements
2. Failure to accurately document the assault
3. FCPD officer provided inaccurate information to the involved individual regarding obtaining a warrant from the Magistrate
4. FCPD officer failed to follow up with the involved individual after a contact attempt was made
5. Allegation of systemic racism within FCPD
6. Failure to obtain camera footage from Home Depot
7. Denial of access to the police report and body worn camera (BWC) footage

The complainant was present at the subcommittee meeting and was given up to 15 minutes to address the subcommittee panel and answer any questions the panel members had. The complainant and individual involved also clarified that their complaint did not include an allegation of racial bias or systemic racism.

The subcommittee members considered whether each allegation was considered Serious Misconduct or Abuse of Authority, which is required for recommending full Panel review.

Subcommittee members discussed the first allegation and agreed that this did rise to the level of Serious Misconduct or Abuse of Authority. Accordingly, Panel members determined that this would be categorized under F, which states “Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.” All Panel members agreed this was substantiated in the investigative file.

Subcommittee members discussed the second allegation and agreed that this did rise to the level of Serious Misconduct or Abuse of Authority. Accordingly, Panel members determined that this would be categorized under F, which states “Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.” All Panel members agreed this was substantiated in the investigative file.

Subcommittee members discussed the third allegation and agreed that this did rise to the level of Serious Misconduct or Abuse of Authority. Accordingly, Panel members determined that this would be categorized under F, which states “Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.” All Panel members agreed this was substantiated in the investigative file.

Subcommittee members discussed the fourth allegation and Mr. Lau and Ms. Deen agreed that this did rise to the level of Serious Misconduct or Abuse of Authority. Accordingly, Mr. Lau and Ms. Deen determined that this would be categorized under F, which states “Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.” Ms. Wolfe did not agree, but the majority voted that this was substantiated in the investigative file.

Subcommittee members discussed the fifth allegation and Mr. Lau shared that this did rise to the level of Serious Misconduct or Abuse of Authority and would be categorized under F, while Ms. Wolfe and Ms. Deen did not. The majority vote determined that this was not substantiated in the investigative file.

Subcommittee members discussed the sixth allegation and agreed that this did rise to the level of Serious Misconduct or Abuse of Authority. Accordingly, Panel members determined that this would be categorized under F, which states “Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.” All Panel members agreed this was substantiated in the investigative file.

Subcommittee members discussed the seventh allegation and agreed that this did not rise to the level of Serious Misconduct or Abuse of Authority. All Panel members agreed this was not substantiated in the investigative file.

Ms. Wolfe moved that the subcommittee does recommend full Panel review based on the subcommittee voting yes on five of the seven allegations. All subcommittee members agreed that both Criteria 1 and Criteria 2 were met. Mr. Lau seconded the motion and it passed unanimously.

The meeting adjourned at 7:19 p.m.