

Police Civilian Review Panel

November 2, 2023

Fairfax County Government Center

12000 Government Center Pkwy Fairfax, VA 22035

Meeting Summary

Panel Members Present:

Cheri Belkowitz, Vice Chair

Todd Cranford, Chair

Fazia Deen

Dirck Hargraves

Michael Lau

William Ware

Janell Wolfe

Celeste Peterson (joined virtually)

Others Present:

Kenneth Bynum, Counsel

Sanjida Lisa, PCRP

Rachelle Ramirez, OIPA

Richard Schott, OIPA

Lt. Matt Lane, Internal Affairs Bureau

Lt. Chris Cosgriff, Internal Affairs Bureau

Chair Cranford called the Police Civilian Review Panel's (PCR) business meeting to order at 7:08 p.m., and after taking attendance, noted the presence of a quorum. He welcomed everyone to the Panel's November 2, 2023 meeting.

Approval of Agenda: Mr. Hargraves moved approval of the meeting agenda. Ms. Wolfe seconded the motion and it carried unanimously.

Approval of September 7, 2023 Draft Meeting Summary : Mr. Hargraves moved approval of the September 7, 2023 draft meeting agenda. Mr. Ware seconded the motion and it carried, with Mr. Lau abstaining.

Subcommittee Report on CRP-22-15: Chair Cranford presented the purpose of the subcommittee and the considerations made by Panel members when reviewing the complaint. He provided a brief overview of the complaint, the allegations made by the complainant, and the incident itself.

Ms. Deen joined the Panel meeting at 7:13 p.m. and Ms. Peterson joined the Panel meeting virtually at 7:14 p.m.

Chair Cranford asked if Mr. Ware had any additional information to add to his overview, Mr. Ware replied he did not. Mr. Ware shared his perspective after watching the body camera footage of a Magistrate judge describing the actions of a Fairfax County Police (FCPD) officer as "vindictive" and provided that the comments made by the judge gave Mr. Ware cause for consideration of the allegations made. Ultimately, however, Mr. Ware agreed with Chair Cranford and Mr. Garner from the

subcommittee meeting that after reviewing the investigative file, they could not identify any evidence of serious misconduct or abuse of authority. Vice Chair Belkowitz wanted clarification on whether the purpose of the subcommittee was not to determine whether the investigative file was Accurate, Complete, Thorough, Impartial and Objective. Chair Cranford confirmed that this was not a factor when determining whether the subcommittee would recommend the initial review for a full review by the Panel.

Ms. Wolfe, Vice Chair Belkowitz and Mr. Lau all had questions regarding the Complainant's second 911 call, the Magistrate judge's response, and the Complainant's history with FCPD, which were answered by the subcommittee members present.

The Complainant was given up to 15 minutes to address the Panel. The Complainant provided their own overview of the events, the reason for their 911 calls, the response from FCPD and the reason they decided to file a complaint. The Panel thanked the Complainant for their attendance and their presentation of the incident.

Chair Cranford provided that the subcommittee's recommendation was to not forward the complaint for a full review by the Panel. Mr. Hargraves wanted to determine the circumstances behind responding FCPD officers in announcing the Complainant's personal identifiable information (PII) in the hallway of the apartment building.

Mr. Ware moved approval of the recommendation and Mr. Lau seconded the motion. The motion carried with a majority vote, with Vice Chair Belkowitz opposing.

Procedures Subcommittee Presentation: Chair Cranford had appointed Vice Chair Belkowitz and Ms. Wolfe to be on the Procedures Subcommittee to review the Panel's current initial review process and propose a new procedure for public comment. Ms. Ramirez presented a powerpoint presentation that outlined the Procedures Subcommittee's task and the different documents they considered and reviewed during their meetings. Ms. Ramirez also presented the proposed changes the subcommittee had agreed upon to the existing Panel Bylaws, the existing procedure on the initial review process and report template, and a new draft of a procedure on public comment. Chair Cranford proposed that the Panel take time to review the proposed changes and the draft documents that were prepared by Ms. Ramirez and Ms. Lisa and send their edits or comments to Ms. Lisa for discussion at the December Panel meeting.

OIPA Update: Mr. Schott provided a reminder that the Panel is able to comment on his use of force incident reviews and make recommendations. Mr. Schott also provided that since his August Panel meeting update, he published one report and completed one summary memo. Mr. Schott then provided that he had reviewed the officer involved shooting (OIS) that took place on June 30, 2022 at Springfield Town Center. He gave a brief summary of the facts and the incident leading up to the shooting of the person with an arrest warrant. Mr. Schott reviewed the completed criminal and administrative investigations and concluded that the use of deadly force was objectively reasonable and he agreed with the findings of the investigation. Mr. Schott further provided that he made no recommendations based on the incident.

Mr. Schott stated that he had also completed a summary memo of a review initiated by a complaint. The complaint alleged the use of excessive force during an arrest on August 19, 2022. The body-worn

camera footage showed that no force was used during the arrest and FCPD found the officer named in the complaint to be 'exonerated by technology' based on the body-worn camera footage.

Mr. Schott stated that an automatic review had been initiated after a man in FCPD custody died on September 13, 2023. Mr. Schott provided that an intruder had forcibly entered a home and was acting erratically. When FCPD responded to a call to the home, the intruder was lying in the living room and became unresponsive. He was transported to the hospital where he was pronounced deceased. Mr. Schott provided that because the individual had technically died while in FCPD's custody, he would review the case.

There was a request by the Panel to the Internal Affairs Bureau for an overview and clarification of the IAB's case processing procedure and how they classify cases as inquiries, dissatisfaction of service, or investigations.

New Business: There was no new business.

Adjournment: Vice Chair Belkowitz motioned to adjourn the meeting. Mr. Hargraves seconded the motion and it carried unanimously. The meeting adjourned at 9:15 p.m.

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