



Police Civilian Review Panel

2019 Annual Report

Douglas Kay, Chair (2019)

Public Safety Committee Meeting
July 21, 2020

2018 Panel Concerns

- The balance between transparency and protection of complainant and FCPD Officer personal information
- Improvement in the FCPD Disposition Letter to reflect greater detail regarding the FCPD's investigation and reasons supporting the FCPD's conclusion
- The limitation on the content included in Panel Review Reports set forth by Action Item 17 (December 6, 2016)
- FCPD consideration and implementation of Panel recommendations and comments

2018 Panel Recommendations

- Establish a process for Panel comments and recommendations to be reviewed, considered, and implemented by the FCPD
- Meet quarterly with Chiefs of Staff of the Chairman of the BOS and the Chairman of the Public Safety Committee, FCPD representatives, and Chair and Vice-Chair of the Panel to discuss issues related to Panel operations

2019 Panel Activities

- Quarterly Meetings
- FCPD Disposition Letters
- Board of Supervisors approval of amended authorizing Action Item and Panel Bylaws
- Publication of Panel Recommendation Matrix

Panel Recommendations Matrix

- The Panel made 10 recommendations
 - 6 implemented
 - 1 under review
 - 1 not implemented
 - 2 explanations accepted or noted
- Publicly available on Panel’s website to increase transparency and accountability

<u>Report</u>	<u>Panel Recommendation</u>	<u>FCPD Action</u>	<u>Status (as determined by the Panel)</u>
CRP-17-10 (Published March 26, 2018)	“[T]he Complainant indicated in her statement to the Panel that, other than the Notification, she had not received any further explanation from the FCPD. The Panel recommends that the FCPD contact the complainant and offer her whatever additional explanation that is legally permissible and appropriate under the circumstances.”	Letter signed by Station Commander was sent to the complainant indicating the officer’s violation was addressed and how to seek additional recourse. Internal Affairs Bureau (IAB) personnel also had a phone conversation with the complainant to address their concerns.	Implemented by FCPD
CRP-18-12 (Published January 9, 2019)	“The Panel recommends that the FCPD develop an efficient methodology to reintegrate some level of supervision over the submission of [FR300P accident report] forms [by FCPD officers].” The Panel concluded that the consequences for errors could be problematic, as certain insurance claims were initially denied based on erroneous information in the initial FR300P.”	Under the Traffic Records Electronic Data System (TREDS) system, which is a VA State Program, when an officer submits an FR300P, a layered approval process begins. The first layer is the TREDS system itself, which provides a real-time review to ensure all required fields are populated. After the TREDS system review, the report is submitted for internal review by the FCPD Central Records Division. The Central Records Division has received specialized training on TREDS and have the delegated authority to accept or reject accident reports if they are not in compliance. In addition, the Central Records Staff distributes error reports to supervisory staff to ensure quality control and accountability.	The Panel accepts explanation of FCPD regarding supervision under TREDS System.

Complaints

- The Panel received and processed 29 complaints in 2019
 - 20 Initial Complaints
 - 9 Review Requests
 - 3 reviewed, 1 in process, 1 pending litigation, 4 rejected due to limitations set in Action Item
- 2 Initial Complaints processed by the Panel resulted in corrective measures
- The Panel has received 18 complaints to date in 2020
 - 14 Initial Complaints
 - 4 Review Requests

Allegations Found in 2019 Initial Complaints

Allegation Type	Number of Times Allegation Appeared
Unprofessional Manner	5
Racial Profiling/Bias	4
Reckless Endangerment	-
Discrimination	1
Harassment	3
Abusive Language	-
Violation of FCPD Policy or Law	11
Other	2

FCPD Extension Requests

- Action Item requires FCPD to send a disposition letter to the complainant and Panel within 60 days of receiving an Initial Complaint
- 60% of Initial Complaints processed in 2019 needed an extension request
- On average, FCPD disposition letters were received 32 days past the due date during 2019

Panel Recommendation

“Where the evidence gathered during an Investigation into a Complaint of racial bias does not offer a race-neutral explanation for the conduct of the accused officer, the FCPD should continue to investigate seeking some explanation for the officer’s conduct by obtaining reasonably available evidence that will corroborate either a race-neutral or race-biased explanation such as examining the officer’s social media accounts and/or interviewing witnesses.”

Questions and/or Concerns?