

Police Civilian Review Panel

March 7, 2019

Fairfax County Government Center, Conference Room 232

Meeting Summary

Panel Members Present:

Hansel Aguilar

Hollye Doane, Panel Vice-Chair

Anna Northcutt

Shirley Norman-Taylor

Adrian Steel

Rhonda VanLowe

Panel Members Absent:

Bob Cluck

Colonel Gregory Gadson

Doug Kay, Panel Chair

Others Present:

Gentry Anderson, OIPA

Julia Judkins, Counsel

Rachelle Ramirez, OIPA

Richard Schott, Independent Police Auditor

The Panel's business meeting was called to order at 7:00 p.m.

Ms. Doane announced that Mr. Kay, Panel Chair, was out of town and that she, as Panel Vice-Chair, would preside over the meeting in his absence.

Meeting Summary Approval: Ms. VanLowe moved approval of the Meeting Summary from the Panel's February 7th meeting. Ms. Northcutt seconded the motion and it carried by a vote of six, Mr. Cluck, Colonel Gadson, and Mr. Kay being absent.

Panel Training: Ms. Doane opened the floor for discussion regarding training topics that would benefit Panel Members as they conduct Panel business. Panel discussion ensued regarding who would be providing the training and the support required by the Fairfax County Police Department (FCPD) to conduct trainings sessions. Ms. Northcutt noted the need for training on topics, such as those that the Panel would host Public Forums on, would be helpful in addition to media training. She also noted that a tour of the McConnell Public Safety and Transportation Operation Center would be beneficial. Mr. Aguilar expressed that training on the history of civilian oversight would be useful, especially as the Panel engages in more outreach opportunities in the community. Ms. Ramirez told the Panel that the Office of the Independent Police Auditor has set up a conference call with a representative of the National Association for Civilian Oversight of Law Enforcement (NACOLE) regarding training for the Auditor and Panel, similar to the training that NACOLE provided to the Charlottesville Police Civilian Review Board. Ms. Doane expressed interest in joining the conference call and participating in the NACOLE webinar on media relations. Panel discussion ensued related to the best days to schedule the

training sessions and the overall Panel consensus was that Saturday morning training sessions would be preferred.

Communications with the FCPD: Ms. VanLowe briefed Panel Members on discussions that Panel leadership had with the FCPD related to transparency in disposition letters. She and Mr. Kay met with FCPD representatives on this issue and were told that it needed to be brought to the attention of the Board of Supervisors. She and Mr. Kay will be meeting with Chairman Bulova and Supervisor Cook to raise these issues and wanted to know if Panel Members had other concerns that should be raised during the meeting. Mr. Aguilar asked if the FCPD has responded to the request regarding the availability of investigation files and the use of technology to increase accessibility by Panel Members. Ms. VanLowe replied that there has been no response and that the issue will be raised during the meeting. Panel discussion ensued related to public comment and whether Board of Supervisors approval is necessary. Panel Members agreed that a sign-up process would be necessary, and Ms. VanLowe agreed to address the issue of public comment during the meeting as well.

Public Forums: The Panel discussed the possibility of hosting public forums in 2019 and whether to focus on specific issues that the Panel has seen trending in the complaints it has received. Ms. Doane told the Panel that after reviewing all complaints received to date, the top three allegation types include: Harassment or Discrimination/Racial Profiling/Bias, Violation of Law or Ordinance, and Unprofessional Manner. The overall Panel consensus was that the Public Forums should take on specific issues since the first three public forums, which were introductory in nature, served their purpose. Potential public forum topics discussed included mental health and its intersection with public safety, and racial profiling. Panel discussion ensued related to the logistics of hosting and scheduling such a public forum. Ms. Doane suggested that the Panel form a subcommittee to work through the details. Further discussion ensued regarding the scheduling of the public forum and the desire for FCPD's participation in the public forum.

Review Report for CRP-18-26 Approval: Ms. VanLowe moved approval of the Panel Review Report for complaint CRP-18-26. Mr. Steel seconded the motion and it carried by a vote of six, Mr. Cluck, Colonel Gadson, and Mr. Kay being absent.

Update on CRP-18-27: Ms. Doane provided the Panel with an update regarding complaint CRP-18-27. The FCPD is preparing a report to address the issues the Panel raised in regard to the investigation. The report has not been received by the Panel at this time.

2018 Annual Report: Ms. VanLowe discussed the Panel's 2018 Annual Report and noted that it primarily focuses on the issues that were voiced during the 2018 Public Forum and transparency in FCPD disposition letters and Panel Review Reports. She also explained that the 2018 Annual Report addresses the need for a process for Panel comments and recommendations to be vetted and considered by the FCPD. Ms. VanLowe reflected on the past two years that the Panel has been in operation and expressed that the Panel now needs to evaluate its role in the complaint process and be a voice that is heard and taken seriously. She thanked Panel Members for their work over the past year and noted that a lot of progress was made. Ms. Doane thanked Ms. VanLowe for authoring the Annual Report. Mr. Steel thanked Ms. VanLowe for her work and noted that the issues she dealt with as Chair were very different when compared to his tenure as chair. He also noted that the suggestion of setting a quarterly meeting with the FCPD, the Independent Police Auditor, and Chief of Staffs for the Chairman and Public Safety Committee Chair would be a great way to monitor progress and discuss Panel recommendations. Mr.

Aguilar also thanked Ms. VanLowe for her efforts as chair, especially the establishment of Panel Procedures. Ms. VanLowe emphasized that it is essential for the Panel to continue to establish a working relationship with the FCPD. Mr. Steel moved approval of the Panel's 2018 Annual Report. Ms. VanLowe and Ms. Northcutt jointly seconded the motion and it carried by a vote of six, Mr. Cluck, Colonel Gadson, and Mr. Kay being absent.

Future Panel Meeting Dates: Ms. Doane brought the Panel's attention to the future Panel Meeting dates listed on the meeting agenda. The Panel's May, June, and July meetings will be held on the second Thursday of the month rather than the first Thursday of the month. Ms. Doane reminded the Panel that the Bylaws state that unless an absence is excused, Panel Members may not be absent from three consecutive panel meetings or five panel meetings in any calendar year.

Comments by Mr. Steel: Mr. Steel announced that he will be stepping down from the Panel at the end of the month. He said that the Panel's work has been off to a great start and that there will now be an opportunity for a new member to join the Panel. Mr. Steel addressed the fact that there will be turnover in the membership of the Board of Supervisors, notably the positions of Chairman of the Board and the Public Safety Committee chair and recommended that the Panel be proactive this year in its quest to resolve issues. He noted that he will still be involved with the Ad Hoc Police Practices Review Commission Implementation Group but will miss the energy and enthusiasm of the Panel. Mr. Steel shared that the two biggest challenges facing the Panel are transparency and the ability to track trends in complaints. He encouraged the Panel to include basic facts of the investigation and reasons for Panel findings in the Review Reports and to ensure that FCPD disposition letters provide substantive facts and reasons related to the determination of the investigation. Additionally, he asked the Panel to consider a process for Review Liaisons to review the Investigation File even if a review request is not submitted to obtain a basic understanding of details of the Initial Complaint, the FCPD's investigation, and the reasons for the FCPD's findings. He thanked the Panel for continuing the mission the Ad Hoc Police Practices Review Committee envisioned. Ms. Doane and Ms. VanLowe thanked Mr. Steel for his passion and service to the Panel. Mr. Steel thanked Mr. Schott, his staff, and Ms. Judkins for their work in supporting the Panel. Mr. Aguilar also thanked Mr. Steel for his work with the Panel and asked that Mr. Steel's comments be archived.

Mr. Steel reminded the Panel of the three necessary components as identified by NACOLE for a successful oversight body: budget, access to information, and support of the governing body.

Next Meeting: The Panel's next business meeting is Thursday, April 4th, 2018, at 7:00 p.m. in the Government Center, Conference Room 232.

The meeting was adjourned at 8:28 p.m.