# Police Civilian Review Panel

## Meeting Agenda

| | |
|---|---|
| Location: | Fairfax County Government Center – Room 4 & 5<br>12000 Government Center Parkway<br>Fairfax, VA 22035 |
| Date: | March 6, 2025 |
| Time: | 7:00 pm |
| Website: | www.fairfaxcounty.gov/policecivilianreviewpanel/ |

## Agenda details:

I. Call to Order

II. Agenda Items

a. Roll Call

b. Approval of Meeting Agenda

c. Approval of February 6, 2025 Draft Meeting Summary

d. Report by Independent Police Auditor Richard Schott

e. Discussion of Panel Training

III. New Business

IV. Adjournment

Panel Meeting Schedule:

- April 3, 2025, at 7:00 p.m.

Panel's Purpose:
The nine-member Police Civilian Review Panel's mission is to enhance police legitimacy and to build and maintain trust between the citizens of Fairfax County, the Board of Supervisors and the Fairfax County Police Department (FCPD) by reviewing certain FCPD investigations to ensure the accuracy, completeness, thoroughness, objectivity and impartiality of the investigation. It is appointed by, and reports directly to, the Board of Supervisors. The Panel is governed both by the bylaws approved by the Board of Supervisors and a code of ethics adopted by the Panel.

Police Civilian Review Panel

February 6, 2025

Fairfax County Government Center

12000 Government Center Pkwy Fairfax, VA 22035

Meeting Summary

Panel Members Present:

David Adams

Cheri Belkowitz, Chair

Fazia Deen

Dirck Hargraves (remote)

Bryon Garner, Vice Chair

Michael Lau

James Yang (remote)

Others Present:

Craig Miles, Office of the Police Civilian Review Panel

Richard Schott, Office of the Independent Police Auditor

Rachelle Ramirez, Office of the Independent Police Auditor

Madison Gibbs, Panel Counsel

Kenneth Bynum, Panel Counsel

Captain Christopher Cosgriff, Fairfax County Police Department Internal Affairs Bureau

Lieutenant Gregory Bedor, Fairfax County Police Department Internal Affairs Bureau

Call to Order: Chair Belkowitz called the Police Civilian Review Panel's (Panel) business meeting to order at 7:11 p.m.

Roll Call: The Panel Liaison took attendance.

Approval of Meeting Agenda: Vice Chair Garner made a motion to approve the meeting agenda, and Panel Member Lau seconded the motion. The Panel voted, and the motion was unanimously approved.

Approval of January 9th Draft Meeting Summary: Vice Chair Garner made a motion to accept the draft summary of the January 9, 2025 Panel meeting, and Panel Member Adams seconded the motion. Chair Belkowitz gave Panel members time to review the draft summary of the January 9, 2025 meeting. Chair Belkowitz asked that the summary be amended where only the last name of Panel members was used. She asked that "Vice Chair," "Chair," or "Panel Member" be added to the person's last name. Panel Member Lau asked that the summary be amended to state the complainant alleged the officer in an incident did not follow procedure, rather than saying Panel Member Lau stated the officer did not follow procedure. Chair Belkowitz said it was not her idea to have a secret ballot for the Vice Chair election. There was also an edit made to reflect that the Panel accepted an addendum to the report for CRP-24-

05, rather than the report. After the edits were made and Panel Members completed the review of the draft summary, the motion was unanimously approved.

CRP-23-26R – Subcommittee Report: Panel subcommittee chair, Vice Chair Garner, began the presentation by providing a brief explanation of the work of the Panel and their process and authority as it pertains to the review of Fairfax County Police Department Internal Affairs investigations. He then explained the initial review process as outlined in the Panel Bylaws. He then directed everyone to the initial review report in the meeting materials. Vice Chair Garner listed the members of the subcommittee, Panel Chair Belkowitz, Panel Member Adams, and Vice Chair Garner. Vice Chair Garner then listed the allegations and provided a summary of the facts of the incident. Vice Chair Garner explained that the subcommittee was charged with determining whether the charges constituted serious misconduct or abuse of authority and whether there was evidence in the file to substantiate the complaint.

Panel Member Adams added there was no body worn camera (BWC) footage because the event occurred in 2018. He also said the camera footage did not show any misconduct on the part of the officers involved. Chair Belkowitz said she had nothing to add and agreed with what was said by the other subcommittee members.

Vice Chair Garner stated the subcommittee agreed that none of the allegations rose to the level of abuse of authority or serious misconduct and none of the allegations was substantiated in the investigation file. Vice Chair Garner stated that the subcommittee did not recommend that the full Panel review the investigation.

Panel Member Lau asked if there was audio in addition to the video captured by the police vehicle's cameras. Panel Member Lau asked if the subject voluntarily submitted to field sobriety tests.

Panel Member Adams made a motion to accept the subcommittee's recommendation, and Panel Vice Chair Garner seconded the motion.

Panel Member Lau asked why it took so long for the Panel to hear the complaint. Panel Member Hargraves asked a question about the police officer stating he was losing his patience. Panel Member Adams gave context for the statement by the officer.

The motion to accept the subcommittee's recommendation was unanimously approved.

Discussion of Possible Recommendations for CRP-23-27R: Chair Belkowitz gave a brief summary of the incident that prompted CRP-23-27R and the discussion that occurred during the Panel meeting when the subcommittee made its presentation. Chair Belkowitz said she had contacted Captain Cosgriff regarding police policy. Chair Belkowitz also explained the Panel Liaison sent an email to the Panel stating it was a dynamic situation and police departments are not likely to have policies addressing the specific circumstances in this case. Chair Belkowitz said she researched policies regarding the matter involving the case, contacting numerous entities. Chair Belkowitz said she received policies from the George Mason University and the Berkeley Police Departments. Chair Belkowitz reviewed a report published by the International Association of Chiefs of Police. Chair Belkowitz said that one policy references not arresting a parent in the presence of their child because it could cause the child to have PTSD, and it is essential to have a policy to inquire whether there is a child present. Chair Belkowitz asked if the Panel wanted to make a policy recommendation for situations like this. Chair Belkowitz asked Captain Cosgriff

about a policy that might apply. Captain Cosgriff stated he sent the policy to the Liaison. Panel Member Hargraves asked a question while the Panel Liaison researched the policy provided by Captain Cosgriff. Vice Chair Garner said that the situation happened rapidly, and the complainant resisted, escalating the situation. Panel Member Adams provided perspective based upon his law enforcement experience. The Liaison read the portion of General Order 601 that applied. Mr. Lau stated that if the complainant's child was struck by a passing vehicle during this incident the County would be held liable. Counsel Bynum spoke on the matter and agreed that this was a dynamic situation. Panel Member Lau and Counsel Bynum debated the matter and who might be held liable if there was a civil suit filed. Panel Member Hargraves stated that the community members have a responsibility to comply with officers and said the current policy was sufficient to address this situation. He said if there is a pattern, the Panel should revisit this issue. Panel Member Deen commented on the fact that mothers usually say they have a child in the car. The debate concluded, and the Panel made no recommendations.

CRP-23-25 Recommendations Matrix Response Review and Discussion: Chair Belkowitz briefly explained the letter sent by Deputy Chief Lieb to the Panel in reference to the Panel's recommendations involving the magistrate's office and community members. Panel Member Lau said he appreciated what the police department had done on this issue. Vice Chair Garner made a motion to accept the new recommendations matrix with the response from the Fairfax County Police Department, and Panel Member Lau seconded the motion. Chair Belkowitz said she appreciated the police department taking the matter seriously, as the subject has come up several times. The motion was unanimously approved.

Discussion and Approval of Panel 2024 Draft Annual Report: Chair Belkowitz asked if everyone had a copy of the draft Annual Report. Chair Belkowitz said she believed Robert's Rules required the Panel to read aloud and go through the entire report. Chair Belkowitz began reading the report, starting with the Message from the Chair. Chair Belkowitz questioned the use of the terms Executive Summary and the Office of the Police Civilian Review Panel. Vice Chair Garner explained the Board of Supervisors, in its official documents, references the Office of the Police Civilian Review Panel. Chair Belkowitz questioned a portion of the report that referenced an improved relationship with the Fairfax County Police Department (FCPD) and stated the Chief of Police refused to meet with the Panel. Panel Member Hargraves asked if any recommendations or communications with the Chief have been unproductive or less than productive. Chair Belkowitz stated the biggest problem she had with the Annual Report was it did not document any of the recommendations the Panel made to FCPD and whether they were accepted. She stated that Panel Member Hargraves should have the answer to that question in the document [Annual Report] and they were not there. Chair Belkowitz said that she believed the FCPD accepted the recommendations made by the Panel, but reducing from quarterly to no meetings was not indicative of a strengthening of the relationship. Vice Chair Garner stated that the Panel had not moved beyond review of the Executive Summary, so they may want to get into the content of the report before making a statement regarding the relationship with FCPD. The Panel Liaison stated there was a section of the Annual Report that specifically addressed policy recommendations made by the Panel.

Panel Member Lau stated the Panel should document the number of meetings with the Chief of Police. Panel Counsel Gibbs stated the use of quotes in parentheses should be consistent throughout the report.

Chair Belkowitz said the Board of Supervisors was aware of the history of the Panel and its purpose, structure, and scope. Panel Member Hargraves stated that the report was a public document and felt it was necessary for the members of the public to have that information included.

The Panel Chair continued to go through the report. Panel Member Lau asked about the change in title because the Executive Director position is in the Bylaws, but there is reference to the "Liaison" in the draft Annual Report. The Liaison explained that the draft Bylaws includes the change of the title to Liaison. Panel Member Lau asked if that was changed on the Panel's website. Chair Belkowitz asked for a motion to accept the draft report as amended. Panel Member Lau asked if, because the Board of Supervisors has not changed the Bylaws to reflect the Liaison position, the Panel should change references to Liaison in the draft Annual Report to "Executive Director." The Liaison explained that his job title was not Executive Director, but Liaison. Mr. Lau asked again, if references to the "Liaison" should be replaced in the report. Chair Belkowitz agreed that it would be inappropriate to replace "Liaison" with "Executive Director." Chair Belkowitz asked Panel Member Hargraves about the history of the title change.

Chair Belkowitz asked if there was a motion to accept the draft Annual Report with the amended changes. Panel Member Adams made a motion to accept the amended draft report, and Panel Member Hargraves seconded the motion. The motion was unanimously approved, and the report was adopted.

New Business: The Panel Chair asked Independent Police Auditor Schott if he was going to make a report to the Panel. The report by the Independent Police Auditor is scheduled for March 6. Counsel Bynum recognized Panel Chair Belkowitz for her service as the Panel Chair.

Adjournment: Vice Chair Garner made a motion to adjourn the meeting and Panel Member Deen seconded the motion. Chair Belkowitz adjourned the meeting.