

Police Civilian Review Panel

February 25, 2021

Conducted Electronically due to COVID-19 Pandemic

Meeting Summary

Panel Members Present:<sup>1</sup>

Hansel Aguilar

Jimmy Bierman, Acting Vice-Chair

Hollye Doane, Panel Chair

Frank Gallagher

Doug Kay

Shirley Norman-Taylor

Rhonda VanLowe

Others Present:

Lt. Camille Stewart, FCPD

Anita McFadden, Interim Counsel

Rachelle Ramirez, OIPA

Richard Schott, Independent Police Auditor

NOTE: The Panel's February 25 meeting was conducted electronically due to the COVID-19 Pandemic. The electronic meeting was hosted on WebEx and allowed for members of the public to virtually attend via WebEx or conference call.

The Panel's business meeting was called to order at 7:00 p.m. and all Panel Members were present. Ms. Doane welcomed everyone to the Panel's February 25, 2021 meeting and noted a few housekeeping rules.

Motions to Conduct Electronic Meeting: Ms. Doane took roll call to verify a quorum of the Panel was present and to ensure each Panel Member's voice could be heard clearly. She asked each Panel Member to state their name and the location from which they were participating.

Mr. Aguilar was present and participated from Fairfax County, Virginia.

Mr. Bierman was present and participated from McLean, Virginia.

Mr. Kay was present and participated from Fairfax, Virginia.

Ms. Norman-Taylor was present and participated from Lorton, Virginia.

Mr. Gallagher was present and participated from Burke, Virginia.

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<sup>1</sup> Two Panel seats, formerly occupied by Mr. Cluck and Mr. Sriskandarajah, were vacant for this meeting.

Ms. Doane was present and participated from Oakton, Virginia.

Ms. VanLowe was present and participated from Reston, Virginia.

Ms. Doane moved that each member's voice may be adequately heard by each other member of this Panel. The motion was seconded by Ms. VanLowe and it carried by unanimous vote.

Ms. Doane moved that the State of Emergency caused by the COVID-19 pandemic makes it unsafe for the Panel to physically assemble and unsafe for the public to physically attend any such meeting, and that as such, FOIA's usual procedures, which require the physical assembly of this Panel and the physical presence of the public, cannot be implemented safely or practically. She further moved that the Panel may conduct this meeting electronically through a dedicated WebEx platform and audio-conferencing line, and that the public may access this meeting by using the WebEx attendee access link or by calling 1-844-621-3956 and entering access code 179 832 1218 as noted in the Public Meeting Notice. Mr. Gallagher seconded the motion and it carried by unanimous vote.

Ms. Doane moved that all matters addressed on the agenda are necessary to continue operations and the discharge of the Panel's lawful purposes, duties, and responsibilities. Ms. VanLowe seconded the motion and it carried by unanimous vote.

Approval of January 28 Meeting Summary: Mr. Kay moved approval of the Panel's January 28th meeting summary. The motion was seconded by Ms. Norman-Taylor and it carried by unanimous vote.

Approval of February 4 Meeting Summary: Mr. Bierman moved approval of the Panel's February 4th meeting summary. The second to the motion was inaudible and it carried by unanimous vote.

Chief Roessler's Response to Request for Remote Access: Ms. Doane stated that the Panel received a hard copy letter from the Chief dated January 19, 2021 but only received it recently when OIPA staff were physically in the office.

She explained that the memo rejected the Panel's request for electronic access to the investigative file and summarized that the Chief stated that he is legally bound to protect the information as confidential. She said it did not reflect the Panel's request as stated in their *Four-Year Review* where the FCPD would provide a redacted version of the file (with no privileged information) in an electronic format.

Mr. Bierman said that he does not believe the letter changes the Panel's recommendation as it was stated in the *Four-Year Review*. He said the Panel is not asking for uncontrolled access but is looking for controlled access to the same materials they see in person to do their jobs. He said that the Board of Supervisors can consider the recommendation, as can the next police chief. Ms. Doane said this is a matter to be followed up by the future Panel and could be discussed at a future forum to get public comment on it.

Approval of the Panel's Recommendations Matrix: There was no discussion on the matter. Mr. Bierman moved that the Panel adopt the Panel's Recommendations Matrix. The motion was seconded by Ms. VanLowe and it carried unanimously. Ms. Doane stated that the matrix will be published on the Panel website.

Approval of the Panel's 2020 Annual Report: Ms. Doane reviewed the changes made to the Annual Report, which was included in the meeting materials. There was no discussion on the matter. Ms. VanLowe moved that the Panel adopt the Panel's *2020 Annual Report*. The motion was seconded by Mr. Bierman and it carried unanimously. Ms. Doane said that the Annual Report and *Four-Year Review* will be distributed tomorrow to the Board of Supervisors and will be posted on the website. Mr. Gallagher suggested that, in the future, edits made to documents could be highlighted so that they are easier to review. Mr. Bierman expressed his agreement.

New Business: Ms. Doane said that the Board of Supervisors made a change to the Panel's Bylaws to allow the Panel to elect a member to chair, who has previously served as chair. She said the Board thought it was important that the Panel have options in their selection of future chairs. Ms. VanLowe asked whether the Panel was considering the new chair at this point and Ms. Doane clarified that the new election will happen in the future.

Ms. Doane said that the Board of Supervisors appointed two new members to the Panel, Todd Cranford and William Ware, who will join the Panel on Monday, March 1. The Panel will have a quorum for its next meeting while the Board continues to fill the other vacant seats.

Ms. Doane said that three inaugural members will be rotating off the Panel on March 1: Mr. Aguilar, Ms. VanLowe, and herself. She noted that Mr. Aguilar brought his expertise in oversight to the Panel and made the Panel think more deeply about the role of oversight, the importance of outreach to the community, and racial bias. She said that Ms. VanLowe brought a passion for oversight and thanked her for Chairing the Panel in its second year, leading the development of Panel procedures and helping it grow into a mature Panel. Each Panel member then expressed their gratitude to Mr. Aguilar and Ms. VanLowe for their contributions over the years.

Ms. Doane stated that it was one of her greatest privileges to serve on the Panel and to give back to the County in thanks for the services it had provided to her family. The other Panel members expressed their thanks to Ms. Doane for her contributions, particularly for leading the Panel during a challenging time and during a time of increased workload.

Adjournment: Mr. Bierman moved to adjourn the meeting. Mr. Kay seconded the motion and it carried unanimously.

The meeting adjourned at 7:38 p.m.

Next Meeting: The Panel's next meeting will be held on Thursday, March 4 at 7:00 p.m. The meeting will be conducted electronically and information for public access will be included in the public meeting notice.