
Police Civilian Review Panel

Subcommittee Meeting Agenda

Location: Room 232, 12000 Government Center Parkway Fairfax, VA 22035

Date: May 10, 2023

Time: 7:00 pm

Agenda details:

I. Call to Order

II. Agenda Items

- a. Motions to Subcommittee Meeting
- b. Initial Review of CRP-23-04

III. Adjournment

Fairfax County Police Civilian Review Panel Subcommittee Initial Review Report

Request for Review – Basic Information

CRP Complaint Number: CRP-23-04

Subcommittee Meeting Date: May 10, 2023

Subcommittee Members:

- Bryon Garner, Subcommittee Chair (Panel Member)
- William Ware, Subcommittee Member
- Michael Lau, Subcommittee Member

Complaint Submission Date: Review Request received on 3/13/2023. Other Key Dates: Incident Date: 4/15/2022; Complaint to FCPD: 11/21/2022; FCPD Disposition letter: 2/27/2023

This report is subject to Federal and Virginia Freedom of Information Acts. Panel members will maintain to the greatest extent possible under the law and in accordance with the Bylaws all sensitive and confidential information not intended for a public release.

Purpose

The Subcommittee Initial Review Report sets forth the Subcommittee's recommendation on whether the Complainant's allegation(s) meet the standard for review provided in the Panel's Bylaws. The Panel may accept or not accept the Subcommittee's recommendation on whether to review a complaint.

Findings

The Panel's review authority states in Article VI (A)(1) of its Bylaws: "The Panel shall review Investigations to ensure their thoroughness, completeness, accuracy, objectivity and impartiality where (1) the subject matter of an Investigation is an allegation of 'abuse of authority' or 'serious misconduct' by a FCPD officer, and (2) a Review Request is filed."

The subject matter of this investigation concerns allegations by the Complainant that officers of the Fairfax County Police Department (FCPD), when responding to a traffic incident, abused their authority and engaged in misconduct by discriminating against him based on race and/or color, acting in a rude, careless and threatening manner, and in violating FCPD policy/procedure and FCPD Canon of Ethics.

The Subcommittee finds that the subject matter of the investigation, as stated in the allegations, **(meets/does not meet)** the threshold requirement for "abuse of authority" and "serious misconduct."

Recommendation

The Subcommittee recommends that the Panel (**undertake/not undertake**) a review of CRP-23-04 because the complaint (**meets/does not meet**) the scope of review criteria set forth in its Bylaws.

Panel Bylaws Abuse of Authority and Serious Misconduct Checklist

Criteria Met?	Abuse of Authority and/or Serious Misconduct	Complainant Details*
Yes/No	Use of abusive racial, ethnic or sexual language or gestures.	
Yes/No	Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability.	
Yes/No	Acting in a rude, careless, angry, retaliatory or threatening manner not necessary for self-defense.	
Yes/No	Reckless endangerment of detainee or person in custody.	
Yes/No	Violation of laws or ordinances.	
Yes/No	Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.	

***Confidential and sensitive information shall not be disclosed in this document. Contact the Chair or Panel Legal Counsel for questions and/or additional information.**