
Police Civilian Review Panel

Subcommittee Meeting Agenda

Location: Room 7, 12000 Government Center Parkway, Fairfax, VA 22035

Date: May 20, 2024

Time: 6:00 pm

Agenda details:

I. Call to Order

II. Agenda Items

a. Initial Review of CRP-24-01

III. Adjournment

Initial Review Report – Subcommittee Recommendation to the Fairfax County Police Civilian Review Panel

Request for Review – Basic Information		
CRP Complaint Number: CRP-24-01		
Subcommittee Members:		
<ul style="list-style-type: none"> Bryon Garner, Panel Member Michael Lau, Panel Member Todd Cranford, Chair of Subcommittee 		
Key Dates: Incident Date (June 2, 2023), Date of Initial Complaint to Panel (August 29, 2023), Date of FCPD Disposition Letter (January 3, 2024), Date of Review Request (January 4, 2024)		
Subcommittee Meeting Date: May 20, 2024	<input type="checkbox"/> Complainant Present	<input type="checkbox"/> Complainant spoke
	<input type="checkbox"/> Complainant Not Present	

Subcommittee Authority and Purpose
<p>The Subcommittee conducts an Initial Review of the subject Complaint to determine whether the Complaint meets the minimum criteria for review and consideration by the full Panel. (See Panel Bylaws Article VI.D.2.(d))</p> <p>The Subcommittee reviews complaints to determine whether: (Panel Bylaws Article VI.D.3.(a))</p> <ol style="list-style-type: none"> (1) The Complaint alleges Serious Misconduct or Abuse of Authority as defined in its Bylaws; and (2) The evidence contained in the investigative file could lead a reasonable Panel to conclude that there is sufficient evidence to support the allegations.

Subcommittee’s Role in Initial Review Process
<p>The Subcommittee Initial Review Report sets forth the Subcommittee’s recommendation. A unanimous Subcommittee vote is required to recommend that the Panel not consider a complaint. The full Panel may or may not accept the Subcommittee’s recommendation on whether to review a complaint.</p> <p>The full Panel will consider the Subcommittee recommendation and vote to determine whether it accepts a Review Request. If the full Panel accepts the recommendation, it will conduct a full Panel Review Meeting. (Panel Bylaws Article VI.F.)</p>

Categories of Abuse of Authority or Serious Misconduct
<p>The Panel determines whether allegations can be categorized as one or more of the following: (Panel Bylaws Article VI(B))</p> <ol style="list-style-type: none"> A. Use of abusive racial, ethnic or sexual language or gestures. B. Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability. C. Acting in a rude, careless, angry, retaliatory or threatening manner not necessary for self-defense. D. Reckless endangerment of detainee or person in custody. E. Violation of laws or ordinances. F. Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.

Complainant Allegations		
The Panel subcommittee considered the following allegation(s) by the Complainant to determine (1) whether each constitutes Serious Misconduct or an Abuse of Authority as defined above, and, if yes, (2) whether the Investigation Report reveals sufficient substantiation.		
Allegation(s)	(1) Abuse of Authority or Serious Misconduct Identify Category (A-F)	(2) Substantiated in Investigative File Indicate Yes/No
<i>List each allegation below as stated by the Complainant. Indicate in the next two columns whether the two criteria are met for each allegation.</i>		
1. FCPD officers participated in malfeasance based on statements made during a cell phone call captured by video during a traffic stop on June 2, 2023.		
2. Complainant found the nature of an audio redaction of 30 seconds in the FCPD officer's video footage suspicious.		
3. Complainant questioned FCPD officer's truthfulness on his driving speed and observing the false identifications in his wallet during the traffic stop.		

Missing Information

If there is any indication there may be missing information from the investigative file, describe it here.

Subcommittee Findings and Recommendation

Check the Subcommittee's recommendation to the full Panel and keep one statement below that applies based on criteria met.

<input type="checkbox"/> Subcommittee Does Not Recommend full Panel Review	<p>Criterion 1 is not met: The Subcommittee unanimously finds that the allegation(s) made by the Complainant <u>do not</u> meet the threshold of Serious Misconduct or Abuse of Authority and therefore the Panel <u>does not</u> have authority to review the complaint. The Subcommittee <u>does not</u> recommend that the full Panel take up review of this Complaint.</p>
<input type="checkbox"/> Subcommittee Recommends full Panel Review	<p>Criterion 1 is met, but Criterion 2 is not met: The Subcommittee unanimously finds that the complaint alleges Serious Misconduct or Abuse of Authority, however, the evidence contained in the investigative file <u>could not</u> lead a reasonable Panel to conclude there is sufficient evidence to support allegations. Further, the Subcommittee has no reason to believe there is missing information from the Investigation Report. Therefore, the Subcommittee <u>does not</u> recommend that the full Panel take up review of this Complaint.</p> <p>Criteria 1 and 2 are both met: The Subcommittee finds that the allegation(s) made by the Complainant meet the threshold of Serious Misconduct or Abuse of Authority as defined above AND that the evidence contained in the investigative file could lead a reasonable Panel to conclude that there is sufficient evidence to support the allegations. Therefore, the Panel subcommittee recommends that the full Panel take up review of this Complaint.</p>