

**CIVILIAN REVIEW BOARD
PUBLIC SESSION MINUTES
April 21, 2016**

Present at the meeting were Civilian Review Board members Keisha Allen (Chair, Southern District), Joyce Green (Secretary, Central District), Charlene Bourne (Eastern District), Mary Denise Davis (Northern District), Odessa Neale (Northwestern District) and John Wesby (Southeastern District).

Also present were:

Kisha A. Brown, Director of the Office of Civil Rights & Wage Enforcement
Evangula Brown, CRB Investigator
Shaun Clark, CRB Investigator
Tessa and Joe Aston, NAACP
Sgt. Norman Coleman, School Police
Deputy Eric Cox, Sheriff's Office
Amy Cruice, ACLU
Lt. Victor Gearhart, Fraternal Order of Police
Chief Rodney Hill, Baltimore City Police
Elizabeth Morse, Mediation Coordinator

I. Welcome from the Chair

Newly appointed Chair, Keisha Allen, welcomed everyone and called the meeting to order at approximately 6:00 p.m. with a quorum present.

II. Minutes

Motion to accept the February 18, 2016 minutes as submitted was made by Mary Denise Davis, seconded by Joyce Green, and all were in favor. The minutes were approved as submitted.

III. New Complaints

PD017-16 through PD036-16 were voted on by the Board and were all assigned a simultaneously investigation by the CRB Investigators.

IV. Completed Investigations

✓ PD059-15 / 14-0036 – (simultaneous investigations reviewed) - Sustained
PD014-16 / 15-0075 – (no CRB investigation assigned) – Not Sustained
PD051-15 / 15-0558 – (no CRB investigation assigned) – Not Sustained
✓ PD073-15 / 15-0172 – (simultaneous investigations reviewed) - Sustained

V. **Director's Report**

Director Brown commended the CRB Investigators for working tirelessly on their large caseload and for their high quality reports.

The case management system is in the final stage. This will enable us to tracking patterns, practices, be better organized, etc.

Director Brown is pursuing funding opportunities for the office. With the support of Mayor Rawlings-Blake, the CRB's budget has gone from \$143,000 to \$600,000. This is the largest budget the CRB has ever had. The Police Department has committed \$35,000 toward the CRB Mediation Program.

VI. **Old Business**

New complaint PD030-16 happened in Princess Ann County. The Board decided when non-jurisdictional complaints are received, they would like a letter to automatically be sent to the complainant informing them that the Board does not have jurisdiction. The complaint can be administratively closed.

An abusive language complaint, PD010-15/15-0037, that the Board decided not to have an independent investigation on was brought to Director Brown's attention by the Director of Public Safety who was contacted by the complainant. We do not have IAD's investigation and it has expired. IAD found out the assigned Investigator retired and it was reassigned. Chief Hill indicated the complainant did not respond and the investigation is complete but not written yet. The Board will await the IAD investigation.

VII. **New Business**

Elizabeth Morse, Mediation Coordinator, gave a summary on the Police Complaint Mediation Program. She and Director Brown have partnered with Chief Hill, the Fraternal Order of Police, and Community Mediation Baltimore in putting together the program. Mediation volunteers have 50 hours of mediation training. There are 18 mediators available to mediate in various neighborhoods across the city. Mediation is completely voluntary and confidential.

There was a lot of good conversation about the new program. Some of the initial concerns the Board had were about mediation taking the place of investigations, it being legal, and circumventing the law and board. It was clarified that the complainant has the option to choose mediation or an

investigation. Mediation does not have to be in the statute to be offered. Director Brown asked for the Board's input in the program. Every complaint will still be sent to the Board indicating if they are eligible for mediation. The Board is still going to vote for either an independent investigation or IAD investigation even if it is eligible for mediation and will be notified if mediation is agreed upon.

Ms. Bourne indicated that the Community Relations Council President for the Northwestern District called IAD and wasn't asked to fill out a form; however, IAD began talking about mediation. Chief Hill will follow through to make sure the person is asked to complete a form. Director Brown will discuss this matter with the Police Commissioner at their monthly meeting to be sure folks aren't offered mediation in place of filing a complaint.

Our Mediation Coordinator and Chief Hill's office determines if a complaint is eligible for mediation. Abusive language and harassment allegations are the best examples for mediation. Excessive force is offered in the brochure but can be removed for the second printing. If a complaint is eligible, our Mediation Coordinator reaches out to the officer to see if they are interested in mediation. The officer has five days to respond. Sgt. Ellis assists in attempting to reach the officer. If the officer does not respond, it can be assigned for investigation. If the officer agrees, the Mediation Coordinator then contacts the complainant who also has five days to respond. If they both agree to mediation, the Board will be notified. If they decline mediation, the complaint will be investigated. The first mediation session occurred within five days of agreeing to it. The officers participate while on duty. Most sessions are 1-2 hours. If both parties complete the session, it is considered a successful mediation and the complaint is not sustained. It is still kept in the IAPRO nationwide system. If at the end of the session, one of the parties is not satisfied with the result, there will still be no investigation. The Mediation Coordinator follows-up after the session for feedback, but does not discuss the case. After the first session was held, both parties had the same feedback which was that it felt awkward, but agreed that dialoguing face to face helped. Closure letters will be sent after the mediation session.

The two brochures for the program were distributed, one for the resident and the other for the officer. This is the first printing of the brochures. The Board can discuss and make recommendations for the second printing. After a good, lengthy conversation, the Board recommended the following for the next printing of the brochure:

- Mediation Coordinator to look for additional options to replace the photo of the black/white handshake

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- State clearly that if the parties agree to mediation, no investigation will be conducted. Create a form for complainant to sign acknowledging.
- Consider only one brochure

The Board also recommended that the new CRB complaint form have a checkbox asking if the complainant is interested in mediation. The written process of the program will be shared with board members.

Currently the program is only for Baltimore Police Department officers. When the BPD contributed their \$35,000, it was stipulated that it could only be used for BPD. Director Brown plans to have an intern create a new brochure targeted to our youth.

Ms. Davis indicated that the Board can hold its public meeting at 4151 Park Heights with plenty of free parking.

There being no further business, the meeting Public Session meeting adjourned and the Board moved into Executive Session.

Respectfully submitted,

Michele Masters
Staff to the Board