

AGENDA
Baltimore City Civilian Review Board
REGULAR MEETING
August 24, 2022
Place: Enabled by Zoom
6:00-8:00 pm

I. Welcome & call to order

- Mel Currie, Southwestern District
- Tiera Hawkes, Chair, Northeastern District
- Natalie Novak, Secretary, Northern District
- Levi Zaslow, Northwestern District
- George Buntin, Western District
- Mariel Shutinya, CRB Supervisor
- Caylin Young - OECR
- Lisa Kelly, OECR
- Amy Cruice, ACLU
- Nicole Chang – NAACP Representative
- Nicole Otter

II. Review and approval of agenda

- Approved

III. Review and approval of minutes

- April 2022 - Approved
- July 2022 - Approved

IV. Director's Report

- Mariel Shutinya, CRB Supervisor: Completed 25 investigations, 19 recommendations, closed 18 cases, 2 cases had sustained allegations, 52 intakes, 178 eligible complaints from PIB, only 1 was converted to CRB compliant. George Buntin is no longer on the board because he no longer resides in the Western District.

V. New Complaints:

- A. 2022 – 0118: Majority vote for a CRB investigation
- B. 2022 – 0138: Majority vote for a CRB investigation

VI. Completed Cases:

- A. **CRB2022-0101:** Filed 6/20/2022 alleging Abusive Language against an identified BPD officer. The complaint alleges on 8/2/2021 the subject officer conducted a Zoom meeting with community members of the Hanlon Improvement Association during which the officer was argumentative, combative and disrespectful towards the community association and the Complainant. The subject officer was visibly agitated and standoffish. When asked about drug activity in the community, the officers responded, “you need to go knock on their car windows and ask them to move.” When the Complainant stated that was not a safe thing to do, the officer said, “I’m not putting up with that. I’m taking off my

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gloves with you right now. All bets are off.” Several witnesses remember a statement similar to this, but they differ as to the exact wording and tone.

- Mel Currie, Southwestern: the subject officer, a major or a captain, first did not respond to the request for a meeting, then gave poor advice to the community, and then stated something combative or symbolically combative; not sure if it meets the elements of abusive language, not apologetic of this officer, but is more like conduct unbecoming; Not Sustained
 - Natalie Novak, Secretary, Northern: it was well investigated, seems like it was objectively inappropriate language; Sustain
 - Tiera Hawkes, Chair, Northeastern: statements like this are not what community policing is supposed to be; there were several witnesses to the incident who have slightly different versions but that it did happen; Sustain; will do the disciplinary rec next meeting after we get the records
 - Levi Zaslow, Northwestern: this is a Major, so it's a person in leadership; Sustained
- B. **CRB2022-0066**: Vote to combine CRB2022-0066 with Complaint CRB2022-0064
- **Carried**
- C. **CRB2022-0036**: Filed 1/21/2022 against an identified BPD officer alleging that on 12/16/2021 the Complainant was involved in a car accident and the subject officer refused to provide the Complainant a police report. The subject officer stated that he did not believe that the Complainant had been involved in an accident and threatened to arrest the Complainant.
- Tiera Hawkes, Chair, Northeastern: Complainant is saying that he was involved in the accident; the other civilian witnesses gave differing accounts of the incident; the subject officer didn't think he was involved and told him to leave; no one to corroborate this story; Not Sustained
 - Mel Currie, Southwestern: maybe neglect of duty, he could have been more courteous, but none of the CRB's allegations; Not Sustained
 - Natalie Novak, Secretary, Northern: there was a lot going on, seems like a misunderstanding, maybe the officer was rude, but not a CRB allegation; Not Sustained
 - Levi Zaslow, Northwestern: wasn't sure what allegation it was filed under; Not Sustained
- D. **CRB2022-0008**: Filed 1/18/2022 alleging that on 8/9/2021 the Complainant's child's mother entered his home through a window carrying bags of clothes. The Complainant asked her to leave the house, but she refused. At that point, the Complainant threw the bags outside. The Complainant wanted to call the police, but his phone was dead. The police showed up anyway. The Complainant asked the police to make the woman leave, but instead the police asked the Complainant what his name was and if they could search him for weapons; he refused. The woman then told the officers a name for the Complainant, which was not his real name. The Complainant did not correct her. The Complainant then talked with the officers about an alleged assault regarding the woman.

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The Complainant is then arrested for assault. One of the officers was aggressive in handling the Complainant.

- Natalie Novak, Secretary, Northern: the summary only reflects the information in the complaint, not the report
- Mel Currie, Southwestern: found the officers to be very patient and there were inconsistencies in the statements from the Complainant; the Complainant did have a knife when he said he didn't; Vote is Not Sustained
- Tiera Hawkes, Chair, Northeastern: officers were not trying to arrest him, they just wanted more information about what was going on; wasn't false arrest because there was an allegation of intimate partner abuse, they were patient and tried to talk to him; an officer said "prepare your taser" but no taser was used, the force used was reasonable to the situation; Vote is Not Sustained
- Natalie Novak, Secretary, Northern: called the SAO to ask whether they should arrest; there was an allegation of intimate partner violence, so arrest was warranted; reports do not support Excessive Force; Vote is Not Sustained
- Levi Zaslow, Northwestern: Vote is Not Sustained
- Mariel Shutinya, CRB Supervisor: voting members have been vetted and appointed through a public process; the voting members have to have access to unredacted information to execute duties of their board responsibilities; so for today, for timing, the voting members will view it today and the non-voting members can file an MPIA for access to the BWC; in the future, Mariel will provide redacted information to the non-voting members right away

VIII. Public Comment

IX. Old Business

X. New Business

- Amy Cruice, ACLU: Maryland police training commission sent emergency regulations to the state legislature, which MCJPA objects to, specifically around the regulations requirements for who can serve on the PAB and ACC; MCJPA sent a letter to the legislative committee to schedule a hearing on issue; contact the committee to contribute to this issue

[OPEN MEETING CLOSED]

- E. **CRB2021-0190/PIB 2021-1543**: Filed 11/28/2021 for Excessive Force, Abusive Language and Harassment against three identified BPD officers. On 11/10/2021, the Complainant was involved in a car accident and when BPD officers arrived to the scene, one of the subject officers used inappropriate communication with the Complainant while the Complainant was fully compliant with the officers. The Complainant was taken to the hospital to be treated for injuries. After the accident, the Complainant's car was towed and the tow truck driver called the officers to notify them that a firearm was found in the car. Upon her release from the hospital, the Complainant was grabbed by three officers who intended to arrest her for the firearm. The Complainant notified the officers that she is an

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abuse survivor and requested that she not be touched. The officers grabbed and touched her anyway. For instance, the Complainant alleged that one of the officers placed his penis on her and would not remove himself from her even after she repeatedly told him that she was sexually molested. The BWC shows the Complainant repeatedly telling one of the officers, "Get your dick off of me!" To which the officer replied, "Ok, get in the [police] car and I will." The officer also touched her shoulder in an area that was close to her breasts. The BWC appears to show that the Complainant was triggered by the only female officer at the scene, who stood by and watched the officer touch the Complainant inappropriately during the arrest. Several times the Complainant asked for the other two male officers to intervene, but they stood by and allowed it to continue. The Complainant repeatedly asked the officers not to touch her and to call her mother because she was scared. The officers refused to call her mother at that time. The situation escalated and the Complainant began showing symptoms of a mental health crisis, which were not taken into account by the officers. Further, she was arrested in a manner that did not consider the injuries from the car accident. Finally, the officers would not tell her why she was being arrested.

- Case held over to July meeting to review body-worn camera footage
- Tiera Hawkes, Chair, Northeastern - We need to determine whether non-voting members can view the BWC, so it will be viewed next month
- Mariel Shutinya, CRB Supervisor – and Natalie can't view it because of internet issues
- Held over again until August 2022
- Natalie Novak, Secretary, Northern: force was unnecessary, could have deescalated and told her why she was arrested; the officer had her in what looked like a bear hug for at least 10 minutes; tactic was not working, they could try something else; Complainant was not a flight risk because she was already handcuffed or safety risk; they made it worse, they should have at least backed up from her when she complained about the officer's genitals being on her or reposition in some way; Excessive Force is Not Sustained; Abusive Language is Not Sustained; Harassment Sustained – for all three officers
- Mel Currie, Southwestern: ineptitude on the officers' part; they were in over their head in how to get someone in their car; Excessive Force is Not Sustained; Abusive Language is Not Sustained; Harassment is Sustained – for all three officers
- Levi Zaslow, Northwestern: she could have been a flight risk, was blocking her way into the car, was being combative, the officers did not drag her into the car, when they could have because she was resisting; maybe his genitals were not on her, which is why he didn't move, we don't know; really close call, force seemed commensurate with the situation and not enough info about the officer's genitals; Excessive Force is Not Sustained; Abusive Language is Not Sustained; Harassment is Not Sustained – for all three
- Tiera Hawkes, Chair, Northeastern: after she said she had been sexually abused and he didn't make any changes to his behavior, he could have backed up, asked the female officer to take over, but he didn't make any changes to his behavior; Vote: Excessive Force is Not Sustained; Abusive Language is Not Sustained; Harassment is Sustained – for all three officers

XI. Adjournment