

C I V I L I A N R E V I E W B O A R D
PUBLIC SESSION MINUTES

April 30, 2018

Present at the meeting were Civilian Review Board members Bridal Pearson (Chair, Northern District), Mel Currie (Southwestern District), Betty Robinson (Northeastern), Fred Jackson (Northwestern District) and Marcus Nole (Eastern District).

Also present were:

Charles Byrd, Deputy Director of the Office of Civil Rights
Jesmond Riggins, CRB Supervisor
Shaun Clark, CRB Investigator
Sergio Espana, ACLU
Amy Cruice, ACLU

Members of the public and community members were also present.

I. Welcome and Introductions

Chair Pearson welcomed everyone and called the meeting to order at 2:18. He recognized and introduced non-voting members of the Board and staff. He advised he would not be able to Chair the next meeting and asked Mel to chair in his stead. Mel agreed.

II. COTF Recommendations and CRB Response

Bridal Pearson noted that the members of the COTF seemed eager to get CRB feedback. Charles Byrd advised that the week prior, a few members of COTF had reached out to schedule a meeting to incorporate CRB improvements into their recommendations. He noted that staff had scheduled two meetings with COTF, one with staff, and another with Board members. Board members discussed the specific recommendations, and noted that they felt the COTF's recommendations for restructuring the Board included too many Board members and too few staff. Charles Byrd noted that these recommendations on the number of members might change.

Amy Cruice noted that the Baltimore Sun had done a comparative analysis of different CRBs and noted the budgetary disparity in Baltimore's CRB, and was concerned about whether COTF was doing a comparative analysis. Mel noted that the Board had experienced the constraints and frustrations, and that they should prepare their own report about their needs. Amy Cruice felt the Board should express their support for COTF's recommendations, and add their own to that list. Betty Robinson stated it would be helpful to make a list of things that make oversight agencies effective.

Amy Cruice asked if there was any political will for the Mayor to recommend changing LEOBR. Fred Jackson felt that LEOBR presented delays to the disciplinary process through the trial board system. Fred Jackson and Amy Cruice discussed the relatively few cases that are referred to a trial board and the fact that officers who retired with an open investigation had their records flagged, making them difficult to rehire.

Fred Jackson noted that members of the COTF had stated that the CRB was not transparent enough, and felt they needed clarification on this statement. Amy Cruice stated that the summaries of the cases should be far more detailed and the public should be provided with the redacted investigatory files. Supervisor Riggins stated that the office currently did not have the bandwidth necessary for those measures. Board members discussed the need for the Board to be more visible, speak more in the community, do organizing work, reach out to stakeholders, and engage community members. Betty Robinson noted the need to go beyond community meetings, as the people encountering the police the most are often not the ones that attend community meetings. Supervisor Riggins noted that additional staffing and technological resources could allow for more transparency, including quantitative analysis, reporting, and an online tracking system to allow someone to see where their complaint is in the process. He expressed concern that the COTF had not come to the office to observe and evaluate the day to day work. Deputy Director Byrd advised that at this time, no additional staff was forthcoming, and clarified that many members of council were not very familiar with the Board.

Bridal Pearson asked what role the CRB should play in these processes, and Betty Robinson suggested that the Board should attend the COTF's meetings and enter into the dialogue.

Mel Currie clarified that the COTF was intended to dissolve after the report had been completed, and Deputy Director Byrd advised that they would recommend that they continue to exist to oversee the building of the new oversight process. Mel Currie expressed concerns about COTF's transparency with regards to their deliberations and decision-making. Investigator Clark asked what the advantage would be if they remained in place, and Betty Robinson noted that they could continue to advocate for their recommendations, but was unsure of what that would look like. Bridal Pearson noted that it would seem more logical to strengthen the existing Board than to create something totally different. Investigator Brown expressed concern about whether they understood the staff's needs in terms of resources. Bridal Pearson noted that most of their recommendations were already drafted. Marcus Nole felt the Board's best strategy would be to continue to look for ways to improve, and educate the community on the existing Board so that they would see the value in enhancing the CRB. Amy Cruice felt that their recommendations would be difficult to implement, and that the Board should make sure their practices were as effective as possible in the meantime. She recommended that the Board support their recommendations, but continue to ask for more, and suggested that the Board draft a letter expressing this.

Betty Robinson suggested building relationships with key stakeholders, and Bridal Pearson advised that meetings had been set up with key stakeholders throughout the month. Bridal Pearson advised that the Board should approach stakeholders with a clear plan and a message, and highlight their successes during this key timeframe. Amy Cruice felt it would be important to ask stakeholders to clearly state what they could commit to the Board. Deputy Director Byrd noted that the City Solicitor is a major supporter of COTF and their recommendations. He noted that the Solicitor believes that LEOBR should be changed and modified, but was unsure of what he would recommend in order to change LEOBR, and noted that he had advocated for civilians on trial boards. Amy Cruice suggested that if only a few amendments were needed to empower civilian oversight, the Board should shorten their recommendations to make them seem more achievable and ask for commitment on those recommendations from legislators.

III. Outreach and Visibility

Board members discussed ideas for increased outreach and visibility in the community. Bridal Pearson asked Special Assistant Muth to assist with scheduling events and campaigns. Amy Cruice noted that it would be most effective for Board members to target community hubs and outdoor events and festivals where people were congregating. Special Assistant Muth advised that the Office of Civil Rights often set up tables at outdoor festivals with information about all three agencies. Marcus Nole suggested using community based organizations as entry points in high needs neighborhoods. He noted that Board members could call or drop in with brochures and complaint forms. Amy Cruice suggested that each Board member could commit to reaching out to three organizations. Betty Robinson suggested targeting areas with a high police presence and organizing events such as a movie night to educate the public on the need for more empowered civilian oversight. She noted that goals could include identification of community advocates and point persons to keep and distribute information. Deputy Director Byrd noted that the office was planning an upcoming event to promote civil rights in communities. Supervisor Riggins advised that staff would be setting up an anonymous tip hotline for resident to report officers engaging in misconduct in their community in situations where they might not feel comfortable filing a complaint. Public Information Officer Wesley suggested that he could assist the Board with appearances on local talk and radio shows. Betty Robinson felt that the Board should have an informational meeting with City Council and other elected representatives to present their issues and ask them to advocate for their needs. Supervisor Riggins stated that the Board members would definitely need to be involved in coordinating these processes. Betty Robinson felt that the Board should come up with an organized outreach plan, outlining goals and strategies. Bridal Pearson advised that Special Assistant Muth and Marcus Nole should work with Supervisor Riggins and Public Information Officer Wesley to implement this idea. He noted that the Board could also work in smaller subgroups. He suggested a joint Board meeting with the Mayor. Deputy Director Board advised that the Board could also request a meeting with the Commissioner. Mel Currie stated

that in terms of transparency and outreach, Board members should add their photos and bios to the website, and possibly include their email addresses.

IV. Complaint/Repeat Offender Data

Board members discussed whether to review information about repeated offenders before or after voting on a finding. Betty Robinson felt the information should be provided to the Board beforehand, while Mel Currie felt that the Board should have sufficient time to review the information and process it. Bridal Pearson felt that this information should only be presented before making disciplinary recommendations as he was concerned the information could influence their decisions and affect their neutrality. Supervisor Riggins noted the need for better technology for more accurate reporting of data, and Mel Currie added that it would be helpful to have a data analyst on staff. Special Assistant Muth noted that a detailed database was forthcoming.

V. Disciplinary Recommendations

Fred Jackson expressed concern that without the officers' disciplinary history, Board members could not discern if an officer had made a blind mistake or was exhibiting a pattern of behavior. He noted that he felt the Board should use the matrix and put the onus on the Commissioner to make the disciplinary recommendation, with the understanding that BPD would report back the final actions. Mel Currie expressed his concern that making disciplinary recommendations were not making an impact, and were affecting the Board's credibility. Fred Jackson stated that the Board should forego disciplinary recommendations pending a guarantee that they would have the officer's disciplinary history to consider before making their recommendations, and in the meantime recommend that the department follow the matrix, except in particularly egregious cases. Bridal Pearson noted that the Board should develop internally what are their standards would be to support a recommendation of termination. Supervisor Riggins noted that the sustained letters that are sent to the Police Commissioner contain a request for information about whatever discipline was administered. Betty Robinson felt that the Board should consider a quarterly press conference to release findings and statistics. Marcus Nole stated that he would like to think carefully before making a decision on this subject. Deputy Director Byrd expressed his concern about how the recommendations could affect the Board's credibility, especially when it came time to advocate for changes to the LEOBR.

VI. Additional Topics/Open Discussion

Betty Robinson stated that the Board should ask for an audience with the Mayor and City Council to discuss some of these issues, including funding.

Investigator Clark suggested that Board members consider a different name to avoid perception of an adversarial relationship with the police that did not include the term "civilian".

Deputy Director Byrd noted that several oversight bodies have adopted the NACOLE Code of Ethics, and advised the Board to consider their adoption at their next meeting as it would add to their credibility.

Supervisor Riggins encouraged the Board to consider each officer's actions and allegations individually within the disposition definitions and make clear distinctions when discussing cases in order to provide more substantive letters of findings. Deputy Director Byrd expressed the need for the development of policies, rules, and procedures.

Board members discussed the Unified Complaint Form and noted that discussions were ongoing, but the form should be complete in the next couple of months.

Special Assistant Muth reminded Board members of the importance of submitting timely votes on email cases, advised them about the upcoming NACOLE conference, and reminded them to sign up for ethics trainings and submit financial disclosures.

VII. Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted,

Jill Muth