

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

January 24, 2019

Present at the meeting were Civilian Review Board members Chair Bridal Pearson (Northern), Mel Currie (Southwestern District), Betty Robinson (Northeastern), Ebony Harvin (Southern), Fred Jackson (Northwestern) and George Buntin (Western).

The meeting was called to order at 6:05.

Also present were:

Director, Darnell E. Ingram
Public Information Officer, John Wesley
Troy Pumphrey, Interim Investigations Supervisor
Evangula Brown, Investigator
Amy Cruice, ACLU
David Cali, OPR
Stephanie Lansey, OPR

Members of the public and community were also present.

I. Welcome and Introductions

Chair Pearson welcomed everyone and called the meeting to order at 6:05PM.

II. Director's Report

Director Ingram welcomed everyone to the Office of Civil Rights. He noted that on Feb 20th, the office would be hosting a Fair Housing Seminar with Dr. Lawrence Brown from Morgan State University. He stated that a new housing bill was under consideration, which would make the discussion timely and important.

Director Ingram noted that they were in the planning stages for the Annual Civil Rights Breakfast, and that they were surveying past attendees to improve the breakfast. He noted that they were considering changing the breakfast to an evening gala, which was a strategy to expand the event and garner more support.

He stated that the Mayor's Office would be developing job descriptions for vacant and expired CRB seats, which would be filled through the online application process. He asked that CRB members advise staff if they knew anyone who was interested. Betty Robinson asked which seats were expired, and Director Ingram stated that Deputy Director Parrott would look into it and follow up.

Director Ingram noted that they would be bringing two new CRB investigators on Board in the coming month.

He stated that the office will start tracking data on different policing trends and developing programs for outreach. He noted that he was meeting with different departments to find out about trust building and community policing. He asked Board members to provide suggestions about information they would like to receive.

He noted that the office would start sending quarterly reports/bulletins, and that the first quarterly report would be released in March, and would be focused on the Mayor's Commission on Disabilities.

Director Ingram stated that staff had attended the Quarterly Consent Decree Hearing, and received positive information about how the Consent Decree is being implemented. He noted that they had made some strides, but that there would still be a long way to go. He noted that Chief Cali has been supportive throughout the process.

III. Approval of Public Session Minutes from December 20th, 2018

Bridal Pearson motioned to approve the minutes from December 20th, 2018. Mel Currie seconded, and all others were in favor.

IV. New Chair/Secretary Election

Mel Currie motioned to nominate Bridal Pearson as Board Chair for 2019. Betty Robinson seconded, and all were in favor.

Bridal Pearson motioned to nominate Mel Currie as Board Secretary for 2019. Betty Robinson seconded, and all were in favor.

V. New Complaints

CRB2018-0110

A majority of Board members voted to authorize a CRB investigation.

CRB2018-0115

A majority of Board members voted to review only IAD's investigation.

CRB2018-0228

A majority of Board members voted to authorize a CRB investigation.

CRB2018-0231

A majority of Board members voted to authorize a CRB investigation.

CRB2018-0236

A majority of Board members voted to authorize a CRB investigation.

CRB2019-0001

A majority of Board members voted to authorize a CRB investigation.

CRB2019-0003

A majority of Board members voted to authorize a CRB investigation.

CRB2019-0016

A majority of Board members voted to authorize a CRB investigation.

Amy Cruice wanted to remind everyone of the Department of Justice's report and the Power Inside organization for context on the relationship between police officers and sex workers.

Director Ingram noted that he wanted to look into the implementation of a victim assistance program. He asked that Board members please share any helpful resources. Betty Robinson asked that the head of Power Inside, Jackie Robarge, be invited to come and speak at the next meeting.

VI. Completed Cases Voted on Via Email to Avoid Expiration

CRB2018-0009

18-0017

FA FI

Mel Currie voted to exonerate the officers because the complainant was driving without license, tags, registration or insurance. George Buntin voted to exonerate the officers because the complainant was claiming sovereign citizenship without the recognized documentation. **A majority of Board members voted to exonerate the officer.**

CRB2018-0011

18-0023

EF FA FI H

George Buntin asked whether it is illegal to leave your car running, and Major Lansy that it was illegal and considered a form of neglect. Ebony Harvin stated that citizens needed to be informed of their rights, and was disturbed that someone calling the police for help had been arrested. She felt that they should hold a community meeting and make everyone aware. Mel Currie noted that the complainant did not outright refuse to sign the citation, but instead asked for a supervisor. He noted that a supervisor did not come, and the officer pushed his way into the home. Amy Cruice noted that you can only be arrested if you don't sign a criminal citation, and if you don't show ID. Betty Robinson noted that the Commissioner did say that a traffic violation is not an arrestable offense, and was concerned that the complainant was held overnight. Fred Jackson felt that there was unnecessary escalation in this case, and that there was no need for 15 officers to respond to the scene. He noted that spirit of the law was not addressed, officer should have addressed the issues first. **A majority of Board members sustained the allegations of false arrest, false imprisonment and harassment for Officer L and recommended a 15-day suspension and a severe letter of reprimand. A**

majority of Board members sustained excessive force, false arrest and false imprisonment for Officer R and recommended termination.

CRB2018-0015 18-0032 FA FI H AL

Board members noted that there was not enough information in this case, and that the complainant was uncooperative, missed several appointments, and had emotional outbursts. **A majority of Board members voted not to sustain the allegations.**

CRB2018-0135 18-0007 H

Mel Currie noted that same officer who appeared in an earlier case had appeared in this case, and was disturbed that an officer would appear twice in two cases within one meeting. **Chair Pearson motioned to reopen the case and table until they had received the necessary information, Mel Currie seconded, and all were in favor.**

VII. Completed Cases

CRB2017-0133 17J-0013 EF FA FI AL H

Betty Robinson noted that the complainant was hospitalized and there was no indication that he had any gunpowder ~~evidence~~ residue on his hands, the police did not recover a weapon, and the victim had no criminal record, car stops or field interviews. George Buntin noted that the video had been posted on Youtube, and that the police felt that he had thrown the gun off of the bridge, but stated that he did not believe the person who had taken him to the hospital would pull over and allow him to throw out the gun. Mel Currie noted that the car did stop because the driver had panicked after picking up the victim. Mel Currie noted that he believed he saw a gun in one of the photos. Marcus Nole noted that the officer had seen a bulge and the victim had bladed his body, and the officer detained him. Fred Jackson noted that the officers had found a bag of drugs. Fred Jackson did not sustain because he believed the officers saw a gun and noted that officers are instructed to fire until the threat stops. George Buntin noted that he felt there was an additional level of suspicion when the victim is a Black youth and no weapon is recovered. **A majority of Board members voted not to sustain the allegations.**

CRB2017-0205 17-0643 EF H

Mel Currie felt that the officer was harassing the youths even before he pulled the gun. Fred Jackson noted that when Howard County police arrived ~~to~~ **at** the scene,

the officer's gun wasn't in his holster, but was in his pocket. He added that he was in the county, off duty, and had no jurisdiction to approach the victims. Betty Robinson noted her concern that the officer was assigned to the crisis response task force. George Buntin felt the officer's actions would have even been inappropriate if the officer was on-duty, but this officer was off duty. He felt that they had profiled the victim and approached him without cause. He noted that the officer was in plainclothes and never identified himself as a police officer, which may have caused the situation to escalate. **Board members unanimously sustained the allegations and recommended termination.**

CRB2018-0075

17-0572

EF

Mel Currie noted that the lower level officers were instructed to arrest the complainant by their sergeant, and they hesitated multiple times. He stated that they were the actors in this, but only at the order of the sergeant. FJ noted that the complainant did not begin to resist until he was being placed in the car. Marcus Nole noted that the complainant assisted the victim, gave them information, and asked to leave, at which point he should have been allowed to leave and not arrested. George Buntin stated that the officer cannot compel him to stay. Bridal Pearson noted that the police need to treat people well who serve as witnesses, and if people are so harassed that they feel at risk if they call the police, they won't call as witnesses or victims. George Buntin noted that this was the third case where the person who called the police was arrested. Ebony Harvin felt that many officers need to be retrained, and asked Major Lansey about the retraining component of the discipline. Major Lansey noted that in 95% of cases, a training component is part of the discipline. George Buntin clarified whether an officer who was suspended could use paid time off, and Major Lansey stated that they could not. **A majority of Board members sustained the allegation for Sgt. C and recommended a 15-day suspension and a severe letter of reprimand.**

VIII. Public Comment

One of the victims' representatives stated that she wanted to thank the CRB for their service and was happy she had been invited to the deliberation.

Director Ingram noted that he wanted to speak about the Consent Decree hearing and how it reflected on the cases heard at the meeting. He stated that specifically Judge Bredar mentioned the ETHICs program, which was designed to flip the culture of officers being afraid to report on other police officers. He noted that there was a culture of timidity for officers to check their colleagues. He noted that officers needed to be intolerant of misconduct, and leadership should ensure integrity and enforce it through civilian oversight, adjudication, and comprehensive retroactive investigations, such as the one being conducted into the GTTF and other high profile cases. He noted that he felt encouraged by where the department is headed, and his

conversations with other law enforcement agencies. He noted that they were aware of issues with retaliation, and that many victims may not come forward because of fear. He noted that they were committed to figuring out how to confront these issues through partnerships and outreach. He noted that he was working to develop a community day to begin trust building, and that Deputy Director Parrott would be looking into trust-building programs.

Ebony Harvin noted that she had seen change in the police department, and that Baltimore is going through a major transition, but that the community is still scared to reach out. She noted that there were many frequent offenders that needed to be dealt with, and that she wanted to partner with law enforcement agencies to figure out how to deal with these issues. George Buntin noted that he knows many officers are well meaning, but that they need to get uniformed ground-level police officers in on the conversation with the community as well as the higher-level officers.

A complainant who was the mother of a victim stated that her son was coming home from school in his own community when the officer approached him, and said that the officer said that he felt threatened because her son was big. She noted that her son was not doing anything wrong, and that being approached and questioned by an unknown adult was threatening. She stated that the officer had initiated the conversation and approached her son with malice. She stated that the officer had been on the force longer than her son had been alive, and should have known better. She noted that had the officer been a civilian, he would have faced harsh consequences. She stated that she had taken out a peace order, because she felt threatened and has to walk by the officer every day. She finally moved because the officer lived in her neighborhood. She stated that Baltimore City had paid a \$75,000 settlement because the same officer broke someone's jaw. She stated that her son still has to deal with the trauma of this incident, and the officer is still actively operating as a police officer. She noted that situations like this create a culture of fear for civilians and no accountability for the police. She stated that when she went to file a police report, the officers at the Central station laughed and said "At least he didn't die, come back Monday".

Charlie Carter represented the Baltimore chapter of the NAACP. She stated that the branch recognizes the work that they are doing. She noted that it was disappointing to hear that the Consent Decree process is going to take 10 years to bring the BPD into compliance.

A mother of one of the victims stated that she was glad to see the Board was here to review these issues. She noted that she was still disturbed by how her child was hurt, and was comforted to see that this incident was not going unheard and unrecognized. She stated that her daughter is a registered nurse, who helps people and saves lives, but was treated like a criminal. She stated that she was held in jail for 12 hours, while she could have been at work saving lives. She noted that officers need resources and training.

One of the victims thanked the Board for their work. She wanted to encourage the public to come forward, and stated that she fears for her life every day. She stated that she still sees the officers every day that pushed their way into her house. She stated that she would have signed the citation if she had been informed, and that she didn't understand why she was being arrested. She stated that on the day of the incident she thought she would be killed, and was screaming for help. She stated that she had asked to go to the hospital because the handcuffs were cutting off the circulation to her arm, and the officers lied to her and her mother and told her that they were taking her to the hospital.

IX. Old Business

Amy Cruice thanked everyone for coming and for filing complaints. She noted that in terms of not having the officers' history, the current legal interpretation of the MPIA states that IAD files are personnel records, rather than investigative records. She stated that both the complainant and the Board would be able to get this information,* if they were considered investigative records. She noted that a bill would be introduced this session in Annapolis, and that they would need people to tell their stories, and need CRB members to come forward to testify on this bill. She stated that in the current system, officers know everything about the complainants, and complainants know nothing about the officers, or what happened after the victim filed the complaint.

X. New Business

George Buntin noted that CRB Facebook and Twitter pages had been removed, and wanted to request that they be restored, since some of the constituents were very interactive and thought it was a good resource. Director Ingram noted that he would look into the matter and report back to the Board.

George Buntin stated that the next meeting on February 21st would be held at Union Baptist Church on Druid Hill Avenue. He noted that he would distribute flyers, and that the meeting will be open to the whole community.

Betty Robinson noted that the Board should hold public information forums in each of the 9 police districts and start thinking about how to spread the information in the spring. Director Ingram noted that they were partnering with Enoch Pratt library to have pop-up information sessions in different laundromats with information about how to file a complaint.

George Buntin noted that he had been having conversations within the New York City Citizen's Complaint Review Board and was trying to get an idea of how their Board works. He noted that he would present the information he had learned to the Board at the next meeting.

Bridal Pearson noted that he appreciated the continued work of the Board, and their passion and dedication.

Betty Robinson stated that she had been reading through the OPR/CRB protocol, and hoped that all present would review and comment. She noted that public comment on the first draft would end on January 28th.

XI. Adjournment

There being no further business, the meeting was adjourned at 8:25 PM.

Respectfully submitted,

Jill Muth