

CIVILIAN REVIEW BOARD

MINUTES

November 21, 2019

Present: Civilian Review Board voting members Chairman George Buntin (Western District), Secretary Mel Currie (Southwestern District), Jillian Aldebron (Southeastern District), Natalie Novak (Northern District), Tiera Hawkes (Northeastern District), Ebony Harvin (Southern District), Fred Jackson (Northwestern District); non-voting member Amy Cruice (ACLU-MD) and non-voting member Louis Tomaschko (Baltimore Police Department).

Absent: voting member Marcus Nole (Eastern District); non-voting member Kobi Little (NAACP-Baltimore Chapter), Fraternal Order of Police, and Vanguard Justice Society.

Also present:

Harry Armstrong, OCR Investigator Supervisor

Evangula Brown, OCR Investigator

Darnell Ingram, Director, OCR

John Wesley, OCR Public Information Officer

Tiffany Jones, OCR Investigator

Cedric McCray, Deputy Director, OCR

Raemond Parrot, Deputy Director, OCR

Earl Saunders, DOJ Investigator

Khai Overton, Outward Bound - Baltimore

Avi Rubinsky, Outward Bound - Baltimore

Public Sign-in:

Michelle Herring

Marguerite Morris

Jan Jackson

I. Welcome and Introductions

In the absence of the Chair, Secretary Currie called the meeting to order at 6:15 p.m. and noted that the meeting was being recorded. Chairman George Buntin arrived at 6:25 p.m. and presided over the meeting from that point forward.

II. OCR Director's Report

- OCR investigators completed 3 investigations in the last month, conducted 2 in-person intakes, and received 13 complaint notifications from PIB.
- OCR leadership and staff met with BPD district commanders to introduce the CRB, relations between the CRB and district officers, and discuss Policy No. 307.

- The Consent Decree Quarterly Meeting was held on October 24, 2019. Topics included: 1) Use of force training and retention by BPD officers, 2) BPD technology, 3) BPD staff shortage, 4) 3 new deputy commissioners (incl. Brian Nadeau, PIB), 5) hiring of Michael Bromwich to investigate GTTF and root causes, and 6) BPD training academy move to UB.
- Board members and OCR staff had an introductory meeting with Commissioner Harrison and Deputy Commission Brian Nadeau
- Deputy Director Parrot and Investigator Supervisor Armstrong met with BPD Legal Kay Harding to discuss issues with CRB and PIB to enhance processes. Legal is to get back to CRB through OCR. Topics included:
 - Obtaining training records.
 - Interviewing Officers who are deemed “witnesses to a complaint”
 - Notification by PIB of “all existing videos” of an investigation
 - Timeliness of receiving PIB reports of investigation
 - CRB Investigators sitting in as “Observers” during PIB interview of accused officer or
 - providing PIB questions in advance or areas of concern
- Board members and OCR staff attended the NACOLE regional training conference on November 15, 2019 at the George Washington University School of Law in D.C.

III. Outward Bound - Baltimore

Representatives from Chesapeake Bay Outward Bound school discussed how their program works to bring out-of-uniform officers and youth together.

IV. Adoption of Agenda

Jillian Aldebron commented that boards ordinarily approve the agenda at the start of a meeting. She moved to add the following agenda items to new business: (1) discussion and production of bylaws; (2) training curriculum; (3) adoption of ethical standards. George Buntin seconded, and the motion carried.

V. Approval of Minutes

- Sept. 19, 2019 – Mel Currie moved to approve, Natalie Novak seconded and the motion carried.
- Oct. 17, 2019 – Mel Currie moved to approve, Tiera Hawkes seconded. Jillian Aldebron moved to correct the minutes to include that with regard to possible working groups, “Board members would be contacted regarding these committees. The amendment was agreed and minutes approved as amended.

VII. New Complaints

CRB2019-0182 (FA, FI, H) Board members voted to authorize an independent CRB investigation.

CRB2019-0192 (EF, H) Board members voted to authorize an independent CRB investigation.

VIII. Completed Investigations – Findings and Recommendations

George Buntin noted that he would abstain from voting on all completed investigations before the Board at this meeting due to computer problems that prevented him from reviewing the investigation reports in detail.

CRB2018-0172, PIB2018-0600 EF: Sustained (FA, FI, H expired and not considered)

The Board further voted to recommend a 15-day suspension along with a letter of severe reprimand. In determining a disciplinary recommendation, the Board was provided with the BPD disciplinary matrix. Fred Jackson commented that there was a difference between an isolated mistake by an officer and a continued pattern of behavior. Because the CRB has no access to prior offenses by an officer that would impact the severity of the discipline according to the matrix, the Board could not apply the matrix but would instead have to determine what it felt was an appropriate action based on the evidence.

CRB2017-0215, PIB2017-0552 H, AL: Not Sustained, all allegations

The case had been approved for CRB investigation, but due to the unavailability of the complainant, the CRB investigator recommended administrative closure. The Board made its finding based on the PIB investigative report.

CRB2018-0114, PIB 2018-0443 EF, FA, FI, H: Not Sustained, all allegations

CRB2018-0164, PIB 2018-0164 AL (1 officer), FI (3 officers): Exonerated, all allegations

The Board did not sustain any of the allegations against any of the subject officers.

CRB2019-0003, PIB2019-0059 FI, H: Not Sustained, all allegations

The case had been approved for CRB investigation, but due to the unavailability of the complainant, the CRB investigator recommended administrative closure. The Board made its finding based on the PIB investigative report.

CRB2018-0105, PIB2018-0435 EF (2 officers), H (2 officers): Not Sustained, all allegations

The case had been approved for CRB investigation, but due to the unavailability of the complainant, the CRB investigator recommended administrative closure. The Board made its finding based on the PIB investigative report.

IX. Public Comment

OCR Deputy Director Rae Parrot noted that a symposium regarding decriminalizing disability currently going on at Coppin State University. The symposium has some relevance to BPD draft Policy 712, which CRB members are encouraged to review and comment on.

X. Old Business

ACLU and NAACP nameplates were ordered.

XI. New Business

1. Board member Jillian Aldebron moved the following:
 - A. Adoption of draft CRB Policies and Procedures – Ms. Aldebron handed out an initial draft she prepared based on review of numerous CRB bylaws from across the country. The purpose of the draft is to give the Board a basis for constructing its own policies and operating procedures. She will distribute this electronically to all members of the Board. A policies and procedures working group had been proposed at the last meeting and a number of people expressed interest in participating. The motion carried. George Buntin asked for members interested in joining the working group. The group was constituted as Jillian Aldebron (point person), Natalie Novak, Fred Jackson, Kobi Little (not in attendance, but nominated by Amy Cruice). It is anticipated that the working group will propose a final draft for adoption at the January 2020 Board meeting.
 - B. Adoption of a training curriculum for Board members – Ms. Aldebron explained that she had served on the NACOLE Training, Education, and Standards subcommittee, and adapted the training recommended by NACOLE to suit some of the specific needs of the Baltimore CRB. She distributed hard copies and said she would send them electronically to all Board members. Amy Cruice commented that this type of training would be good to discuss during an administrative meeting. The group agreed and it was decided that the Chair would send out a doodle poll for Board members to list possible dates they would be available.
 - C. Adoption of the NACOLE Code of Ethics – Ms. Aldebron introduced the NACOLE Code of Ethics for civilian review boards and proposed that the Board adopt this. She said that this would resolve some of the ethical conflicts she had identified with respect to the Board that needed to be addressed. The group decided that this would also be a matter better taken up by the planned administrative meeting.

2. George Buntin asked for members to sign up for two other working groups. Tiera Hawkes agreed to be the point person for a community engagement working group; George Buntin agreed to be the point person for a legislative working group. Other members who expressed interest in being on the legislative working group were Jillian Aldebron, Mel Currie, Natalie Novak, and Amy Cruice.

XII. Adjournment

The meeting was adjourned at 8:15 PM.