

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

June 8, 2018

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

Also present were:

Sharita Thomas, Acting Director
Jesmond Riggins, CRB Supervisor
Shaun Clark, CRB Investigator
Amy Cruice, ACLU

I. Welcome and Introductions

Chair Bridal Pearson called the meeting to order at 10:10 a.m.

II. May/June Meeting Updates

a. May 1: Meeting with City Solicitor and Team

Member Currie and CRB staff met with Solicitor Andre M. Davis and members of the Law Department.

CRB expressed its concern about the Law Department's dual representation of CRB and BPD; BPD's failure to submit its casebooks to CRB within 90 days from the date of the complaint, which is required by statute; and BPD's failure to respond to CRB's requests for information/evidence. CRB also provided its reasoning for passing a motion to subpoena documents and witnesses during its April 19 board meeting.

Among other things, the Law Department stated that all communications from CRB to other Consent Decree parties, specifically the BPD Monitoring Team and the DOJ, should go through its office; that it was willing to field CRB requests for body worn camera footage and provide said footage in accordance with the Maryland Public Information Act; and that CRB should revise the content of its outgoing letters to complainants and the police commissioner.

b. May 9: Meeting with Commissioner DeSousa (Cancelled)

Chair Pearson, Member Currie and CRB staff were scheduled to meet with Commissioner Darryl DeSousa.

The meeting was cancelled on the day of the meeting and Commissioner DeSousa resigned six days later.

Staff is in the process of attempting to schedule a meeting with Acting Commissioner Gary Tuggle.

c. May 10: Staff Meeting with COTF

CRB staff met with Community Oversight Task Force members Andrew Reinel and Denise Duval.

Staff discussed short term measures that can improve CRB without legislative change. Measures discussed included the procurement of independent counsel for CRB, a technology and resource study conducted by the Monitor, a memorandum of understanding between CRB and BPD that ensures BPD either responds to CRB's requests for information/evidence in a timely manner or submits its casebooks to CRB within 90 days from the date of the complaint, which is required by statute.

d. May 14: Meeting with OPR

Chair Pearson and CRB staff met with staff members of the Office of Professional Responsibility (OPR) and the Law Department.

OPR and CRB discussed the current process for complaint intake and how each agency shares complaints or notifications of complaints with the other.

CRB stated its position on the Unified Complaint Form, specifically that it should receive all complaints reduced onto the form and have the opportunity to review and classify each one.

CRB noted its need to receive relevant information during investigations in a timely manner and proposed solutions, including sending CRB representatives directly to OPR to collect needed information/evidence in person or visit other relevant units within BPD to collect the information/evidence.

The Law Department stated that it can accept and respond to certain types of CRB information requests. CRB and OPR agreed on the need to develop a standard protocol.

e. May 18: Meeting with City, BPD, DOJ, MT

Chair Pearson and CRB staff met with the BPD Monitoring Team, the DOJ, BPD and members of the Law Department.

BPD and CRB outlined its current process for interacting with one another during the complaint and investigation process.

CRB highlighted current challenges in receiving necessary information/evidence from BPD.

BPD and CRB discussed its respective positions on the Unified Complaint Form. The parties also discussed the need to develop a protocol for CRB and OPR per Paragraph 339 of the consent decree.

f. May 21: Board Meeting with the Community Oversight Task Force (COTF)

Chair Pearson, Member Currie and CRB staff met with Denise Duval and Andrew Reinel of the COTF.

Board members reiterated to COTF its legal, structural and resource limitations. Minty Longearth from Seattle's Community Police Commission was in attendance and spoke about its experience during and after the Seattle Consent Decree.

g. May 31: Meeting with City Solicitor

Chair Pearson, Member Currie and CRB staff met with Solicitor Andre M. Davis.

CRB expressed its position that the Law Department should consult with CRB prior to representing its position to outside parties and that CRB should agree to the position beforehand. CRB highlighted the challenge of the Law Department representing both CRB and BPD.

The Solicitor noted that the Law Department had the final say on all matters of law, and stated that he would like to work more closely with CRB and provide it with legal training on topics of its choosing.

III. Lessons Learned

Supervisor Riggins summarized the lessons learned as a result of the meetings noted above, including that the Board must work together and continue to increase its public outreach efforts.

IV. Consent Decree Timeline

Special Assistant Muth reviewed the timeline for the development of the OPR Manual within the Consent Decree Timeline.

V. Response and Discussion

Board members discussed the development of a protocol for CRB/OPR interactions required by Paragraph 339 of the consent decree. All Board members present agreed that there were insufficient resources to develop the protocols without additional support and concluded that it should take advantage of all offers of technical assistance to complete this task. Board members also agreed on the need to develop a community engagement plan, one that Members Nole and Robinson agreed to work with staff to develop and implement.

VI. Adjournment

There being no further business, Chair Pearson adjourned the meeting.

Respectfully submitted,

Jill Muth