

AGENDA
Baltimore City Civilian Review Board
REGULAR MEETING
March 23, 2022
Place: Enabled by Cisco WebEx
6:00-8:00 pm

I. Welcome & call to order

- Mel Currie, Southwestern District
- Tiera Hawkes, Chair, Northeastern District
- Natalie Novak, Secretary, Northern District
- Tyler Salley, Southeastern District
- Levi Zaslow, Northwestern District
- George Buntin, Western District
- Mariel Shutinya, CRB Supervisor
- Caylin Young, OECR
- Amy Cruice, ACLU
- Dayvon Love, LBS
- Sergeant Lloyd, PIB

II. Review and approval of agenda

- **Approved**

III. Review and approval of minutes

- February 2022 – Approved

IV. Director's Report

- Mariel Shutinya - closed 8 cases so far 2022; 11 CRB intakes; 46 complaints from PIB, none have been converted to statutory compliance; on 3/1/22 OECR met with PIB and BCMC to figure out the future of the mediation option offered by the CRB, the three entities agreed that they would like to encourage that this remains an option; OECR also had monthly meeting with PIB on 3/1/22 and discussed PIB providing officers' disciplinary records when the CRB sustains complaints so the CRB can use this information to recommend a disciplinary action; youth group approved two universal complaints the students can use to file complaints against BPD and SRO officers, CRB will vote to approve the forms; annual reports are ready to submit to consent decree and post on website; ethics filings are due 5/2/22.
- Amy Cruice, ACLU – would like data of the percentage of cases where PIB and CRB come out differently on cases
- Mariel Shutinya – no; PIB isn't required to give us this information and they don't, so we haven't collected this data point; we will only get the sustained complaints, not all complaints made and not technical violations; will clarify with PIB if we will get the not sustained complaints as well, which might be covered under Anton's Law; Mariel will also provide any info the CRB has on officers who have sustained complaints
- Dayvon Love - Anton's law allows for PIA request for unsustained complaints as well as sustained complaints. I don't know how that works with CRB/PIB process/protocol.
- Tyler Salley, Southeastern District – only getting PIB sustained complaints won't be as helpful because we know that PIB doesn't sustain complaints that CRB does; wants to create a data plan

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V. New Complaints:

- A. **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.
- George Buntin, Western – PIB investigation
 - Mel Currie, Southwestern – PIB investigation to start
 - Levi Zaslow, Northwestern – PIB investigation
 - Natalie Novak, Secretary, Northern – CRB investigation
 - Tyler Salley, Southeastern – CRB investigation
 - Tiera Hawkes, Chair, Northeastern – PIB investigation

VI. Completed Cases:

- A. **CRB2021-0078/PIB2021-0988:** Filed 12/2/2021 against an identified BPD officer for False Arrest, False Imprisonment, and Harassment. The complaint alleges that on 7/25/2021 the Complainant was at work when the subject officer entered her workplace and asked for her name and birthday. The Complainant alleged that before she could verify her identity, the subject officer grabbed her right arm and immediately handcuffed her. As she was being handcuffed, the Complainant stated that the officer and another unknown officer again asked her to provide her name. The Complainant provided her full name along with her birthday. During this interaction, the Complainant alleged that the officer failed to advise her of the reason behind her arrest. After the Complainant was escorted by the officer out of the establishment in handcuffs, a third officer advised the Complainant that there was a warrant out for her arrest. When the Complainant asked to see the warrant, the Complainant alleged that the subject officer did not have it. The third officer advised the Complainant that she was under arrest because BPD received an anonymous complainant from a civilian that there was a warrant out for the Complainant's arrest. The officer told the Complainant that anyone can call in anonymously and report that someone has a warrant. The Complainant stated that she was handcuffed for 15 minutes as the subject officer continued to call Baltimore City and Towson to validate the warrant. Eventually, after contacting communications in Baltimore City and Towson, no warrant could be found. After this confirmation, the Complainant stated that the subject officer removed the handcuffs and advised her that she was free to go.
- Mel Currie, Southwestern – arrested the Complainant based on an anonymous tip and didn't even verify that the warrant exists, unacceptable; sustain False Arrest, False Imprisonment, and Excessive Force; Not Sustained for Harassment
 - George Buntin, Western – we should add Excessive Force as an allegation as well; investigation shows the Complainant should not have been arrested; Sustained
 - Sgt. Lloyd – officers are supposed to verify information, including an open warrant

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- Tyler Salley, Southeastern – so there is a verification process prior to a lawful arrest, which did not occur here; officer could have had a conversation with the Complainant, handled it different and maybe she would be humiliated; Sustain False Arrest, False Imprisonment, Excessive Force, and Harassment
- Tiera Hawkes, Chair, Northeastern – verification is important for the public and for the officers, they put everyone involved in jeopardy; Sustain on all (False Arrest, False Imprisonment, Excessive Force, and Harassment)
- Levi Zaslow, Northwestern – no verified warrant, no probable cause, oddly it appears that there was a Baltimore County warrant in existence, Excessive Force flows from the False Arrest and False Imprisonment; Sustain on False Arrest and False Imprisonment and Excessive Force; Not Sustained for Harassment
- Natalie Novak, Secretary, Northern – sustained for all allegations (False Arrest, False Imprisonment, Excessive Force, and Harassment)
- Tiera Hawkes, Chair, Northeastern – Mariel will get us the disciplinary info to issue a disciplinary recommendation at the next meeting

VII. Public Comment

- Marguerite Morris – thanks for helping Anne Arundel Co. and testifying at hearing

VIII. Old Business

- CRB legislation Update
 - Dayvon Love – City is still unwilling to give up their plan to create a PAB, instead of giving the PAB powers to CRB, Hayes, Ferguson, and McCray are unwilling to vote against the City, they will only vote on something the City agrees with; Smith and Carter (sponsors) have agreed to create a PAB that will give the PAB the CRB powers, plus independent counsel and funding mandate. Advocates weren't happy about it, but it was better than nothing. They are now getting word that the Senate wants to weaken the bill even more by removing the funding mandate and changes the powers; Senate may not move the bill that the House passed; to what extent does the CRB want to be involved in setting up the PAB, something for CRB to discuss; also want to decide if any CRB members ask to be on the PAB
 - Tyler Salley, Southeastern – we should make a public statement
 - Dayvon Love – something helpful would be for the CRB to put a public statement about how the Mayor's office has not been helpful.
 - Tyler Salley, Southeastern – who can help advise the CRB who does not have any outlying interests or conflicting interests?
 - Caylin Young – when did CRB specifically feel mislead?
 - Tyler Salley, Southeastern – the City opposes our bill and Dayvon suggested we make a public statement, I recall that at our January meeting we talked about wanting to do something public because there was misinformation about the CRB in the public, the counsel we were given was to not go public, just request meetings with the City and go from there, not sure if that was the best counsel because now the CRB is in a bad position legislatively, we lost 2 months of advocacy.

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- Caylin Young – City wants to sunset the CRB, but give the PAB the CRB structure, PAB would mirror the PAB and it makes sense that this comes about in local legislation; city thinks the Charging Committee should have the independent investigation power, not the PAB, because ACC meets weekly, PAB meets monthly; discipline and investigation (decide if there should be one and then do it) will be ACC, policy and data stuff will be PAB (and appointment of ACC); the ACC investigation will be the same as the OECR investigation is now
- George Buntin, Western – no reason to create it from scratch if it already exists
- Amy Cruice, ACLU – ACC doesn't get the complaint until the invest is already done
- Caylin Young – no, Baltimore's ACC will get the complaint right away and then the ACC will decide whether they should do an investigation; Caylin can see if the ACC meetings can made open to the public
- Natalie Novak, Secretary, Northern – OECR never reached out to CRB to discuss the details of their plan, a plan that they are advocating for; CRB needs to make a public statement
- Tyler Salley, Southeastern – lots of moving parts around the CRB who are making decisions, but CRB is not being consulted or informed; we are not in the loop; PAB will appoint the ACC, but who will make up the PAB? Concerned that the PAB will not include members of the CRB or institutional knowledge from the PAB; not confident that CRB will be consulted in regard to the makeup of the PAB and the PAB might not include as many concerned citizens that currently make up the CRB
- Caylin Young – legislative session moves quickly, you are independent you should be connected to get advice and information; CRB should get info from other places, OECR could do a better job communicating with CRB; OECR has a system for choosing city commissions already set up that works and the City Council will help vet and ensure the members appointed to the PAB; OECR is thinking and hoping that the current CRB members will be offered the PAB spots; the City Council has the ability to vet appointees who are police-favored; board members are supposed to be re-vetted for every new administration anyway
- Tyler Salley, Southeastern – so we are still uncertain who will be on the PAB
- Mel Currie, Southwestern – we should have been talking about this before now
- Caylin Young – offers one on one conversations to all CRB members by next week

IX. New Business

X. Adjournment