

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

May 16, 2019

Present at the meeting were Civilian Review Board members Mel Currie (Southwestern District), Ebony Harvin (Southern District), Betty Robinson (Northeastern), and Marcus Nole via phone (Eastern District).

Also present were:

Shaun Clark, Interim CRB Supervisor
Evangula Brown, CRB Investigator
Amy Cruice, ACLU
John Wesley, Public Information Officer
RaemonD Parrott, Deputy Director
Luke Brackett, Chief of Environmental Police
Lt. John Fernandez, Internal Affairs
Joshua Harris, NAACP

Members of the public and community members were also present.

I. Welcome and Introductions

Mel Currie welcomed everyone and called the meeting to order at 6:17. He recognized and introduced non-voting members of the Board and staff. He noted that the meeting was being recorded.

II. Director's Report

Director Ingram provided an update on the ransomware attack, and advised that the list of temporary staff contact information was posted on the Office of Civil Rights website. He noted that intake representatives will be at community access points around the city, and that the office would still be receiving complaints and continuing operations.

He advised that the April session of "Can We Talk?" was held on the subject of religious discrimination at the Curran Building. He noted that the next "Can We Talk?" would take place on Tuesday, May 21st on Educational Equity at the Banneker Blake Academy for the Arts and Sciences.

He noted that staff would be participating in the Baltimore Immigration Summit on May 31st at Coppin State University, addressing the needs and concerns of immigrant communities.

He advised that Civil Rights Week was scheduled for September 27th through October 5th, kicking off with a breakfast with Rev. Dr. Jesse Jackson, and culminating with a black tie gala at the convention center. He noted that there will be a community day, discussions on health disparities, a workshop on the census, and other activities throughout the week.

He noted that the Office of Civil Rights had recently received a \$100,000 HUD grant to investigate and promote fair housing issues in the City.

He noted that he wanted to continue to have CRB meetings in the community, and that the next CRB meeting would be in the Southern District.

III. New Complaints

CRB2019-0102

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

CRB2019-0103

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

CRB2019-0104

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

IV. Completed Investigations

<u>CRB#</u>	<u>IAD#</u>	<u>Allegations</u>	<u>Findings</u>
CRB2018-0061	18-0010	EF	Continued
Betty Robinson noted that the complainant did not respond to investigators' attempts to contact him. Ebony Harvin noted that in the report, the complainant said it was an unmarked car that he had seen, and changed his statement later. Betty Robinson did not sustain the allegation because he stated the right side of his ribs were injured, and the hospital report showed injuries to the left side of his ribs, stating that it was likely an old fracture. She noted that the complainant also said that he had called an ambulance to go to the hospital the day after the incident, but the hospital reported he came in four days after the incident. Marcus Nole noted that he said that he was running and had stopped because of an asthma problem, but based on his reading of the IAD report, they noted that there was blood on his mouth, however it was unclear whether he was punched or he fell. He noted that no punching was seen on the body worn camera footage, but one of the officers had activated his camera late, stating that he did not remember to turn it on in the scuffle. He stated that this fact had given him pause. Mel Currie stated that he did not believe that the chase should have happened in the first place, and therefore anything subsequent to the chase was excessive. He stated that the officer just saw the complainant with a backpack, and chased him based off of his possession of the backpack because he stated that guns were sometimes known to be carried in backpacks. He stated that any			

physical contact was excessive, and further noted that there was no backpack in the photo.

Board members voted, and were tied. Marcus Nole motioned to continue the case to a future meeting. All were in favor.

CRB2019-0017

18-0223

H AL

Not Sustained

Betty Robinson stated that in this case the body worn camera footage did not show abusive language. She noted that the complainant had come down to the CRB and withdrawn the complaint. She did not sustain based on the withdrawal and the report. Ebony Harvin asked if Lt. Fernandez could explain the proper procedure for a house raid. Lt. Fernandez noted that if there is an incident where officers raid the wrong house, complainants can go through the City Solicitor's office to request civil compensation for damaged property, and they would have to decide whether to compensate. Lt. Fernandez noted that a search warrant will give you the right to search anywhere inside a home, and may specify specific items or locations. Amy Cruice noted that at the next in-service meeting, they should talk about other options for people who have experienced police misconduct and are interested in the process for getting money returned and compensation for damages. Amy Cruice noted that the current process involves calling the confiscating officer who created the inventory sheet. Director Ingram asked if she could send this information to be posted on the website. Ebony Harvin wanted to know if CRB Board members could attend some of the trainings, including the house raid training, and Lt. Fernandez stated that they could, noting that the raid training would depend on the unit. Director Ingram noted that it would be helpful for non-voting members also to comment on which policies on the website that they felt Board members should weigh in on. Amy Cruice noted that Tort Claims information was important for anyone with a claim against the government for rights, as well as compensation, but noted that previously it was stated that it would be a conflict for the CRB to inform people of these rights since they were under the Law Department. She stated that she was concerned that withholding this information would be an ethical issue. Director Ingram noted that they would resolve this and should begin to inform complainants of their rights to sue and any other procedural rights.

V. Environmental Police Presentation

Chief Brackett presented information on the Environmental Police Department, noting that they were tasked with policing the City's water supply, including reservoirs and areas beyond City limits. He noted that they collect data to prevent racial bias and measure the success of contacts with the public, to make sure that the methods that are being used for a particular location are effective for that location. He noted that they are responsible for all crimes on DPW property, and any crime in a watershed that could affect the water supply, including theft of service and illegal dumping. He noted that they use Etix to do race-based traffic analysis to prevent biased policing. He noted that they investigate all types of crime, and maintain a close

working relationship with partner agencies. He noted that they were negotiating a new MOU with Baltimore County police to do all administrative processes, including prehire screening, internal affairs investigations and administrative hearings. He noted that they have a ride along program, and were happy to host anyone who would like to ride along and see what they do.

VI. Public Comment

Rev. Marguerite Morris discussed the battle for a Civilian Review Board in Anne Arundel County, and discussed the need to for others to attend the CRB meetings to see how the process works. She noted that people needed to know that the police department is present, and Board members are experienced professionals. She noted that one of the challenges is that families don't know their rights. She thanked everyone for their continued support.

Mel Currie noted that a common critique was that Board members were not law enforcement officers and therefore should not make decisions, but noted that they were more trained than most jury members in courts of law.

A community member inquired if the Board was still represented by the attorney Robin Cockey, given that the Law Department also represented the police department and stated that MD Rules of Professional conduct had rules and guidelines about dual representation. He stated that he believed that the gentleman had been intimidated out of doing his work.

A community member noted that he was feeding the homeless and been harassed and arrested by the police. He noted that he had been following up on the complaint since 2006, and wanted the Board to follow up on this complaint, and one that he had recently filed.

VII. Old Business

There was no old business.

VIII. New Business

There was no new business.

IX. Adjournment

There being no further business, the meeting was adjourned at 7:42 PM.

Respectfully submitted,

Jill Muth