

AGENDA
Baltimore City Civilian Review Board
REGULAR MEETING
May 20, 2021
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
- Levi Zaslow, Northwestern District
- Tyler Salley, Southeastern District
- George Buntin, Western District
- Amy Cruice, ACLU
- Tiffany Wingate, Central District
- Evangula Brown, CRB Supervisor
- Cedric McCray, Deputy Director Office of Equity and Civil Rights
- Jill Muth, CRB Investigator
- Tiffany Jones, CRB Investigator
- Sergeant Eric Mox, BPD
- Khadeja Farahmand, Chief of Staff, Office of Equity and Civil Rights

II. Review and approval of agenda

- **Approved**

III. Review and approval of minutes

- **Approved**

IV. Director's Report

- Cedric McCray, Deputy Director Office of Equity and Civil Rights-The OECR held 10 collaborative meetings/events including the events for National Crime Victims Awareness events; the CRB had: 2 CRB decisions, 2 cases closed, 9 intakes, 8 complaint notifications from PIB, 2 new CRB investigations authorized; CRB Chair continues to work with Youth in Resources to develop a complaint form for schools; CRB Secretary attended For Kathy's Sake brunch regarding police oversight; DC Nadeau agreed to meet with CRB, look for a date and time in 3rd week in June, Secretary will send out survey for dates.
- Tiera Hawkes, Chair, Northeastern District-CRB has received new complaints, but the complaints weren't statutorily compliance, so OECR is working with the Complainants to correct that.

V. New Complaints:

- None

VI. Completed Cases:

- A. **2018-0162/2018-0636:** Complaint filed 2/4/2019 for Harassment against an unknown Baltimore police officer. The complaint alleges that on 10/17/2019 at approximately 3:00 PM the Complainant and his wife were in a car accident. When an officer arrived at the scene of the accident, the Complainant alleges that the officer was "indignant" and "argumentative." The Complainant alleges that the officer accused the

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Complainant's wife of making a derogatory statement, did not call for emergency services, and was hostile. The officer told the Complainant to "do what I tell you." Body worn camera footage was provided, which captured the officer's interaction with the Complainant at the scene of the accident.

- Vote:
 - Mel Currie, Southwestern District –Body-worn camera footage doesn't line up with the allegations on the complaint; the officer was direct, but nothing that supports these allegations.
 - Vote-Not Sustain
 - Tyler Salley, Southeastern District-The officer was direct, can understand the Complainant's point of view, as there was a lot going on during the interaction and can see how the Complainant might have taken offense, but doesn't see any misconduct occurred.
 - Vote-Not Sustain
 - Natalie Novak, Secretary, Northern District
 - Vote-Not Sustain
 - Levi Zaslow, Northwestern District
 - Vote-Not Sustain
 - Tiera Hawkes, Chair, Northeastern District
 - Vote-Not Sustain
 - Tiffany Wingate, Central District-Abstains

- B. **2020-0020/20J-0010:** Complaint filed June 6, 2020, against an identified BPD officer for Excessive Force. An anonymous Complainant alleges that body worn camera footage shows a BPD officer "knocking [a mentally ill/non-neuro-normative person] (hereinafter "victim") out cold." The victim was allegedly hitting and spitting at a different officer when the subject officer came up to the woman and punched her in the head and she fell to the ground. The victim plead guilty to assault charges resulting from this incident. PIB might not have followed the required protocols in the PIB/CRB Investigation Protocol.

- Mel Currie, Southwestern District-this case has gotten media attention; watched the video, which showed the victim hitting and spitting near the officers, the officer who was hit didn't hit back, but a different officer walked up to the victim, grabbed her arm, and the victim threw a punch with her other hand; that's when the officer hit her and she went down. The force was excessive in the sense that the officer should have grabbed the victim's other arm in the same way he grabbed the first arm, so it was excessive force
 - Vote-Sustain
- Natalie Novak, Secretary, Northern District-This was excessive force, for the reasons already stated.
 - Vote-Sustain
- Tyler Salley, Southeastern District-The victim was clearly having a mental health crisis; the officer who got hit responded professionally because he didn't strike back, the subject officer could have reacted the same way; the subject officer hit the victim in such a manner that she fell on her head or her face, there might be very serious injuries; this is why excessive force is a problem, anything could have

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happened, she could have been killed; and subject officer didn't have his body-worn camera turned on; would like more clarity around how and why they don't turn their BWC on; part of being a cop is deescalating these kinds of situations and the subject officer didn't do that.

- Vote-Sustain
 - Tiffany Jones, CRB Investigator -SAO did an investigation of the officer, SAO didn't find that criminal charges should be issued
 - Tyler Salley, Southeastern District-Someone referenced a Baltimore Sun article about this incident which reported that the subject officer has a prior assault charge where he was acquitted, so here again, officers with more than one excessive force/assault incidents.
 - Levi Zaslow, Northwestern District-This incident was well beyond the force necessary under the circumstances.
 - Vote-Sustain
 - Tiera Hawkes, Chair, Northeastern District-This was unreasonable force, and body-worn camera wasn't on.
 - Vote-Sustain
 - Tiffany Wingate, Central District-Abstains
 - Discipline
 - Mel Currie, Southwestern District-15 days suspension, severe level of reprimand
 - Tyler Salley, Southeastern District-15 days suspension, severe letter of reprimand; can we request specific kinds of training? If so, request training for de-escalation and mental health/mental illness.
 - Natalie Novak, Secretary, Northern District-15 days suspension, severe letter of reprimand
 - Tiera Hawkes, Chair, Northeastern District-Termination; police officers get paid to make reasonable decisions based on the circumstances, it's never appropriate to punch something in the face in a situation like this.
 - Levi Zaslow, Northwestern District-30 days suspension and retraining for excessive force, mental illness, and de-escalation training; closed handed fist strike to someone who's in distress is excessive force.
 - Amy Cruice, ACLU-Evangula has a list of the possible trainings
 - Total-21 days suspension, severe letter of reprimand, 3 trainings (de-escalation, EF, communicating with folks with mental health crisis)
 - Natalie Novak, Secretary, Northern District-Wants to put in place a system for when our outcome differs substantially from PIB's outcome.
 - Tiera Hawkes, Chair, Northeastern District-This is something to discuss with DC Nadeu at our meeting, send him this case file before the meeting.
- C. **2020-0018/2020-0162:** Complaint filed May 29, 2020, against BPD officers for Harassment. The Complainant alleges that on February 5, 2020, the Complainant attended a community meeting in the Southwestern BPD district. The Complainant left the meeting at 2:40AM. On her way home, she was stopped at a stop light on Wilkens Ave when a marked police car did a U-turn so that the police car was right next to her. The police car entered her lane and forced her to veer off the road and onto the curb. The Complainant believes this was retaliation for reporting police misconduct. The

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Complainant states that she has made several misconduct complaints and is vocal about the subject. CRB investigators made several requests for dispatch records and daily activity logs to investigate this case; however, they were never provided by PIB. PIB final case file only included one officer interview, nothing else. PIB might not have followed the required protocols in the PIB/CRB Investigation Protocol.

- Tyler Salley, Southeastern District-Was upset to see we didn't get evidence from PIB, PIB could have provided the information we requested but didn't; really hard to make a determination on this case based only on the evidence before us, we don't have enough information.
- Sergeant Eric Mox, BPD-PIB doesn't always have the information requested, will have to look and see
- Natalie Novak, Secretary, Northern District-Hold off and get more information from PIB?
- Sergeant Eric Mox, BPD-We should be able to get it for you before 5/29/2021.
 - Vote: all voted yay to continue case to see if Sergeant Mox can get us more information

D. **2020-0035/2020-045:** Complaint filed October 8, 2020, against an identified BPD officer for Harassment and Abusive Language. The Complainant alleges that the subject officer continually harasses the complaint victim (hereinafter "victim"). On July 29, 2020, the subject officer approached the victim and began asking him questions. The victim answered all of his questions and obeyed all of the officer's orders. During the interaction, a bag of marijuana fell out of the victim's bag and the officer searched the bag, finding additional small baggies of marijuana and money. The subject officer patted the victim down and confiscated over \$2,000 from the victim and additional baggies of marijuana. The victim was arrested. On October 5, 2020, the same officer said that the victim was apart of a gang, so the officer executed a search warrant for the house the victim was living in at the time. The BWC shows the subject officer making several offensive and personal comments about the victim during the search. The officer showed up at the victim's workplace on December 18, 2020. The victim feels like the officer is harassing him.

- Tyler Salley, Southeastern District-Again there is information that oPIB did not provide after CRB requested, and the officers did not agree to an interview, had we had cooperation with PIB, it would help us make decisions, the subject officer has had 7 complaints this year, seeing a pattern with this officer.
 - Vote – Sustain for Abusive Language, Not Sustain for H
- Mel Currie, Southwestern District-The officer's statements to victim were demeaning and belittling,
 - Vote – Sustain for Abusive Language, Not Sustain for H
- Levi Zaslow, Northwestern District-Agree with comments
 - Vote – Sustain for Abusive Language, Not Sustain for H
- Natalie Novak, Secretary, Northern District
 - Vote – Sustain for Abusive Language, Not Sustain for H
- Tiera Hawkes, Chair, Northeastern District-It seems like condescending tough love, but it's inappropriate and unprofessional for an officer to speak like this.

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- Tiffany Wingate, Central District-The CRB should have representation at the table when PIB is deciding what is and is not an offense or misconduct allegation; it is necessary that we come together and have a discussion about how our decisions come out completely different; we need to meet in the middle between how officers view things and how civilians view things.
 - Vote – Sustain for Abusive Language, Not Sustain for H
 - Discipline
 - Mel Currie, Southwestern District-Simple letter of reprimand
 - Tyler Salley, Southeastern District-Wants to know more about the training, including the vendor—who does the training? How can CRB be included in this process, and help us make better recommendations; training could work well for this officer if the training is sufficient, not sure if it's severe enough to recommend suspension-Medium letter of reprimand and training
 - Tiera Hawkes, Chair, Northeastern District-Medium letter of reprimand and training.
 - Natalie Novak, Secretary, Northern District-Medium letter of reprimand and training
 - Levi Zaslow, Northwestern District-Simple letter of reprimand
 - Total: medium letter of reprimand and training
 - Sergeant Eric Mox, BPD-Training is through the academy, they do in-service trainings, there are different lengths (8 hours, 40 hours), there are dozens of different types of trainings; not an outside company, goes through the academy.
 - Evangula Brown, CRB Supervisor-Will request a catalog of the trainings; a couple of weeks ago CRB attended a PIB training, we can talk more about this, it might give folks an idea of what trainings are like, get an idea of the most up-to-date trainings; a few years ago someone from BPD came to CRB and described their training to CRB, we can ask if they will do that again (come to a meeting and give us more information), Evangula will make an inquiry for the CRB.
 - Sergeant Eric Mox, BPD-Some trainings occur on a regular basis, these are in-service trainings (CRP, hand gun training) and new training comes up, as well.
- E. **2020-0019:** Complaint filed June 9, 2020, against an officer of the Baltimore City Environmental Police for Harassment. The Complainant alleged that on May 24, 2020, he was in a park with his wife and two dogs. When they returned to the car after a hike, they saw an officer looking in their car windows. The Complainant alleged that the officer said to them, “I came close to writing you a ticket,” in an aggressive manner. The Complainant told the officer that the car was parked according to the parking code, and the officer became more aggressive, the officer was rude and dismissive to the Complainant. The CRB voted to propose mediation to the Complainant. The Complainant spoke with the Chief from the subject officer’s department, and the Complainant was satisfied with the conversation. The Complainant provided the CRB with a withdrawal letter.
- **Vote: all voted yay to accept the withdrawal**

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- George Buntin, Western District-We should request a meeting with the Consent Decree judge.

VII. Public Comment

VIII. Old Business

- Following up with DC Nadeau about a meeting about a case from April meeting-Natalie Novak, Secretary, Northern District will do Doodle poll, send around in email anything you want to put on the agenda with DC Nadeau.
- 2021 legislation that impacts CRB-Tiera Hawkes, Chair, Northeastern District provided update on consent decree public meetings.

IX. New Business

- Data collection project-CRB can do a better job collecting and tracking data, and hopefully make some of it public eventually; other cities have this data public, which should be a goal for us here in Baltimore.
- Let's request a meeting with Judge Bredar from the Consent Decree federal case.

X. Adjournment