

AGENDA
Baltimore City Civilian Review Board
REGULAR MEETING
October 19, 2022
Place: Enabled by Zoom
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
- Mariel Shutinya, CRB Supervisor
- Amy Cruice, ACLU
- Sergeant Batey – PIB

II. Review and approval of agenda

- Approved

III. Review and approval of minutes

- September 2022 – Approved

IV. Director's Report

- Completed 29 investigations; 24 recommendations; closed 23 cases, including sustained allegations in 5 cases; received 15 new complaints; BPD districts are redesigned, and therefore, Mel will no longer be in the Southwest when they are implemented, he is now in Levi's district, so he will be off the CRB

V. New Complaints:

- A. **CRB2022-0158:** Filed 9/24/2022 against an identified BPD officer for Harassment. The Complainant alleges that he has had many interactions with the subject officer, including the officer unlawfully confiscating his personal property, the officer framing the Complainant, the officer leaking information about a gang because the Complainant refused to testify to the grand jury, and retaliation against the Complainant for reporting the officer.
- Mariel Shutinya: the CRB already has an open investigation from the same Complainant with the same subject officer.
- All CRB voting members: vote to combine investigations

VI. Completed Cases:

- A. **CRB2022-0055/PIB2022-0159:** Filed 4/2/2022 for Harassment and False Imprisonment against an identified BPD officer. The complaint alleges that on 2/4/2022 the Complainant's vehicle was pulled over for a license plate cover infraction and a BPD officer approached him. The Complainant provided his license and registration information. The subject officer asked the Complainant to get out of his vehicle. The Complainant asked him why, and the officer stated that he didn't feel safe around the Complainant because the Complainant was using his phone. The Complainant exited the vehicle and was handcuffed and searched. The officers asked if they could search his vehicle, the Complainant said "no," but it was searched anyway. The officers did not find

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anything in the vehicle or on the Complainant and the Complainant was allowed to leave. He was given a phone number to call, but when the Complainant called the number to request a report from the incident, the report couldn't be located. Body-worn camera footage shows that the subject officer stated that he handcuffed the Complainant and searched his vehicle because he was acting "weird," his left arm placement was suspicious, and it looked like the Complainant was moving around in the car while the officer ran his license.

- Mel Currie, Southwestern: the legality of the search has to do with the language used, the Complainant meant to say "No, don't search," but the subject officer asked "do you mind if I search your car," which makes the "No" response less clear; the training portion of the BWC makes it seem like the so was advising to just pull people out of the car and find a justification for it.
- Natalie Novak, Secretary, Northern: any information on the exchange?
- Mariel Shutinya: this was an ambiguous interaction
- Levi Zaslow, Northwestern: would like to see the BWC, but has concerns about what was in the report; the subject officer was training another officer during the interaction and trainer is misstating the purpose of traffic stops to the trainee, it's not to "get stuff"; wasn't just a pat down, the handcuffs went on right away when they pulled the Complainant out of the car, which doesn't seem to be the correct procedure, no reason to cuff him.

Executive Session to see the BWC

- Tiera Hawkes, Chair, Northeastern: this is a misguided training incident while playing with someone's civil liberty; Complainant was holding his arm normally, and subject officer had already shined his flashlight right near the part of the Complainant's arm and didn't see anything; if you move your hands too much they think you have a weapon, and here, the Complainant wasn't moving his hands at all; there's a federal case that says you can handcuff someone prior to a pat down, but there has to be additional factors in order to do that, which were not present here; sustain for Harassment and False Imprisonment
- Mel Currie, Southwestern: there doesn't appear to be even one reason to do the search here; sustained on both Harassment and False Imprisonment
- Levi Zaslow, Northwestern: there might have been consent for the car search, but no question it was an improper detention to cuff the Complainant, his hand was in a perfectly appropriate place for it to be, no reason to think it was dangerous; the subject officer's statements said he was going to pull him out of the car either way; PIB said it was unfounded, which is concerning; Sustain for Harassment and False Imprisonment.
- Voting members vote: Sustained for Harassment and False Imprisonment

VIII. Public Comment

IX. Old Business

- CRB bylaws
 - Tiera Hawkes, Chair, Northeastern: please make the changes we talked about, then send it around for review and a vote

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X. New Business

XI. Adjournment