

Police Civilian Review Board Meeting

February 11, 2021 at 6:30 p.m.

Agenda

<https://www.charlottesville.gov/zoom>

- I. Call to Order (James Watson, Chair)
- II. Agenda Approval
- III. Adoption of Minutes
- IV. Introduction to Cynthia Hudson, Esq., Sands Anderson
- V. Introduction to Chip Boyles, New Charlottesville City Manager
- VI. Board Discussion
- VII. Election of Officers
- VIII. Status of Complaints
- IX. Update on Hearing Procedures
- X. Ordinance and Bylaws Work Group Report
- XI. Upcoming Training Events
- XII. Public Comment (3 minutes per speaker)
- XIII. Adjournment (8:30 p.m.)

- *Next meeting March 11*

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

Remote participation supported for the duration of the City Manager's Declaration of Emergency issued March 12, 2020.

Draft Oversight Model: Complaint Review with Independent Investigation Authority and Auditor/Monitor

Oversight Structure

1. Complaint Receipt
 - a. Board receives all complaints automatically
2. Complaint Review
 - a. Board may review completed IA investigations
 - i. with or without appeal from complainant¹
 - ii. Including sustained complaints
3. Independent Investigations
 - a. Conduct complaint investigations in parallel with IA²
 - b. Parallel investigations of internally originated IA allegations, incidents of serious misconduct
 - c. Investigations in support of complaint reviews
4. Disciplinary Recommendations
 - a. May be made after complaint review or independent investigation
 - b. Recommendation consistent with existing Disciplinary Matrix
 - i. Board has the power to recommend reclassification of misconduct within Matrix
 - c. Chief retains ultimate disciplinary authority, but must publicly justify deviation from Board recommendation
5. Auditor/Monitor (coordinated by Executive Director)
 - a. Conduct periodic reviews of IA investigations
 - b. Periodic reviews of arrest, encounter, and disciplinary patterns
 - c. Periodic reviews of police policies and procedures
6. Community Outreach
 - a. Communications of Board powers, policies to the public
 - b. Receive input from affected individuals and the public
7. Reporting
 - a. Annual reports
 - b. Auditor/Monitor reports
 - c. Investigation summaries

¹ Underlined text indicates expanded functions.

² All expanded review and investigatory functions would be discretionary by Board majority vote.

Powers in Support of Oversight

1. Hold Hearings
 - a. In support of complaint reviews, investigations
 - b. May compel production of documents, witness testimony (see Subpoena Power)
2. Information Access
 - a. City departments would be required to provide all information necessary for Board to fulfill its review role, complete investigations, and conduct auditor/monitor functions.
3. Subpoena Power
 - a. After “good faith” efforts to obtain evidence or information (request to City Manager with time limit?), Board may request subpoena through Circuit Court
4. Independent Counsel
 - a. Counsel should be available to support all Board functions (after consultation with City Attorney)
5. Interim Measures
 - a. Define powers, role of Board Chair in absence of Executive Director