



CHARLOTTESVILLE POLICE OVERSIGHT BOARD MEETING

MINUTES

Date: September 08, 2022

Scheduled Time: 6:30 p.m.

Location: All Virtual/Electronic Meeting

Board Members Attending: Chair William “Bill” Mendez, Vice Chair James Watson, Bellamy Brown, Dashad Cooper, Jeff Fracher,

Staff: Hansel Aguilar, Executive Director

Board Members Not Attending: Deirdre Gilmore, Nancy Carpenter

Guests: PCOB Counsel Pamela O’Berry; Freddy Jackson, Love No Ego Foundation

Call to Order: Chair Mendez called the meeting to order at 6:30 p.m.

Announcements

No Board Members or the Executive Director made any announcements.

Approval of minutes

Member Brown motioned to approve the minutes from the June and August. Vice Chair Watson seconded the motion. E.D. Aguilar polled the Members. The minutes were approved unanimously.

Approval of agenda

Chair Mendez sought a motion from a member to amend the agenda to allow Ms. Hudson to address the Board on some changes to VFOIA and public meeting requirements in the City. Member Brown motioned to approve an amended agenda to allow for Ms. Hudson to present in the meeting. Member Fracher Seconded the motion. E.D. Aguilar polled the Members. The agenda was amended and approved unanimously.

Presentation from Independent Counsel

Ms. Hudson presented the draft Standard Operating Procedure (SOP) that the City anticipates to adopt to incorporate the statutory changes of VFOIA. Ms. Hudson relayed that it was the desire from the City Attorney for the Board to be aware of the new policies and to agree to adopt them. The policy defines “All virtual meeting” and the conditions by which such meetings may be held. The policy defines “In-person meeting” and the conditions by which such meetings may be held. The policy describes processes for Board members requesting virtual or remote participation. The SOP provides guidance on public participation, access, proper notices, closed meetings, and minutes.

E.D. Aguilar sought clarification on the requirements of committees. Ms. Hudson indicated that VFOIA requirements would need to be followed. Member Brown asked if the guidance was “explicit” or “implicit” and Ms. Hudson clarified the guidance. E.D. Aguilar sought clarification on the frequency of meetings and its implications for the Board. Ms. Hudson stated that the Board was going to be legally bound by the SOP as it relates to statutory requirements, but there are other items in the policy that could be further discussed with the City Manager.

Member Brown motioned to comply with the proposed SOP. Member Fracher stated that it was not “onerous” and suggested that it should be adopted. Board members voted to unanimously adopt. (*Vice Chair Watson was not present for the vote)

Chair Mendez announces Ms. Hudson’s retirement

Chair Mendez expressed thanks for Ms. Hudson’s legal counsel to the Board. Member Brown thanked Ms. Hudson for her guidance during his tenure as Chair.

Public Comments (I)

Ms. Kate Fraleigh expressed concerns with racial disparities in arrests. She expressed concern with the UVAPD event that was listed on the agenda considering the controversial role that UVAPD’s Chief Longo (former CPD Chief) played in the City. Ms. Fraleigh expressed concerns with the discussion of 21st Century Policing and the hiring of the new CPD Chief. She expressed concern with the usage of the concept of 21st Century Policing as a metric since some studies have suggested it is not “productive, efficient, or successful” answering the problem that is attempted to be addressed. Ms. Fraleigh stated the report is old and new research has been done. Lastly, she expressed gratitude for the Board doing outreach to the community.

Presentation by Mr. Jackson

Chair Mendez introduced the guest speaker. Mr. Jackson is the founder and Executive Director of Love No Ego (a non-profit organization based in Charlottesville which serves youth locally, regionally, and nationally.) Mr. Jackson provided a brief background on his experience. He provided an overview of a partnership between Love No Ego and the Board. The purpose of the partnership will be to host an event to bring different stakeholders in the community together to improve police- community relations. Vice Chair Watson expressed some additional remarks about the potential partnership. Member Brown expressed gratitude to Mr. Jackson for the work he is doing in the community.

Outreach Committee Report

Upcoming Events:

-Sept. 13-16, at Zehmer Hall (UVA School of Continuing and Professional Studies/Conference Center): Aristotle’s Double-Headed Coin and the History of Law Enforcement. Focuses on how law enforcement has impacted diverse cultures and communities and will focus heavily on the Charlottesville-Albermarle communities. Organized by the University of Virginia Police Department. 9AM-5PM:

<https://www.surveymonkey.com/r/HX8RSDK>

-Sept. 17, at Washington Park: Cville Sabroso festival, tabling event, celebrating Latin American culture in Charlottesville. Organized by Sin Barreras. 9AM – 5PM

-Sept. 18, at IX Art Park: Pride Festival, tabling, celebrating Charlottesville’s LGBTQIA+ community, organized by Cville Pride. 10AM-5PM

-Sept. 24 at IX Art Park: Black Business Expo: 10AM-7PM

Vice Chair Watson provided a summary of the events the Board participated in (i.e. Soul of Cville and the Back to School Bash). He expressed that it was a good opportunity to meet community members and raise awareness about the work of the Board.

Executive Director's Report: Status of Complaints

In Re Fogel case update

E.D. Aguilar stated that the evaluation is underway, and the report is scheduled to be submitted to the parties by the end of the month. The report will be posted on the Board website once the parties have submitted their respective responses.

Oversight Activity

COMPLAINT ACTIVITY

- INITIAL COMPLAINTS: (0) RECEIVED SINCE THE LAST MEETING
- REVIEW REQUEST (0): RECEIVED SINCE THE LAST MEETING

COMPLIMENTS ACTIVITY

- GENERAL COMPLIMENTS: (0) RECEIVED SINCE THE LAST MEETING
- SPECIFIC COMPLIMENTS: (0) RECEIVED SINCE THE LAST MEETING

PENDING REVIEW REQUESTS SUMMARIES (2):

- IN RE CIVILIAN COMPLAINT BROUGHT BY N. WEAVER
 - DATE REVIE REQUEST WAS RECEIVED BY PCOB: OCT. 20, 2021
 - ISSUE SUMMARY: COMPLAINANT CONTACTED CPD AFTER DISPUTE WITH NEIGHBOR. REPORTING OFFICER SHOWED UP AT THE SCENE BUT LEFT WITHOUT PROPERLY INTERVIEWING THE COMPLAINANT. THE IA INVESTIGATORS REFUSED TO SEE THE FOOTAGE THE COMPLAINANT RECORDED AT THE SCENE OF THE ENCOUNTER WITH NEIGHBOR AND INTERACTION WITH OFFICER.
 - INFORMAL RESOLUTION: COMPLAINANT STATED HE WOULD BE INTERESTED IN MEDIATION
- IN RE CIVILIAN COMPLAINT BROUGHT BY T. HEPLER (ON BEHALF OF L. ROSS)
 - DATE REVIE REQUEST WAS RECEIVED BY PCOB: JULY 14, 2022
 - ISSUE SUMMARY: THREE SEPARATE COMPLAINTS REGARDING ARREST WARRANTS, POLICIES AND PROCEDURES OF THE CPD.
 - INFORMAL RESOLUTION: UNKNOWN AT THIS TIME

Board Resolutions status

The resolutions have been submitted to the City Attorney for consideration to be included in the City Council agendas.

Progress on hiring a new Chief

E.D. Aguilar informed the Board that the City Manager has held stakeholder meetings to learn more about what the community wants from the new Chief. E.D. Aguilar inquired to the City Manager about the role the E.D. or the Board will have in the hiring process and was informed that “No final determination has been made.” E.D. Aguilar also expressed that he was engaged by the City Manager to participate in the procurement of the recruiting firm and to provide feedback on the interview guide.

Chair Mendez stated that he wanted the Board to be involved in the process. He contemplated how to express this to the City Manager. E.D. Aguilar stated he had expressed to the City Manager from the onset that the Board was interested in participating. E.D. Aguilar informed Chair Mendez he could pass along the Chair’s message, or the Chair could reach out directly. Chair Mendez stated he would send an email to the City Manager.

Office space/hours

E.D. Aguilar explained that the City Manager is responsible for allocating office space to the departments. E.D. Aguilar indicated that it is unclear whether the Board office will be placed in the current space being held by the Office of Human Rights or the space held by the Recruitment Division of CPD (not in headquarters.)

Vice Chair Watson indicated that he is a proponent of having an office in the Jefferson School. The Vice Chair asked if the Jefferson School space is owned by the City and E.D. Aguilar clarified that it is not. Member Fracher asked a clarifying question about the spaces. Member Brown asked a question about the management analyst and the budget.

Financials

E.D. Aguilar provided information about the budget and answered questions from the Board members.

The budget-to-actuals is available on the report posted online:

<https://charlottesville.gov/DocumentCenter/View/8484/September-2022-Report-PDF>

NACOLE

The E.D. indicated that he will be attending and participating in both the in-person and virtual meetings.

Pending Review Requests

Chair Mendez discussed charting a path to holding the review requests. He indicated that we should formally request from the CPD the files to determine whether hearings will be held.

Townhall Meeting:

Chair Mendez discussed the possibility of a town hall. He sought volunteers, but no one indicated immediate interest. Chair Mendez stated he would circle back with the Board.

Operating Procedures

Chair Mendez stated City Attorney Robertson has committed to reviewing the operating procedures and has expressed the possibility of the procedures being considered by Council in early November, 2022.

Public Comments (II)

No members of the public raised their hand.

Adjournment

Member Brown motioned for adjournment which was seconded by Member Fracher.

The meeting was adjourned at 8:07 PM unanimously.

The next meeting of the Police Civilian Oversight Board will be held October 13, 2022, 7:30 PM (regular meeting)