

Charlottesville Police Civilian Oversight Board

December 8, 2022 at 6:30 PM

Agenda

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

- I. Call to Order
- II. Announcements
- III. Approval of Minutes
- IV. Approval of Agenda
- V. Selection of Police Chief
- VI. Public Comments (First)
- VII. Progress on Executive Director Search
- VIII. Status of Complaints and Review Requests
- IX. Review of Policies and Procedures (Bias-Based Policing)
- X. City Council Action on Operating Procedures
- XI. Scheduling of 2023 Meetings
- XII. Public Comments (Second)
- XIII. Adjournment

CHARLOTTESVILLE POLICE OVERSIGHT BOARD MEETING

MINUTES

Date: November 10, 2022

Scheduled Time: 6:30 p.m.

Location: Virtual/Electronic Meeting

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

Staff: None

Board Members Not Attending: Deirdre Gilmore, James Watson

Guests: PCOB Counsel Pamela O’Barry

Call to Order: The meeting was called to order at 6:48 p.m.

Announcements:

The Chair announced that Member Nancy Carpenter was moving away from Charlottesville and had resigned from the Board. He also announced that the job description for the Board’s Executive Director had been posted on the city website and on the NACOLE job postings.

Approval of Minutes:

The Chair stated that minutes for the last two meetings were not yet available and that they would be provided at the next meeting.

Approval of Agenda:

The agenda was approved by unanimous vote of members present. (Chair Mendez polled the members as there was no Staff support for the meeting.)

Public Comments (I):

No members of the public requested to speak.

Status of Complaints and Review Requests:

The Chair reported that the Neutral Evaluation document in the complaint brought by Mr. Fogel, along with Mr. Fogel’s response had been posted on the Board’s website. He noted that one complaint had been received through the Board’s Portal and that it had been forwarded to the CPD Internal Affairs Department. The Complainant was emailed stating that the Board could not conduct investigations until a new Executive Director was hired, and the complainant was asked if they had any objection to Internal Affairs conducting the investigation. The Chair noted that two review requests were pending, and the complainants had been notified that they also could not be addressed at this time. Finally, a request had been made to the CPD asking for the number of complaints received, and the number of closure letters issues in October. No response had been received as of the date of the meeting.

Member Brown raised the issue of whether the Neutral Evaluation report represented the findings of the Board or was strictly a document authored by Mr. Aguilar. He noted that he disagreed with some of the

findings in the Evaluation. The Chair stated that it was regrettable that the Board had not been able to review the report and that such a procedure would not be used in the future.

Board Review of Policies and Procedures:

Member Brown presented a brief report on a review of the CPD General Order related to Bias-Based Policing, including the definition of Bias-Based Policing and the history of its enforcement. Mr. Brown offered to provide the Board with a draft of his critique at the next meeting, with the intent that the Board could discuss it and decide on its recommendation to the CPD related to this General Order.

Town Hall Planning:

Member Fracher volunteered to undertake the task of planning for a Board-Sponsored Town Hall meeting, tentatively scheduled for early 2023. He provided the Board with a proposal outlining the purposes and objectives of the meeting, a list of stakeholders to be contacted, and suggestions for the order of the meeting. He asked for comments from the Board members to be incorporated into the proposal.

Progress on Operating Procedures:

The Chair stated that the City Attorney and Ms. O'Barry had been working very hard to finalize the Board's Operating Procedures for submission to the City Council, and thanked them for their efforts. He noted that the current draft had been circulated to the Board and requested comments, noting that nothing was yet "set in stone." He indicated that the final draft would be posted on the Board's website for stakeholder comments as soon as it was ready and that the deadline for inclusion in the City Council agenda package was November 22. In response to a question from Member Fracher, the Chair and Ms. O'Barry indicated that very little had changed substantively from the version submitted to the Council in April, although the order and organization of sections had changed.

Public Comments (Second):

Ms. Susan Burke asked whether the CPD had rejected Mr. Aguilar's recommendations and whether the Board intended to pursue the recommendations raised in the Neutral Evaluation. After a brief discussion, the Board Chair promised to address Ms. Burke's concerns via email. Member Brown was also invited to submit his comments on the Neutral Evaluation in writing for inclusion in the record.

Adjournment:

A motion to adjourn was approved by unanimous vote at 7:26 PM.

The next meeting of the Board is scheduled for Thursday December 8 at 6:30 PM. The Board will meet electronically.