

CRB Meeting minutes: 3/12/19
Location: City Hall, Basement
Present: Rosia Parker, Katrina Turner, Guillermo Ubilla, Gloria Beard, Sarah Burke, Josh Bowers
Chair: Rosia Parker
Minutes: Josh Bowers

- **Welcome:**
 - Rosia Parker greeted everyone.

- **Community Input:**
 - “Internal Investigations & Citizens’ Complaints”
 - Nancy Carpenter—for Women’s History Month.
 - Shout out to women fighting for liberation.
 - Tocarra Nelson (People Coalition—list of demands):
 - CRB Resolution represents the city’s promise to listen to communities of color, which had reached breaking point in failing to protect Friendship Court, leading to the death of Heather Heyer.
 - People’s Coalition wants to remind the city of the promise the city made.
 - Fully support this CRB. Stop telling them no.
 - What we want to see in those bylaws is a diverse membership, particularly representing our communities of color:
 - Have reserved seats for certain groups, like the People’s Coalition.
 - Ability to conduct independent investigations and not just review.

- Ability to discipline.
 - Access to body cams.
 - Chance for the CRB to be a national model.
 - Transparency and public comment within 14 days of a complaint being made (indicating what actions have been taken thus far).
 - Data—summaries, raw numbers on stop and frisk. Publicizing policies.
 - Budget for staff and independent counsel and training.
 - Tocarra will provide the statement to us, to put on our website.
- Jeff Fogel:
 - Wants to know why race is missing from the recently released CPD data (on arrests).
- Walt Heineke:
 - 2017, we were thrust into a national spotlight when it comes to questions of race relations and racial bias and oppression. So, this is an opportunity for us to show what we're made of. A strong CRB with teeth. Befuddled by the optics produced by the Police Benevolent Society—it's counter-productive. This is an opportunity for us to stand up to institutional racism, which demands that we have transparent data on stop and frisk. It's a stumbling block that stands in the way of progress. For Charlottesville, we need the strongest model possible. We don't want the same thing to happen here that happened with the Human Rights Comm'n. We also need to know why there's been an arrest or not after a stop and frisk.
- Member of public: What do we do for the people who have a legitimate complaint, but are concerned that their complaint won't be taken seriously? Would like to see a means by which people can file complaints, independent of the CPD complaint process. And the chief should be willing to consult with people, personally, who wish to remain anonymous and are too scared to come forward.

- **Review and approval of minutes from 1/18/19., 1/23/19, 2/12/19, and 2/26/19:**
 - All minutes approved without objection. Motion by Sarah Burke, second by Guillermo Ubilla.

- **Chief Brackney's presentation on CPD's complaint and IA process:**
 - "Internal Investigations and Citizen Complaints"
 - Chief Brackney promised to share the slide show in its entirety with us, so we can post it to our website.
 - See website for slide show.

 - Q&A:
 - Josh: Can the complainant find out what disciplinary actions were taken vis-à-vis sustained complaints?
 - Chief: No that's private personnel information.
 - John Blair: It's a discretionary exemption, but our default is to provide those protections.
 - Decisions are made by chief or, ultimately, the City Manager.

 - Rosia: What about complaints that are still open back to 2016 or 2015?
 - Chief: There may be such complaints still open, but, so far, we've only audited for the last two years.

 - Sarah: How does someone get a reputation for a lack of truthfulness?
 - Chief: By committing a prior crime of deception.

 - Josh: What about a prior complaint that was deemed unfounded? Would that lead to a determination of a lack of truthfulness?
 - Chief: No. But we will look at the entire composite picture.

 - Sarah: What is the data-keeping approach?

- Chief: Case-management system, excel spreadsheets, and weekly meetings with the chief.
 - Gloria: Can a board member make a third-party complaint on behalf of a civilian who's scared?
 - Chief: Yes.
 - Guillermo: How will third-party and anonymous complaints be investigated?
 - Chief: Just as vigorously.
 - Josh: Who can the complainant turn to if the 45-day timeline is not met, or the 30-day notifications are not being met?
 - Chief: Can contact me directly.
 - Katrina: Why are officers constantly exonerated?
 - Chief: Untrue. The report from last year shows a number of sustained complaints (went through them, one by one).
- **Old Business:**
 - Jeff Fogel: Transparency doesn't exist in this town. John Blair made plain that the chief was wrong when she said that she couldn't share the
 - Another civilian: Have you given up on transparency?
 - Sarah & Josh: No. The auditor model will generate data that can give us the opportunity for the board to evolve over time. With a liberal amendment process.
 - Josh: I don't want an investigative model where all subpoena power resides with the city manager.
 - Adeola Ogunkenyede: How do you know which model to choose without more public input?
 - What about a dual track approach, rather than be mired in an auditing model?

- Guillermo: I think we hear the community that you want an investigative arm, and I think we can do something like that as a complement to these other arms. We also want to do public listening sessions, which we'll be discussing.
 - Adeola: We would like you all to come to a People's Coalition Meeting, with a modular model, so community members can give you actual feedback.
 - You can have a second track, even without the subpoena power.
 - Would lack legal authority, but would promote legitimacy and transparency. Non-binding and non-authoritative, but access to process and the ability to be heard.
 - This can be a choice, but not the only choice of what the CRB would have to offer.
 - The board: Consensus to join the People's Coalition for an informal listening session.
- Walt: The investigative avenue is important for the community, because independent investigations are necessary to address the pressing problems—trust and culture.
 - Investigations respond to the trust problem and the culture problems, because right now the institution lacks the trust and culture to police itself. It actually needs help. And the CRB can do that.
 - We need to know the disciplinary action that was taken—that's transparency.
 - Have you been getting support from the city attorney, because you don't want them saying, "but . . . but . . . but . . . when you finally get the bylaws in front of them."
- Tocarra Nelson: Have you all received the policies?
- Jeff Fogel: If you're an independent body, you should have an independent attorney.
 - Is it really true that you lack the ability to compel the appearance of officers?

- We continued with a free-range discussion about how to incorporate community viewpoints and concerns.
 - This discussion captured all old business and new business, and the ultimate decision was that the People’s Coalition will set up a venue for us to discuss a number of different choices about models—meeting to be held on Wednesday, March 27.
 - Our agenda for Tuesday, March 26, will be to discuss what choices to present to the People’s Coalition and the public on March 27, and what those choices might look like.
- A motion was made to adjourn. The CRB agreed unanimously to do so.