

CHARLOTTESVILLE POLICE CIVILIAN REVIEW BOARD
MINUTES

Date: July 7, 2020

Scheduled Time: 5:00 p.m. – 7:00 p.m.

Location: Virtual/Electronic Meeting

Board Members Attending: Nancy Carpenter, Dorenda Johnson, William Mendez, James Watson, Stuart Evans, and Deirdre Gilmore (arrived to meeting at approximately 5:20 p.m.)

Staff: Brian Wheeler and Maxicelia Robinson

Guests: City Manager Dr. Tarron Richardson, Mayor Nikuyah Walker, City Attorney John Blair, Chief of Police RaShall Brackney

Chair James Watson started the meeting at 5:07 p.m.

Approval of Minutes – Chair Watson asked if anyone had any suggested changes to the minutes; no members raised any concerns about the minutes. Chair Watson indicated that the minutes for the June 29, 2020 will be considered approved.

Member Welcome and Introductions – Nancy Carpenter spoke about the need for real oversight related to the procedures law enforcement use as well as the need for a reliable venue where individuals can file complaints about law enforcement. Bill Mendez moved to Charlottesville about three years ago, based on his background as a data scientist he thinks analysis of policing data can help improve policing. Dorenda Johnson has two grown sons, not a day goes by that she is not worried about what might happen if they are stopped by the police; she hopes CPD and CRB can build a relationship that will be positive for the community. Stuart Evans is a former attorney, but has worked for organizations that conduct neutral investigations and recognizes the need for oversight in the community. Chair Watson came to Charlottesville as a UVA student, he wants to bring people together and believes that simple human decency is all that it takes to do so; Chair Watson also praised the Initial CRB for all of its hard work that likely saved the City thousands of dollars. Diedre Gilmore has lived in Charlottesville all of her, she is currently a healthcare professional, and she believes in treating people the way you want to be treated. Ms. Gilmore spoke about her past experiences and her family’s experience with the police.

OLD BUSINESS:

Executive Director Job Description – Chair Watson summarized the status of the Executive Director job description. Chair Watson then turned discussion over to Mr. Mendez for him to lead discussion. Mr. Mendez shared his thoughts, including areas where he believes the job description falls short – including independence within the City hierarchy. Ms. Carpenter questioned why the

Board should wait on any changes to the area of CRBs that might happened during the General Assembly's special session in August 2020. Chair Watson encouraged that any job description include flexibility in the description based on any legal changes that might come from the General Assembly. Mr. Mendez discussed the shortcomings he viewed with the current iteration of the Executive Director's job description. Dr. Richardson expressed his desire and willingness to work with the Board on the description. Vice-Chair Evans asked Dr. Richardson and City Council members about the interplay of Board's request for the initial ordinance/bylaws and potential changes from the General Assembly special session. Mr. Blair suggested that Dr. Richardson could work with the Board to put out a job description but add extra time to the search so that the job description could be changed while it is still posted. Board members and Mr. Blair continued discussing the interplay of the General Assembly's special session and potential changes to the Executive Director role. Chair Watson invited Dr. Richardson to share his opinion. Dr. Richardson stated the City can continue to work on the job description together with the Board. Dr. Richardson noted that a body of the job description can be created and any necessary changes can be made in the future based on need. In response to a question from Ms. Carpenter, Dr. Richardson stated that a finalized version of the job description would be brought back to the Board for a vote. Mr. Evans suggested that Mr. Mendez can be more directly involved in working with the City to finalized a job description; Mr. Mendez offered to volunteer. Ms. Carpenter noted that any committee working with the City on the job description should be representative of the Board as a whole. Mr. Watson encouraged other volunteers to be involved in the process. Chair Watson and Ms. Carpenter continued discussing their thoughts and concerns related to the Executive Director job position. The Board determined that it should keep working with the City Manager on finalizing the Executive Director job description.

Bylaws & Ordinance – Chair Watson recaps what occurred last week at the meeting with respect to the bylaw and ordinance. Chair Watson invited Mr. Blair to discuss his thoughts on the topic. Mr. Blair asked Ms. Carpenter about her intent with respect to her motion last week. Ms. Carpenter stated that she wanted to revert to both the initial bylaws and ordinance. Mr. Blair advised the Board to have a roll call vote on a motion asking the City Council to revert back to the initial ordinance and bylaws. The Board and Mr. Blair discuss the process for how votes should be held. Ms. Carpenter restates that motion she made at the June 29, 2020 meeting (i.e. for the CRB to ask the City Council to allow us to operate under the Initial Ordinance and Bylaws, and not the bylaws/ordinance passed in November 2019). Vice-Chair Evans seconded Carpenter's motion. Mr. Watson proposed an amendment to the motion to Ms. Carpenter's motion, stating that he wants to also require the City Council to provide reasons for why they made each change to the initial ordinance/bylaws. Chair Watson explains his rational for the amendment. Ms. Carpenter stated she does not agree to the proposed amendment. Mr. Blair explains the procedure for how to vote on a proposed amendment to the motion. Vice-Chair Evans stated that, in his opinion, the motion Nancy made was already passed at the June 29, 2020 meeting. Accordingly, the Board decided it was not necessary to re-vote on a motion it already passed; Ms. Carpenter withdrew the motion from this meeting.

Chair Watson then makes a new motion requesting that the City Council provide an explanation for each of the changes it made from the ordinance/bylaws initially proposed, to those that are implemented. Vice-Chair Evans seconded Watson's motion. A roll call vote was held on the

motion, with the following votes made: Carpenter (Yes); Evans (Yes); Gilmore (Yes); Johnson (Yes); Mendez (Yes via Zoom chat); Watson (Yes). The motion passed.

Mayor Walker asked to address the Board. Mayor Walker stated that she and others city employees came to first Board meeting to make themselves available to answer questions about why there were changes from the initial to current ordinances/bylaws. Mayor Walker stated that she and others could answer those questions verbally about the concerns with the former ordinance/bylaws. Chair Watson states that he would like to see a written report responsive to the motion passed by the Board at the July 7, 2020 meeting. Mayor Walker says City Council can provide the requested written explanation.

Scheduling – Chair Watson opens discussion on the topic of when Board should have regular meeting. Chair Watson proposes meeting times in the evening. Ms. Carpenter draws attention to the fact that several folks may have school-age children or grandchildren. Other Board members discuss their individual preferences, with most indicating that later in the evening is better because of jobs and other obligations.

NEW BUSINESS

Roberts Rules – The Board decided that a refresher and discussion of Roberts Rules of Order was not needed at this time.

NACOLE – Mr. Mendez makes a motion to have the Board obtain an organizational membership in NACOLE (National Association for Civilian Oversight of Law Enforcement). In making his motion, Mr. Mendez notes that a membership costs \$400 per year. Chair Watson asks for volunteers to take the lead in obtaining a membership. Mr. Mendez volunteers to do so because he has already begun research on the topic. Mayor Walker notes that the Board can help the Board register and obtain membership. Mr. Blair advises the Board to hold a vote on approving the membership because it requires an expenditure of public funds. Mr. Mendez makes a motion to approve the funds for a NACOLE membership; Ms. Carpenter seconded the motion. A roll call vote was held on the motion, with the following votes made: Carpenter (Yes); Evans (Yes); Gilmore (Yes); Johnson (Yes); Mendez (Yes); Watson (Yes). The motion passed. Mr. Mendez states that the \$400 is just an initial fee and that more fees for trainings, access to the NACOLE job board, etc. could be expected.

Board Funding – Mr. Watson raises the issue of funding; He asks how much the Board. Dr. Richardson notes the Board has \$150,000 and that this is an inaugural budget. Dr. Richardson notes that for future fiscal years, the Board can make requests for additional funding and can work with the City to obtain the resources it needs. The Board and City officials discuss whether the Executive Director's salary is taken from the \$150,000 budget, with the City indicating that is the current understanding of the budgeting process for the Board. Mayor Walker states additional funds can be allocated to make sure Board has the funding it needs for the future.

Public Comment – Chair Watson moves the meeting into its public comment section. The Board received public comments from the following community members: Jeffrey Fogel, Walter Heinecke, Sarah Burke, Rosia Parker, Katrina Turner

After public comments were received, Ms. Johnson and Ms. Gilmore discussed their experiences with CPD, including their frustrations at CPD's unwillingness to listen to community members and a feeling that CPD does not engage respectfully with community.

Adjourned at approximately 7:15pm

Next Meeting: August 13, 2020 6:30p.m.

Minutes Prepared by: Stuart Evans, Vice Chair