

Police Civilian Review Panel

September 7, 2023

Fairfax County Government Center

12000 Government Center Pkwy Fairfax, VA 22035

Meeting Summary

Panel Members Present:

Cheri Belkowitz, Vice Chair
Todd Cranford, Chair
Fazia Deen
Dirck Hargraves
Michael Lau
William Ware
Janell Wolfe

Others Present:

Madison Gibbs, Counsel
Kenneth Bynum, Counsel
Sanjida Lisa, PCR
Rachelle Ramirez, OIPA
Richard Schott, OIPA
Lt. Matt Lane, Internal Affairs Bureau

Chair Cranford called the Police Civilian Review Panel's (PCR) business meeting to order at 7:08 p.m., and after taking attendance, noted the presence of a quorum. He welcomed everyone to the Panel's September 7, 2023, meeting.

Approval of Agenda: Mr. Hargraves moved approval of the meeting agenda. Ms. Wolfe seconded the motion and it carried unanimously.

Approval of June 1, 2023 Draft Meeting Summary : Mr. Hargraves moved approval of the June 1, 2023 draft meeting agenda. Mr. Ware seconded the motion and it carried unanimously.

Approval of July 6, 2023 Draft Meeting Summary: Mr. Hargraves moved approval of the July 6, 2023 draft meeting summary. Ms. Wolfe seconded the motion and it carried, with Mr. Cranford abstaining.

Approval of August 3, 2023 Draft Meeting Summary: Ms. Wolfe moved approval of the August 3, 2023 draft meeting summary. Mr. Hargraves seconded the motion and it carried unanimously.

Subcommittee Report on CRP-23-07: Ms. Belkowitz presented the purpose of the subcommittee and the considerations made by Panel members when reviewing the complaint. She further provided a brief overview of the complaint, the allegations made by the complainant, and the incident that led to the allegations. Ms. Belkowitz confirmed that the subcommittee members voted to not recommend the complaint be reviewed by the full Panel. Mr. Lau did not have anything further to add.

Ms. Belkowitz provided that she had an idea of proposing that the Fairfax County Police Department's (FCPD) Internal Affairs Bureau (IAB) draft a supplemental report for the complainant. Ms. Wolfe stated

that she did not think the Panel had the authority to make that kind of recommendation. Mr. Lau agreed.

Ms. Belkowitz explained that personal opinions should not be included in official reports and found the language used in the police report, the term “scatter-brained” and claims of mental illness, to be inappropriate. Mr. Lau agreed that personal opinions should not be included in official police reports. Mr. Cranford stated that nobody should be able to allege mental illness for another, but they might be able to say “might have” signs of mental illness. Mr. Cranford ultimately was not sure if the responding FCPD officers were trained to make those kinds of assessments.

Mr. Hargraves moved to accept the subcommittee’s recommendation. Ms. Wolfe seconded the motion and it carried unanimously.

Subcommittee Report on CRP-23-08: Mr. Hargraves provided a brief summary of the incident, the call to FCPD, and the allegations provided in the complaint. Mr. Hargraves stated that FCPD did not conduct a full administrative investigation of the complaint, as the complaint did not allege serious misconduct or abuse of authority. The complaint was treated as a dissatisfaction of service.

Ms. Wolfe provided that her observations of the body worn camera footage indicated that the complainant seemed to have a good rapport with her husband and Ms. Wolfe did not observe any tension between them. She further shared that the complainant may have assumed that calling the police would automatically lead to an arrest. Ms. Deen recalled that the complainant, when asked if a physical altercation had taken place, responded by saying she was not going to wait for that to happen, indicating that she was acting preemptively.

Mr. Hargraves confirmed that the subcommittee did not recommend that the complaint be forwarded to the full Panel for review as it did not meet the criteria.

Ms. Belkowitz moved to accept the subcommittee’s recommendation. Mr. Lau seconded the motion and it carried unanimously.

FOIA Update from Counsel (Gloss v. Wheeler): Mr. Bynum iterated the facts of the case, the findings and the dissenting opinion. He further provided the definitions of what constitutes a public meeting of the public body, public business, and what Panel members can and cannot do according to VFOIA guidelines, as established by the findings of this case.

County’s Police Reform Matrix Work Group Recommendations Update: Mr. Hargraves provided a summary of the Matrix Work Group initiative, how the group was implemented post the George Floyd case, and its purpose. Mr. Schott provided additional information about the working group and his role as a non-voting member. Mr. Hargraves briefly summarized the recommendations made by the work group, including providing the Panel either monitoring or investigative authority. He provided that the FCPD would provide their responses to the recommendations at the October 3, 2023 Board of Supervisors meeting.

Mr. Cranford agreed that requesting investigative authority for the Panel would be best to do now as the process may require time and further discussion. Mr. Cranford also provided that monitoring authority is important and further training would be necessary as well.

New Business: Ms. Belkowitz provided updates from her meeting with Chairman Jeff McKay. She provided that they spoke regarding the timeline of the hiring process for the vacant Executive Director role for the Panel. Mr. Cranford provided that the role description changes were almost complete and the position would be posted soon.

Ms. Belkowitz asked Chairman McKay about getting additional access to FCPD case files for Panel members outside of police headquarters and stations. She provided that Chairman McKay would consider that request and discuss it further with FCPD. Ms. Belkowitz shared with Chairman McKay her concerns of safety when conducting Panel meetings and Chairman McKay advised that the best place to hold the meetings would be at the Government Center and other government facilities for best safety practices. Mr. Cranford agreed and provided that he would still like the Panel to be out in the community periodically and not always be limited to government buildings.

Ms. Belkowitz shared that she would like to have trainings on active shooters and safety measures. Mr. Hargraves and Ms. Deen both suggested that the Panel table this discussion for the next Panel business meeting on October 5, 2023.

Adjournment: Mr. Hargraves motioned to adjourn the meeting. Ms. Wolfe seconded the motion and it carried unanimously. The meeting adjourned at 9:20 p.m.