

Police Civilian Review Panel

April 4, 2024

Fairfax County Government Center

12000 Government Center Pkwy Fairfax, VA 22035

Meeting Summary

Panel Members Present:

Cheri Belkowitz, Chair
Todd Cranford
Fazia Deen
Bryon Garner
Dirck Hargraves
Michael Lau
Celeste Peterson
Janell Wolfe

Others Present:

Sanjida Lisa, PCRP Analyst
Craig Miles, PCRP Liaison
Kenneth Bynum, Counsel (virtual)
Madison Gibbs, Counsel
Lt. Brian Geschke, Internal Affairs Bureau
Lt. Chris Cosgriff, Internal Affairs Bureau
Maj. Ryan Lazisky, Fairfax County Police
Department

Chair Belkowitz called the Police Civilian Review Panel's (PCR) business meeting to order at 7:03 p.m., and after taking attendance, noted the presence of a quorum. She welcomed everyone to the Panel's April 4, 2024, meeting.

Approval of Agenda: Chair Belkowitz amended the meeting agenda to add Item C: Introduction of New Liaison. Mr. Hargraves moved approval of the amended meeting agenda. Mr. Cranford seconded the motion and it carried unanimously.

Approval of March 7, 2024 Draft Meeting Summary: Mr. Hargraves moved approval of the March 7, 2024 draft meeting summary. Ms. Wolfe seconded the motion and it carried unanimously.

Introduction of New Panel Liaison: Chair Belkowitz formally introduced Craig Miles as the new Panel Liaison and invited Mr. Miles to share some words. Mr. Miles briefly provided his background and his excitement to start working with the Panel and on Panel matters.

Chair Belkowitz also presented Mr. Todd Cranford, the immediate past chair of the Panel, with a certificate of appreciation and a small gift to thank him for his leadership and role as Panel Chair.

Closed Session: Ms. Wolfe motioned to go into a closed session. Mr. Hargraves seconded the motion and it carried unanimously. The Panel went into a closed session at approximately 7:20 p.m.

Discussion of Subcommittee CRP-23-25: At approximately 7:36 p.m., the Panel came out of closed session and began discussing CRP-23-25. Ms. Wolfe acknowledged that the Complainant was present

virtually and the person she was advocating for was present at the meeting. Ms. Wolfe provided an overview of the complaint and summarized the findings of the subcommittee. Ms. Wolfe stated that the over-arching issues in her eyes were the lack of communication with the Complainant and the lack of transparency around seeking aid from the Magistrates' office, which she felt had been an ongoing issue since the last full review the Panel had undertaken in 2022. She also referenced the report that was generated from the previous full review, which was approximately 24 pages long, and had been circulated with Chief of Police for the Fairfax County Police Department (FCPD), the Independent Police Auditor, and the Board of Supervisors.

Chair Belkowitz briefly stated the order of the Review meeting and provided reminders on what the Panel would be deliberating on, which was whether the FCPD Internal Affairs Bureau (IAB) investigation of the complaint was complete, accurate, thorough, objective and impartial. After the summary of the complaint, Chair Belkowitz asked the victim if he wanted to make a statement, and the victim deferred to his advocate. The Complainant, or advocate, stated that she and the victim went to the Magistrates' office several times and had significant issues with the entire process. She continued to provide further background into the incident and why they ultimately decided to file a complaint.

Ms. Wolfe asked if the complainant and the victim had received the name of the alleged perpetrator and if they had that information with them when they went to the Magistrates' office. The complainant explained that the officer had informed them that personal identifiable information (PII) does not get shared with the complainants or victims. Mr. Hargraves asked whether second witness sitting in the car had been questioned by the officer or if anyone had followed up with him afterwards and he had not.

Chair Belkowitz invited the IAB representative, Lieutenant Geschke, to provide a statement about the complaint and the investigation process. He briefly went over the incident and the officer response, identified that only one witness was made aware to the officer, and stated that the officer did say he would include statements from the Home Depot witness but ultimately forgot to include it in his final report. Mr. Garner had a question regarding systemic racism and how it was defined by FCPD to be able to determine whether it was present in a situation or not. Lt. Geschke provided that there is no specific regulation defining that term. Mr. Hargraves questioned whether the officer's citation and arrest records were checked and how they were presenting themselves on social media. Lt. Geschke responded that the officer did not exhibit any derogatory use of race on their social media accounts.

Mr. Lau questioned the officer's failure to communicate with the complainant in a timely fashion, why they were unhelpful with the Magistrates' office, and why they did not do their due diligence and follow up with the store about their camera feed. Mr. Cranford provided that while the officer did not follow up with his job duties properly, he was still professional at the scene and did not think any of his actions or inactions were racially motivated. Ms. Wolfe provided that the complainant and the victim both acknowledged that their complaint did not really allege implicit bias.

Chair Belkowitz had a question about the body worn camera footage and whether the footage was cut off at a certain point or if that was all the footage available. Lt. Geschke provided that that was the entire footage. She also provided that the complainant had submitted a FOIA request with FCPD and received a notification that they could not obtain the information they had requested but still had to pay \$10 for the service, which was something she did not care for. Chair Belkowitz lastly asked whether there was a policy in which the victim needed to identify potential witnesses at the scene of an incident to the officer, as the disposition letter sent to the complainant stated something in opposition to that.

Panel Deliberation and Vote: Chair Belkowitz moved into deliberations and outlined the three different Panel findings from the full Panel review, as stated in the Panel Bylaws Article G.2.a:

- i. Concur with the findings and determination detailed in the Investigation Report;
- ii. Advise the Board of Supervisors that the findings are not supported by the information reasonably available to the FCPD and recommend further review and consideration by the Chief; or
- iii. Advise the Board of Supervisors that, in the Panel's judgment, the Investigation is incomplete and recommend additional investigation.

She reminded the Panel that a majority vote was needed for determination.

Mr. Hargraves moved that the Panel concur with the findings of the investigation report and Mr. Cranford seconded the motion.

Ms. Deen voted yes to concur, with recommendations for the Board of Supervisors.

Mr. Cranford voted yes to concur.

Mr. Hargraves voted yes to concur.

Chair Belkowitz voted yes to concur.

Ms. Wolfe voted yes to concur, with recommendations for the Board of Supervisors.

Mr. Garner voted yes to concur.

Mr. Lau voted no.

Ms. Peterson abstained from deliberations and voting.

The motion carries, with a majority vote of 6 to 1, with one abstention.

Panel members were advised to forward their recommendations to the Panel Liaison for compilation and discussion by the next Panel meeting on May 2, 2024.

New Business: Mr. Miles reminded the Panel of the Use of Force Community Workshop day at the Police Academy on April 25, 2024 from 8:00 a.m. to 4:00 p.m.

Adjournment: Mr. Hargraves motioned to adjourn the meeting. Mr. Cranford seconded the motion and it carried unanimously. The meeting adjourned at approximately 9:13 p.m.