

**POLICE OVERSIGHT BOARD  
CASE REVIEW SUBCOMMITTEE  
Tuesday, October 3, 2017 at 10:00 a.m.  
Plaza del Sol Building, 600 2nd Street NW  
3<sup>rd</sup> Floor Small Conference Room**

**Members Present**

Leonard Waites, Chair  
Joanne Fine  
Valerie St. John

**Others Present**

Edward Harness, Exec. Director  
Diane McDermott

**Meeting Minutes**

- I. Welcome and call to order**  
a) Case Review Subcommittee Chair Waites called to order the regular meeting of the Case Review Subcommittee at 10:04 a.m.
- II. Approval of the Agenda**  
a) Copies of the agenda were distributed.  
b) A motion was made by Subcommittee Member Fine to approve the agenda. Subcommittee Member St. John seconded the motion. The motion was carried by the following vote:  
**For 3 - Waites, Fine, St. John**
- III. Review and Approval of the Minutes from August 1, 2017 and September 5, 2017**  
a) A motion was made by Subcommittee Member Fine to approve the minutes from the August 1, 2017 Case Review Subcommittee meeting. Subcommittee Member St. John seconded the motion. The motion was carried by the following vote:  
**For 3 - Waites, Fine, St. John**  
b) A motion was made by Subcommittee Member Fine to approve the minutes from the September 5, 2017 Case Review Subcommittee meeting. Subcommittee Member St. John seconded the motion. The motion was carried by the following vote:  
**For 3 - Waites, Fine, St. John**
- IV. Public Comments:** There was no public comment.
- V. CPOA Report – *Edward Harness, Executive Director***

- a) **Monitor's Sixth Report.** Director Harness received a draft of the Monitor's sixth report. Director Harness summarized the relevant paragraphs to the CPOA and POB. Director Harness provided overviews of the whole report. Director Harness explained the Monitor criticized a case that was administratively closed by the CPOA. Director Harness explained his reasoning and the Monitor's thoughts to the subcommittee members. The conclusion was to work on a draft policy that would cover administratively closed cases that do not fit the parameters laid out in the CASA. Director Harness also explained the Monitor's expectation that complaints are assigned to Investigators within seven business days. Director Harness explained the intent to create an Intake position within the CPOA to assist with meeting this standard. It will be determined if staffing, timelines, or the types of cases investigated will attempt to be modified moving forward. The Sixth report has several criticisms against APD such as personnel selection for key positions, training, policy creation and revision, and cooperation from Command Staff.
- b) **Memorandum of Understanding for Mediation.** Director Harness received the comments from the DOJ regarding the Memorandum of Understanding for the Mediation process. These comments will need to be incorporated and reviewed by the City Attorney's office and the APOA Attorney in order to present the proposed change to the CASA to Judge Brack.

**VI. Review of Cases:** The Subcommittee members agreed with the CPOA's findings of the following Citizen Police Complaints (CPCs) and to add them to the consent agenda for the next POB meeting scheduled on November 9, 2017.

**a) Administratively Closed Cases**

087-17            145-17            159-17

1. A motion was made by Subcommittee Member Fine to approve the administratively closed cases as written. Subcommittee Member St. John seconded the motion. The motion was carried by the following vote:

**For 3 - Waites, Fine, St. John**

**b) Cases investigated**

089-15            035-17            110-17            142-17

Prior to the motion to approve the cases investigated, Subcommittee Member Fine had a question about 035-17. Subcommittee Member Fine requested a summary of the case and how the conclusion was made. Director Harness provided his explanations.

Prior to the motion to approve the cases investigated, Subcommittee Member Fine had a question about 142-17. Subcommittee Member Fine noticed APD declined to provide certain resources for computer forensics and asked about outsourcing this service. Director Harness explained it was an option, but not

pursued as there was enough information gathered in the investigation to sustain the allegations. The computer in question was seized for the pending disciplinary hearing at which time APD may decide to forensically process the computer.

1. Action Item As to CPC 142-17, the Members did not see the disciplinary recommendations attached and asked that it be attached for the full board's consideration.
2. A motion was made by Subcommittee Member Fine that the committee approve the cases investigated. Subcommittee Member St. John seconded the motion. The motion was carried by the following vote:

**For 3 - Waites, Fine, St. John**

c) **CIRT Cases.** None

**VII. Review of Appeals.** None

**VIII. Other business.** None

**IX. Next Meeting.** The Case Review Subcommittee next meeting will be held on Tuesday, November 7, 2017 at 10:00 a.m.

**X. Adjournment.** A motion was made by Subcommittee Chair Waites to adjourn the meeting. Subcommittee Member St. John seconded the motion. The motion was carried by the following vote:

**For 3 - Waites, Fine, St. John**

Meeting adjourned at 10:43 a.m.

APPROVED:

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Leonard Waites, Chair  
Case Review Subcommittee

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Date

CC: Julian Moya, City Council Staff  
Natalie Howard, City Clerk  
Isaac Benton, City Council President

Minutes drafted and submitted by:  
Diane McDermott, Investigator acting on behalf of the Senior Administrative Assistant