

**POLICE OVERSIGHT BOARD
CASE REVIEW SUBCOMMITTEE
Tuesday, December 5, 2017 at 10:00 a.m.
Plaza del Sol Building, 600 2nd Street NW
Basement Hearing Room #160**

Members Present

Joanne Fine
Valerie St. John

Members Absent

Leonard Waites, Chair

Others Present

Edward Harness, Exec. Director
Diane McDermott
Michelle Contreras
Maria Patterson
Jim Larson

Meeting Minutes

I. Welcome and call to order

- a) Case Review Subcommittee Member Fine called to order the regular meeting of the Case Review Subcommittee at 10:06 a.m.

II. Approval of the Agenda

- a) Copies of the agenda were distributed.
b) A motion was made by Subcommittee Member Fine to amend the agenda to not include approval of the minutes from November 7, 2017. Subcommittee Member St. John seconded the motion. The motion was carried by the following vote:
For 2 - Waites, Fine

III. Review and Approval of the Minutes from November 7, 2017

Review and approval of the minutes from November 7, 2017 was postponed until the next meeting.

IV. Public Comments:

- a) A discussion was had regarding Mr. Jim Larson's concerns that Victoria Martin's case demonstrated a lapse in the investigative process because the CPOA did not interview the chief of police. Director Harness replied that if the evidence in the investigation pointed toward the chief, the chief would have been interviewed. Mr. Jim Larson withdrew his public recommendation that the case be audited. Member Fine concluded that the Case Review board is on notice and suggested that an assessment of nonconcurrency cases be part of the semiannual report.

V. CPOA Report – *Edward Harness, Executive Director*

- a) **Mediation Program update.** Motion for the mediation program was drafted and is with the DOJ to be reviewed for filing. Director Harness will follow up with Attorney Riles to see if he can get a timeline.
- b) **Data Analysis Contract.** Director Harness had a conference call with Attorney Schmehl, Major Tyler, and Procurement Attorney Bradley on Friday regarding reservations about data analyst contract. They wanted to limit data access and director Harness inquired to Attorney Bradley why anyone outside of APD has the right to limit information from APD. If Director Harness does not hear from Attorney Bradley by Thursday, Director Harness will have Attorney Bleaker or Jackson address it.
- c) **Conference.** Investigators Skotchdopole and Davidson attended the Daigle Law Group Use of Force Summit in Connecticut and found it was well worth going to that training.
- d) **Update on cases to review.** Regarding the forced review cases from Nov 17, Member Fine suggested they attempt to be done by March—take the first third of cases in January, the second third in February, and the third third in March.

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 December 14, 2017.

a) Administratively Closed Cases

153-17	167-17	171-17	181-17	183-17
184-17	185-17	188-17	191-17	192-17
193-17				

- 1. Member Fine noted that CPC 185-17, the complaint itself was not in the letter.
- 2. A motion was made by Subcommittee Member St. John to accept all administratively closed cases as written with exception to 185-17. Subcommittee Chair Fine seconded the motion. The motion was carried by the following vote:

For 2 – St. John, Fine

b) Cases investigated

113-17

- 1. Subcommittee Member Fine read a summary of the case and agreed with the finding that the civilian did have the right to videotape the incident. A motion was made by Subcommittee Member Fine that the committee

accept the case investigated as written. Subcommittee Member St. John seconded the motion. The motion was carried by the following vote:

For 2 – Fine, St. John

c) Non-concurrence letter.

153-17

1. Member Fine noted that there is no case information in that letter and asked that in the future letters on repeat cases still include case information and do not require the board to recall from previous meetings what the case is about.
2. Director Harness explained that this case was sent to Internal Affairs which had RCI conduct the investigation. APD sent the file back to CPOA and said they would not do an internal investigation. Member Fine recommended that we have all of the information before including it in CPOA deliberations. Director Harness offered to create a summary for the board to assess at the next meeting.

d) Serious Use of Force/Officer Involved Shooting Cases.

I-48-14 I-119-14 I-70-14

1. Subcommittee Member Fine provided a summary of I-48-14. Members St. John and Fine gave their feedback and found the case ready to be reviewed at the next meeting.
2. Subcommittee Member Fine provided a summary of I-119-14. Member Fine requested that the CPOA give feedback that all documents should be facing the right-side up, signed, and include recommendations before the CPOA receives them.
3. Members agreed that in all three cases the use of force was within policy.

VII. Review of Appeals. There were no appeals.

VIII. Other business. No other business.

IX. Next Meeting. The Case Review Subcommittee's next meeting will be held on Tuesday, January 2, 2017 at 10:00 a.m.

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

For 2 – St. John, Fine

Meeting adjourned at 11:16 a.m.

APPROVED:

Leonard Waites, Chair
Case Review Subcommittee

Date

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

Minutes drafted and submitted by:
Maria Patterson, Temporary Administrative Assistant

DRAFT