

Safe Communities' Community Input Group

Sub Group Analysis

Topics for Specific Feedback

- Citizens Review Board
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Sub Group Members:

Vicki Foster

Michael Barnes

Corine Mack

Fatina McClorick

Topic 1. CRB

Discussion Notes

Concerns/Improvement Opportunities	Factors for Consideration	Proposed Changes to Consider
<p>Supoena Power</p>	<p>Vicki Foster:</p> <p>Will be hard to get past the FOP and state Primarily helpful with supoening witnesses outside the agency however if they are involved most would voluntarily come anyway Can compel ex, a officers personal cell phone but who will extract the info, and go thru the entire phone, what if it shows other things not related that are not criminal, personal in nature but concerning, what if they share phones with a wife</p>	<p>Vicki Foster:</p> <p>Depts generally require the officer to cooperate fully in any investigation You would fair better (and quicker) to have the City manager implement the duty of cooperation expected in your performance of duties as an employee of the City/CMPD Not going to get anywhere once the first officer invokes/pleads the 5th. It will become habit.</p>

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	<p>(ie they have the same no. now they must be subpoenaed) Lot of issues that have not been discussed These powers need attorneys to oversee</p> <p>Michael Barnes:</p> <p>I'm not comfortable recommending that the CRB be given subpoena power because I understand the power of subpoenas as an attorney and I don't think it's a power that should be broadly given. The convergence of statutory law, constitutional law, case law, city code and police department policy can create outcomes that vary widely from case to case/incident to incident. No two cases are ever the same and granting subpoena power outside the grand jury process or a legal process which includes lawyers for all parties can create havoc.</p> <p>Corine Mack:</p> <p>Subpoena powers are most useful to compel information from witnesses outside the police department and officers in fear of retaliation.</p>	<p>Michael Barnes:</p> <p>Perhaps there should be an inspector general established at the state level, outside the attorney general's office to investigate and report on police abuse cases throughout NC. I do think the other items are worth exploring further.</p>
	<p>Vicki Foster:</p>	<p>Vicki Foster:</p>

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<p>Duty to Intervene</p>	<p>Will need training on what actually constitutes neglect of duty, very different definition from a Police Dept and what is expected</p> <p>Should tighten up the fact that officers have to report it to their supervisor is one thing but WHO holds them accountable? Is the information documented, what happens to the officer who reported it? Suppose the supervisor agrees with it?</p> <p>IE. I make someone stop roughing someone up and then tell my supervisor, then WHAT happens? There has to be a process to how its documented, disciplinary action and who ensures the officer is not retaliated against for telling?</p>	<p>I Support the CRB being able to review neglect of duty violations which include duty to intervene</p>
<p>Justified but Potentially Preventable</p>	<p>Vicki Foster:</p> <p>There is already a policy that says if the officer contributed to the problem, they can be in violation of policy</p> <p>Fatina Lorick:</p> <p>This seems to be contradictory. There should be clear language about unjustified conduct. With the language as</p>	<p>Vicki Foster:</p> <p>Think that verbiage alone justified but potentially preventable needs to be looked at from the policy violation aspect as once its justified you know deal with the contributing factors which are again policy violations</p>

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	is, will the officer still be held accountable?	
<p>Structure</p>	<p>Fatina Lorick:</p> <p>I noticed that in the Keith Lamont Scott case there was not a majority ruling.</p> <p>Quorum qualification is only 6 members.</p> <p>Citizen Review members are appointed.</p> <p>How can there be increased awareness of CRB so that citizens know how to voice their concerns when issues arise with police interaction?</p> <p>Corine Mack:</p> <p>For civilian review boards to be effective, they should be provided the authority to override the recommendations of the police</p> <p>Mayoral and city council appointments makes CRB a political entity. Community selections of at least half of the board would address the lack of trust of CRB decisions and outcomes.</p>	<p>Fatina Lorick:</p> <p>Create specific language to address when there is a tie.</p> <p>With 11 members the quorum qualification should be higher.</p> <p>There may need to be stronger qualification guidelines to assist in appointing the correct people.</p> <p>Community involvement through quarterly surveys and discussions to continue trust.</p> <p>All CRB members must undergo implicit bias and dismantling racism training annually.</p>

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