



CIVILIAN POLICE REVIEW BOARD

101 City Hall Plaza, Durham, NC 27701

Hearing Agenda - Ashley Harris June 16, 2021

1. Call to Order
2. Action on Minutes
3. Closed Session
 - a. Explanation of Procedure for Case by Chair
 - b. Swearing-in of Witnesses
 - c. Presentation by Complainant
 - d. Questions
 - e. Presentation by Police Department officer(s) against who the complaint has been filed
 - f. Questions
 - g. Presentation by Professional Standards Division
 - h. Questions
 - i. Discussion of Determinations & Recommendations on Hearing Findings
4. Adjournment

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1. Call to Order

The Chair will call the meeting to order upon the arrival of a quorum of the Board.

2. Action on Minutes

The CPRB will review and take action on the minutes from the special meeting held on May 26, 2021.

For more information, refer to *Minutes - May 26, 2021*.

Recommendation: The Board will review the minutes from the special meeting held on May 26, 2021 to make any additions and/or modifications followed by action on the minutes.

3. Closed Session

The Board is required to adjourn to closed session pursuant to N.C.G.S. § 143.318.11(a)(1) to prevent the disclosure of information that is confidential and Civilian Police Review Board Procedures Manual, Section 4.5 Appeals Procedures, the CPRB, these hearings will be closed to the public and media.

Recommendation: The CPRB should adjourn to closed session to discuss and to conduct the hearing.

a. Explanation of Procedure for Hearing by Chair

The Chair will explain the nature of the hearing and make parties aware of the time limits that will be imposed on their testimony.

Prior to the start of the hearing, both parties shall submit to the CPRB their list of witnesses, and the evidence to be offered on their behalf. It is the responsibility of each party to manage their allotted time to meet the overall time limits imposed by the CPRB.

All witnesses must testify under oath or affirmation.

Recommendation: The Chair will provide the parties with information on the procedure for the hearing.

b. Swearing-in of Witnesses

The Clerk to the Board will swear-in the complainant, Police Department officer(s) against who the complaint has been filed, representatives of the Professional Standards Division of the Police Department and witnesses prior to testimony.

Recommendation: The Clerk will swear-in the complainant, Police Department officer(s) against who the complaint has been filed, representatives of the Professional Standards Division of the Police Department and witnesses prior to testimony.

c. Presentation by Complainant

Pursuant to the Civilian Police Review Board Procedural Manual, Section 4.7, Hearing Procedure, complainant will have one hour to offer an opening statement, evidence and witnesses and a closing statement in support of the appeal, specifically evidence and witnesses that addresses the claim of an abuse of discretion by the Professional Standards Division of the Police Department.

Recommendation: The CPRB will receive the information.

d. Questions

Pursuant to the Civilian Police Review Board Procedural Manual, Section 4.7, Hearing Procedure, the CPRB will ask questions of complainant on the opening statement, evidence and witnesses and closing statement that addresses the claim of an abuse of discretion by the Professional Standards Division of the Police Department.

Recommendation: The CPRB will ask questions.

e. Presentation by Police Department officer(s) against who the complaint has been filed

Pursuant to the Civilian Police Review Board Procedural Manual, Section 4.7, Hearing Procedure, Police Department officer(s) against who the complaint has been filed will have one hour to offer an opening statement, evidence and witnesses and a closing statement in support of how the investigation was conducted.

Recommendation: The CPRB will receive the information.

f. Questions

Pursuant to the Civilian Police Review Board Procedural Manual, Section 4.7, Hearing Procedure, the CPRB will ask questions of the Professional Standards Division on the opening statement, evidence and witnesses and closing statement in support of how the investigation was conducted.

Recommendation: The CPRB will ask questions

g. Presentation by Professional Standards Division

Pursuant to the Civilian Police Review Board Procedural Manual, Section 4.7, Hearing Procedure, Professional Standards Division will have one hour to offer an opening statement, evidence and witnesses and a closing statement in support of how the investigation was conducted.

Recommendation: The CPRB will receive the information.

h. Questions

Pursuant to the Civilian Police Review Board Procedural Manual, Section 4.7, Hearing Procedure, the CPRB will ask questions of the Police Department and Professional Standards Division on the opening statement, evidence and witnesses and closing statement in support of how the investigation was conducted.

Recommendation: The CPRB will ask questions

i. Discussion of Determinations & Recommendations on Hearing Findings

Pursuant to the Civilian Police Review Board Procedural Manual, Section 4.8, Written Recommendations; Findings; Transmittal and Filing, the CPRB will determine whether the investigation conducted by the Police Department was deficient because of an abuse of its discretion and whether the findings of the investigation was deficient because of an abuse of discretion based on the testimony and evidence presented. The CPRB will develop and issue written recommendations to the City Manager and the Chief of Police.

The recommendations may be approved at the same meeting, or at another meeting held within 45 days.

Recommendation: The CPRB will discuss the testimony and evidence to develop and issue written recommendations to the City Manager and the Chief of Police. The CPRB will take action on the recommendations.

4. Adjournment