

**CIVILIAN POLICE REVIEW BOARD
COMMUNITY-POLICE RELATIONS FORUM MINUTES
WEDNESDAY, OCTOBER 14, 2020
6:00 P.M.**

The Civilian Police Review Board held a virtual meeting on the above date and time with the following members present: Chair DeWarren Langley, Vice Chair Cassandra R. Johnson and Board Members: Cecile Bradshaw, Kelli Dugan, Myra Griffin, Kendra Pressley, Donald Salmon, David Smith and Jeffrey Thomas. Absent: None.

City Staff Present: Assistant to the City Manager Karmisha Wallace (Staff Liaison), Assistant to the Mayor Amber Wade (Technology Liaison), and Assistant City Clerk Tonette Amos (Secretary to the Board).

Chair Langley called the forum to order at 6:04 p.m. and provided the purpose of the forum.

Board members introduced themselves.

Chair Langley presented a power-point presentation entitled “Civilian Police Review Board & Complaint Process”. The following topics were mentioned during the presentation:

- Authority
- Eligibility of Appointment
- Current Members
- Officers
- Training
- Purpose
- Duties & Responsibilities
- Meetings
- Jurisdiction
- Police Department Findings
- Complaint Process
- Appeals Process
- Determination of the Board
- Hearing
- Confidentiality
- Annual Report
- Caseloads
- Additional Information
- Questions?

Chair Langley opened the floor for public comments and stated that each speaker will be allowed two-minutes to make remarks. Speakers must provide their name, mail/email address, and telephone number. All speakers were asked to refrain from addressing issues related to personnel matters or complaints before the Board.

Chris Tiffany made unfavorable comments about how police officers treat him. He mentioned various incidents that occurred in Rochelle Manor and incidents that the Police Department would not accept complaints from citizens who tried to submit complaints against the police and were turned away.

Chair Langley would follow-up with Mr. Tiffany about concerns he expressed to the Interim City Manager and the Chief of Police. He closed public comment forum.

Chair Langley asked if any board members had any comments or recommendations.

Board Member Dugan commented that the Board is reaching out to the community to find other ways to share information regarding the appeals process and asked could attendees ask questions regarding the presentation instead of making comments.

Chair Langley responded that questions could've been answered during public comments. He asked attendees to please place questions in the Chat if they had any.

Elizabeth Lord's Question in Chat – "Is the only process to provide a complaint through the police department?"

Chair Langley responded yes, but Assistant to the City Manager Karmisha Wallace responded that the City Manager's Office receives complaints from citizens against the Police Department. The City Manager's Office has a way of detail tracking. On the other hand, Durham One Call is not designed to capture that level of details that are needed for a complaint against an officer or police employee.

Bonnie Oulman's Question in Chat – "Just wondered why so few appeals have been reviewed over the years?"

Chair Langley stated that the Board can only review appeals of citizens who file an appeal to the Board. It is up to the complainant to file. He explained the process on how to file an appeal that was in the power-point presentation. He mentioned that the Board can provide recommendations to the City Manager even if a hearing is not granted.

Elizabeth Lord's Question in Chat – "When will we know when the complaint is being heard or if it is resolved?"

Chair Langley stated after the Board receives a complaint, whether a hearing is granted or not, the Board communicates to the complainants in writing via certified mail.

Jim Russo's Question in Chat – "Why not admit press to these hearings?"

Chair Langley stated that the Board discusses personnel information in hearings and personnel records are protected by law.

Board Member Dugan stated if a complainant filed in court, then that can't be brought before the Board. She also asked attendees to help promote what the Board does to others.

Board member Smith stated a lot of complaints are handled within the Police Department.

Council Member Freelon suggested that the Board send out a Zoom link easily accessible instead of phone number to increase participation. He expressed his difficulty to accessing the meeting via telephone. He then asked if a grievance is filed with the Police Department and the Police Department is preventing that information from reaching the Board, what other options would be available based on the comments made by Chris Tiffany about police not accepting people's complaints.

Chair Langley stated that this was the first time he heard of complaints not being accepted by the Police Department from citizens who want to file a complaint. He suggested a meeting with Police Chief Davis and Interim City Manager Wanda Page regarding the incidents that Chris Tiffany mentioned during his comments. Chair Langley wants to know if there are other mechanisms in place if an individual is uncomfortable with filing with the Police Department should be addressed by the Board. Based on the law and how the City operates, the Internal Affairs Division investigates complaints. The Board's authority is limited and is designed by statute.

Council Member Freelon stated that he's part of the Legislative Committee and asked community members to personally inform him of any changes that may be needed to change the accountability mechanism. He stated that he can bring forth those recommendations before the Durham Delegation so they can move it forward to State Legislatures.

Chair Langley responded that this is the first time a Council Member has approached the Board and offered an opportunity on what their legislative initiative should be as it relates to the Civilian Police Review Board. He suggested an internal conversation needs to be held before a formal presentation can be brought before the Legislative Committee or the Durham Delegation.

Responding to Board member Pressley about filing a complaint at Durham One Call, Ms. Wallace stated they prefer not to file complaints with them. Durham One Call will encourage them or direct them to the City Manager's Office or Police Department. If they are uncomfortable with Police Department, they will direct them to the City Manager's Office.

Board Member Pressley stated electronic notifications stating your complaint was received within the Police Department would be helpful when citizens file complaints.

Board Member Smith suggested that a copy of the complaint should be sent to the City Manager's Office or be able to file with the City Manager's Office. He understands people's concern about a complaint against the Police Department is being filed at the Police Department.

Ms. Wallace responded that individuals can file with the Police Department and to the City Manager's Office.

Board Member Salmon stated that Chris Tiffany needs to be contacted for names he mentioned during his comments. He recommended going forward that individuals can file complaints at the

Police Department and include the City Manager's Office at City Hall. The City Manager's Office can verify that the complaint was filed also. This will resolve the issue of mistrust.

Chair Langley made two recommendations to consider:

- Include on the documentation that goes to the complainant to inform them if they decide to file a suit in court, then that would dissolve their appeal before the Board
- Investigative files moving forward need to provide prior complaint history of officers involved in particular case to be included in the investigative reports.

Responding to Jim Russo about all complaints should be shared with the Mayor's Office and the Civilian Police Review Board, Chair Langley stated that the Police Department provides quarterly and annual reports to the Board on complaints filed against officers/employees. He did not know if the reports are presented/given to the Council.

Board Member Salmon asked could the Board receive the actual complaints that are filed? People are concerned if the complaints are being noted in the Police Department. Are individuals provided a receipt/file number/control number when the initial complaints are filed?

Chair Langley stated a follow-up with the Police Department could be done on Board Member Salmon's request regarding tracking complaints. He would ask if the Police Department provides a confirmation of receipt number when the initial complaint is filed and does that number follow the complaint through the process. That would add an accountability measure.

Jim Russo Chat Statement – "Member Salmon is right on point. Complaints should be forwarded to you on receipt so that the Board can ensure that the matter is not simply brushed under the rug."

Responding to Jim Russo's above statement, Chair Langley stated that would be beyond the prevue scope of the Board. They need to get current protocol from the Police and/or City Manager's Office confirming how the Police Department ensures that all complaints are received and properly investigated. He stated the item needs to be placed on the agenda at a future meeting agenda.

Ajab's Question in Chat – "I know this question doesn't necessarily pertain to this board but I just wonder why is it that there is no outside entity that investigates the cases brought against officers and the Police Department? I don't know this for sure but it almost seems as if police are policing police."

Chair Langley stated the police is responsible for policing themselves. If any change to how the system operates, then a conversation with City Council and General Assembly Delegation would be needed.

Bonnie Oulman statement in Chat – "Thank you for stretching into this area of need."

No other comments or recommendations came before the Board.

CPRB Community Police Relations Forum
October 14, 2020

Chair Langley thanked individuals for participating and attending the forum. He thanked members for being attentive with the questions raised by the public; and stated that the Board would be hosting another forum in 2020. No date was mentioned.

With no further business to come before the Board, Chair Langley adjourned the meeting at 6:49 p.m.

Respectfully Submitted,

Tonette Amos, Office of the City Clerk