

CIVILIAN POLICE REVIEW BOARD

MEETING MINUTES

Tuesday, August 3, 2021

Board

Present Janet E. Jackson, Chair
Present Brooke Burns
Present Mark Fluharty
Present Dr. Chenelle Jones
Present Willard McIntosh, Jr.
Present Pastor Richard Nathan
Present Randall Sistrunk
Present Kyle Strickland
Present Rev. Charles Tatum
Present Aaron Thomas
Present Mary Younger

Guests

Present Lara Baker-Morrish
Present Richard Blunt
Present Chief Elaine Bryant
Present Colleen Dunne
Present Jennifer Edwards
Present Jeffrey Furbee
Absent Kate Pishotti
Absent Assistant Chief LaShanna Potts
Present George Speaks
Present Robert Tobias

MEETING MINUTES

WELCOME

At 2:00pm, Chair Janet Jackson welcomed the Columbus Civilian Review Board ("CRB") to the meeting.

BOARD MEMBERS INTRODUCTIONS

Chair Jackson then invited Board Members to introduce themselves. Those present shared their name and their professional background.

CHIEF OF POLICE INTRODUCTION

Chief Bryant introduced herself and explained her history of working with a Civilian Review Board in Detroit.

REVIEW OF NEW FOP CONTRACT

Jenni Edwards, BakerHostetler, introduced herself and provided a description of BakerHostetler's role in negotiations with the FOP and the City of Columbus. She then gave an overview of the recently ratified agreement including the bargaining process, the impasse process, and progress in negotiations.

Highlights of the recently approved FOP contract:

- Gives Inspector General authority to conduct investigations and compel officers to participate in investigations
- Post-incident drug testing following officer firing his/her weapon in the line of duty



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- Creates more management rights in regard to body worn camera footage – longer lookbacks, audio and video (instead of just video)
- Extends suspensions and tracking of misconduct related to profiling or EEO violations
- No more using paid leave in place of suspension for EEO or profiling instances
- Chief of Police can select 1 officer to help lead each training class, regardless of seniority
- FOP withdrew grievance regarding probationary period for new recruits – 1 year probationary period doesn't begin until officers leave the academy
- An officer enters at “step A” and progresses through “step F” which includes pay increases at each step. 2.5% increase retroactive to contract expiration, 3.5% increase in December 2022. Officers receive lump sums at specific longevity milestones.
- 16 additional hours of personal leave and 1 additional paid holiday for officers
- Retirement incentive program: those with 25+ years' service at CPD, 100 office maximum participation. Chosen by rank and then seniority. Chosen officers must remain with City for 3-6 months, waive all claims against the city, then receive \$200,000 less applicable withholdings.

Mark Fluharty asked what the intent to compel meant: They have to attend and participate, but can plead the 5th in criminal investigation. Chair Jackson requested to clarify the difference between “compel” and “subpoena”: Subpoena power cannot be granted via a labor contract, but the future possibility is protected in the new contract. Mary Younger requested clarification on Board Members' involvement in disciplinary hearings: The contract allows at a minimum, the opportunity to observe, but the CRB members could also have the ability to contribute as a witness or party.

Mark Fluharty requested a copy of the agreement. Kyle Strickland inquired about the lack of a minimum officers for the retirement incentive program: Even if one officer accepts, the City will save money.

OVERVIEW OF PUBLIC RECORDS LAWS AND OPEN MEETINGS

Lara Baker-Morrish, Chief Counsel, City Attorney Zach Klein's office introduced herself and described her professional background. She then gave an overview of the Open Meetings Act, the Public Records Act, how both impact the CRB, and encouraged all CRB members to familiarize themselves with the Ohio Sunshine Law Manual.

Rev. Charles Tatum asked if what is discussed in Executive Session must be disclosed: The topic must be, the discussion may remain private.

Chair Jackson requested the PowerPoint decks from both Jenni Edwards and Lara Baker-Morrish be sent to Board Members after the meeting.

Assistant City Attorney Robert Tobias suggested that it is best practice to use only the City of Columbus email addresses to communicate about Board work, as opposed to personal emails. This protects personal email accounts from public record requests.



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Kyle Strickland asked about best practices for when citizens contact Board Members directly, via social media or otherwise: Recommendation is to direct them to come to a Board meeting or committee meeting to speak to the body as a whole. If a Board Members responds to a citizen in regards to a Board matter, this could be considered a public record. Pastor Rich Nathan reminded everyone that the Social Media Policy is later on the agenda.

REVIEW PLEDGE OF ETHICAL CONDUCT

Chair Jackson requested that if there were no questions regarding the pledge, all Board Members sign and turn in the pledge. No questions were asked.

REVIEW MEDIA/SOCIAL MEDIA POLICY

Chair Jackson opened the floor for questions. Brooke Burns requested clarification on point one: “impair working relationships within the City”. Chair Jackson stated that the policy can be updated to provide more specific language. Kyle Strickland requested the policy be made available to the public. Colleen Dunne suggested it can be linked on the City of Columbus website, on the CRB page.

Pastor Rich Nathan requested to clarify the role of the Board.

Chair Jackson said the bylaws draft will be sent before the second meeting for members to review. The second meeting will include a discussion of the mission and role of the Board. Kyle Strickland suggested beginning the discussion today, but agreed saving the majority of the discussion for the second meeting is acceptable.

DISCUSSION OF ADDITIONAL MEETINGS/TRAINING

Chair Jackson discussed the need for additional meetings or longer meetings, proposes extending September meeting from 2 hours to 3, ending at 5pm. The Board consents.

All day meeting at the Police Academy – 3 hours of Police basics, lunch, participation in police scenarios. Some scenarios involve live-action role play, MILO is a computer simulation program. Goal for completion is the end of September 2021. Chair Jackson requested to find a date.

Aaron Thomas asked for the reason behind police training and ride-alongs for Board Members, given the lack of clarity around the Board’s mission at this point. Chair Jackson reminded the Board that the CRB Ordinance requires significant training.

Chair Jackson shared her ride-along experience from her time on the Safety Commission and the benefits of the experience. These training opportunities will give new perspectives to Board Members and a deeper understanding of policing.



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Aaron Thomas asked about community experience and training from the citizen's perspective. Chair Jackson reminded the Board that they will be making decisions about the work of the Board moving forward, and have the ability to define the scope of their training.

Randall Sistrunk shared his ride-along experience and his views on the benefits of police training for Board Members.

Mary Younger referenced her time as a public defender, the importance of seeing both sides of a police interaction, and respecting the good officers.

Kyle Strickland suggested that assessing training and requirements for future iterations of the Board will be an important part of the Board's work moving forward. The requirements had been made in advance, before the Board determined their mission.

Mark Fluharty stated the critical nature of transparency in investigations. To do a fair and complete investigation, one must understand policing and officer training.

Rev. Charles Tatum suggested that the Board needs to form their own opinions, not letting those outside the Board influence members' thinking.

Chair Jackson agreed and is unwilling to do media interviews about the CRB until it has been fully formed. The Board will have two main responsibilities: first, to shape and create the body. Secondly, the Board must hire the Inspector General. The search will be national. There is a preliminary job description which can be shared with the Board.

Brooke Burns said that the police training is high-stress and anxiety-provoking. It's necessary to practice self-care, especially if there's been negative police interactions in the past, for any Board Members. She mentioned the lack of time and coping mechanisms for officers who face those situations.

Dr. Chenelle Jones echoed Brooke Burns' statements, and shared her own training and ride-along story. The experience provided her perspective on what these officers face daily and identified gaps in their experiences. Franklin University developed a community immersion training for CPD officers in partnership with the City Attorney's Office. Perhaps a similar opportunity can be offered to CRB members.

Chair Jackson spoke to the ride-along and background check forms and asked Deputy Director Speaks to explain the next steps in the process. George Speaks assured the Board that the Public Safety department will get them scheduled as soon as Board Members are ready. Chair Jackson requested the administration begin the scheduling process.

Chair Jackson encouraged suggestions for future agenda items but wants to focus on reviewing the CRB Ordinance and solidifying the Board's mission at the second meeting in September.



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In regards to the space, Chair Jackson explained why the conference room was selected, and explained why the City cannot pay for amenities such as coffee.

Before next meeting administration will address:

- Parking
- Configuration of room
- Window treatments (traffic distracting, potential for interference from pedestrians)

ADJOURNMENT

Chair Jackson asked for a motion to adjourn. Dr. Chenelle Jones moved, Mark Fluharty seconded.

Unanimous vote to adjourn. 3:59pm

