



Board

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

Guests

Present Lara Baker-Morrish
Present Richard Blunt
Present Amy DeLong
Present Colleen Dunne
Present Jeffrey Furbee
Present Mayor Andrew Ginther
Present Council President Shannon Hardin
Present Kate Pishotti
Present Tammy Rollins
Present George Speaks
Present Robert Tobias

MEETING MINUTES

WELCOME

At 2:03 pm, Chair Janet Jackson welcomed the Columbus Civilian Police Review Board ("CPRB") to the meeting.

MAYOR GINTHER INTRODUCTION

Mayor Andrew Ginther introduced himself and thanked the Board for their service.

COUNCIL PRESIDENT HARDIN INTRODUCTION

City Council President Shannon Hardin introduced himself and reminded the Board that as the inaugural members, they are setting precedents for all future Boards.

Chair Jackson informed the Board that she had a long conversation with the newly appointed Public Safety Director, Robert Clark, and that she looks forward to partnering with him as well as Chief Bryant moving forward.

Chair Jackson informed the Board that Dr. Chenelle Jones had an excused absence from this month's meeting, and that Randall Sistrunk has resigned his position on the Board. She then read his resignation letter aloud.

Colleen Dunne will deliver the resignation to the Mayor, who will appoint a new member of the Board.





APPROVAL OF MINUTES FROM PREVIOUS MEETING

Pastor Rich Nathan motioned to approve the August meeting minutes, and Mark Fluharty seconded. The minutes were approved by a unanimous vote.

Chair Jackson explained the need for Board members to get fingerprinted by the Civil Service Commission. Members can contact Director Amy DeLong to schedule an appointment. Ms. Dunne will send her contact info to all Board members for their reference.

The November Board meeting will need to be rescheduled due to an unavoidable conflict for Chair Jackson. Ms. Dunne will send out a poll to find a new meeting date and time.

Chair Jackson asked if the bylaws could be voted on at this meeting if no major changes were suggested. Lara Baker-Morrish proposed waiting until October in order to finalize all language prior to the vote.

DISCUSSION OF CPRB ORDINANCE, CHARTER AND CODE

Lara Baker-Morrish, Chief Counsel, City Attorney Zach Klein's office reviewed the agenda topics for which she was responsible, and assured the Board that her draft bylaws are open to discussion and changes. She explained that bylaws are different from rules and regulations per City Code. Bylaws are to set up the structure of the Board itself. Rules and regulations are requirements placed upon other entities which may interact with the Board.

Ms. Baker-Morrish presented City Charter Section 215, which is the foundational document for the CPRB. She drew attention to the phrase "The majority of whom shall constitute a quorum." Given that the Board currently only has 10 members, the Board will have to decide if the majority references seats or members.

Ms. Baker-Morrish reviewed City Code Sections 235.01 and 235.02.

Chair Jackson opened the floor to questions, none were asked.

Ms. Baker-Morrish reviewed the City Charter Section 216, which elaborates on the Powers and Duties of the CPRB, and City Code Section 235.03.

Chair Jackson opened the floor to questions, none were asked.

Ms. Baker-Morrish reviewed the City Charter Section 217, which introduces the Department of the Inspector General. The Inspector General will act similarly to an Executive Director who reports to a Board or Commission. The Board will act as a guiding body, review investigations and make recommendations. The day-to-day work will be done by the office of the Inspector General. Appointment of the Inspector General requires 2/3 vote by the CPRB.

Ms. Baker-Morrish reviewed City Code Sections 235.04 and 235.05.



Mr. Fluharty asked if the Mayor is able to overrule the Inspector General selection made by the CPRB: The Mayor could refuse to confirm the appointment; the same applies to removal.

Mary Younger asked if the Internal Affairs department of the Division of Police can make a referral to the Inspector General: The Inspector General will likely only review cases which are new and have not yet been taken to Internal Affairs. The Rules and Regulations could stipulate the ability for Internal Affairs to refer cases to the Inspector General, but those have not been developed yet.

Kyle Strickland asked what would occur if the Board and Mayor could not come to an agreement on an Inspector General candidate: No stipulation exists. Without the Inspector General appointed, there is no way to do the work.

Brooke Burns speculated about Investigators and how many will be hired for the Office of the IG. Ms. Burns asked if there is a timeline for filling those roles after the IG is confirmed. Ms. Baker-Morrish declined to answer and deferred to Director DeLong.

Aaron Thomas asked about day-to-day oversight of the Inspector General. If the CPRB is only meeting quarterly at some point, who is overseeing the Office and ensuring effective work is being done? Ms. Baker-Morrish explained that the only oversight is the CPRB, according to the statute. Chair Jackson suggested this might need to go in the Rules and Regulations. She mentioned that even if the Board is only meeting quarterly, the Board Chair would likely meet with the Inspector General on a monthly basis.

Rev. Charles Tatum revisited Mr. Strickland's question about a conflict of opinion between the Board and the Mayor, and asked if there is a way to stipulate a resolution process in case this occurs: Not within the Board rules. Any such rule would need to be in the City Code. Board rules can never be more powerful than the delegation to them. Chair Jackson suggested that if a Mayor was elected who completely opposed the CPRB as an entity, a stalemate could occur at that point. Rev. Tatum reminded the group that they are setting the foundation for all future boards, hence the need for such contingencies. Chair Jackson suggested that the City Attorney's Office might look into this hypothetical, and Ms. Baker-Morrish agreed.

Ms. Younger asked if there is a statute of limitations for a civilian to bring an issue to the Inspector General: Yes, the new FOP contract stipulates 90 days from the date of the incident. Ms. Younger clarified that if an incident leads to a court battle, this would likely take longer than 90 days to resolve and thereby preclude the civilian from bringing the situation to the Inspector General after the fact if needed. She asked if there is anything the Board can do to address this issue: This would need to be negotiated in the FOP contract. There are practical barriers to this hypothetical individual, but not a legal barrier. A civilian could file the complaint concurrent with a court case. Chair Jackson noted the responsibility of educating the public (and members of the Bar Association) falls to the CPRB and the Inspector General. An information campaign will be required.





Mr. Strickland suggested a tiered structure for receiving complaints, if the Board has that authority. Ms. Baker-Morrish agreed that if it is in harmony with provisional obligations the city has to the FOP, then yes.

Ms. Burns asked if there is any limitation on who can file a complaint (on someone else's behalf): Anyone who has knowledge is able to file the complaint. Ms. Burns asked when complaints become public, immediately or after the investigation is complete: If the complaint raises criminal allegations, public records law treats it differently. The Board will have to decide how to handle this. Mr. Fluharty suggested that the Board do a full review of the FOP contract, specifically around the area of grievances.

Chair Jackson requested to move to the discussion of the Inspector General's Office and Job Description.

DISCUSSION OF INSPECTOR GENERAL OFFICE AND JOB DESCRIPTION

The City has retained Robert Burg with Ralph Andersen to lead the search for the Inspector General. Mr. Burg requested to speak to each Board member individually to discuss qualifications and expectations of the Inspector General. Board members' contact information has been provided to Mr. Burg in advance of the September 7th Board meeting. This is the same firm who led the search for the Chief of Police and facilitated the hiring of the new Public Safety Director. Mr. Burg believes the Inspector General could be in place by January 2022.

Chair Jackson opened the floor to questions, none were asked.

Chair Jackson requested to move to the discussion of the Social Media and Media Policy.

REVIEW MEDIA/SOCIAL MEDIA POLICY

This policy was originally developed for the Safety Advisory Commission. Chair Jackson invited Ms. Burns to restate her concern about the language. Ms. Burns highlighted item 1 on the policy and requested clarification of the language. Chair Jackson asked Ms. Burns to edit the language and bring her recommendation back to the group. Ms. Baker-Morrish highlighted first amendment cases which were likely the basis for this particular turn of phrase. Ms. Burns mentioned that the amount of public scrutiny this Board will be under creates the need for more strict language. Chair Jackson invited Ms. Burns and Ms. Baker-Morrish to discuss this privately before the next Board meeting.

Chair Jackson requested a brief break for the Board at 3:15. The meeting reconvened at 3:30.

DISCUSSION OF INSPECTOR GENERAL OFFICE AND JOB DESCRIPTION

Chair Jackson introduced Director Amy DeLong of Civil Service. Dir. DeLong explained what classification specifications are and how her department created two new classifications for the Office of the Inspector General. Once the classification is finalized, the City of Columbus Human Resources Department will review and determine appropriate salary. At that point, City Council will have to legislate. All of this should be done in advance so that when the Board finds the chosen candidate, the hiring process will not be delayed. The current draft of the Investigator position could be submitted as it



is currently written, but Dir. DeLong would prefer the Inspector General to have input. Dir. DeLong then introduced Tammy Rollins for more information on the drafted documents.

Tammy Rollins from Civil Service explained that the draft specification is written at the Director level using City Code language and other City Director specifications as references. This role is unclassified, so no minimum qualifications exist based on Civil Service standards.

Chair Jackson asked Ms. Rollins if she had reviewed the CPRB draft bylaws. Ms. Rollins had not. Ms. Baker-Morrish offered to share the bylaws with Ms. Rollins.

Chair Jackson explained that the Board did not come prepared to make recommendations today, and asked if Robert Burg from Ralph Andersen will provide a summary of the Board Members' suggestions after speaking to each. Kate Pishotti could not confirm what his process will be.

Rev. Tatum requested time to reflect upon this discussion and what has been said before making any statements on the subject.

Chair Jackson offered to reach out to Robert Burg to request he share any suggestions he gathers from his conversations with Board Members with Civil Service.

Mr. Strickland stated the importance of fleshing out the current draft before deciding on an appropriate salary. Ms. Rollins emphasized the difficulty of working from a blank page and welcomed all feedback and input. Ms. Baker-Morrish reiterated that what the Board Members are looking at is a job specification, not a job description. This is a high-level overview to allow for any general hire. The job description would describe the day-to-day work. Ms. Younger asked if the Office of the Inspector General will be part of the Division of Police. Ms. Rollins explained that the Department will be fully separate with its own Department number and authorized strength. Ms. Younger asked about the physical location of the office. Ms. Pishotti assured her it will not be housed within the Police headquarters. Chair Jackson suggested members review the Working Group recommendations for more information on the Office of the Inspector General.

Dir. DeLong explained that the Director level salary range is \$121,410 - \$202,342 which makes Columbus competitive with other major US cities and will help to recruit qualified candidates.

REVIEW PROPOSED CPRB BYLAWS

Article I –

Section 3. "Majority vote of the entire membership of the Board". Ms. Baker-Morrish posed several questions to the Board: Do they want a majority of the members present, or a majority of all members? Do vacant seats count or no?

Chair Jackson preferred only seated members count toward total membership. Mr. Fluharty agreed that members present should be able to make decisions, rather than be impeded by attendance. Chair





Jackson suggested the Board specify which instances are most important and stipulate them in the bylaws. Mr. Thomas suggested voting procedure should be consistent for all votes, rather than picking and choosing which votes are more important. Mr. Strickland suggested 2/3 vote of current membership. Ms. Baker-Morrish asked if any Board member preferred the total number of seats instead of the number of seated members count toward total membership. Mr. Strickland imagined a situation where many members resign, and a small number of members remaining might need to amend bylaws. Pastor Nathan suggested having a minimum number of votes required.

Ms. Baker-Morrish aligned the group on the facts that a simple majority of a quorum will suffice for general votes, and amendment to the bylaws will be one instance which will require 2/3 majority vote.

Mr. Fluharty requested proposed bylaw amendments be sent to Board members 14 days prior to a vote (currently 5 days in the draft bylaws). Rev. Tatum asked why. Mr. Fluharty referenced Rev. Tatum's earlier request for time to review content before making decisions. Chair Jackson explained that with monthly meetings, 14 days' notice would be possible, but Pastor Rich Nathan mentioned that it only allows 14 days for the administrative work of the revision of the bylaws. Mr. Fluharty asked if crafting the revisions is more important than the ability to discuss the changes prior to the next meeting. Chair Jackson asked Ms. Baker-Morrish if there is a general standard: Five days, as currently written, is standard. Mr. Strickland pointed out that nothing precludes the Board from tabling a vote if more time is needed to review. Mr. Fluharty suggested 7 business days, general consensus.

Article II –

Section 1. Ms. Baker-Morrish asked if the Board had any suggestions regarding the resignation process. Chair Jackson mentioned that given current technology, an email to the Chair of the Board would be sufficient in lieu of a signed letter. Rev. Tatum asked if sending via email creates a public record: Yes, and that needs to be understood by the member resigning. Mr. Strickland asked if there should be any consultation with City Council in selecting a replacement member after a resignation: Yes, City Code Section 235.01 does include that.

Section 2. Ms. Baker-Morrish asked for feedback on the required training programs. Pastor Nathan expressed concern about the phrase "prior to beginning their duties", given that the current Board has not yet been trained. Chair Jackson explained she considers the Board "duties" to be reviewing cases and complaints in conjunction with the Inspector General, which has not started yet. Pastor Nathan noted that selecting the Inspector General is a key duty, and completing this much training prior to hiring is problematic. He suggested stipulating the first 6 months of a Board term for training to be completed. Ms. Baker-Morrish reminded the group that the initial Board is treated differently in the statute, and initial Board members are granted their entire first term to complete the training. Mr. Thomas suggested the article be expanded for future iterations of the Board to reference. He suggested including "how to conduct investigations" as an important topic for training. Chair Jackson expressed a strong desire to complete mandatory training as quickly as possible, but opened the possibility for





adding future training at a later date. The bylaws can be amended in the future, if the Board is comfortable with some flexibility as things develop. Mr. Thomas requested that if most of the bylaws are being codified at this time, this topic be covered fully as well. Mr. Strickland was not in favor of adding other required trainings, but supported adding language for flexibility in conducting other trainings as needed. He suggested giving new members more time to complete their training, for instances where a member steps into a seat after a resignation. Ms. Baker-Morrish noted that will require a statutory change, but she will pass it along to City Council. Mr. Strickland wondered how many hours of training the currently required programs add up to, given the voluntary nature of the Board seats and the need for virtual options. Ms. Baker-Morrish suggested mandating the specific training but not the method or means to conduct those trainings. Ms. Burns asked if the bylaws could be simplified to state only the minimum training required, giving flexibility to add content at any time. Ms. Baker-Morrish mentioned that the draft only includes initial training, and that it is not comprehensive. Therefore, a Board member serving two consecutive terms could go 5-6 years without training, after the initial programs.

Section 3. Ms. Baker-Morrish asked how the Board would like to handle absences. Ms. Burns asked if the two consecutive meetings stipulation was based on quarterly meetings: No, it is standard. Rev. Tatum stated that the Chair should be able to discern whether a member has a valid excuse or is neglecting his/her duty. The Chair can bring a matter to the Board as needed. General consensus.

Mr. Strickland expressed concern about the 2/3 majority of members present – should it be 2/3 of total membership to vote on removal? No dissenting opinions.

Ms. Baker-Morrish asked how long newly appointed members should be allowed to remain on the Board as non-voting members if they are not completing their mandatory trainings. Mr. Fluharty asked if they would be made aware of the requirement and consequences in advance: Yes. Mr. Strickland agreed there should be a timeline but thought 3 months is not long enough to complete all training. Mr. Fluharty asked if the Board can amend this once the current members more fully understand the mandatory training requirements. Chair Jackson was confident three months is not enough time. Mr. Strickland suggested 6 months. Rev. Tatum asked if a new member being “unwilling” is the right word, and Ms. Baker-Morrish explained that whether or not they have good intentions, they cannot serve until they complete it. Rev. Tatum explained that there is a difference between a member not having time to train and a member not having an interest or willingness to train. Chair Jackson related that members of a former group on which she served chose not to participate for a significant number of meetings. She would hope such a situation would not arise with this body. She agreed 6 months is a more appropriate timeline. Rev. Tatum suggested the interview process for potential new members could include specific discussion of the training requirements to eliminate the element of surprise. Mr. Strickland found it problematic to determine a training schedule without knowing the length of each training and the total time requirement. Chair Jackson explained that she sets the agenda in conjunction with the City Attorney’s Office and Public Safety, trying to use the time appropriately. She assured the Board she will do her best to plan out future training on agendas to eliminate the need for members to be trained on





their personal time. Ms. Younger agreed 6 months is appropriate and more than enough time for anyone committed to serving. General consensus.

Article III –

Ms. Baker-Morrish asked for input on Officers. Chair Jackson shared that she hoped to identify a Vice Chair and bring the name to the October meeting for a vote. She hoped to have committees in the future, to bring recommendations to the larger group.

Ms. Baker-Morrish requested feedback on committees. Mr. Strickland agreed with the current language, giving discretion to the chair. General consensus.

Article IV –

Ms. Baker-Morrish will amend language requiring physical presence of members, allowing for virtual attendance when public meeting laws allow such.

Ms. Baker-Morrish asked for input on standards of professionalism. Pastor Nathan supported having a committee draft recommendations to bring to the larger group. Robert Tobias mentioned that area commissions are now drafting similar standards, generally simple statements requiring civility, decorum, integrity, etc. This could be short and succinct, or multiple paragraphs. Chair Jackson was interested in appointing a committee, but was not prepared to do so at this time. It was decided to leave the placeholder language for now, and not delay voting on bylaws for this. Chair Jackson will bring committee suggestions to the October meeting.

Chair Jackson will add Ms. Baker-Morrish to October agenda to finish reviewing the bylaws.

Rev. Tatum recommended Board Members be familiar with remainder of the document and come with prepared with questions at next meeting, in order to expedite discussion. Chair Jackson expected every Board member to review documents in advance of every meeting.

DISCUSSION OF FUTURE MEETINGS/TRAINING

Given the difficulty of scheduling all-day training, Chair Jackson has decided to use October meeting to do the ABC's of Policing (in addition to finishing the bylaws review and a review of the amended social media policy language). Jeff Furbee's legal training will be pushed to the November meeting agenda.

Every Friday in October, a half day training could be done either morning or afternoon. Ms. Dunne will send a poll to find a single date or at most 3 dates to complete this training. If this can be completed in October, a discussion of experiences will be added to the November agenda. Mr. Strickland pointed out that planning later trainings could be difficult given rising Covid numbers. Ms. Younger felt it imperative to complete this training and understand the officer training and procedures.





Rev. Tatum suggested that each Board member track his/her own time commitment for the training in order to track total hours for future training development recommendations. Chair Jackson reiterated her intent to have all possible trainings during regularly scheduled CPRB meetings.

Chair Jackson requested a vote to extend future meetings from 2-5pm. Unanimous approval, by show of hands. Ms. Burns has another standing Board meeting which starts at 5pm, and requested to end meetings at 4:45pm or to be excused early. Chair Jackson agreed to strive for a 4:45pm end time, but that if Ms. Burns needs to leave early she will be excused.

ADJOURNMENT

Chair Jackson asked members to review the Inspector General information and be prepared to discuss with Robert Burg.

Chair Jackson asked for a motion to adjourn at 4:55. Ms. Burns moved, Rev Tatum seconded. Unanimous vote to adjourn.

