



## Board

Present Janet E. Jackson, Chair  
Present Brooke Burns, Vice Chair  
Present Gambit Aragon  
Present Mark Fluharty  
Present Dr. Chenelle Jones  
Present Willard McIntosh, Jr.  
Present Pastor Richard Nathan  
Present Kyle Strickland  
Present Rev. Charles Tatum  
Present Mary Younger

## Guests

Present Jacqueline Hendricks  
Present Richard Blunt  
Present Tiara Ross  
Present Robert Tobias  
Present Nate Simon  
Present Bethany Dickess  
Present Enoch White  
Present Cameron McElhiney & Jayson Wechter

## WELCOME

Chair Jackson called to order the meeting at 2:10PM. She thanked Vice Chair Burns for presiding over last month's meeting. Also want to thank Aaron Thomas for his service on the board. Chair has received questions from the press regarding the resignation. Mayor is accepting board vacancy applications and there is currently no cutoff date for the applications. If anyone is interested, follow the process put forth by the Mayor. The Mayor will choose board member and council approves. CPRB is not involved in the process at all.

## APPROVAL OF MINUTES FROM PREVIOUS MEETING-

Mark Fluharty moved to approve the September meeting minutes, and Pastor Rich Nathan seconded. Minutes approved unanimously and Chair Jackson abstained.

## NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT "NACOLE" BOARD TRAINING

Chair Jackson shared with the board \$20,000 has been approved for training and other related items. Chair Jackson has asked Dr. Chenelle Jones to look into other trainings and to become a member with NACOLE. Annual conference conducted by NACOLE earlier in September but there are other options for board training.

Camme McElhiney introduced herself as the Director of Training and Education for NACOLE. Has set on several boards and learned quickly there is a lot she did not know regarding Civilian Review Boards. Very grateful to have Columbus part of the oversight community.

Jayson Wechter introduced himself as a recent addition to NACOLE directors. Worked as an investigator for forty-three years. Has worked two oversight committees. President of the newly formed San Francisco Sheriff's Department Oversight Board.





Characteristics of a bad investigation: has narrow focus, investigator makes assumptions, potential bias, investigator fails to secure perishable evidence in a timely manner, disorganized, poorly done interviews (differential treatment), and poor analysis for findings.

Characteristics of good investigation: open, flexible approach, systematic, thorough, timely, patient, respectful & thorough interviews, and unbiased.

Investigation of Johnson Complaint (made up scenario)-

Each use of force we want to see what type of force was used. Taser was used and there are several policies/procedures that apply to deploying a taser, a baton was also used. Want to be sure all allegations are included in the investigation, not just the “excessive force”.

Brooke Burns stated the first interaction with officer, there was contact from the officer grabbing the young man without a verbal command. Most departments have verbal commands to use before force is used.

Factual questions & issues-“what happened before contact between officer and complainant?”  
Characteristics of the incident site, interaction in the theater, actions outside the theater, investigation, other potential allegations raised by the complainant involving officers.

Dr. Chenelle Jones asked if there are witnesses, would we ask what did they see or hear? Yes, could ask and need to know where they were sitting, how far away were they, etc. Gather other evidence.

Rev Tatum stated when the officers told them they were causing a disturbance, the young men said they hadn’t been told to be quiet. Could ask the staff if they requested the young men to be quiet.

Brooke Burns asked what do you see as a timeline for start to finish of investigations that match this scenario. Jayson Wechter stated it really varies on the workload and staffing. Getting perishable evidence right way is crucial, (videos, cameras, google street view). Get witness statements quickly so information is fresh in their mind.

Mary Younger asked would the IG’s office need to hire a medical examiner. Jayson Wechter stated that in California they would not necessarily need to hire someone. There might be a medical examiner, ER physician available to review the reports.

Rev Tatum asked how did we go from a nuisance call to being arrested for not taking their hat off. Jayson Wechter stated he did make this unusually complicated to show several things.

Mary Younger pointed out the female officer said show me some respect by taking off your hat. This call went from being a nuisance to a felony. Using de-escalation process is important in situations like this.

Investigation plan – documents to obtain: police communication records, written statements, use of force





reports or other related documents, incident or other reports prepared by the theater, names/conduct info for the audience members, ambulance dispatch and incident records, complainants medical records, citations prepared by officer, prisoner transfer records, booking documents, and mug shots or other photographs taken by police/jail staff, photographs of officers. Obtain physical evidence-photographs of injuries, body worn camera recordings, obtain baton/flashlight for DNA evidence. Witnesses to interview-complainants companions, theater manager, audience members, paramedics in ambulance, jail personnel who took custody of complainant. Other investigation materials-social media and live videos.

Rev Tatum stated they could ask if the individuals were wearing hats when they entered the theater, was staff trained to address that upon entry. Selective enforcement because she didn't like his attitude? Any justification?

Complainant interview-was the complainant allowed to tell his story with minimum interruption, was he asked open ended and clarifying questions, was all relevant info obtained, was complainant asked to sign med release, and was the complainant asked appropriate closing questions.

Investigator assignment-investigator free of potential bias, was the lack of potential bias documented in the file, did the assigned investigator have adequate time and resources to conduct the investigation?

Investigation plan-were relevant allegations raised and rules adhered to, did the plan identify relevant records, evidence, witnesses, and investigative tasks, did the plan include a timeline for completion of investigative tasks, was plan reviewed and approved by supervisor, were listed records and evidence obtained and properly documented, tasks performed in timely manner, were failures to obtain documents explained.

Interviews in San Francisco are all recorded unless they refuse to be recorded. Interviews are transcribed and attached to final report in the summary.

Report-evidence summarized, allegations addressed, relevant policies and rules cited, did investigator obtain sufficient evidence, did evidence support the findings, and was the preponderance of the evidence standard of proof applied.

Kyle Strickland stated one of the challenges will be what happens after the report, findings, and recommendations are determined.

Camme McEllhiney –citizens will respond to your review and any recommendations you make. There will always be a reaction to the outcome. One of the things to help with reactions are written responses. Having the Chief respond in writing if they agree or disagree could help. This written response is important for many reasons (audits, did recommendation make a difference, help the community, etc.).

Mark Fluharty asked if the police you work for are represented under a collective bargaining agreement. Yes, in California we have a Peace Officer Bill of Rights. Officer has to be notified of complaint and information regarding the allegation.





Pastor Nathan asked if there are recommendations for board relations with the IG. What are the things that lead to good IG oversight? Much of this training is not for the board. Is there separate training for the boards work?

Chair Jackson stated we will be reviewing their work, what we have learned today will give us good foundation once we start reviewing the reports. This will give us the ability to critique the IG's work.

Camme McEllhiney - interaction can be the difference of dysfunction and a functional relationship. Well written policies and procedures that address the relationship with the board and the IG are important. There is a lot of training available. Oversight community is very open to share information, give guidance. Happy to connect the board to people.

Jayson Wechter-be supportive of IG and staff. Handling complaints takes an emotional toll. Doing surveys of some sort on a yearly basis is helpful. HR might be able to put something together. Be aware of morale and difficulty of the job they are doing.

Gambit Aragon asked when it came to disagreements between the board and the IG how were those resolved. Camme McEllhiney-we have seen jurisdictions where there have been conflicts. It is helpful if conflict is included in policies and procedures. How conflict should be handled is really important.

Dr. Chenelle Jones stated we will be receiving completed investigations, what are the things we should be looking at? All the allegations listed, evidence gathered in timely manner, all records reviewed, were inconsistencies looked at/resolved.

Mary Younger asked what do you recommend we get from the IG. Summaries are somewhat ineffective unless they are really thorough. Jayson Wechter-copies of the interviews that are transcribed are beneficial. The more detail you get the better. A checklist to work with would be helpful.

Kyle Strickland stated a lot of challenges might occur over excessive use of force that might involve criminal charges. Make sure there is something in place before you need it. Community outreach is very important so they are aware of what the board does. You want citizens coming to you for information. When there is a crisis it is hard to give the community what they want to hear. Just communicating we hear you, this is the process, and we will be back so they don't think you are absent. Important to have identified who will say something if there is a crisis instead of being backed into a corner. Consider all stakeholders when you are educating the community on what you do.

Brooke Burns asked in regards to the admin investigation vs the criminal investigation, what best practices have you seen to handle a criminal investigations prior to administrative? Jayson Wechter-assume Internal Affairs investigates shootings. Chair Jackson-BCI completes investigations as part of the Attorney General's Office and then they send to county prosecutor if criminal. Jayson Wechter-would hope the IG has some protocol established for how those investigations proceed through parallel lines. Don't want to put the administrative investigation on hold while the criminal investigation is being conducted.





Kyle Strickland-this is one of the questions we were not sure of. Not putting an investigation on hold during criminal investigation. Chair Jackson stated go back to the statue that created us so we are very clear on what the IG can do and what we can/cannot do. Have reached out to our City Attorney to review the statue and the hold during criminal investigation. Understanding for us is the administrative investigation is on hold until the criminal investigation is complete. Getting into an area that isn't going to be applicable to us. We need to make sure of what we absolutely can and can't do.

Chair Jackson we will become members of NACOLE. Dr. Chenelle Jones is the Chair of our training committee. We would like that checklist from NACOLE before our November meeting if possible. Thank you very much and we will talk again.

Break 4:05-4:20PM

Chair Jackson shared with the board there are 13 completed investigative reports to divide amongst the subcommittees but we are not ready. Next meeting we are going to focus on the cases. Dr. Jones training committee will be meeting next week & more training might be identified. Have asked the City Attorney's for a flow chart for when things can occur. Last month 3 cases were opened that we thought had to be put on hold but that might not be the case. One of the cases did not go to BCI but Internal Affairs could investigate. What is the communication between Internal Affairs and the IG's office? This might go back to the SOP.

Pastor Nathan-as we are putting together this flow chart. It would be very helpful to have a timeline expectation. If we aren't able to run a parallel investigation, what is a timeline for our review to begin? The public needs to know if we aren't going to look at a case for years as opposed to months.

Chair Jackson-even if we look at an investigation, when can we act on it? Have not spoken with BCI but talked to Lara Baker about the feasibility of having two parties (BCI & prosecutors office) come in. Have talked with Judge Janet Grubb that leads the Criminal Division of the Prosecutor's office and she could possibly come to the December meeting. Right now there are over 200 individuals that are awaiting trial on murder charges. They get 7000 indictments a year and cases currently being tried are from 2018 and 2019. If IG is moving forward with an administrative investigation during the criminal investigation what can really be done with that until the criminal matter is complete. Understanding is a report cannot come to us to take action on until the criminal matter is complete.

Kyle Strickland states his understanding is that nothing prevents this board from making recommendations for policies and procedures. Very interested in the timeline but need to think about our policies and procedures, too. Concern is when instances occur and we are not having further discussions. Need to be proactive when and where we can be. Chair Jackson would like to appoint Kyle Strickland as Chair of new Proactive Committee if he will accept. Kyle Strickland is happy to do that.

Tiara Ross-suggests contacting the IG to see what her plans are for reporting certain proactive things to the board. Hope this will be part of the SOP.





Chair Jackson told IG that she needs the date for the SOP to be finalized when her report is submitted the end of the week.

Chair Jackson gave a heads up that monthly meetings might not suffice going forward. Can discuss further in November but we might need to meet more frequently. We received an unsolicited training proposal from Detroit which was passed along to Dr. Chenelle Jones. Received an email from a group of women that have been conducting a project regarding community involvement. One of their questions was what we are doing with social media. Spoke with the lead spokesperson for the group, Gretchen Geyer today. Passing along the email to Mary Younger to pursue.

Thanks for moving the November meeting to Thursday the 3<sup>rd</sup> which will be in the garage conference room.

#### INSPECTOR GENERAL STATUS REPORT-

*Introduction of Administrative Staff* –Jarrell Black, Community Relations Coordinator – thanks to IG & DIG. Born & raised in Columbus. Social media has been established (FB, Twitter, Instagram) and a Quick Response “QR” code has been created to directly link to the complaint form. Establish town hall meetings after the first of the year, maybe once a month.

#### *Departmental Updates-*

IG-have provided a power point so if there are any questions feel free to reach out.

Chair Jackson-sounds like the November meeting will be full so if there is one or two things to point out instead of normal presentation that would work.

Kyle Strickland asked if there is an idea on what we have to look at regarding the cases. Chair Jackson has reviewed 8 cases and they are straightforward, nothing complicated.

IG-we explained what we looked at and what policies/procedures were looked at. There will be footnotes that also give time stamp of incident within a video. All the information is in the cases. Goal to provide enough information and where that information came from. The board can reach out with any questions.

Chair Jackson suggests to the IG that her team may make some adjustments with how they are conducting investigations after hearing the training today. Not saying changes should be made but maybe review process for best practices.

Kyle Strickland-not sure if you will be doing press releases but would be helpful for us to know. Will the public be getting a high level summary of investigations? IG stated the cases are presented to the board before anything will be released from our office. Everything will be based on what the board wants.







IG announced the office is moving into the permanent space this week. We will not be accepting walk-ins the rest of the week. Can do calls and online complaints while the move takes place. Monday walk-ins will be resumed.

Tiara Ross stated if the board is interested in body cam footage there is required training and a MOU must be signed. IG has already signed MOU. Would need to fast track training if you want that done before November board meeting. IG-couple hours of virtual training. Only able to view footage at a city agency. Bethany to send out specific info on the training to the board right away.

Mary Younger asked if the interviews are being recorded. Audio is recorded and downloaded into the case management software.

#### **COMMUNITY ENGAGEMENT COMMITTEE UPDATE**

Mary Younger met with Jarrell Black yesterday regarding community engagement. Will be going to churches and rec centers. Jarrell will give Bethany agencies he has been in contact with and she will send out an email asking for volunteers. Once volunteers are received Mary will choose two or three members to participate. Make sure Tiara Ross knows about the events. Went to South Linden community center, IG made presentation, great event. Event tonight at Northland Community Center and IG will be making presentation. Thursday there is another event and one October 18<sup>th</sup> (Mark Fluharty volunteered and invite was forwarded). Chair Jackson admitted to not volunteering for any committee events. Encourage board members to participate.

**NOVEMBER MEETING** - Discuss January board meeting & additional board training.

**ADJOURNMENT** - Motion to adjourn at 4:50PM by Brooke Burns & Rev Tatum, Mark Fluharty seconded. Unanimous vote to adjourn.

