



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.
Absent Pastor Richard Nathan
Absent 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 Logan Contos
Present Jarrell Black

WELCOME

Chair Jackson called to order the meeting at 2:07. Two board members with an excused absence-Pastor Rich Nathan and Kyle Strickland.

APPROVAL OF MINUTES FROM PREVIOUS MEETING-

Mark Fluharty moved to approve the October meeting minutes, and Gambit Aragon seconded. Minutes approved unanimously.

CAO PRESENTATION RE: ROLES, RULES, AND COMPLAINT FLOW

Chair Jackson thanked City Attorney Zach Klein and all of the team for working with the board. Civilian Police Review Board (CPRB) is not their only client, have been very responsive to us.

Robert Tobias-Mark Rutgas created the flow chart we will review. Chair Jackson asked us to focus on reminders for the roles of the board. If there are questions as we go through the presentation, interject and ask as we go.

Mark Fluharty-Charter 216-"board shall make recommendations etc." can you elaborate?
Robert Tobias- understand when the board reviews a report from the Inspector General, there will be recommendations as to the outcome. When the board is reviewing the reports you will be deciding if the board agrees with the Inspector General, disagrees, or some combination. The Inspector General would recommend specific things as far as





discipline and then you would agree or disagree.

Gambit Aragon-states the word “discipline” should not be used, it is misleading. Jeff Furbee-Article 10 regulates discipline between the FOP and the City so we have to comply. It does regulate the manner in the way officers are disciplined. Progressive discipline is the philosophy of the contract and we have to follow that.

Dr. Jones-regarding the use of the term discipline. We were under the impression the Inspector General’s report might make some recommendations and will not be addressing the manner in which someone is being disciplined. Tiara Ross-that is the correct interpretation. She will offer an officer be disciplined but not how the officer would be disciplined.

Chair Jackson-looking at a report, read the recommendation on a report. Our role will be do we accept or not.

Brooke Burns-the Inspector General can say we recommend this happen but then does the Director or Chief decide? Yes, either the Director or Chief will decide the discipline.

Rev Tatum-the Inspector General makes a recommendation we agree with then it goes on to the next person in line. The discipline renders, if we don’t feel that it is enough, is there recourse? If not, how does that reflect in the eyes of the public? Chair Jackson-this is what the law is, we can’t change it, still have to be in accordance with the collective bargaining agreement. Robert Tobias-feel that positive outcome is more likely than in the past because things are being scrutinized. Willard McIntosh-we need to say things the public understands because if we don’t understand, the public won’t either. Jeff Furbee-you all make the recommendations but they don’t have to follow them. I think there is a lot of power in that recommendation though. Brooke Burns-could we see the tiers of what the discipline is? Article 10.3 gives that information. Chair Jackson stated the information was given early on, please could go back and review.

Independent & distinct roles of CPRB & DIG.

Mary Younger-not clear on the initiation of complaints. The board initiated a complaint because of the 90 day time period. Many instances with Columbus police in the news. Isn’t it the responsibility of the board and Inspector General to review all incidents? Should the mechanism be with the board or the Inspector General?





Robert Tobias-that's more of a policy consideration as opposed to a legal consideration. If someone in the public was involved in something, the thought was they would reach out. The board would need to discuss that because it is more of a policy. Rev Tatum-we talked about the Inspector General having the ability to open an investigation and then pause it because we don't want to let the 90 day period to expire. Charter gives CPRB ability to initiate a complaint and the board has delegated the Inspector General the power to initiate a complaint. Mary Younger-feel that someone has to stay on top of these things. Tiara Ross-tries to keep the Inspector General up to date on events that have occurred in the city.

Brooke Burns-asked if the attorneys receive notice of Columbus Police Department issues. No, they do not receive that info. If a firearm is used, the attorney's do receive notice. Division of Police would have the information you want. Robert Tobias-as a reminder if you want to act on something you would have to meet, pass motion, etc.

Robert Tobias-there was some discussion in October regarding the hearings. The purpose of a hearing is to enable the CPRB to better understand the information contained in the Department of Inspector General report.

Chair Jackson-one of our agenda items at our next meeting will be to discuss hearings.

Tiara Ross-the Collective Bargaining Agreement is up for renewal 12/8/23. Article 8 of the CBA FOP. Article 8.12 is very important-citizen complaints are a complaint made by an individual or individuals who are not sworn employees of the Columbus Police Department and an anonymous complaint.

Mary Younger asks if an officer witnesses another officer do something wrong, would that go to IAB, not CPRB. Jeff Furbee-IAB will have a limited number of things they will investigate going forward.

Rev Tatum-writing or reduced to writing within 90 days, what exactly does that mean? Tiara Ross- receive an email, letter, or a voicemail then that has to be put into writing. The complaint will get entered into the Matrix software the Inspector General's office uses. Another timeline to consider-90 days to complete the investigation. In the event of criminal investigation, that tolls the timeline.





Tiara Ross-in the event of an extension, the Department of Inspector General can request one in writing. The Inspector General is getting the investigations done well within the 90 day timeline. There is also a 180 day umbrella for arbitration. Again, 90 days to receive the complaint, 90 days to investigate the complaint. Brooke Burns-is that also inclusive for how long it sits on the desk of the Director or Chief of Police? No, the 180 days doesn't count while Director or Chief has it.

Rev Tatum-is there a chain of command timeline that someone has to time stamp something when they get it? Nothing is required in the contract to timestamp the reports but they are dated/timed. Jeff Furbee-your timeline should be crystal clear. If the Inspector General refers something because it is criminal, that will toll the time once it gets to the Chief of Police. One or two days can make the difference in a case.

Mary Younger-is the 180 days start when the case leaves the board? Yes, but the hope is that they are sent maybe around 100 days. We should have some sort of mechanism for a timeline. The software the Inspector General office uses, has time stamps on everything. Jeff Furbee-investigation will be considered concluded on the day it is forwarded to the chain of command or CPRB.

Gambit Aragon-have we considered we might not be on the board when case is decided? Time we sit on the board make sense? Chair Jackson-term is 3 years and you can serve 2 terms but there are some on the board that have 2 year terms.

Chair Jackson-I did not think we were ready before but I am dividing up cases now. Next meeting I will expect all 3 committees to report their findings so each committee will have approximately ten cases to review.

Tiara Ross-Article 8, section 8.1 regarding what the Department of the Inspector General can do during a criminal investigation. Does have the discretion to conduct non-criminal investigations, may observe a criminal investigation, and when an internal investigation is conducted, the Department of the Inspector General does have the authority to compel attendance and participation at an interview under threat of insubordination or like offense.

Jeff Furbee-we have talked a lot about parallel investigations for years with the Division of Police. It is almost impossible to conduct parallel investigations because of constitutional issues.





Chair Jackson-Mr. Strickland was suggesting rather forcefully the Inspector General should be doing parallel investigations. Might get questions from the board members that are not here.

Power point slides regarding filing a complaint/complaint flow reviewed (page 19-24 of the attached PDF). The Board would direct an individual to reach out to the Department of the Inspector General to file a complaint. If a citizen wishes to file a complaint in person during a board meeting, there will be an investigator on hand to take the report.

Chair Jackson-if you have a question send it to the Chair and then she will decide who gets it. Might be something we forward to all the board members. Thank you for the presentation, it was very helpful.

Make Assignments-

Review them and be ready to discuss at the December board meeting. The board will receive the reports via email.

Team 1 – Pastor Nathan to be Chair, Brooke Burns, and Dr. Chenelle Jones: 0002, 0003, 0004, 0066, 0021/0019, 0026, 0029, 0051, 0054, 0059, 0153

Team 2- Kyle Strickland to be Chair, Rev Tatum, and Mary Younger: 0005, 0008, 0010, 0011, 0035, 0041, 0045, 0088, 0097, 0098, 0163

Team 3 Willard McIntosh to be Chair, Mark Fluharty, and Gambit Aragon: 0013, 0014, 0016, 0049, 0048, 0052, 0057, 0105, 0134, 0137, and 0176

Break 3:35-3:50PM

INVESTIGATION REVIEW BOARD MEMBER TRAINING

Dr. Jones along with the others put together this training.

Introductions by training committee-Mark Fluharty, Willard McIntosh, Gambit Aragon, Kyle Strickland (absent), Dr. Chenelle Jones.

Investigation report overview by Inspector General. Components of an investigation: Department of the Inspector General complaint number, summary, complaint information, officer's information, analysis & findings, conclusion, evidence, and recommendations.





CIVILIAN POLICE REVIEW BOARD

Investigation review overview by Gambit Aragon-we are not doing an investigation, we are reviewing an investigation, use the checklist created, be thorough and document your conclusion. Be careful reviewing your investigation reports. We want to be very clear if we agree or disagree.

Things to look for overview by Mark Fluharty. Five basic words to simplify a case-who, what, when, where, and why. If you can answer all of those questions then a thorough investigation has been completed. The checklist Dr. Jones created is great.

Investigation review overview by Dr. Jones-NACOLE did not send their checklist to us from our meeting last month. We created this checklist from input from various places. Can type directly onto the document to use on each case you are reviewing.

Dr. Jones-two amendments to make to the checklist and will send out electronically.

Keep in mind the broader picture, see repeated behaviors or issues make note of it. Worksheet is to give some guidance. Electronic version and could print hard copies. Review your sheets together and then compile to give to the entire board.

Tiara Ross - could simple questions be answered by the Inspector General instead of waiting until the board? Say there is a report the subcommittee agrees on but they have a question about someone being interviewed, they can go to the Inspector General for a quick question. Chair Jackson-I have already indicated we may need to adjust our meetings as we see our workload change.

Inspector General-as the board reviews investigations, investigators pull body cam, if the video shows what happened, they might not necessarily interview the officer. Tiara Ross-if you want to see body cam footage you will have to submit a public records request. The board cannot get the LEADS access to body cam footage like the Inspector General because they have a MOU agreement.

Mock investigation review-board reviewed two reports, completed checklist, and then discussed their findings with the group.

Chair Jackson asked if thirty minutes will be sufficient for the hearing discussion next month. Tiara Ross-yes we can discuss beforehand but thirty minutes should be enough.





Gambit Aragon-after we have signed off and the report goes back to the Inspector General, how will the public see this information? All of the information will be public record that citizens will need to ask for.

Dr. Jones-there are a few key takeaways. Remember we are doing investigation reviews. Keep in mind the broader picture, do you agree or disagree with the findings. Make notes of actions and behaviors that are concerning.

Steps following individual investigation review:

1. Meet with assigned CRB investigation review group
2. Review assigned investigation reports
3. Note agreements and disagreements in review outcomes
4. Discuss any suggestions and/or policy recommendations
5. Submit investigation review worksheet to the Chair of the board

Brief Departmental Update from Inspector General -
Nothing further discussed.

COMMUNITY ENGAGEMENT COMMITTEE UPDATE

Mary Younger - working on a lot of things. Going to commission meetings in the community. Bethany Dickess is notifying the board members of the upcoming meetings.

DECEMBER MEETING – hearing training and discuss cases. We need discuss the January board meeting. New Year's Day is observed January 2nd and we are supposed to meet January 3rd. Will have a Doodle poll sent out to move meeting to either January 10th or January 11th.

Chair Jackson asked if all board members want all cases or only those assigned to their team? Gambit Aragon would like all cases and all other board members only want their assigned cases.

ADJOURNMENT - Motion to adjourn at 5:00 by Mark Fluharty and Dr. Chenelle Jones seconded. Unanimous vote to adjourn.

