

DRAFT

MINUTES OF THE COMPLAINT REVIEW COMMITTEE ENHANCEMENT COMMITTEE  
OF THE CITY OF GREENSBORO, NORTH CAROLINA

COMMITTEE MEETING

9 APRIL 2014

The Complaint Review Committee Enhancement Committee of the City of Greensboro met at 5:00 p.m. on the above date in the City Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor and Chair Nancy Vaughan; Mayor Pro-Tem Yvonne J. Johnson and Councilmembers Jamal T. Fox and Tony Wilkins. Absent: None.

Also present were Interim Assistant City Manager Chris Wilson, Police Chief Ken Miller, Police Attorney Jim Clark, and City Clerk Elizabeth H. Richardson.

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Mayor Vaughan opened the meeting at 5:00 p.m.; stated the meeting would be televised; and asked for a motion to approve the minutes of the March 19th committee meeting.

Moved by Mayor Pro-Tem Yvonne J. Johnson, seconded by Councilmember Jamal T. Fox to approve the minutes. The motion carried by voice vote.

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Interim Assistant City Manager Chris Wilson indicated the intent of this evening's meeting was to hear from speakers; and to have a follow up from the last meeting by Attorney Jim Clark and Dr. Love Crossling.

Human Relations Director Dr. Love Crossling provided an overview of the professional background of the CRC members; information regarding college outreach with the CRC; referenced dialogue with the team for plans for next year due to the academic year; and added that staff was looking at current outreach and education vehicles.

Police Attorney Jim Clark provided a response to an inquiry regarding a CRC member residing in Jamestown; and clarified that it was a pocket annexation area located in District 5.

Mayor Vaughan stated the committee would hear from speakers and recognized Mr. Lewis Pitts to answer specific questions made by the committee at the last meeting.

Mr. Pitts stated he would defer to Reverend Nelson Johnson who had been involved with the issue; and was prepared with a written statement to speak to the issues.

Mayor Vaughan expressed the desire to receive an answer from a legal perspective since Mr. Pitts was a legal rights lawyer; stated the committee would provide extra time for him to provide the answers; asked if Reverend Johnson would be answering those questions; and emphasized that her questions were specific to how an independent review committee would handle personnel issues for City employees.

Mr. Pitts responded that there had been a design to have an unbiased review of complaints; verified that, as a last resort, the community developed an interim citizens review panel which was independent, not subject to personnel laws; and stated it provided citizens with a way to air police complaints. Mr. Pitts continued that the committee had reached out to Reverend Johnson; referenced police misconduct against several Bennett College Students; and emphasized that they were asking for a community wide process that would engage professionals and members of the community from each of the Council districts that would objectively review police misconduct which was the critical component.

Mr. Pitts continued that the group wished to have the interim body's concept blended into an official body that would be removed from the Police Department; would be made up of professional people; try to provide some balance; and that the body would have a right, duty and expectation to act when the official powers were not acting in their behalf.

Mayor Vaughan reminded Mr. Pitts that the legislature had put parameters in place for what the City could do; stated that an independent body would exceed the authority of what the City could do; and voiced concern that the City did not have the ability to provide what the group was asking for because of legislation.

Police Attorney Jim Clark spoke to the statutes which made personnel records confidential with the exception of a few; and addressed what the City was required to do under state law.

Mr. Pitts clarified that the interim body would not purport to trump the legislature; spoke to the structure of the CRC; the need for diverse backgrounds in utilization of the power of the CRC; spoke to the current makeup of and processes for the committee; and referenced that the City had spent approximately \$2 million on outside legal counsel to defend cases.

Rabbi Fred Guttman, 804 Rollingwood Drive, congratulated the committee for engaging in this worthwhile process which was overdue; and encouraged those involved to remain in the dialogue to reach a win-win situation and build a level of trust.

Bishop Chip Marble, 1611 Red Forest Road, voiced appreciation of the committee; spoke to building trust with diversity; the need to work together; and emphasized the police did a good job but that the police officers could not police themselves.

Reverend Nelson Johnson voiced appreciation for the openness of the committee; spoke to the need to hear different views; requested additional time; voiced that he wanted to bring up flaws currently in the police department; shared some grounding assumptions; and read from a statement from the Police Accountability, Community Safety and Healing Initiative. Reverend Johnson referenced discussions that had taken place over the past year between the Beloved Community Center and the City; stated the proposal would bring together representatives from area colleges, universities, the religious community, police and City sectors; spoke to the proposed makeup of the committee; to the need for unity over the problem that needed to be solved; the need to grow the community so that people had a united view of what needed to be solved; and added that the City needed a grass roots democratic process that would heal the community.

Mayor Vaughan stated Reverend Johnson only had a few more minutes remaining.

Reverend Johnson voiced importance for the committee to take time to hear their view; spoke to the CRC being an in house product with the police department at the heart of the structure; the structure of the Human Relations Department and Commission; the need for all persons to work together to put together a commission; the role of the elected officials; voiced concern with the training of the CRC; spoke to the non democratic process of the current makeup of the CRC; to the composition of the CRC which included a professional standard representative; voiced concerns with appeals from the professional standards division; stated prejudice was present in that process; and provided a copy of the handout to the committee members.

Mayor Vaughan spoke to discussion at the previous committee meeting regarding appointments to the CRC Commission; the need to broaden the representation, as well as, look for specific skill sets for positions; and voiced appreciation for Reverend Johnson's input.

Lori Walton, 335 Martin Luther King Jr. Drive, voiced the need to give young people a voice; emphasized she was fighting for the voice of her children; and provided the history of an incident involving her sons in December 2011 in which abuse occurred. Ms. Walton outlined the process and steps she had taken in filing a complaint; voiced concerns for the continued employment of the accused; the unjust process of the police department policing themselves; referenced conversations and meetings she had with the District Attorney, Police Attorney and the Professions Standards Division; stated she had filed an appeal; and voiced disappointment in the City's response for her requests of the records.

Mayor Vaughan thanked her for her comments; stated her heart went out to Ms. Walton; and asked Police Chief Miller for comments.

Police Chief Ken Miller expressed that their hearts went out to Ms. Walton and her situation; verified that the processes in this particular case had not failed; voiced understanding of her perspective of the processes; spoke to the process regarding a criminal investigation; stated that a thorough investigation was done which ran through the process with the District Attorney; reiterated that criminal investigation information could not be released without a subpoena under state law; spoke to the protection of rights and interests of the accused party; and clarified the process and protocols needed prior to a case being vetted through the CRC.

Mayor Vaughan asked about conversations with the District Attorney.

Police Attorney Clark spoke to the detail they could go into today; verified that matters that dealt with juveniles were the highest protected records; spoke to the subpoena he had received from Ms. Walton's attorney which included defects; outlined said defects; reiterated the process for parties requesting records; and spoke to the need to protect the privacy of those involved.

Mayor Vaughan asked what Ms. Walton needed to do in order to obtain the records she was requesting.

Police Attorney Clark explained that Ms. Walton would need to commence a court action; would need to apply for a court order to obtain the records; reiterated that state statute required the records would need to be reviewed by the judge who would decide what information could be given out by through an in camera review; and emphasized that once the court records were produced, a request would be made to place a protective record around them to seal them in the litigation.

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Robert Moore, of an undisclosed address, spoke to an incident he had when hit by a vehicle; the need for standing up for the rights of people; the North Carolina system for insurance; and stated he had paperwork.

Mayor Vaughan asked for verification that the issue was connected to the enhancement of the CRC Committee.

Mr. Moore verified that the incident involved the Guilford County Sheriff's Department; and emphasized the need for citizens' rights.

Councilmember Fox requested that Mr. Moore speak with Interim City Attorney Tom Carruthers regarding the incident.

Reverend Johnson interjected that Mr. Moore had come to the Beloved Community Center seeking assistance with the issue.

Mayor Pro-Tem Johnson informed the audience that the incident involved the Sheriff's Department; and that Mr. Moore had previously been referred to the County Attorney.

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Mr. Pitts, 129 Tate Street, voiced concern for the response provided by the Police Department regarding Ms. Walton; spoke to those who trained the CRC; voiced that Ms. Walton should receive the professional standards recording she had requested; spoke to manipulation and distortion; and reiterated the need for changes to the CRC.

Mayor Pro-Tem Johnson asked if Ms. Walton would need a subpoena to obtain the record referred to.

Attorney Clark explained that portions of the recording that could be released; and clarified that anything relating to the criminal investigative matters would require a subpoena.

The committee requested Ms. Walton be provided with the portions of the recording that could be released.

Ms. Walton interjected that she did not want it in part; and referenced different communications that had been made to her.

Attorney Clark spoke to the reason he left the meeting that was on the recording.

Dr. Crossling clarified her conversations with Ms. Walton regarding the release of information that would require a subpoena.

Mayor Vaughan expressed that this was about one very specific case that involved juveniles; reminded the audience of what was required under state law; and added that this was not the forum for adjudication of the issue as it did involve juveniles.

Michael Roberto, 316 South Chapman Street, stated he had been on the Human Relations Commission; emphasized that the committee needed to change the structure and take the CRC out of the Human Relations Commission and place it into the hands of the Council; spoke to the need for participatory democracy; and referenced the top down structure of the CRC.

Mayor Vaughan voiced agreement that changes to the CRC would be under consideration of the committee; voiced that the committee was not in a position to make the changes today; and asked about the state requirements for changing the ordinance.

Police Attorney Clark outlined the rules that were put in place for the CRC Committee; clarified the two CRC Committee functions, one the fair housing aspect of hearing complaints and the other civil rights as a substitute of a federal commission; spoke to what state law allowed the CRC to review; and advised what the CRC was formed to do. Police Attorney Clark verified the current board would need to stay in place to handle concerns for the Human Relations Commission; outlined a proposed structure for a new board; proposed appointment requirements; addressed term limits and vacancies; referenced dialogue he had with some of the CRC members; spoke to the desire to have specific skill sets and perspectives on the board; and clarified that the professional standard officer's role was to provide information and not vote.

Mayor Vaughan asked if there was a way to make the appointments run with the Councilmember terms; confirmed that the members of the committee should have specialized requirements and skill sets to provide different perspectives to the committee; and stated they may request an ordinance change in the future.

The Committee discussed the need to decide what the makeup of a new committee should look like based on the discussion; that the next step would be to have a work session to digest and sort through what they had heard; and have a regular meeting once that had been done for public comment.

Reverend Johnson requested additional time to speak; voiced agreement with Mr. Roberto to do something now; spoke to the need to have a group of people who represented a cross section of the City who could sit down and think the issue through; and requested something enduring and trustworthy be put in place.

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Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to adjourn. The motion carried by voice vote.

The CRC Enhancement Committee meeting adjourned at 6:40 p.m.

NANCY VAUGHAN  
CHAIRMAN & MAYOR

ELIZABETH H. RICHARDSON  
CITY CLERK

(Copies of the handout provided by Reverend Johnson which is hereby referred to, are made a part of these minutes).

**DRAFT**  
**MINUTES OF THE COMMUNITY REVIEW COMMITTEE  
OF THE  
CITY OF GREENSBORO, NORTH CAROLINA**

COMMITTEE MEETING

29 APRIL 2014

The Complaint Review Committee of the City of Greensboro met at 4:00 p.m. on the above date in the Plaza Level Conference Room of the Melvin Municipal Office Building with the following members present: Mayor Nancy Vaughan; Mayor Pro-Tem Yvonne J. Johnson; and Councilmembers Jamal T. Fox and Tony Wilkins. Absent: None.

Also attending: Interim City Attorney Tom Carruthers; and Deputy City Clerk Diana Schreiber.

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Mayor Vaughan called the meeting to order at 4:00 p.m.; spoke to the meetings purpose and that there was not an agenda for the meeting.

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Mayor Pro-Tem Johnson referred a complaint brought forth by Ms. Walton; expressed support for police complaints going directly to the CRC; and stated that no one took the time to investigate the complaint that involved her family members.

Mayor Vaughan referenced the process as consisting of Phases 1 and 2; Phase 1 being the complaint going through the Police Department; and Phase 2, to Human Relations.

Councilmember Wilkins spoke to the complaint by Ms. Walton.

Mayor Vaughan spoke to the concept of utilizing an ombudsman; and suggested that this person be separate from the CRC and the Police Department.

Interim City Attorney Carruthers referenced the case involving Ms. Walton's family members; clarified the process that could be utilized to gain access to the case file; and spoke to Ms. Walton finding a pro-bono attorney.

Ms. Walton stated her attorney had disengaged; noted that she would seek out a pro-bono attorney; and stated that there had never been a platform to discuss the issues that had arisen.

The committee expressed support for a navigational model that consisted of using an ombudsman.

Councilmember Wilkins spoke to the composition of the CRC; recommended each councilmember appoint his/her own representative that would result in a nine-member commission; and suggested that participation in an abbreviated version of the Citizen's Academy be made requirement.

Mayor Pro-Tem Johnson suggested an eleven-member board; to include a slot for a police officer and a civil rights attorney; and to allow the Mayor to appoint the tenth and eleventh slots.

Mayor Vaughan summarized that there would be nine slots consisting of two-year terms; emphasized that participants attend an accelerated class of the Citizen's Academy; expressed support for two additional members appointed by the Mayor; suggested that the CRC appointments be made in January following councilmember elections in November of the previous year; supported a maximum of six-years service; and spoke to complaints going to the City Manager's Office.

Councilmember Fox referenced previous discussions; favored CRC appointments participating in the Police Academy; supported councilmembers appointing CRC members; agreed with the three two-year terms; emphasized the need to coordinate CRC with PD when the investigative process began; and spoke to the concept of moving the CRC out of the Human Relations Department.

Mayor Pro-Tem Johnson expressed support for Council to have more oversight over the CRC process; and expressed support for the Police Chief having an integral role.

Councilmember Wilkins inquired if the committee was supportive of increasing the power of the CRC.

Mayor Pro-Tem Johnson clarified the complaint process; and stated that communication processes would have to be defined between the CRC and the Police Department.

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Councilmember Hightower arrived at the meeting at 4:38 p.m.; and observed from the sidelines.

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Councilmember Wilkins spoke to the process of the Mayor appointing three slots on the CRC.

Mayor Vaughan stated that other boards required specific skill-sets.

Councilmember Fox stated that other municipalities' CRCs had certain skill set requirements that served as a guide rather than a mandate.

Mayor Vaughan recommended that the committee find out how other communities appoint members of their CRC boards.

Survey questions to ask of Durham, Winston-Salem, Charlotte, Fayetteville, Orlando, FL. and St. Paul, MN.:

- How are CRC board members appointed?
- Compare cities demographically with Greensboro.
- What are the demographics of the board members?
- How many times meet per week/month?
- Who does administrative work?
- What are their powers and limitations?
- What is the CRC relationship with PD? the Human Relations Committee?
- Research the CRC in municipalities that recommend discipline versus simply reviewing findings.
- Is an ombudsman utilized? How does the ombudsman process work?
- If there is not an ombudsman, who helps people move through the process?
- Was there binding discipline?

Mayor Vaughan stated that her Office could send out a letter with the survey questions and wait for responses; and would reschedule a CRC meeting after the information was received.

It was the consensus of the Committee to support the appointment process as discussed.

The committee requested Chief Miller to devise the number of hours and the topics/agenda for an abbreviated version of the Citizens Academy designed specifically for CRC appointments.

Mayor Pro-Tem Johnson suggested contacting the municipalities via conference call for additional discussion.

Chief Miller stated that for the record he was trying to remain a fly on the wall; emphasized the importance of objectivity in the selection process of the CRC appointments; stated there were different appointment models; and that he would receive CRC recommendations neutrally.

Interim City Attorney Carruthers was requested to provide a summary of the constraints of state law as far as personnel records/employee files and under what umbrella; and to include what the State Legislature had allowed or disallowed.

**Next Meeting**

The next meeting will be set after information was received from the six municipalities.

**Adjournment**

Motion by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to adjourn. Motion carried by voice vote of Council.

The meeting adjourned at 5:50 p.m.

Respectfully Submitted,

Diana Schreiber  
Deputy Clerk

DRAFT

MINUTES OF THE COMPLAINT REVIEW COMMITTEE ENHANCEMENT COMMITTEE  
OF THE CITY OF GREENSBORO, NORTH CAROLINA

COMMITTEE MEETING

9 JULY 2014

The Complaint Review Committee Enhancement Committee of the City of Greensboro met at 10:00 a.m. on the above date in the Plaza Level Conference Room of the Melvin Municipal Office Building with the following members present: Mayor and Chair Nancy Vaughan; Mayor Pro-Tem Yvonne J. Johnson and Councilmembers Jamal T. Fox and Tony Wilkins. Absent: None.

Also present were Complaint Review Committee (CRC) members Ed Cobbler, Adam Marshall and Janice Reaves.

Also present were Interim Assistant City Manager Chris Wilson, Police Chief Ken Miller, Human Relations Director, Dr. Love Crossling, Police Attorney Jim Clark, and City Clerk Elizabeth H. Richardson.

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Mayor Vaughan opened the meeting at 10:09 a.m.; apologized for being late; and recognized Interim Assistant City Manager Chris Wilson.

Mr. Wilson explained that this was an opportunity for the Complaint Review Committee Enhancement Committee and the Complaint Review Committee to meet; stated that the Enhancement Committee had looked at and evaluated the process for the CRC and wanted to hear input from the members involved in the process; and confirmed that there was not a formal agenda for the meeting.

Introductions were made with members of the CRC stating what their roles on the committee were.

Mayor Vaughan confirmed that the three present were members of the CRC; that there were seven members total but that Paul Ksieniewicz had recently stepped down; and asked for questions.

Mayor Pro-Tem Johnson inquired if the CRC members would suggest any rules, guidelines or procedures that would assist them in being more efficient or assist them in doing their jobs better.

Mr. Cobbler responded that the Police Department had been very open with investigative reports which provided the CRC with information that had previously been blacked out; provided the CRC the ability to work through the cases that had been brought before them; and added that occasionally a case had been sent back to Police Chief Miller who had reviewed and abided by the CRC's advice.

Ms. Reaves spoke to the length of time she had served on the CRC; voiced concerns with explanations as to why persons had been apprehended in several instances; spoke to perceptions of the Police Department in some areas of the City; emphasized the need to provide a clear understanding of situations; and asked for sensitivity training for officers in order not to upset persons being apprehended.

Councilmember Wilkins stated he did not follow Ms. Reaves statement; and voiced that the Police had a right to investigate the incidents.

Ms. Reaves interjected that it made people wonder why and what the nature of the stop was; spoke to the way persons were approached; and the perception being that the police officers stuck together and would be right.

Mayor Vaughan asked if the CRC spoke directly to persons involved or just reviewed documents; and for clarification of the process of deciding when to talk to the persons involved.

The members responded that the CRC sometimes spoke to those involved; that sometimes the persons came to the CRC on their own; that they had discussed having the police officer at the reviews; and that the CRC had the ability to go to Internal Affairs or Professional Standards with questions.



Human Relations Manager Allen Hunt voiced the need for the CRC to remain as neutral as possible; stated that the CRC did not have contact with the complainant or the officer due to neutrality; that in several cases the complainants had come before the CRC and verified that there was no dialogue with the CRC but allowed the complainants to express themselves.

Discussion took place regarding whether a different outcome could be reached just by reviewing the documentation; that CRC members had different viewpoints; information that was provided to the CRC members from both Mr. Hunt and Internal Affairs; impact that body cameras have had on the review of incidents and reduction of complaints; and referenced a recent incident that was clear cut as a result of the use of body cameras.

Mayor Vaughan asked how long it had been since the entire patrol had cameras.

Chief Miller responded that all officers were issued body cameras as of October of 2013; that occasionally officers were written up for forgetting to turn cameras on; spoke to incidents on both sides of the cameras; decrease in the number of complaints since the cameras had been in place; referenced the mediation program that had also been started to assist with a reduction in complaints; and verified that overall complaints were down from this time last year.

Ms. Reaves voiced concern with complaints being down because of the cameras or because individuals were afraid to come in and make a complaint. Police Chief Miller stated it was hard to measure that; and elaborated on the police/citizen environment and relationship.

Discussion took place regarding the tracking of daily interactions between citizens and police; the number of complaints filed and brought before the CRC versus the total number of police/citizen interactions; and the process for recording interactions.

Police Chief Miller voiced that most of the interactions were positive; referenced situations with chaos, anxiety, frustration, anger and emotions that officers encountered; human nature of parties on both sides; initial contact setting the stage for the rest of the encounter; spoke to procedural justice; and stated that the department would continue to work on sensitivity training.

Mr. Hunt provided the figures for interactions and complaints over the past year.

Mr. Cobbler referenced a seminar he had attended with several police officers that had been presented by Chief Miller; discussion with senior officers around complaints being focused on younger officers; experience of veteran officers in dealing with people; the lack of interaction and communication skills; and importance of diversity training for incoming officers.

Mayor Pro-Tem Johnson spoke to the difference between texting and face-to-face conversations.

Chief Miller explained that it was apparent that people coming into the job were young; spoke to the training focus being process oriented and to enforce the law; voiced the need for new officers to learn and demonstrate proficiency with that; spoke to the process when officers were in the patrol car looking for things in which they might need to engage; were focused on process and enforcement; and spoke to the need for the officers to learn interaction skills that would enable them to treat people with dignity and respect to ensure a good result with the community.

Councilmember Wilkins suggested that a better process would be for each Councilmember to appoint one person to the CRC; stated it was not a reflection of what the current members had done but would allow for better representation; stated he would be supporting that process; and would ask Mr. Cobbler to remain the District 5 representative.

Mayor Vaughan explained that Council had issues to the way persons were appointed to all boards; spoke to the possibility of expanding the CRC to nine members with terms that ran with Councilmember's terms; verified that this was one of the discussions Council was having; and wanted to clarify that Councilmember Wilkins's request was not a formal ask of Mr. Cobbler.

Discussion ensued regarding term limits and membership on the CRC; having a six year cap on terms for the majority of the boards and commissions; changing two three-year term limits to three two-year terms; whether the CRC would remain under the Human Relations Commission (HRC); the need for further discussion of the Council; that Council made the appointments to the HRC but did not know what subcommittees those members would be appointed to; the lack of public accountability of the HRC Chair who made CRC appointments; and district representation on the CRC.

Human Relations Director Dr. Love Crossling asked if appointments to other Human Relation sub-committees would be affected as well; and spoke to the impact if that were to happen.

Mayor Vaughan explained that the discussions had been about taking the CRC out from under the HRC but that no decision had been made; and that the committee had not decided where to put the CRC or who would administer it to make the committee more independent.

Mr. Hunt added that the former HRC Chair Wendell Phillips had resigned; that Reverend Shuford would be the incoming Chair; and explained that Zack Engle of District 5 had expressed interest in serving on the CRC.

Councilmember Wilkins suggested not waiting to implement the changes the CRC had discussed; asked if the War Memorial Commission fell under another board or commission; and stated he was in favor of pulling the CRC completely out from the HRC.

The members discussed the need to fill in pieces regarding administrative support for the CRC; possibility of getting an ombudsman to assist with the process; suggestion for a volunteer or a paid part-time position; that Council appointed fifteen people to the HRC which were divided out to various sub-committees; verified that the CRC would not fall under the HRC; and voiced the need for the Enhancement Committee to develop the process.

Police Attorney Jim Clark referenced the local legislation that had been specifically adopted regarding the CRC position as a sub-committee; possibly amending said legislation; stated that the CRC could be an adjunct of the HRC which might solve some administration issues; as well as allow the CRC to be a separate and independently appointed committee.

Dr. Crossling voiced concerns with community perception and backlash should the CRC be taken out from under the Human Relations Department and the umbrella of city government; spoke to the term conspiracy; and asked that the committee consider that concern going forward.

Councilmember Fox voiced that he was not inclined to vote on anything today; spoke to the need to take some time; and suggested another work session to discuss the process to ensure the enhancement committee got the process right.

Councilmember Wilkins voiced concern regarding the tendency to take too long studying an issue prior to taking action.

It was the consensus of the Complaint Review Committee Enhancement Committee to schedule a work session for Tuesday, July 29<sup>th</sup> at 10:00 a.m. in the Plaza Level Conference Room.

Mayor Vaughan thanked the CRC members in attendance for their input.

The meeting adjourned at 10:55 a.m.

NANCY VAUGHAN  
CHAIRMAN & MAYOR

ELIZABETH H. RICHARDSON  
CITY CLERK