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# Police Civilian Review Panel

## Subcommittee Meeting Agenda

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Location: Conducted electronically due to COVID-19 Pandemic

Date: May 27, 2021

Time: 5:30 pm

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### Agenda details:

**I.** Call to Order

**II.** Agenda Items

a. Motions to Conduct Electronic Meeting

b. Initial Review of CRP-21-05

**III.** New Business

**IV.** Adjournment

# Fairfax County Police Civilian Review Panel Subcommittee Initial Review Report

## Request for Review – Basic Information

CRP Complaint Number: CRP-21-05

Subcommittee Meeting Date: May 27, 2021

### Subcommittee Members:

- Doug Kay, Subcommittee Chair
- Frank Gallagher, Subcommittee Member
- William Ware, Subcommittee Member

**Complaint Submission Date:** Review Request received on 3/3/2021.

Other Key Dates: Incident Date: 9/6/2020; Initial Complaint to FCPD and Panel (CRP-20-26): 9/28/2020; FCPD Disposition letter: 3/2/2021

This report is subject to Federal and Virginia Freedom of Information Acts. Panel members will maintain to the greatest extent possible under the law and in accordance with the Bylaws all sensitive and confidential information not intended for a public release.

## Purpose

The Subcommittee Initial Review Report sets forth the Subcommittee's recommendation on whether the Complainant's allegation(s) meet the standard for review provided in the Panel's Bylaws. The Panel may accept or not accept the Subcommittee's recommendation on whether to review a complaint.

## Findings

The Panel's review authority states in Article VI (A)(1) of its Bylaws: "The Panel shall review Investigations to ensure their thoroughness, completeness, accuracy, objectivity and impartiality where (1) the subject matter of an Investigation is an allegation of 'abuse of authority' or 'serious misconduct' by a FCPD officer, and (2) a Review Request is filed."

The subject matter of this investigation concerns allegations by the Complainant that a lieutenant and officer of the Fairfax County Police Department (FCPD) lied, failed to provide a complaint form and requested information, claimed the complainant was intoxicated, and violated FCPD policy. (Complainant is a witness to the incident on video.)

The Subcommittee finds that the subject matter of the investigation, as stated in the allegations, **(meets/does not meet)** the threshold requirement for "abuse of authority" and "serious misconduct."

## Recommendation

The Subcommittee recommends that the Panel (**undertake/not undertake**) a review of CRP-21-05 because the complaint (**meets/does not meet**) the scope of review criteria set forth in its Bylaws.

## Panel Bylaws Abuse of Authority and Serious Misconduct Checklist

Criteria Met?	Abuse of Authority and/or Serious Misconduct	Complainant Details*
Yes/No	Use of abusive racial, ethnic or sexual language or gestures.	
Yes/No	Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability.	
Yes/No	Acting in a rude, careless, angry, retaliatory or threatening manner not necessary for self-defense.	
Yes/No	Reckless endangerment of detainee or person in custody.	
Yes/No	Violation of laws or ordinances.	
Yes/No	Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Cannon of Ethics, that occur both on or off duty.	

**\*Confidential and sensitive information shall not be disclosed in this document. Contact the Chair or Panel Legal Counsel for questions and/or additional information.**