

Fairfax County Police Civilian Review Panel Subcommittee Initial Review Report

Request for Review – Basic Information

CRP Complaint Number: CRP-23-06

Subcommittee Meeting Date: June 27, 2023

Subcommittee Members:

- Todd Cranford, Subcommittee Chair (Panel Member)
- Dirck Hargraves, Subcommittee Member
- Celeste Peterson, Subcommittee Member

Complaint Submission Date: Review Request received on 4/17/2023. Other Key Dates: Complaint to FCPD: 08/05/2022; FCPD Disposition letter: 3/24/2023

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 an FCPD officer was racially biased against the Complainant, unprofessional, arrested the Complainant unlawfully, was not attentive to the Complainant’s story, held onto the Complainant’s phone for an extended period of time, and assaulted the Complainant while exiting from the Adult Detention Center (ADC).

The Subcommittee finds that the subject matter of the investigation, as stated in the allegations, **does not meet** the threshold requirement for “abuse of authority” and “serious misconduct.”

Recommendation

The Subcommittee recommends that the Panel **not undertake** a review of CRP-23-04 because the complaint **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*
No	Use of abusive racial, ethnic or sexual language or gestures.	Not alleged
No	Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability.	While alleged, no substantiation in the investigative file.
No	Acting in a rude, careless, angry, retaliatory or threatening manner not necessary for self-defense.	While alleged, no substantiation in the investigative file.
No	Reckless endangerment of detainee or person in custody.	While alleged, no substantiation in the investigative file.
No	Violation of laws or ordinances.	While alleged, no substantiation in the investigative file.
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.	While alleged, no substantiation in the investigative file.

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

Police Civilian Review Panel

June 27, 2023

Fairfax County Government Center, Conference Room 7

Subcommittee Meeting Summary (CRP-23-06)

Panel Members Present:

Todd Cranford, Subcommittee Chair

Dirck Hargraves

Celeste Peterson

Others Present:

Sanjida Lisa, PCRCP

Steven Richardson, PCRCP

2nd Lt. Matthew Lane, Internal Affairs Bureau

The Police Civilian Review Panel (PCRCP)'s business meeting was called to order at 6:59 p.m. Mr. Todd Cranford welcomed everyone to the Panel's June 27, 2023 Subcommittee meeting. Everyone who was present in Conference Room 7 stated their name and their position.

Motions to Subcommittee Meeting: Mr. Cranford provided a brief summary of the events that led to the complaint and the reason for the request for a review by the Panel. Mr. Cranford provided the details of the incident involving the complainant, summarizing the events and the complaints alleged.

Mr. Hargraves presented the allegations of the complaint, based on his review and notes. Ms. Peterson presented her perspective while reviewing the file. Ms. Peterson provided that after reviewing the file, the interviews, and the body camera footage, she does not believe that the complaint should be forwarded to the full Panel for review. Mr. Hargraves added that he did not believe the alleged complaints were not things that the PCRCP could review. Further, Mr. Hargraves provided that he did see an issue with the length of time the complainant's cell phone was held by the Adult Detention Center (ADC). Fairfax County Police Departments Second Lieutenant Matt Lane provided that the ADC policies are maintained by the Sheriff's office and further provided that FCPD officers are not able to keep their body worn cameras on while inside the ADC as they need to adhere to the Sheriff office's policies.

Mr. Cranford agreed that he did not believe that the complaint should be forwarded for full review to the Panel.

Initial Review of CRP-23-06: Mr. Cranford read aloud the first criterion on the Panel Bylaws Abuse of Authority and Serious Misconduct Checklist. Panel members agreed the first criterion was not alleged and was not met.

Mr. Cranford read aloud the second criterion on the checklist. Mr. Cranford stated that this was alleged, but does not believe it was met as there was no evidence to support the allegation. All Panel members agreed.

Mr. Cranford read aloud the third criterion on the checklist. Mr. Cranford stated that this was alleged, but does not believe it was met as there was no evidence to support the allegation. All Panel members agreed.

Mr. Cranford read aloud the fourth criterion on the checklist. Panel members agreed the fourth criterion was alleged and was not met.

Mr. Cranford read aloud the fifth criterion on the checklist. Mr. Cranford stated that this was alleged, but does not believe it was met. All Panel members agreed.

Mr. Cranford read aloud the sixth criterion on the checklist. Mr. Cranford stated that this was alleged, but does not believe it was met. All Panel members agreed.

Mr. Cranford concluded that the complaint did not fall within the Panel's purview of jurisdiction for a review due to the allegations not fitting the criteria on the checklist. Mr. Cranford moved that the Subcommittee Panel not recommend that the full Panel undertake this matter. All vote unanimously to not take the matter to the full Panel for review.

Ms. Peterson moved to adjourn the meeting. Mr. Hargraves seconded the motion and it was unanimously approved. Meeting adjourned at 7:30 p.m.

Next Meeting: The Panel's next business meeting will be held on July 6 2023, at 7:00 p.m.