

Fairfax County Police Civilian Review Panel Subcommittee Initial Review Report

Request for Review – Basic Information

CRP Complaint Number: CRP-22-15

Subcommittee Meeting Date: November 1, 2023

Subcommittee Members:

- Todd Cranford, Subcommittee Chair (Panel Chair)
- Bryon Garner, Subcommittee Member
- William Ware, Subcommittee Member

Complaint Submission Date: Review Request received on 9/19/2022. Other Key Dates: Complaint to FCPD: 3/31/2022; FCPD Disposition letter: 8/16/2022

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 Fairfax County Police Department (FCPD) officer had been combative, unprofessional, and untruthful when producing paperwork associated with the incident.

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-22-15 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.	Not alleged
No	Acting in a rude, careless, angry, retaliatory or threatening manner not necessary for self-defense.	While alleged, not met
No	Reckless endangerment of detainee or person in custody.	Not alleged
No	Violation of laws or ordinances.	Not alleged
No	Other serious violations of Fairfax County or FCPD policies or procedures, including the FCPD Canon of Ethics, that occur both on or off duty.	While alleged, not met

***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

November 1, 2023

Fairfax County Government Center, Conference Room 7

Subcommittee Meeting Summary (CRP-22-15)

Panel Members Present:

Todd Cranford, Subcommittee Chair

Bryon Garner

William Ware

Others Present:

Sanjida Lisa, PCRCP

2nd Lt. Matthew Lane, Internal Affairs Bureau

2nd Lt. Chris Cosgriff, Internal Affairs Bureau

Community members

The Panel's meeting was called to order at 7:10 p.m. Mr. Cranford welcomed everyone to the Panel's November 1, 2023 Subcommittee meeting.

Motions to Subcommittee Meeting: Mr. Cranford provided a brief overview of the purpose of the subcommittee and its procedures to review a complaint before making a determination. Mr. Cranford provided a summary of the events of the incident that led to the complaint (CRP-22-15) and the reason for the request for a review by the Panel. Mr. Garner and Mr. Ware did not have any additional facts to add.

Mr. Ware provided that the incident seemed to be like a 'roller coaster' and described the Magistrate reacting to the police department interfering as 'heavy-handed'. Mr. Garner provided that he understood what Mr. Ware had stated, but he was also concerned with the Complainant being uncooperative with the responding officers. Mr. Cranford agreed and stated that after reviewing the investigative file and body worn camera footage, he was also concerned with the Complainant being uncooperative. Mr. Ware repeated that his biggest concern was the Magistrate's reaction, but he did also believe the investigative file to be accurate, complete, thorough, impartial and objective.

Initial Review of CRP-22-15: 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. Panel members agreed that the second criterion was not alleged and not met.

Mr. Cranford read aloud the third criterion on the checklist. Panel members agreed that while alleged, it was not met.

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

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

Mr. Cranford read aloud the sixth criterion on the checklist. Panel members agreed that while alleged, it was not met.

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 Subcommittee Panel members agreed and it passed unanimously.

Meeting adjourned at 7:38 p.m.

Next Meeting: The Panel's next business meeting will be held on November 2, 2023, at 7:00 p.m.