

ALEXANDRIA HUMAN RIGHTS COMMISSION
NOTES OF THE MEETING OF TUESDAY, DECEMBER 17, 2019
7:00 p.m., City Hall
301 King Street, Room 2000
The Chet and Sabra Avery Room

Members Present

Amy Blackwood, Vice Chair
Francisco Durán, Chair
Kevin Edwards
Matt Harris, Vice Chair
Alex Howe
David Rigsby

Staff Present

Jean Kelleher
Miladis Martinez Gutierrez

Members Excused

Danielle Beach
Damien Hammond, Sr
Christopher Harris
Susan Kellom
Michael Kreps
Scott Schwartz

Guests:

Michael Brown, Police Chief
Michele McCarty, Assistant Director
Shahram Fard, Captain
Dave Cutting, Sargent
Elizabeth “PJ” Palmer Johnson

1. Call to Order/Introductions by Chair, Francisco Durán

Chair Durán began the meeting at 7:06p.m. Introductions were made. The Commission did not conduct any business, because a quorum was not established. Because the Police Chief was present, the Commission decided to engage in a conversation. What follows are Notes, not Minutes.

2. Approval of Minutes of November Meeting

There was no quorum, it was tabled to the next month

3. Guest Presentation by Chief Michael L. Brown

Chair Durán welcomed Police Chief Michael Brown and members of his team. Chair Durán stated that the Commission had agreed to do something different this time and rather than having the Chief come and do a whole presentation about the Police Department, the Commission rather have of dialogue and a conversation. Police Chief Brown thanked the Commission for the invitation and introduced his staff; Michele McCarthy, New Assistant Director of Administrative Services Bureau, she came from the Sheriff’s Department; Captain Shahram Fard, Commander of the Office of Professional Responsibilities, and Sargent Dave Cutting, who Chief Brown had the privilege of presenting him with his 25-year badge for his 25 years of service.

Chief Brown gave a couple of highlights and said that one of the Commission’s questions was about staffing, and said that they are authorized in the budget, mostly for patrol, for 311 full-time employees and they are at 322 employees. He added that, the City Council gives them authority to over-hire by 17 positions. They budget in anticipation and projections regarding retirements and separations for variety of reasons, mostly medical. Chief Brown stated that hiring is going

very well and said that they had just graduated 14 people at the academy yesterday, and they are putting in another 15 maybe 16 for the next academy, which starts in January. Chief Brown stated that they have a waiting list for people who want to come in to the Police Department. He stated that their demographic is improving across the board in almost every category, and said that he is very pleased with that, and gave a lot of credit to Ms. McCarthy and the Human Resources staff.

Chief Brown stated that the Commission had a question about hate crimes and said that in the hate crime issues, they do not have any that they are reporting right now, certainly not in part 1. He said that they are investigating several that may appear to have something but cannot confirm that yet. He added that the way hate crimes are reported is that you have a crime and then during the investigation you must establish some level of bias in order to establish it as a hate crime. He stated that they are a little bit alarmed about the number of rape cases that they have in the City and the number of aggravated assault cases. He said that the first question that they have is whether there is a serial rapist or some other kind of criminal who is doing this. He added that in almost all rape cases the victims know the subject and they have had at least a domestic relationship or a prior relationship. This also gets to issue about coping and mental health and things of that nature. He added that in the aggravated assaults, they are seeing the same kind of trend. He said that he has been working with DCHS in coming up with some advisories and getting the word out to folks that they can in fact seek help before they must call 911.

Chief Brown addressed the questions submitted by the members of Commission. Police Chief Brown said that one of the issues that came up was about the Ring agreement. He stated that the Police Department has an agreement with Ring, it is voluntary agreement filed on behalf of Ring costumers to share, if they would or make available to the Police Department, videos that they pick up on their devices. He said that they have a least two cases where it plays a role in helping the Police identify the individuals or prosecute an individual. Chief Brown stated that they fully started using this program in July, but it is a purely voluntary program. He added that the City Attorney had a chance to review the agreement and said that the people have the right to refuse to send it to the Police Department. Director Kelleher inquired about the storage of the information received. Police Chief Brown stated that they collect any kind of video from a private party for evidentiary purposes and it goes into the file and it becomes part of the evidence file. Chief Brown stated that he does not know what the incentive is for Ring, except for perhaps some marketing and explained that there is no fiscal incentive for Ring on the agreement. Commissioner Rigsby asked about third-party or neighbors who were not intended to be on it, what about the privacy issues of people who have it? Chief Brown stated on a public domain there is no expectation of privacy and what they do a lot of time is to protect personal information. Commissioner Edwards inquired if there has been a case in the last three months where it has been helpful. Chief Brown stated that they had two cases that he is aware of, where it has been helpful.

Chief Brown addressed the mental health initiative and said that they are working on several of those right now. He said that they had worked on having DCHS's psychological staff available to the Police Department. He said that he had a conversation with Kate Garvey of DCHS about the possibility of staffing or getting an FTE or some contract of services available to the Police Department on those nights where they tend to have a largest number of calls for services related

to mental health. This is really because their mental health stats are either related to some behavior which is an indicative of something that the person is being challenge with mental health issues, and not necessarily a diagnosis, but they are projecting through their behavior which is not normal. He said that their goal through his discussion, and hopefully some kind of budgetary action, is to preclude a service and intervention, so they to have a 911 call. He added that they have somebody from Virginia Department of Criminal Justice Services (DCJS) that works with the investigator especially in Domestic Violence issues.

Chief Brown stated that Director Kelleher is being invited for the meetings in January and February to do an EEOC related training for new supervisors. He also added that they have one officer that has approached them to reach out and go do some training regarding the LGBTQ+ efforts in the Police Department. He said the he has approved the training on the condition that when he comes back, he will set up a program for the Department to reach out to that community. Chair Durán asked who is putting together this training. Chief Brown stated that it was sponsored by the Golden State Peace Officers Association, which is the Gay Officers Action League base out of California.

Chief Brown also gave an update on equity and said that they have a Captain, Shannon Soriano, as their community relations division supervisor, she has been selected and trained by GARE and she is working with Director Kelleher's office and in addition to that, she is working with Mike Mackey's program with regards to a study that is being done by Georgetown. He mentioned that they have a 21st Century Policing Plan and one of the things that they are looking at doing as part of equity is coming up with a data transparency statement, which is a statement that he found that NOBLE had come with and they have discussed. He added that they have several models of data transparency statements and said that they will claim that one that fits for them, which is to demonstrate their commitment to making sure that their data is transparent. The other piece of that is that in the data transparency they will have their numbers out probably by the end of January; these are the new numbers that they have collected in turns of stops.

Commissioner Edwards asked the Police Chief if he believes that the complaint process for citizens to file a complaint on any type of use of force is it transparent enough for a citizen to file a complaint. Chief Brown stated that they receive complaints, and, in some cases, they get the same person complaining and there also some people who have mental health issues too, but for the most part people do not have a problem in complaining. He said that the State Police conducts the officer involved shooting investigations, so that they don't get into a situation as to why they are investigating their own critical incidents. Commissioner Howe inquired if, on the data transparency, the Police Chief is doing all stops regardless if they resulted in a citation or not. Chief Brown said that yes, and added that they were not capturing field interview, field interrogation or other reasons for making contact with people, including community outreach and foot patrol, but said that they have provisional data for this year and they can use it as a qualifying base line, so yes we are capturing information and is proving data transparency on all the stops. Commissioner Harris asked if the Chief if knows if the complaints that come in are generally people of any race or ethnicity more than another. Chief Brown stated that they generally run the gamut, most of what they are talking about is officer calling back demeaner things of that nature, lack of services or too much services; those are the kind of things that are typically in policing and said that they investigate them all.

Vice Chair Blackwood asked if there is a mechanism for anonymous reporting. Chief Brown said that yes, they receive anonymous reporting and they are investigated as if the person were to identify. She also asked if the reporter is identified, are they informed of the conclusion of the investigation. Chief Brown said that if they know who the person is, they respond back to them with the finding of their investigation.

Chief Brown stated that another issue that he was asked about at the Executive Committee meeting was the INOVA Security Protocol at the hospital. He stated that they have a grant (hospital), a grant that they have been using to staff for mental health individual private security at the hospitals and in many cases, they are either not adequately trained or inadequately staffed to handle some of the cases that they have in many cases deferred to the Police Department. He said that there has been some concern about losing the funding for that, it is a DCHS contract, but said they are in discussion about modifying the contract or changing the approach of the model a little bit. He said that these security guards are unarmed and not really trained and so even the hospital is concerned about the level of protection in the hospital when they get busy and they get a lot of individual with mental health issues. He stated that they are trying to come up with a different model. Director Kelleher stated that one of the challenges in Alexandria is that INOVA Alexandria Hospital used to have mental health beds and they used to do some commitments there on site. The Bar Association had lobbied against having the Sheriff's Department transport these patients, so the Judges agreed to go up to the hospital and hold the hearings there; that doesn't happen anymore because the INOVA hearings are now at Mt. Vernon. Within the City, if we have individuals who have that need, we have issues with transport, going to another jurisdiction, linking with other service providers, and so it is a little worrisome.

Commissioner Harris asked the Police Chief about how he is going to enforce the no ride on the sidewalk scooter ban. Chief Brown stated that they are just going to have to stop and talk to them, because they will have a violation of the law. He added that they have a couple of problems with scooters, and one of the problems is that driving under the influence does not apply to scooters; the other thing that bothers him about scooters is that they can move a lot quicker than patrol parking and said that he has put officers out there on bicycle so to some extent they can catch up. He stated that they will try to enforce it the best they can, but it is difficult to enforce, especially in an urban environment, because they are very quick.

Commissioner Harris asked the Police Chief what they are doing with under age kids, how do they enforce that. Chief Brown said that under the new section on the ordinance proposed, they can probably issue them a citation in juvenile court. He added that there are several communities that are raising the same issues that we raised, so he said that he wouldn't be surprised if there is a scooter legislation in the next General Assembly.

Director Kelleher stated that one of the questions from Commissioner Edwards was specifically regarding outreach and asked the Police Chief to comment on the Community Oriented Policing part of his initiative and what he does in related to outreach. Chief Brown stated that in the past couple of years he has double the size of the community outreach unit. He said that the officers do dedicated things to connect with the community, for example one of the officers has taken the teen academy that they do for youth at the department to the school, he has his group and

connects with the high school kids. He added that they have been doing several events during the holidays and added that there are 140 Community Associations in the City and he has somebody assigned to everyone. He added the one of the things that the Department has been good at is making that connection with the community. He stated that their biggest challenge has been reaching out to the west end, but said that he is not done yet, it is a work in progress.

Commissioner Edwards asked the Police Chief if he had any percentage for racial average available with him. Chief Brown stated that he will email the break down information to the Commission. Commissioner Edwards also inquired if the Police Department, when hiring, focuses on people that were born and raise in the City. Chief Brown stated that two years ago they changed their recruiting process a little bit, and started focusing in the neighboring areas, so they focus on Alexandria and the surrounding areas and work with some of the other Police Departments. He said that in the past they hired from wherever they could get people, because they became a little desperate. He also said that when they are doing testing protocol, they get from 10-15 people and most of those people are within commute distance of Alexandria. Vice Chair Harris asked if retaining African American female officers is still a problem. Chief Brown stated that the people that are separating right now is mostly retirees.

Vice Chair Harris asked if the pay rate compares to the surrounded jurisdictions. Chief Brown stated that at the budget retreat for the City Council the City Manager presented the pay issues in some classification is a little behind, but 6.2 that was passed that went into effect last year put them right in the middle for some of the classification. He added that right now the City Manager is in the process of reevaluating that midpoint and he has made a commitment for Police and Fire, so that we don't get into problem trying to keep us in that midpoint, so the we don't lose people to other agencies. Vice Chair Blackwood stated that she had heard several complaints recently about parking, specifically disabled parking in the City being use by vehicles that are not placard in some obvious way and just parking in the accessibility striping area. Chair Blackwood asked if that is a ticket worthy offense. Chief Brown stated that they do ticket those violations and said they also receive phone calls on certain areas that are problematic. He added that he has told the Commission on persons with disabilities that if they hear of someone who is violating that, to contact the Police Department.

Vice Chair Blackwood asked the Police Chief to talk about the outreach that they have been doing to the undocumented immigrant community regarding their ability to report and whether he has seemed any improvement. Chief Brown stated that they have seen improvement, specially in the Chirilagua area and said that he went out to talk to the residents and had a lot townhalls because of the fear with the new administration at the time about ICE coming out and knocking on every door; he said that it has kind return to normal in that community. He also mentioned that he partnered with Norther Virginia Community College to have the "El día del Niño" outreach event and mentioned Human Rights was there and said that they walked around and distributed flyer on the buildings. He stated that they wanted to do this event again. He also added that he was talking to Dr. Hutchings and said that the Alexandria City Public schools would like to partner with the Police Department to have something like the NOVA event at the elementary schools.

Chief Brown also stated that almost two years ago the Department created the Law Enforcement Women of Alexandria, which is women from the Police Department that form a program to help each other and they just launch a mentoring program. He said that this month he is also going to be a mentor, and the purpose behind it is to make the department understandable to new persons on the outside. He added that this program was done in Ohio and Indianapolis, which received National attention by the National Institute of Justice (N.I.J). He stated that they have some funding to have them come out and do some training for the Department's mentors, which will be evaluated by George Mason University and by NIJ. Chair Durán thanked the Police Chief for his presentation.

Director Kelleher stated that any day now, there will be an announcement on the Equity Officer.

4. **Executive Committee Report** - There was no quorum, it was tabled to the next month.
5. **Old & New Business** - There was no quorum, it was tabled to the next month.
6. **Liaison Reports** - There was no quorum, it was tabled to the next month.
7. **Announcements /Adjournment** - There was no quorum, it was tabled to the next month.

The presentation finished at 8:21 p.m.