



Meeting Minutes

May 15, 2017

The Human Relations Commission (HRC) convened for its regular monthly meeting at 6:30 p.m. on the above date in the Board Room at the YWCA of Greensboro. **Chair Zac Engle** presided over the meeting.

Commissioners Present: Lindsay Burkart, Irving Allen, Michelle Kennedy, Jacqueline King, Tom Phillips, Ed Cobbler, Samuel Hawkins, Chantale Wesley-Lamin, David Wils, Zac Engle, David Sevier, Margaret Arbuckle, Kumar Bhardwaj, Lindy Perry-Garnette

Commissioners Absent: Freman Murphy, Moussa Issifou

Human Relations Department Staff: Love Crossling, Jodie Stanley

Legal Department Staff: Tom Carruthers, Rosetta Davidson

Council Liaison: Marikay Abuzuaiter

CSW Liaison: Joyce Jasper-Morant

Visitors: Susan Ladd, Anna Fesmire, Kevin Williams, Kiera Hereford, Irving Zavaleta, Brian Watkins, Tamara Figueroa, Claude Barnes, Andrew Young, Isabell Moore

I. Call to Order

Chair Engle called the meeting to order at 6:32 pm.

II. Moment of Silent Meditation

Chair Engle called for a moment of silent meditation.

Chair Engle invited Kevin Williams to speak on behalf of Participatory Budgeting. Williams shared that it was the second year of PB and announced that they were still accepting ideas for projects, providing an example of one of the past year's winning examples, the bus app as well as shade umbrellas at the pools. He provided May 20 as the deadline for idea collection, stating that after that time, City staff would review the information, assess for viability and determine whether the project could be completed. Chair Engle asked if the Latham skate park was part of PB. Williams

responded that no, that was part of a different initiative. Engle asked about the voting age. Williams responded that 14 was the voting age. Commissioner Wils asked if budget delegates were still needed. Williams said yes, delegates were still needed, and provided a few dates and locations for training. Commissioner Hawkins asked if facilitators were still needed. Williams said that facilitator training would take place the same week and recommended that interested parties should check out the City's website at greensboro-nc.gov/pb.

Chair Engle called for a motion to suspend the rules of the meeting to allow for the remaining speakers in attendance to share.

Motion to Suspend the Rules of the Meeting

Moved by: Commissioner Wesley-Lamin

Seconded by: Commissioner Hawkins

The motion passed unanimously.

Engle invited the next speaker to speak. Brian Watkins began by stating that he wanted to express a few concerns, starting with a statement that Lindy Perry-Garnette should not have been removed from the Police Community Review Board. He was surprised members of Council were not incarcerated for their position in supporting police brutality. He stated that for a police department to be given the power to investigate themselves was akin to sweeping dirt under a rug. He shared that he wanted members of council to be held to the same standard that PCRB member Perry-Garnette was held to, and be held accountable for breaking the same confidentiality standards.

Isabell Moore started by stating that there were too many unanswered questions about the PCRB process, even in light of the positive outcome of the charges being dropped against Jose Charles. She asked Chair Engle, with his participation in having Lindy Perry-Garnette removed, in light of the council members that supported the police department after viewing the video, what could the HRC do going forward, how could the process become more transparent? She felt that the PCRB needed more support, and found it interesting that initially, members of Council refused to watch the video because they wanted to trust the PCRB. When it came down to actually supporting the PCRB, they did not do so. She expressed that much focus was spent on the conduct of Jose Charles, and too little on the conduct of the Greensboro Police Department. It was her opinion that Lindy Perry-Garnette was standing with the community as a relevant member of the PCRB. Isabell asked what the HRC would do to support the PCRB.

Tamara Figueroa directed a question to council members, asking what Lindy did that was so different than what Council members said. She herself had already shared all of the information, the only difference was that she hadn't gone on the news. Tamara Figueroa asked how the council members' actions and statements were so different than Lindy's, and said she wanted to know what would be done to prevent this from happening again.

Kiera Hereford questioned why Council members' opinions differed so much from the opinions of the PCRB after watching the same video. Did they watch the same video? Why were their reactions so different? Why did different people that watched the same video come to two different perspectives? Were police representatives in the room? She expressed that this issue was an embarrassment to City Council, and it was disgusting that they could support police brutality. She believed in the power of the people but not when the process was broken. The process failed Jose

Charles and his mother, and there was a clear disconnect. There were very unfortunate circumstances happening to black and brown people, it was clear and addressing the issue was becoming a pressing matter.

Commissioner Wils asked if they should hold comments until all speakers had spoken. Chair Engle advised that yes, comments should be held until speakers were finished speaking.

Chair Engle invited Claude Barnes to speak. Barnes stated that it was an embarrassment to the City to allow public abuses of power to take place and that he thought it was the role of the Human Relations Commission to prevent these issues from escalating. He recalled an incident in 1969 in a local school where the person running for student council was black with known militant connections. This led to almost 3 days and nights of tension and calling in the national guard. He stated that now it was 2017, and it seemed that Greensboro hadn't learned its lesson. He advised all present to look at the very thorough investigation that was done of this incident, entitled "Trouble in Greensboro," and take serious note so that this issue wouldn't happen again. He suggested that he could also talk about the incident in 1979, when Klansmen came and shot five people in his neighborhood, pointing out that the City still had not taken responsibility for this issue. He challenged the Human Relations Commission to learn from mistakes and to work to prevent incidents like these, including police abuse of power. Police represented the City authority, and were the only people that had the power to arrest and kill people. This situation needed to be brought under control.

Commissioner Wils offered a response, adding that he also wanted to pass a motion. Wils stated that he was not a lawyer, and was not entirely sure where Commissioner Perry-Garnette violated the law, especially in light of the fact that City Council members expressed opposite information to the same degree just a few days later. He understood that confidentiality was key, but in his opinion, he did not glean any specific information from the vote, just that it was her opinion that it was a case of wrong doing. The fact that she was forced to resign was very unfortunate, and he made a motion to reinstate Commissioner Perry-Garnette to the PCRB. Commissioner Wesley-Lamin seconded the motion, thanking Perry-Garnette for her courage in speaking out, offering that Perry-Garnette stood for the right things. Wesley-Lamin directed a question at Chair Engle and asked him why she was asked to step down, and how she breached confidentiality.

Chair Engle offered that he was also bound by confidentiality standards and would defer to the City Attorney to answer Wesley-Lamin's question. He added that the advice he sought about removal was to gain clarity about what might happen if he did, and did not, ask Perry-Garnette to resign. He explained that a judge had to be approached every time a video was to be viewed, and the City could be held liable. Wesley-Lamin asked for confirmation if he was or was not the person who asked Garnette to resign. Engle stated that yes, he asked her to resign.

Commissioner Allen asked if there were there other options considered in the process. Engle said that with all things considered, he was concerned about the integrity of the process and of the PCRB.

Commissioner Wils stated that even after reading the article where Commissioner Perry-Garnette spoke out, he still didn't know the officer, who voted and how, or a specific timeline of events, only Perry-Garnette's position on the video. Commissioner Kennedy added that everything Perry-

Garnette shared was already public knowledge. It was not possible to break confidentiality when everyone already had the information. Commissioner King asked why City Council wasn't being held to the same standard. Chair Engle agreed, adding that it bothered him. Commissioner Kennedy echoed the same question: clearly, the City Attorney's office determined that Perry-Garnette violated confidentiality, but Council did the same thing. Why weren't Council Members being held to the same standard? City Attorney Tom Carruthers offered that the PCRB operated under a State enabling law that allowed it to exist and to allow it to review footage of police officers, investigations held confidential under State law. Carruthers cited the law stating that police could release protected information to the PCRB, the same law that allowed members of PCRB to enter into closed session and review and make commentary about the footage. The difference between the PCRB and Council was that the PCRB signed a confidentiality agreement. He read directly from the agreement they signed, pointing out that the important statement was "directly, or indirectly, disclose or otherwise make such confidential and privileged client information known to any parties." Carruthers offered that what became clear from his conversation with Perry-Garnette was her request for more in depth training about the confidentiality agreement for future members. Carruthers offered that several news media outlets offered some very specific information about the video. When someone had access to privileged information, they needed to respect the confidentiality agreement.

Commissioner Kennedy asked City Attorney Tom Carruthers to clarify, then, that Council did not have to maintain confidentiality as related to personnel records. Carruthers said they did, but were not required to sign a confidentiality agreement. Carruthers clarified that the restrictions on the PCRB were more comprehensive. Kennedy asked if City Council members would have been asked to resign if they were determined to have had broken confidentiality. Carruthers reiterated again that the confidentiality agreement for PCRB was more stringent.

Commissioner Wils asked if everyone in the room knew that PCRB disagreed with the findings of professional standards before Perry-Garnette made the statement to the press. Many in the room expressed that yes, they already knew. He suggested that additional training was needed, that Perry-Garnette believed that she was still within her purview, and stated that this reaction was an embarrassment.

Commissioner Wils again made a motion to reinstate Perry-Garnette to the PCRB. Commissioner Wesley-Lamin again seconded the motion. Chair Engle stated that he was the only person that could reinstate her, and that he did not choose to. Wils asked if there was any way to override his decision. Engle said he didn't think so, but he would defer to the City Attorney for response.

Chair Engle noted that there was a community member that wanted to speak. An unnamed community member shared that nothing was changing, because every time there was an issue, Greensboro paid people to make the problem go away. In 1979 they paid the Klansmen. He stated that it wasn't enough to talk about laws. Segregation, separate schools, separate cemeteries – laws would change but laws didn't change racism.

Tamara Figueroa stood and spoke, stating that the HRC was important or it wouldn't exist. Figueroa expressed that City attorney was a secret keeper, not ever going to do the right thing, and refused to stand up for the PCRB. Figueroa found out long before the notice was mailed that the PCRB didn't agree with the findings of the professional standards.

Commissioner Hawkins read the HRC mission statement and offered that if the PCRB was to be a subcommittee of the HRC, it was more important to consider trust and integrity rather than the letter of the law. The HRC mission statement should supercede any baseline requirement for the PCRB members. Did this issue not merit a re-examination of the requirements of the PCRB? Chair Engle responded that he had no issue with talking about how to improve the PCRB, but did not want the group to make hasty decisions. Commissioner Kennedy stated that it was fine to talk about subcommittees and boards and commissions, but the role of the HRC was to stand for the rights of the residents of Greensboro. It was simply lip service to do anything else. Commissioner Wesley-Lamin expressed that it was ludicrous that elected officials were held to a lesser standard than someone on a volunteer body. She encouraged Chair Engle to listen to their concerns about the issue at hand. Chair Engle offered that he was open to discussion, but wanted to manage expectations as much as possible.

Commissioner Wesley-Lamin asked if the body could remove the Chair if the body decided to do so. Chair Engle deferred to the City Attorney. City Attorney Tom Carruthers offered that commissioners were appointed by Council, but if the body could provide sufficient evidence that the chair was not fulfilling his duty, yes, they could remove him as the Chair.

Commissioner Wesley-Lamin moved to have Chair Engle removed from the commission. Engle deferred to the City Attorney for counsel on whether or not it was a valid motion. City Attorney Tom Carruthers stated that it was not a proper motion because it did not define for cause. He explained that a proper motion to remove would need to include specific information on how Chair Engle had displayed a failure or inability to perform his duties. Carruthers stated that the actions Engle had taken thus far were within his purview and performed to the required standards.

Commissioner Sevier offered that the former motion to reinstate Commissioner Perry-Garnette to the PCRB had not yet been addressed. Commissioner Wils offered a friendly amendment, in light of the fact that only the chair could reinstate her, and proposed a motion offering a statement of formal support for the reinstatement of Commissioner Perry-Garnette to the PCRB.

Commissioner Phillips commented that it was his opinion that Chair Engle acted the way he needed to and he was in full support. Phillips stated his intention to vote against the motion. Commissioner Burkart also stated her intention to vote against the motion.

Commissioner Wils asked if he could offer an explanation on his motion, stating that it was more important for a body to retain the trust of the community than to be bound by legalities. Wils expressed that he was perturbed that it happened. He recognized that the Chair had the discretion and the ability to remove Commissioner Perry-Garnette from the PCRB, but suggested that it could have been addressed differently.

Commissioner Hawkins suggested that they were moving very swiftly on motions, and there was an opportunity to discuss and develop a deeper understanding of the issue at hand. He stated that it was a difficult job to be chair and surely the chair did what he felt was right. He suggested that as a commission, they should maintain civility. Commissioner Kennedy said that agreeing to disagree meant that both parties were wrong, that this had been going on for weeks, and that all present had plenty of time to determine where they stood. She expressed that in the interests of the public, it was

important to express where the HRC stood. Commissioner Allen reminded all that the motion being discussed was that of reinstating Perry-Garnette to the PCRB, and that the discussion about removing the chair could be had later. Commissioner King agreed that Perry-Garnette should be reinstated. Commissioner Sevier offered that many of the issues being discussed were perplexing, suggesting that there were more issues at hand than just the resignation of a PCRB member. He added that additional training had been mentioned, and stated that in light of his current understanding, he would vote against the motion. Commissioner Wesley-Lamin stated that removing someone from a board without offering the proper training was inappropriate.

Motion to Support the Reinstatement of Lindy Perry-Garnette to the PCRB

Moved by: Commissioner Wils

Seconded by: Commissioner Wesley-Lamin

The motion passed by a vote of 7-6.

Commissioners that voted in favor: Wils, Kennedy, Hawkins, King, Wesley-Lamin, Allen, Perry-Garnette

Commissioner Wesley-Lamin addressed her motion for removal of chair, pointing out that the vote clearly showed that the chair was not representing the interests of the body when Perry-Garnette was removed from the PCRB, as did his actions during the current meeting and not supporting the desire of the body to reinstate Perry-Garnette. Wesley-Lamin suggested that there were issues in the body, they should not be intimidated by elected officials or City staff, and that they should move forward with what was right, not what they were being pressured to do by outside forces.

City Attorney Tom Carruthers pointed out that the motion still did not state ‘for cause,’ that an adequate motion would need to show evidence of failure to adequately perform the duties of the office. He pointed out that the chair had the power to both ask Commissioner Perry-Garnette to resign from the PCRB, and he had the power to cancel a meeting, and did both adequately.

Isabell Moore asked for clarity on what Commissioner Hawkins read previously, pointing out that Chair Engle’s only action in this situation was to ask Perry-Garnette to resign. What was the role of the HRC in a situation that was pulling the community apart? She was looking to the commission to take a leadership role in this time of controversy, division, concern, and high emotion, but instead, all the commission did was cancel a meeting and ask someone to resign? She grew up in the City of Greensboro and wanted to see someone help her City change.

Commissioner Wesley-Lamin stated that while the motion couldn’t move forward, she wanted to revisit a comment someone made previously and asked to know who viewed the video. Ed Cobbler stated that there were nine PCRB members, professional standards staff, Allen Hunt with Human Relations, and Polly Sizemore with Legal. Love Crossling added that there were also two roster employees. Wesley-Lamin asked all how they felt to hear all those names of City staff listed? In a process that needed accountability and transparency, the process was instead overrun by City staff. How would a community member feel comfortable about feeling and voicing sincere opinions, knowing that City staff were present and ready to counter any comments that came up?

Chair Engle noted that Commissioner Wesley-Lamin was the former chair of the CRC and asked if their process was the same when she was chair. She responded that yes, everyone was always viewing the same video at the same time, but that was part of the process she didn't like and was something she suggested change. She was disappointed that it didn't change with the new PCRB. Her expectation was that the new process would also include more transparency. She stated that the process was flawed. Commissioner Cobbler offered that perhaps too many people viewed the video. It was helpful to have professional standards in the room to offer background on procedure and policy, but he agreed that it would be good to address this concern. Cobbler stated his belief that the Police Chief should be more transparent, giving the example of the Winston Police Chief releasing the video shortly after the incident happened was in good form.

Commissioner Phillips agreed that changes could be made to the number of people present that viewed the video, but that it was also suggested that the PCRB be able to cross examine the people involved in the footage. Commissioner Perry-Garnette offered that numerous times, she had voiced that she was personally intimidated by the number of officers in the room. It was difficult to process footage when the Police Chief was present, and she did not see the value in rosters being allowed to view the footage when so many others could not. She did not agree with the current process. When they had a question of the complainant, they did not have anyone to get clarity from. They were only offered information from the GPD. When the complainant filed a complaint, they had no way of foreseeing what questions could come up during the questioning, so they couldn't know to offer explanations from every angle ahead of time. She expressed frustration that all of the issues at hand had been raised before, and they had gone without response. It was her opinion that her comment about too many people being in the room was more inflammatory than anything else she said.

Chair Engle mentioned that after he heard concerns about PCRB processes, he became more involved than usual. He explained that the CRC was the predecessor to the PCRB, that they were part of the CRC enhancement process. Engle expressed his sentiment that initially, the PCRB was not able to view footage, and it was always his opinion that they could do better. Engle stated that after only a few days of training, the PCRB was then expected to know and speak on behalf of the community. The scope of the PCRB was a frequent subject of conversation, especially recently, and he was supportive of the effort to make needed changes. He suggested that the processes needed to change, perhaps to include other members of the community be allowed to view footage. He suggested that it was important to review data that Wesley Lamin referenced earlier in the conversation, that it was worth doing an in depth assessment. He also suggested that while there was an outreach series designed to raise awareness about the PCRB, it was very focused on social justice issues and not enough about their process, which was admittedly very complicated, even when it came to making appointments.

Commissioner Kennedy asked how many slots were opened on the PCRB, and for what districts. Chair Engle said there were 3 openings, that they could be filled by representatives of districts 2, 4, 5 and 1. When Engle made a commitment to gain insight from Council members about appointments, Kennedy asked that if he had the power to make the appointment, shouldn't he make the decision without input from council? Engle stated that it would be made by him, but that it was a complicated process, that all of the pieces had to fit in a very particular way, that sometimes the member had to be with the commission, which required a council appointment. In the interests of public transparency, Kennedy shared that she had expressed interest in serving on the PCRB as a representative of district 4. She stated that they didn't need another meeting to plan a meeting, that

action was needed and it was time to move forward. Engle stated that her application had been received and offered that a decision should be made within the month. Wils asked if he had any interest in seeking the counsel of the HRC about appointments. Engle stated that yes, all were welcome to offer their opinions.

City Attorney Tom Carruthers offered that to be appointed to the PCRB, City Council had to first add the community member to the databank so that the Chair could then appoint, per the standard process. Chair Engle offered that Commissioner Kennedy was already in the databank, adding that the overlap between the HRC and PCRB was by design in the ordinance.

Commissioner Perry-Garnette suggested that while she appreciated the support of the community, the issue at hand was much larger than her, and much larger than Jose Charles. She pointed out that the people being mistreated all looked alike, and that until City Council stood up and admitted that there was an issue at hand, nothing would change. She stated that you could look at numbers and boards and commissions all day long, pointing out that the last three major issues in Greensboro affected African American, many young, men. Her primary concern was that you could not undo what happened to the young man, Jose Charles. Any action taken was after the fact. When would they change, maybe prevent, what happened? What was the young man's impression of the police now? She stated that she watched the video, and a young man was punched in the face. She was living in a community that was sitting on a powder keg, and she was scared. She did not feel that canceling meetings was the way to handle a community that was feeling scared and frustrated.

Commissioner Wils added that the way to make this stop was to hold people accountable, that it was the job of the HRC to speak up for what was right. The issue with legal counsel was that it did not provide any empathy. It was noted that legal counsel could be applied differently in different situations, that while it was possibly the case that the officer acted legally, his actions were not right. Wils stated that until the culture of law enforcement changed to focus on deescalating issues, talking to kids instead of beating them, nothing would change. His experience as a teacher taught him that there were options when it came to dealing with kids. The question was more about doing and saying what was right, not worrying what City council thought, or worrying about accidentally stepping out of line. Common sense should override the letter of the law.

Chair Engle offered that perhaps the HRC could support the release of the video to the public. Commissioner Hawkins offered to pass a motion. Commissioner Kennedy suggested that it was important to regard the opinion of the mother, and others suggested (in her absence, she had stepped out of the room) that she had already made the statement public. Commissioner Phillips suggested that it was important for the background information and Police testimony to be released with the video. Chair Engle expressed understanding but added that as in the case of the release of the Vo video, the police department could release a statement but that it was important to move forward with the release to the public.

Commissioner Arbuckle apologized for coming in late, explaining that she had a former engagement already scheduled. She went on record expressing total opposition in canceling the last meeting. If the Chair didn't have time to be the Chair, he needed to step down. If a chair needed to cancel a very important meeting, one that held serious implications, for professional obligations, perhaps he didn't have the necessary time to serve in this capacity. She noted that it impacted the effectiveness of the commission. Arbuckle stressed the very serious and important issue at hand,

expressing that African American young men living in this community were fearful every day. The PCRB operated in total secrecy, without any transparency. If the commission and this body could not see the seriousness of the issue, the community was in trouble. Arbuckle expressed that it would be important to truly understand the issue and advocate for laws to be changed.

Anna Fesmire shared that there was no reason to remove Perry-Garnette from the PCRB, that it was only her articulate way of expressing truth that made others uncomfortable that got her removed. She felt that the Chair acted in a way that put the community in jeopardy. She encouraged the chair to reinstate Lindy, that he had the opportunity to do something that was right and best for the community.

Saroj Patnaik introduced himself as an elected member of the international advisory committee, that as an outsider thus far, he could sense the tension in the room. He encouraged those present not to hide behind legalities and encouraged them to stand together as a group for the betterment of the community.

**Motion to Petition City Council to Release the Jose Charles Police Footage to the Public
(Contingent Upon the Agreement and Support of Tamara Figueroa)**

Moved by: Commissioner Hawkins
Seconded by: Commissioner Burkart
The motion passed unanimously.

Reggie Weaver stated that a common theme during the night's conversation was a focus on laws. He asked City Attorney Tom Carruthers to advise on what laws he thought they should focus on. Carruthers stated that North Carolina's laws pertaining to juveniles were extremely stringent and restrictive, Chair Engle added HB 972 (pertaining to law enforcement recordings), and Brian Watkins mentioned a law that prohibited residents from filing warrants against police officers (complaints had to be filed through internal affairs). Chair Engle agreed and stated that the laws needed to change in the City.

Commissioner Wils stated that while he was glad the HRC took the stand that it did in requesting that City council release the video to the public, but that it was time to stand up for what was right, not worry about the political movement or implication. He reiterated that it was the role of the HRC body to stand up for what was right, for the people who gathered, for the least of these, for the marginalized. At the very least, even if it didn't go anywhere, the community would know there was a body that supported them.

Commissioner Sevier offered that one of the reasons he voted against reinstating Perry-Garnette to the PCRB was because he felt that there were too many considerations on the table to pass a vote. Sevier offered concern about the way the PCRB operated, the training they had received, the way the PCRB operated seemed insufficient, and added that he was concerned about the integrity of the process. He suggested a motion to create a research committee to assess the veracity and functioning of the PCRB. Commissioner Wils seconded the motion. Commissioner Cobbler disagreed with Sevier, offering that they had had a lot of training. He agreed that it would be good to broaden their scope and advocate for investigative power. The members of PCRB had put in many hours of training, but he felt that they were restricted. Commissioner Perry-Garnette agreed and pointed out that the confidentiality agreement was ten years old and didn't even address

technology and how to handle footage. She said that she was handed the form and asked to sign it, that now she regretted trusting staff and just signing the statement. She was told that her resignation would not be made public, and it was made public.

Commissioner Hawkins pointed out that Jose Charles' mother, Tamara Figueroa, had entered the room. Chair Engle asked, for the record, if she would like for the video to be released. She responded with full support. Chair Engle announced that the motion was binding.

Irving Zavaleta stressed the importance of training, adding that it was critical to include in that training the history of Greensboro and systems of oppression and discrimination. They could be the voice of the people, but if they were to play that role, they should first understand the history.

An unnamed community member suggested that this was a very politically charged issue. Commissioner Allen suggested that they had not yet addressed the fact that there was a family going through this process, that while they knew nothing would happen, there were mistakes made throughout the entire process that no one was being held accountable for. In his opinion, the HRC, PCRB and City council had all failed because no one was being held accountable. Now an evaluation process was being discussed, but still, there was no accountability. Community members could point fingers at chairs, boards and elected officials and blame everyone for what happened, and still, no one would be held accountable. What was the HRC going to do to make sure this didn't happen to another family? How could they funnel people through a process that they themselves knew was broken while the family was navigating it?

Chair Engle suggested that the cross-functionality of the board was an issue, that with so many partners involved, inherently, it was an inefficient process. He suggested that in assessing the PCRB process, someone should play the role of case manager to ensure that the process moved along on time and efficiently. That was a first step to accountability.

Commissioner Allen asked if there was a legal reason the HRC couldn't hold people accountable for the time it took to process a case. City Attorney Tom Carruthers suggested that they could have a designated representative report back about the progress of each case, that they would have to operate within the laws and with guidance from legal counsel. Chair Engle suggested that it was possible to have someone follow the process closely.

Isabell Moore suggested that it would be appropriate for an apology to be extended to the family, then do what could be done to repair the issue by addressing process issues, but also by acknowledging the systemic issues of racism that were rampant in the City. Brian Watkins added that he had a case in front of the PCRB now, it had been more than 60 days, and Allen Hunt was not returning phone calls. Watkins stated that he was involved in an altercation where an officer responded inappropriately. PCRB Chair Ed Cobbler stated that he had no knowledge of the case. Love Crossling stated that the PCRB could only review cases that were fully reviewed by the office of Professional Standards, and that part of the delay was in determining what constituted a complaint with Professional Standards. Human Relations Department staff were limited in what they could do until they heard from professional standards. Engle asked if Watkins had received a letter from Professional Standards, stating that the letter would provide guidance. Watkins provided a brief timeline and stated that he submitted an email and did not receive a response. Crossling

stated that when a complaint was filed with the department, they were required to defer to Professional Standards to provide a response about whether it was fully investigated, that the department could only take on a case once it had been fully investigated by Professional Standards. Engle asked Crossling to follow up and check on the case, and Crossling agreed to do so. Commissioner Perry-Garnette asked if this meant that the case could get hung up in Professional Standards indefinitely. Crossling explained that some cases could be closed without being fully investigated. If a case could not be fully reviewed, meaning that no compelling evidence could be found to substantiate the claim, then a case would be closed by Professional Standards and could not be passed along to PCRB. Watkins offered that that information was new to him and different than what Allen Hunt had said, that the case had been sent back to internal investigation. Crossling clarified that he was given correct information, the case had been sent back to professional standards, and that Human Relations staff was awaiting a response.

Commissioner Wils advised that prior to this situation, he was very pleased with the responsiveness of the HRC and their empathetic response to the community, offering the example of passing a resolution requesting that Council release the Vo footage. He expressed a belief that many on the commission had good intentions, and offered support for the motion to create a committee to research the processes of the PCRB.

Commissioner Perry-Garnette pointed out again that all of the feedback and clarity received during the review process was from the GPD, that community members' experiences were not included or considered, and that it was an important component that should be included in the process. She expressed appreciation for the support from the community and for the initiative to assess the PCRB, but added that she may not be the right person to take it on. She stated that no one with a conscience could sit quietly on a board with this design, go along with the decisions made and not have an issue. She stated that there were numerous times that instructions were offered by staff and there was confusion, offering the example that Ms. Figueroa requested the option to have witnesses available, and city staff offered that it was possible and not possible at two different times. There were other examples where board members received conflicting responses to questions, or no response at all. Perry-Garnette asked why a white male who sounded like a lawyer was the entry point for complainants, that perhaps even that was a process issue. City staff and the City attorney disagreeing on what should happen was a breeding ground for this type of problem to come up. In her opinion, until those issues were addressed, the problem would not be resolved. They were told that the PCRB was to be involved in outreach. PCRB members went to one planning meeting, then were told that all future meetings were cancelled and that City staff wasn't sure about their purview.

Commissioner Perry-Garnette suggested an amendment to the motion that the PCRB not hear another case until the staff issues were sorted out, sooner rather than later. Commissioner Wesley-Lamin offered support for Perry-Garnette's amendment, adding that City staff should be cleared from the room during a PCRB review, that additional training should be offered, and due diligence that someone is ensuring that the footage reviewed by all parties is the same footage. Wesley-Lamin suggested that as a means of increasing public confidence, Council should review the footage again with members of the PCRB and Tamara Figueroa to ensure that the footage reviewed was the same.

Chair Engle offered that the legality of passing such a motion may not be the most effective, as no one could require any member of council to view the footage again. He reiterated that it may be more effective to create a subcommittee to review the effectiveness of the PCRB's processes.

Commissioner Wesley-Lamin offered her support of the creation of an assessment committee, but clarified that the goal of her motion was to urge as many members of council that could and were willing to be present, to view the footage.

HRD Director Love Crossling asked a clarifying question about the removal of City staff from the room during a review, and was advised that the goal was to simply allow members of PCRB the freedom to view the footage without constant direction from staff, members of GPD or legal counsel. Discussion was held around the possibility of interviewing complainants, even if by camera, the impact of staff presence in the room, and how voting took place, whether staff was in the room or not.

Commissioner Sevier offered support for Commissioner Cobbler's position as PCRB chair, affirming that the PCRB members had been trained, were invested and had done good work within the parameters they were bound by. Sevier asked to amend his motion after Commissioner Perry-Garnette's comments, suggesting that the PCBR not take on any new cases until the review process was completed. Commissioner Cobbler stated that it would hurt residents who had a complaint, and Perry-Garnette said that it depended on how long the process would take.

Chair Engle suggested that they offer an addendum to the original motion, to create a subcommittee to review PCRB process and procedure, and while doing so, not review any new cases, to allow cases to be reviewed with the full knowledge of residents, given them the choice to have their case reviewed during or after the revision. Commissioner Arbuckle suggested that they put a timeline on the committee's work. Discussion was held around a timeline and how long it would take to complete the task, timelines of 45 days and 60 days were suggested. Commissioner Perry-Garnette stated that reseating needed to happen soon, the members of the PCRB that resigned had an issue with what happened in the video. The people that stayed on the PCRB didn't have an issue with what happened in the video, which meant the group had a bias. She suggested that reseating needed to happen soon to ensure fairness in the review process. Chair Engle stated that he wanted to have people seated before new cases were reviewed. Commissioner Arbuckle stated that lives were on the line, and Commissioner Kennedy reiterated that it was critical to put people in the positions as soon as possible. Crossling asked for clarity, that if they were to select a 45 day time period, they should consider a reporting process and the timing of monthly meetings. Engle offered that they could suggest the next HRC meeting as a primary deadline for review on their progress. Commissioner Perry-Garnette said it would be important to include a PCRB complainant on the assessment committee. Hawkins agreed. Crossling pointed out that it was certainly at the pleasure of the committee to include a complainant, but that it created a unique dynamic with potential confidentiality issues about personnel matters. Discussion was held around this topic. The general consensus was that it was the commission's desire to include someone that had lived experience and that it shouldn't be a City controlled process.

Commissioner Sevier revised his motion to specify the inclusion of a complainant on the assessment committee.

Motion to Create a PCRB Assessment Committee to Include a Former PCRB Complainant, with the agreement that the assessment should take no longer than 45 days, that the impact of staff presence during a review should be considered, a progress report be provided to the Human Relations Commission at the June 8 meeting,

and that during the assessment, potential complainants be provided the option to have their case reviewed during or after the assessment process.

Moved by: Commissioner Sevier
Seconded by: Commissioner Wils
The motion passed unanimously.

Commissioner Wesley-Lamin asked that the body pass a motion asking that Council review the body camera footage with the chair of PCRB and Tamara Figueroa.

Motion to Support a Second Viewing of the Body Camera Footage with Council Members, the PCRB Chair and Tamara Figueroa Present to Enhance Public Trust

Moved by: Commissioner Wesley-Lamin
Seconded by: Commissioner Allen
The motion passed unanimously.

Commissioner Kennedy asked if they should call for nominations and/or self-nominations for someone to chair the assessment committee. Chair Engle asked to appoint Commissioner Sevier to chair the research committee. All expressed general agreement with this choice. For the record, Engle asked for a show of hands of those interested in joining the assessment committee. HRD Director Crossling, and Commissioners Wesley-Lamin, Kennedy, Allen, and Cobbler raised their hands. Engle asked that an invitation be sent to the current PCRB members. Crossling asked if the IAC should be included on the invitation. Engle offered that perhaps the IAC and CSW could send one representative of their bodies, should they choose to participate.

Chair Engle asked for a motion to approve the April minutes.

Motion to Approve the April Minutes

Moved by: Wils
Seconded by: Cobbler
The motion passed unanimously.

Commissioner Wils asked if anyone present was prepared to speak on behalf of Nestor Marchi. He offered a brief recap of Mr. Marchi's story, explaining that he had overstayed a Visa in 1994, worked closely with Immigration Customs Enforcement (ICE) to remain compliant and check in monthly in exchange for a work permit, was father to a Greensboro firefighter and had a heart condition that required constant medical care. Wils suggested that the immigration system was broken, and stressed again that at times, the law did not allow for any empathy. Wils expressed understanding that their statements would have no legal binding authority, but stated his desire to support a man whose life was being threatened because of politics. Wils offered that he wanted to stand in Nestor Marchi's corner and ask Council follow suit and express support for Mr. Marchi and his family. Commissioner Perry-Garnette added that earlier that afternoon, ICE agreed to review the case and delay his deportation by three months. Commissioners agreed that even in light of the delay, they wanted to make a motion to support Nestor Marchi. Chair Engle offered a friendly

amendment, asking that they also add a statement encouraging residents to lobby their State representatives, including Mark Walker, Thom Tillis, Richard Burr, and Ted Budd.

Motion to Support Nestor Marchi in His Continued Residence in the United States, Encourage Greensboro City Council to Make a Similar Statement of Support, and To Encourage Residents to Lobby their State Representatives, Mark Walker, Thom Tillis, Richard Burr, and Ted Budd

Moved by: Commissioner Wils
Seconded by: Commissioner Hawkins
The motion passed unanimously.

Commissioner Allen requested one more motion, that the board issue a public apology to the community and the Figueroa family for the process issues that they encountered throughout their experience with the PCRB.

Motion to Issue a Public Apology to the Community and the Figueroa Family for the Process Issues Encountered During Their Experience with the PCRB

Moved by: Commissioner Allen
Seconded by: Commissioner Kennedy
The motion passed unanimously.

Chair Engle called for a motion to adjourn the meeting.

Motion to adjourn.

Moved by: Commissioner Cobler
Seconded by: Commissioner Kennedy
The motion passed unanimously.

Meeting adjourned at 9:12 pm.

Minutes Approved by:

Signed: _____

Chairperson

Greensboro Human Relations Commission

_____/_____/_____

Date

