

CITY OF FERGUSON, MISSOURI
CIVILIAN REVIEW BOARD
OPEN MEETING MINUTES
September 13, 2021

CALL TO ORDER

Eugene Franks, Board President, called the meeting of the CRB to order at 6:44pm. The meeting was held at the Ferguson City Hall after coming out of closed session. Due to City restrictions on in-person meetings, the public could attend via Zoom.

ROLL CALL

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|----------------------|--------------------------|--------------------------|---------|
| Eugene Franks, Chair | Present | William Bryant | Present |
| Tiffany Bush | Present (left at 7:30pm) | Terry Burton, Vice Chair | Present |
| Patrick Chandler | Present | Angelique Kidd | Present |
| Gerry Noll | Present | Brenda Young | Present |

A quorum was present. Also in attendance were Consent Decree Coordinator Nicolle Barton and Councilwoman Toni Burrow (via Zoom).

Eric Osterberg, the new Ferguson City Manager, briefly introduced himself to the board, and the board to him. Mr. Osterberg then left the meeting.

MINUTES

The board reviewed the open meeting minutes from August 2, 2021. A motion to approve the minutes as amended was made by Mr. Chandler, seconded by Mr. Bryant. **MOTION PASSED**.

There was a question about who made the motion to approve the July 19 minutes read during the August 2 meeting. Mr. Burton suggested reviewing the Zoom recording of the meeting to determine who made the motion. Mr. Noll subsequently checked with Chris Crabel, Assistant to the City Manager, who verified that Mr. Bryant had made the motion. The minutes were amended to show that.

PUBLIC COMMENTS:

There were no comments from the public.

UNFINISHED BUSINESS

Ms. Young attended the virtual police hiring panels held on August 4, 6, and 20. Mr. Noll also attended the panel on August 20. The names of the candidates interviewed during each session have been recorded for future reference.

During a discussion of the board's review of complaints from previous years (2015-2018), Ms. Kidd pointed out that a complaint she had filed in 2015 was not on the list provided to the board. Ms. Kidd had given copies of this complaint to the board, along with one from 2014, approximately two years ago. Mr. Noll had those copies in a folder, and Ms. Barton requested that they be scanned and sent to her for further research.

A motion to ratify the decisions made in closed session by the Ferguson Civilian Review Board ("the Board") concerning their review of complaint investigations conducted by the Ferguson Police Department ("the FPD") was made by Ms. Young, seconded by Ms. Bush.

1. On complaint **21-001**:

- a. The Board voted to **Sustain** on G.O. 304.02.
- b. The Board voted to **Sustain** on G.O. 202.02.
- c. The Board further noted that conclusions were made during the investigation that were not supported by facts. Facts should be corroborated by evidence, such as body worn camera video, witness or officer statements, etc. Conclusions made without supporting

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evidence are only opinions. The Board recommends that opinions, when offered, should be stated as such.

Unanimous vote taken in favor, 8-0. **MOTION PASSED.**

A motion to ratify the decisions made in closed session by the Ferguson Civilian Review Board ("the Board") concerning their review of complaint investigations conducted by the Ferguson Police Department ("the FPD") was made by Ms. Young, seconded by Ms. Bush.

1. On complaint **17-003**:

- a. On allegation A, the Board voted to disagree with the FPD disposition of unfounded and voted to sustain.
- b. On allegation B, the Board voted to agree with the FPD disposition of sustained.
- c. On allegation C, the Board voted to agree with the FPD disposition of sustained.

Unanimous vote taken in favor, 8-0. **MOTION PASSED.**

It was noted that Ms. Young and Ms. Bush had been awarded scholarships to attend the virtual portion of this year's NACOLE Annual Conference.

Ben Horwitz from AH Datalytics had been invited to attend this meeting to discuss how the board could be involved in the data analysis projects he has been working on with FPD. However, Ben lives in New Orleans and the recent hurricane and flooding there prevented him from attending. He will be available to attend the next FCRB meeting. Mr. Noll will also work with Ms. Barton on touching base with him by Zoom before then.

NEW BUSINESS

Mr. Noll led the board in a review of the *Interim Report on Traffic Stops*. A motion was made by Mr. Noll, seconded by Ms. Young, to accept the report as written and publish it. Unanimous vote taken in favor. **MOTION PASSED.**

The board followed up the review of the traffic stops report with a discussion of how the board might analyze and determine the causes of the disparities that are seen in the data. Ms. Young suggested that we look at statewide data, and not just FPD data, in order to know the right questions to ask. Mr. Bryant also had some thoughts he wanted to share. Mr. Franks suggested that we ask Ben Horwitz, who is working with FPD on data analysis, for help, and asked Mr. Noll, Ms. Young, and Mr. Bryant to work together on this. Councilwoman Burrow was asked if she could recruit a college student to assist.

The board discussed the need to hold community meetings to educate the public on what the board does, get feedback from the public, and recruit new members.

MISCELLANEOUS

A motion was made by Mr. Noll, seconded by Ms. Young, to hold open meetings separately from closed meetings so that the open meetings can be done more easily from home when using Zoom. Unanimous vote taken in favor. **MOTION PASSED.**

ADJOURNMENT

A motion was made by Mr. Chandler, seconded by Mr. Bryant, to go back into closed session, also taking Ms. Barton into closed session, at 7:59 p.m. **MOTION PASSED.**

After returning from closed session, a motion was made by Mr. Chandler, seconded by Mr. Noll, to adjourn at 8:17 p.m.

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The next open meeting is October 4, 2021, at 6:30pm

ATTEST:

Gerry Noll

Gerry Noll, Board Secretary

Eugene Franks

Eugene Franks, Board Chair

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