

Members Present: Sylvia Nery-Strickland (Chair), Virginia Jenkot (Vice Chair), Beatriz Amberman, Joe Burnsworth, Thomasine Cubine, Jamal Gunn, Carla Hesseltine, Niam Lagoe, Evie Liu, Luis Rivera, Teresa Stanley, Mark Stevens, Ron Taylor, Frances Knight Thompson, Rabbi Israel Zoberman

Staff Present: Stacy Hawks (Human Resources), Shelley Johnson (Human Resources), Dominique McKinnon (HRC Liaison)

Liaisons Present: Deputy Chief William T. Dean, Jennifer Franklin (School Board Liaison), Rod Ingram (Deputy City Attorney), Captain Henri Norris

I. Call to Order

The meeting was called to order by Vice Chair Jenkot at 4:02 p.m.

II. Roll Call

Roll Call of the Commissioners was taken. Commissioner Hesseltine and Chair Nery-Strickland participated in the meeting remotely from their homes for medical reasons. Commissioner Gunn participated in the meeting remotely from his home for the personal reason of work commitments and Commissioner Liu participated in the meeting remotely from her home for the personal reason of lack of transportation. Commissioner Calliott, Commissioner Daniels, Commissioner Orenca and Commissioner White were absent.

III. Minutes Approval

Commissioner Amberman made a motion to approve the minutes from the October 14th meeting. Commissioner Taylor seconded the motion. The minutes from the October 14th meeting were approved by 15-0.

IV. Procedure Development – Handling Public Human Rights Concerns

Vice Chair Jenkot stated that the purpose of this meeting is to talk about the process for handling public concerns. She reminded the Commission that at the last meeting, a motion was made by Commissioner Rivera to dedicate a meeting to discussing how the Human Rights Commission can react to different issues that arise in the community. She reported that Staff Liaison McKinnon sent the commissioners the current processes for addressing three different scenarios for handling public concerns. She reviewed the processes and opened the floor for discussion on improvements or additions to the procedure.

Commissioner Thompson proposed another scenario where a commissioner brings an issue to the Human Rights Commission, one that may not have been reported by a citizen, out of concern for what they may be seeing in the community regarding human rights.

Commissioner Amberman stated that she would like to see an addition to the process where the Commission is informed about the steps that were taken to resolve a filed concern and that it was referred to a specific agency.

Chair Nery-Strickland asked if Commissioner Thompson's proposed scenario can be added to the current scenario where a citizen contacts a commissioner directly. She stated that she believes concerns that are forwarded to the police department become confidential. Deputy Attorney Ingram stated that the Human Rights Commission may not get specific details from the police department regarding the resolution of a citizen concern that is referred to them, but it is a reasonable request to ask if the citizen was contact.

Commissioner Cubine asked about complaints being listed on the agenda in the past and Staff Liaison McKinnon stated that she has not been including them in the agenda, but she can make that addition going forward. She stated that depending on the citizen concern, she will reach out to commissioners individually to see if they know of any resources that can assist the citizen in addition to referring them to local, state or federal agencies. Deputy City Attorney Ingram stated that following up with federal agencies may be more difficult than a City department, but he suggested that Staff Liaison McKinnon can instruct citizens to reach back out to her for another possible solution if they cannot get assistance from the initial outside referral agency.

Commissioner Stanley stated that the HRC needs a process for a proactive response to general complaints identified in the community. Commissioner Amberman stated that a formal process for complaints is not sufficient and there needs to be a process for following up on complaints to ensure a resolution. Staff Liaison McKinnon stated that going forward, she will start a process of following up with citizen concerns by speak with City departments directly, if they are the referral agency or by instructing the citizen to contact her for further assistance if the outside state or federal referral agency cannot resolute their issue.

Commissioner Rivera asked how the HRC can be proactive and if the community knows about the HRC. He stated that if City Council let's departments and citizens know that the HRC exists, then the Commission will be in a better position to support the community. The HRC doesn't have the authority to investigate complaints, but the Commission does have some authority because each commissioner represents a community in the City and can gather other members of their community to get the Mayor or City Council to respond. He suggested that the HRC investigates what their purpose is and what they can do other than refer citizens to agencies that can assist them.

Chair Nery-Strickland reported that police department liaisons always follow up and keep the Commission updated. She stated that the marketing of the HRC is the HRC's responsibility and City Council mentions the HRC often during council meetings.

V. Meet and Greet with VBPD Chief Paul Neudigate

Virginia Beach Chief of Police Paul Neudigate joined the meeting along with Deputy Chief Sean Adams and Deputy Chief William T. Dean. Vice Chair Jenkot welcomed the Chief and Deputy Chiefs, and opened the floor for any remarks from the Chief.

Chief Neudigate spoke about the partnership that the HRC has had with the VBPD since the 90s and the critical part the Commission has played in providing transparency for the operations of the department and interactions with the community. The department values the relationship and looks to continue the partnership. He shared that since he started with the VBPD, they have established an executive team with Dputy Chief Dean, Deputy Chief Adams, and Deputy Chief Wichtendahl, who is the first female Deputy Chief in 60 years. He stated that they have identified key focus areas for his first year with the VBPD:

- Technology - Captain Billy Zelms is currently working 16 or 17 technology projects, hoping to make some strides in the next 18-24 months to help with the staffing shortage.
- Recruiting and retention – the department is hopeful about their recruiting efforts and is losing less officers to retirement.
- A dedicated violence reduction strategy
- Policy and process – making sure the VBPD is following national best practices. City Council has allocated funding for the department to hire an outside firm to review the department's policies on use of force, vehicle pursuits, body worn cameras and the use of the canine unit.

Vice Chair Jenkot opened the floor for each commissioner to introduce themselves and ask questions.

Commissioner Amberman informed the Chief that members of the Hispanic community would like to have a meeting with him and share some concerns that they have regarding outreach with the VBPD and a Hispanic citizen who died in an accident. Chief Neudigate stated that the department is open to the meeting and knows that there is a need for more engagement with the Hispanic community. He reported that the department just had their first meeting for their 2nd Hispanic Citizens Academy with a turnout of 50 people to learn about police policies and establish those relationships. He added that they have decentralized the community engagement unit so individual community liaison officers now report direct to the precinct Captains and are the conduits between communities and their precincts. He stated that his vision, once the staffing shortage has been resolved, is to have a community liaison squad consisting of a Sergeant and 4 to 5 officers per precinct. He added that the department is working on establishing a youth services unit to continue mentorship and guidance for youth beyond the end of the school year. SROs would function under that unit as well as the new cadet program.

Deputy Chief Sean Adams added that the police department's community engagement was stunted by the pandemic, but they are now re-engaging as community groups are starting to meet in-person again. He reported that the Heart program was proposed by Lt. Sanyer and MPO Nieves to re-engage, enhance and empower the Hispanic and Latino community, and they have hosted several events throughout the city. The 2nd precinct has also been holding ice cream truck events in the Birdneck area to rebuild relationships and trust with the community.

Commissioner Stanley thanked the police department for continuing to attend and work with the Pastors/Leaders Community Police Relations table on mediation and recruitment of minorities. She hopes the police department can get staffed up to relieve some of the tension in the community and asked how the HRC can be a partner with VBPD in efforts to live up to the principles of human rights. Chief Neudigate stated that when the police department is addressing a situation like Jessamine Court, where something is not criminally actionable, the department still has an obligation to try and intervene. The police department looks to the HRC to help find an out of box remedy if there is no legal resolution.

Commissioner Hesseltine reported on the work that the Law Enforcement Oversight Committee did in reviewing the use of force policy with the previous Chief of Police and asked if she could send the committee's finding to him. Chief Neudigate welcomed that information to help make sure their use of force policies are reasonable, fair and equitable, and legally defensible. He reported that the department is very judicious in the use of force and the use of force numbers in Virginia Beach are very small compared to other areas. Commissioner Hesseltine asked how many Spanish speaking officers the department has and Chief Neudigate stated that he will get that data. Once staffing is stabilized, he would like to have a dedicated Hispanic community liaison officer as well as a LGBTQ liaison officer that is not doing secondary functions. Commissioner Hesseltine also asked about an update on the body cam holsters. Chief Neudigate reported that 100% of the officers have body cameras during an operational assignment. They have mobile cameras in 40 out of 240 marked cars that turn on with the lights and sirens, and funding to equip the remaining vehicles. They are hoping to have this done by the first quarter of next year. They have had a set back with the sign sidearm technology that automatically activates the body cameras when a firearm is drawn. Almost all holsters were fielded with this technology, but there was an incident at Sentara hospital where a suspect was able to manipulate the officer's firearm out of the holster, allowing it to discharge, due to a design flaw. The department had to revert back to the prior holsters to ensure the safety of the community and the officers, but they are not sidearm technology compatible. They are talking with various entities to find a solution. The body camera policy previous required officers to activate their body camera when they arrived to the scene of a dispatched run and now the policy requires officers to activate their body camera when they are responding to calls.

Commissioner Burnsworth thanked the Chief for the continued support of the SRO program. He asked that when the department is staffed, for the SRO officers to be in the buildings every day from the first day of school until the end of the school year. The relationships that the SRO officers build with the students is so important to the safety of the schools. Chief Neudigate stated that he appreciated that the community values the SRO program that focuses on providing leadership, guidance and mentorship to students, not enforcement.

Commissioner Cubine reported on the work that the Mental Health Task force has been doing, and expressed her appreciation for the CIT officers and the VBPD's work with the Marcus Alert. Chief Neudigate stated that the department is 100% committed to the CIT program and their program was named the top CIT program for law enforcement in Virginia last year. Chair Nery-Strickland asked if the department could give an updated presentation on the CIT program in the near future.

Commissioner Thompson expressed concern over the current relationship between the black community and the VBPD. She stated that she would like to be a liaison to the black and brown community to help address their concerns with the department and clear up any misperception. Chief Neudigate stated that the push for implementation for body cams and mobile cameras in the police vehicles was to help resolve disagreements with the professionalism of the officers or legalities of a stop, and have an objective view to find out what really occurs.

Commissioner Rivera stated that he would like to see a better relationship between the community and the VBPD. He offered to connect the officers with resources to help them learn to speak Spanish for better communication with members of the community. He asked how the HRC can increase the dialogue with the department and be more aware of incidents like Salem Lakes to communicate the facts to the community. Chief Neudigate clarified that officers had been out to that neighborhood to address the complaints, but they never witness any of that conduct. In the state of Virginia, misdemeanors have to be committed in the presence of an officer and they had to take into consideration 1st Amendments rights. The first time they witnessed it was when a City Council member sent the video to the department and they immediately contacted the City Attorney to start the dialogue on the legalities. Luckily, the conduct had stopped prior to their involvement. They consulted with the City Attorney, Commonwealth Attorney and they contacted the FBI to make sure they had the information and guidance needed regarding the legalities of the matter. The Commission can play a part in finding a solution for matters where there is nothing that the VBPD can do from a legal perspective.

Commissioner Gunn stated that one of the main issues in City right now is Pharrell Williams' statement about the City's leadership being toxic and how that has stemmed from the shooting of Donovan Lynch. He asked where the department is in addressing that matter and the Chief's perspective on how the community is feeling about City leadership. Chief Neudigate explained that as an organization, the VBPD has never turned over an investigation into an officer involved shooting to an outside agency prior to this. They heard the tremendous demand from the community for an independent investigation and turned the investigation over to the Virginia State police. They are the primary agency on the investigation and will give their findings to the Commonwealth Attorney's office to make a determination on the proprietary actions of that officer. Since the end of March, the VBPD has not been in the position to provide additional information on the investigation as it was turned over to the Virginia State police. This hampers his and the executive team's ability to provide updates on the investigation as they are not in the process anymore.

Commissioner Taylor thanked the Chief for meeting with the minority officers to hear their experience in the department. He would like to work with him and the department to create peaceful resolution to citizen complaints, and make sure the citizens' voices are heard. Chief Neudigate confirmed that the department has had several productive internal meetings with their African American officers to make sure they feel that they

have a voice and stated that he is aware that the department is not full representative of diverse demographics. They want to fix that, but currently they are struggling to find quality individuals that want to be part of the profession. For example, the July academy class that started with 54 recruits is now down to 33 and they don't graduate until end of January. They are not failing physically or academically, but they are finding that it is not the profession for them. He stated that the department is open to any help the commissioners can provide in identifying quality individuals for the VBPD.

Commissioner Stevens stated that he has been to some of the 2nd precinct events in the community and a lot of people don't know about the work that the police department has been doing or their programs. He suggested that the department should be more open about letting people know about the job that they do. Chief Neudigate thanked Commissioner Stevens and other commissioners for participating in their outreach. He reported they recognize the need and are working on designating a public information officer for the department's communication with the community. They are working on developing a communications vision and finding a quality professional who can champion this new vision.

Commissioner Jenkot commended Lieutenant Michelle Meister as great resource for the community as the department's LGBTQ liaison. Chief Neudigate reported that for the past 3 months Lieutenant Meister has been in executive training in Kentucky and will be back next week.

Commissioner Amberman asked what the process is for the police department's interaction with the undocumented immigrant community, and how many undocumented people have been detained and turned over the ICE. Chief Neudigate reported that he is certain that number is zero because it is the policy of the VBPD that immigration status is a federal function, not a local function. Deputy Chief Dean added that the VBPD's policy on immigrant status is in line with other departments in the region and that federal function does not come into play until someone is in custody for a serious offense.

Vice Chair Jenkot stated that the HRC is here to support and help the VBPD as a reflection of the community. Chief Neudigate stated that the department is committed to their partnership with the HRC. He suggested a quarterly or semi-annual meeting when the VBPD can give the Commission updates on their 4 key focus areas and address any concerns that may come up. The HRC can help the VBPD get that factual information about the department out to the community.

Chair Nery-Strickland thanked the Chief for joining the meeting and stated that the HRC is here to support the VBPD in any capacity.

VI. Adjournment

Vice Chair Jenkot adjourned the meeting at 6:13 pm.

Next Meeting:
December 9th @ 4pm