



**Independent Citizen Review Board Minutes**  
Wednesday, February 21, 2024 | 4:00 PM  
Municipal Center | Building 19  
2416 Courthouse Drive, Virginia Beach, VA 23456  
Rooms A/B/C

The regular meeting of the Independent Citizen Review Board (ICRB) was held on Wednesday, February 21, 2024 at 4:00 p.m., in Building 19 Rooms A/B/C at the Municipal Center.

**MEMBERS PRESENT:**

Kristine PJ Caalim, Corinna Craver, Poullette Diaz-Reed, Latonya Ferguson, Charles Frost, Valerie Grissom, Joe Jackson, Michael Kelley, James Leach, Thomas Lewis, and Annabelle Paffrath.

**MEMBERS ABSENT:**

Kelvin Wright (non-voting member) was excused.

**CITY STAFF PRESENT:**

Valerie Matney and Devyn Granby, City Manager's Office, and Roderick Ingram, Deputy City Attorney, supported the meeting.

**CALL TO ORDER**

Chairman Lewis called the meeting of the ICRB to order at 4:00 p.m.

Board Member Leach arrived just after the meeting was called to order at 4:00 p.m. and Board Member Paffrath arrived at 4:03 p.m.

The Chairman welcomed the group.

**MINUTE APPROVAL**

**Revised December 13, 2023 Minutes**

Board Member Frost made a motion to approve the December 13, 2023 meeting minutes. Board Member Ferguson seconded the motion. The vote was (7-0-4). Members voting in favor: Caalim, Diaz-Reed, Ferguson, Frost, Grissom, Jackson, and Lewis. Members abstaining: Craver, Kelley, Leach and Paffrath because they did not attend the December meeting.

**Approval of January 17, 2024 Minutes**



Member Jackson made a motion to approve the January 17, 2024 meeting minutes. Member Craver seconded the motion. The vote was (10-0). Member Frost abstained because he did not attend the January meeting.

Ms. Matney announced updates to the meeting agenda package which included: March 14<sup>th</sup> as the Western Bayside Community United event request date; December 2023 minutes revised date of 02/21/2024; a map of library and recreation center locations; and a Hearing Findings & Recommendations form.

## **OLD BUSINESS**

### **Scheduling ICRB Members for Identification Cards**

Ms. Matney reminded the Board Members that ID cards were available for issue by making an appointment through the Facilities Management Office.

### **Reappointment of ICRB Members**

Members Craver, Jackson, and Leach completed reappointment forms for submission to the City Clerk for City Council reappointments due by April 30, 2024.

### **Axon access and training video completion**

The Chair reminded everyone to ensure they obtained access to Axon and viewed the training video.

## **NEW BUSINESS**

### **Community Outreach and Education Plans - First 90 days**

#### **Brochure and website language translations**

Brochures have been updated and will be dropped off when making rounds for Town Hall meeting preparations. The Language Group vendor will translate the brochure into Spanish and Tagalog languages. The ICRB website supports multiple language translations for users.

#### **Press release and communication**

Members Paffrath and Diaz-Reed met with Ms. Matney to review and approve the press release drafted by Communications staff. Ms. Matney sent the press release to media contacts on February 2, 2024.

#### **Three Town Hall meetings**

Ms. Matney provided a list of options for available locations, dates and times for the Board to consider. Member discussion included: availability of the Rescue Squad Community Room at



743 Virginia Beach Blvd; proximity of locations to bus stops; invitation or briefing options to inform City Council about Town Hall meetings; inviting City Council to the Town Hall Meetings or waiting until feedback from citizen participation could be provided; and the availability of City Council to attend a Town Hall meeting at City Hall in March.

Deputy City Attorney Ingram mentioned to the Members that the current budget season was very busy for City Council. The Members agreed to extend an invitation to City Council with a letter from the Chair for upcoming and future Town Hall meetings.

Member Diaz-Reed requested Ms. Matney to assist in sharing plans for the program flow of the Town Hall Meetings: the Mayor to provide opening remarks, the Police Chief to provide brief remarks, the ICRB Chair and ICRB Members introduction followed by a brief presentation, with final wrap up by the ICRB Liaison.

Member Ferguson made a motion for the Board to hold the first Town Hall meeting on March 14, 2024 at 6:30 pm at Ebenezer Baptist Church. Member Kelly seconded the motion. The motion passed unanimously. (11-0)

Member Grissom made a motion to hold the next Town Hall Meeting on April 6, 2024 at the Oceanfront Area Library from 3-4 pm. Member Leach seconded the motion. Member Kelley suggested waiting until April 20<sup>th</sup> to allow more time between meeting and there was additional Member discussion about dates and times, but the motion was not amended. The motion passed (9-2). Members voting in favor: Caalim, Craver, Diaz-Reed, Ferguson, Grissom, Jackson, Leach, Lewis, and Paffrath. Members opposed: Frost and Kelley

### **Three community groups identified for outreach meetings**

Board Members Paffrath and Diaz-Reed met with Ms. Matney on several outreach items and plan to meet before the next Board meeting to identify three community groups for outreach meetings. Board Members Leach and Kelly shared that the VBCCO was interested in an ICRB outreach meeting and would provide the ICRB Liaison with contact information.

### **Western Bayside Community United full Board event request - March 14, 2024**

This meeting request was selected by the Board for the Town Hall meeting event.

### **Additional communications items**

Ms. Matney shared that the Communications Department provided additional information after the recent officer-involved shooting incident. The Board's suggestion for a short video about the ICRB for the City access channel or for community organizations was discussed with Communications staff for early summer.

### **Case review hearing process walk through**



The Chair initiated discussion with Members about the overall process for the first hearing to be held on March 20, 2024. The Chair would introduce the ICRB and explain the hearing process, next the citizen would present the request for review and evidence, and then the Police Department would present the Internal Affairs investigation and evidence. A list of aggregated questions would be asked by the Chair followed by each Member to ask a follow-up question with a 2-minute time parameter. After all questions were asked, both parties would return to their seats for the Board to deliberate and vote. There may be an explanation to the citizen and audience about the Board's voting options and recommendations. Members also discussed whether they could or should provide reasons for their votes during the hearing.

Deputy City Attorney Ingram advised the Members could provide reasons for their votes, but also were not required to provide reasons if they did not wish to. Any reasons or explanations provided for votes should occur during the open Board meeting.

There was additional Member discussion about how questions would be asked of the hearing participants to ensure that neither the citizen nor Police Department representative would be bombarded by questions from multiple people. Individual Member questions would be aggregated to eliminate duplicate questions. Then the aggregated question list would be circulated to all Members prior to the hearing. Member Jackson asked about whether Members would be limited to just one question if further clarification was needed. It was also discussed that the hearing process for the first case would help determine what worked and what needed to be tweaked.

Member Paffrath suggested the Board needed to vote on a formal hearing process cadence and perhaps that could be addressed at another meeting with formal documentation.

Chair indicated that the hearing process would utilize Robert's Rules of Order. The ICRB Policies & Procedures outlined the hearing process and allowed for flexibility in methods of conducting hearings. The current group may not want to narrowly define the hearing process in a way that might remove flexibility or the ability to adapt the hearing process for the next group moving forward.

Member Ferguson requested information about Axon link availability timeframe. Ms. Matney reported discussions with VBPD IA for the Axon file link to be accessible for 30-35 days. The Members requested the ICRB Liaison to text message them to check email for Axon links and other important emails. Member Jackson requested email only rather than text message. Deputy City Attorney Ingram recommended any text messages to be sent individual text messages.



Member Jackson asked about the non-voting Member's role. Deputy City Attorney Ingram clarified that voting Members could consult with the non-voting Member during hearings or one-on-one as a resource for police operations and practices.

Vice Chair Leach brought up the possibility of a mental health episode or safety concern occurring during a hearing. Other Members agreed they would like to request a CIT officer to be available for hearings.

Deputy City Attorney Rod Ingram shared the IRP experienced some challenges with hearings and that police officer presence at hearings was helpful. Many police officers also are CIT trained. Deputy Chief Wilkerson was present at the meeting and indicated that police officers would attend each hearing.

Board Member Kelly made a motion for a CIT-trained person to be present at any meeting involving a hearing. Board Member Diaz-Reed seconded the motion. The motion passed unanimously. (11-0)

The Chair told the Board about a direct email received from the father of Donovan Lynch requesting the ICRB to look into the events that preceded the death of his son. The Chair responded to ask Mr. Lynch to confirm his request of the Board regarding the events that transpired and to confirm if all civil and/or criminal cases are concluded. The Chair indicated he would provide the resources to initiate the process when Mr. Lynch provided confirmation about his request and the status of any civil and/or criminal suits. The Chair said he alerted our Council about the matter and also the ICRB Liaison as one of the items to be tracked by the Board. The Chair also indicated the necessity to provide citizens information about how to request a review of completed Internal Affairs cases as well as how the Board may initiate its own review in accordance with ICRB Policies & Procedures.

Deputy City Attorney Ingram advised the City Attorney's Office defended a civil lawsuit that was brought by the Estate of Donovan Lynch. If there is an ICRB hearing on the Lynch matter, the Board will have different legal counsel outside of the City Attorney's Office.

Separate from the Lynch case or related matters, Deputy City Ingram spoke in general terms about the ICRB policy for a citizen request for review hearing within 90 days after receiving a completed case disposition letter from the Police Department. With respect to other avenues for Board initiated reviews, there is no timeframe. It has not yet been determined how far in the past the Board can go to review matters or incidents that occurred prior the Board's creation. More information is needed to make that decision, and that might be the subject of a policy vote at a future meeting.



The Chair referenced the citizen review request case from the IRP prior to the creation/authority of the ICRB to hear cases. The Chair expressed concerns about setting time parameters retrospectively for Board initiated case reviews since Board Members also serve as representatives of the community.

Board Member Kelly made a motion to table the discussion until the next meeting. Vice Chair Leach seconded the motion. The motion passed unanimously. (11-0)

### **Case review hearing 2023-00975 - scheduled March 20, 2024**

#### **ICRB Liaison Update**

IRP staff transitioned one case review request to be heard at the next meeting and 7 letters that could result in requests for review.

Ms. Matney will be working on ICRB forms, processes and procedures. Ms. Matney briefly went over the Hearings Findings & Recommendations form for the three voting findings and recommendations.

Ms. Matney mentioned the next Board meeting date of March 20, 2024, and noted the meeting location at City Hall, Building 1, Rooms 1009/1010.

Ms. Matney shared a situation for the Board's awareness about video involving a VBPD officer on YouTube that was sent to the City Council, the City Manager, and the VBPD. There is an open Internal Affairs investigation on the matter. She advised that the video link will be sent to the Board for their awareness.

Ms. Matney introduced Devyn Granby (CMO) to the Board as a Staff Liaison assisting with taking the meeting minutes.

Board Member Diaz-Reed reminded the Board Members to familiarize themselves with the ICRB brochure to keep the message unified. Board Member Paffrath asked for ICRB brochures to be provided at the next meeting.

#### **Adjournment**

With no further business, Board Member Kelly moved to adjourn the meeting. Board Member Ferguson seconded the motion. All were in favor. (11-0)

The meeting adjourned at 5:52 pm.



CITY OF  
**VIRGINIA  
BEACH**

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Valerie Matney, ICRB Liaison

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Devyn Granby, ICRB Staff Liaison

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Dr. Thomas F. Lewis, Jr., ICRB Chair