



**Special Meeting of the Bias-Based Policing Review Committee
DRAFT Meeting Minutes for
Tuesday, March 15, 2022, at 1:00 p.m.
(Virtual Meeting *via* Microsoft Teams Platform)**

At 1:05 p.m. Executive Session [Call to Order, Roll Call and Opening Remarks by Commission Chairperson (Sha Brown) and Review Committee Chairperson (Marvin Boyer)]

Chairperson Brown called the Executive Session of the Bias-Based Policing Review Committee (Review Committee) to order, provided an overview of the Review Committee's proposed Special Meeting Agenda, and reviewed the proposed schedule for completion of its review of **Internal Case No. 21-0008-P**.

With no further administrative matters or other questions, the Executive Session of the Review Committee ended at 1:24 p.m.

At 1:30 p.m. Public Session of Special Meeting Commenced and Recording Began

At 1:30 p.m. Call to Order, Roll Call, and Opening Announcements/Reminders by Commission Chairperson (Sha Brown)

Chairperson Brown called the Special Meeting of the Pennsylvania State Law Enforcement Citizen Advisory Commission's (Commission) Bias-Based Policing Review Committee (Review Committee) to order, announced that the meeting was being recorded and participation in the meeting conferred consent to being recorded. The Commission's Secretary (Jaimie Hicks) conducted a Roll Call and Commissioners Marvin Boyer [Review Committee Chairperson], Denise Ashe, Keir Bradford-Grey, Brenda Tate, and Suresh Canagarajah were present remotely and a quorum of the Review Committee was present. Ex-Officio Commission Member Jalila Parker (representing the Office of the Governor) was also present remotely. A copy of the Roll Call and Attendance Form is attached hereto and made a part hereof [see **Attachment 1**].

At 1:31 p.m. Public Comment Reminder

Chairperson Brown reminded members of the public of the various ways citizens may participate and offer public comment before and during all meetings of the Commission and the Commission's Review Committees to ensure public participation and transparency. For purposes of this Special Meeting, public comment was limited to three minutes per speaker.

At 1:32 p.m. Motion to Approve Bias-Based Policing Review Committee's Meeting Agenda by Unanimous Consent

Chairperson Brown asked for a motion to approve the Bias-Based Policing Review Committee's Meeting Agenda by unanimous consent. The Motion was offered and seconded by Review Committee

Pennsylvania State Law Enforcement Citizen Advisory Commission

members in attendance. Chairperson Brown asked if there were any objection(s) to the Meeting Agenda and after hearing no objections, Chairperson Brown recognized the approval of the Bias-Based Policing Review Committee's Meeting Agenda by unanimous consent. A copy of the Bias-Based Policing Review Committee's March 15, 2022, Meeting Agenda, as adopted, is attached hereto, and made a part hereof [see Attachment 2].

At 1:34 p.m. Motion to Approve Adoption of the Draft of the Bias-Based Policing Review Committee's February 14, 2022, Meeting Minutes by Unanimous Consent

Chairman Brown asked for a Motion to approve the draft of the Bias-Based Policing Review Committee's February 14, 2022, Meeting Minutes by unanimous consent. The Motion was offered and seconded by Review Committee members. Unanimous consent to approve adoption of the draft of the Bias-Based Policing Review Committee's February 14, 2022, Meeting Minutes passed with no noted objections [a copy of the Meeting Minutes as adopted is available on the Review Committee's webpage found at www.osig.pa.gov/PSLECAC].

At 1:35 p.m. Other Review Committee Administrative Matters

Review Committee Chairperson Boyer did not have any administrative matters to discuss and yielded the floor back to Chairperson Brown.

At 1:35 p.m. Considerations, Discussions, and Deliberations in Anticipation of Issuing Preliminary Investigative Review Report for Internal Case No. 21-0008-P for Presentation to the Commission

Chairperson Brown proceeded to provide an overview of the Review Committee's proposed Special Meeting Agenda. Chairperson Brown explained that the Review Committee will entertain further discussion and deliberation of the Pennsylvania State Police's (PSP) completed internal investigation regarding the underlying incident for **Internal Case No. 21-0008-P** which was tabled following its meeting held on February 14, 2022. To this end, Chairperson Brown began to summarize the Review Committee's preliminary findings and conclusions regarding its prior determinations of promptness, fairness, impartiality, completeness, and reasonableness of adjudicatory findings and discipline (if any).

Concerning Review Objective No. 1 [determination of whether the internal completed investigation was both prompt and fair], Chairperson Brown stated that the Review Committee's prior determination of promptness and fairness made on January 11, 2022 was not impacted by discussions held at its February 14, 2022 Special Meeting. Consequently, Chairperson Brown reiterated that the Review Committee determined **PSP's completed internal investigation concerning Internal Case No. 21-0008-P was considered both prompt and fair.**

Concerning Review Objective No. 2 [determination of whether the completed internal investigation was impartial], Chairperson Brown again stated that discussions during the Review Committee's Special Meeting held on February 14, 2022 did not alter its prior determination of impartiality made on January 11, 2022. Accordingly, Chairperson Brown reiterated that the Review Committee determined **PSP's completed internal investigation concerning Internal Case No. 21-0008-P was deemed impartial.**

Concerning Review Objective No. 3 [determination of whether the completed internal investigation was complete], Chairperson Brown reiterated that the Review Committee's prior

Pennsylvania State Law Enforcement Citizen Advisory Commission

determination of completeness made on January 11, 2022 was not altered during its Special Meeting held on February 14, 2022. Accordingly, the Review Committee determined **PSP's completed internal investigation concerning Internal Case No. 21-0008-P was complete.**

Concerning Review Objective No. 4, Chairperson Brown summarized that the Review Committee reviewed PSP's Adjudication Report concerning Internal Case No. 21-0008-P to ensure that all relevant facts were considered, including all known actions by the involved enforcement officer(s), and determine whether the adjudicator's decision was reasonable and based on the totality of the circumstances as required. Previously, the Review Committee determined that the findings on adjudication were reasonable after reviewing PSP Policy No. FR 6-8 (Traffic Law Violation Stops) which addresses departmental protocols when conducting traffic stops. Namely, this policy only *recommends* that Troopers identify themselves and provide a reason for the traffic stop but does not *require* such actions. However, Chairperson Brown stated that the Review Committee did not realize (until PSP's disclosure of concurrent and conflicting requirements within PSP Policy No. FR 1-1 (General Requirements)) that PSP Policy No. FR 6-8 *recommends* while PSP Policy No. FR 1-1 simultaneously *requires* Troopers to identify themselves.

Consequently, Chairperson Brown stated that this distinction and policy conflict may change the Review Committee's assessment and determination of whether the findings on adjudication were reasonable. Specifically, Chairperson Brown stated that when a policy only recommends an action of members [as previously recognized by the Review Committee], adjudicators are not required to address the issue as a potential "separate and distinct act of misconduct" when reviewing an investigation report since misconduct can only be found when there is an actual policy requirement. Conversely, when an action is required by a policy in place, then an adjudicator is required to address any other perceived policy violations during his or her review. Consequently, Chairperson Brown stated that the Review Committee's initial determination of whether adjudicatory findings were reasonable must be reconsidered (and possibly considered not reasonable) because the adjudicator was required to consider the Trooper's apparent violation of PSP Policy No. FR 1-1 (General Requirements).

During the Review Committee's Special Meeting on February 14, 2022 when discussing its preliminary findings, conclusions and potential recommendations, Chairperson Brown stated that PSP confirmed the agency does (in fact) have a policy that requires Troopers, whenever initiating any police action, to identify themselves promptly and respectfully by providing their name, rank, and other appropriate identification to involved citizens [identified as PSP Policy No. FR 1-1 (General Requirements)]. Here, the Trooper (who made verbal contact with the complainant) did not initially identify himself by name as a member of PSP nor provide the reason for the traffic stop. Chairperson Brown stated the Review Committee preliminarily found, in part, that this lack of communication with between the Trooper and the complainant was the potential root cause(s) for the filing of this complaint.

In addition, Chairperson Brown pointed out that PSP Policy No. AR 4-25 (Internal Affairs) requires adjudicators to address any apparent policy violations while reviewing a bias-based policing incident. Specifically, the policy (i.e., Adjudication of Internal Affairs Investigating Officer's Responsibilities) states, the adjudicator will: (1) "[a]ddress other performance issues uncovered through [an] investigation, in separate Department Correspondence by counseling and/or training which should be made part of the supervisory file;" and (2) "[i]nstitute a Blue Team entry when a separate and distinct allegation of misconduct is discovered during the adjudication review."

Pennsylvania State Law Enforcement Citizen Advisory Commission

Following clarification of PSP policies, Chairperson Brown stated that there was no documentation or other indication that the adjudicator (in this case) addressed the potential policy violation regarding the Trooper's apparent failure to identify himself when he initiated contact with the complainant which (as determined by the Review Committee) was the potential root cause(s) of this complaint.

Chairperson Brown then turned the floor over to Review Committee Chairperson Boyer for further discussion and comment on the determination of whether the adjudication was reasonable. Review Committee Chairperson Boyer did not have any other comment to add at this time and no other Commissioner asked to be recognized. At this time, Chairperson Brown opened the floor up to public comments and none were offered.

With no questions or other comment, Chairperson Brown asked for a motion to determine whether adjudicatory findings were considered either reasonable or unreasonable. Review Committee Chairperson Boyer offered a motion to find that adjudicatory findings were deemed reasonable. The motion was seconded, and further objections our requests for clarification were offered. **Accordingly, the Review Committee found that the adjudicatory findings concerning Internal Case No. 21-0008-P were deemed reasonable based on the totality of circumstances.**

Concerning Review Objective No. 5 [determination of whether disciplinary action (if any) was considered reasonable], Chairperson Brown stated that no discipline was issued in this case and thus this objective was not applicable to the matter currently under review.

Concerning Review Objective No. 6 [determination of whether any policy or training deficiencies exist], Chairperson Brown summarized that the Review Committee is required to compare facts and circumstances described in the Covered Agency's completed internal investigation with relevant agency policies and training along with best practice guidelines to determine if any policy or training deficiencies are apparent. Where deficiencies are identified, Chairperson Brown stated that the Review Committee shall propose recommendations for corrective actions to the Covered Agency to address any such deficiency. Chairperson Brown then proceeded to summarize findings and conclusions of the Review Committee and relevant proposed recommendations which concerned citizen engagement (i.e., identification of Troopers during a traffic stop), documentation of citizen enforcement activities (i.e., prohibiting use of verbal warnings), and PSP's general use of criminal indicators. More specifically, Chairperson Brown summarized the Review Committee's preliminarily findings, conclusions and related Proposed Recommendation No. 1 regarding citizen engagement and communication as follows:

Findings No. 1 - Citizen Engagement and Communication

During its review, the Review Committee sought to identify the root cause(s) of the complaint, what factor(s) led to the complainant's perception of racial bias during the enforcement activity, and what process(es) will increase communication and minimize misunderstandings that make it difficult for a Covered Agency to identify officers who intentionally engage in explicit or implicit bias versus officers who are inappropriately accused of bias during legitimate enforcement activity.

The Review Committee preliminarily found that PSP has two policies that address a Trooper's responsibility whenever initiating police action concerning identification and providing the reason for the enforcement activity (i.e., traffic stop) as follows:

Pennsylvania State Law Enforcement Citizen Advisory Commission

1. General Requirements (PSP Policy No. FR 1-1) *requires* Troopers, whenever initiating any police action, to identify themselves promptly and respectfully by giving their name, rank, and other appropriate identification to persons involved; and
2. Traffic Law Violations Stops (PSP Policy No. FR 6-8) only *recommends* that Troopers identify themselves and provide a reason for the police action (traffic stop) but does not *require* that this information is communicated to citizens.

Regarding promptly identifying themselves to citizens, the Review Committee preliminarily found that PSP's Policy No. FR 1-1 and Policy No. FR 6-8 (as written) conflict with one another since the former *requires* Troopers to identify themselves while the latter only *recommends* this action. Regarding providing citizens with the reason for the police action (i.e., traffic stop), PSP Policy No. FR 6-8 also only *recommends* that Troopers identify themselves and does not require a Trooper to provide a reason(s) for initiation of the police activity to citizens.

In this case, the Trooper (who made verbal contact with the complainant) did not initially identify himself by name as a member of PSP or state the reason for the traffic stop. The Review Committee preliminarily found, in part, that this lack of communication was the potential root cause for this complaint.

Proposed Recommendation No. 1 – Citizen Engagement and Communication

The Pennsylvania State Law Enforcement Citizen Advisory Commission's Bias-Based Policing Review Committee preliminarily recommends that the Pennsylvania State Police modify its policy to specifically require (unless exigent circumstances exist) all members to identify themselves during traffic stops and provide the reason(s) for a traffic stop to citizens they encounter.

Chairman Brown opened the floor for discussion and deliberations and recognized Review Committee Chairperson Boyer. Review Committee Chairperson Boyer strongly agreed with Proposed Recommendation No. 1 and added he supported any effort in forging transparency in police action. Commissioner Ashe agreed.

At this time, Chairperson Brown opened the floor to public comment and no comment was offered. **Review Committee Chairperson Boyer offered a motion to adopt Proposed Recommendation No. 1 (Citizen Engagement and Communication) and related findings and conclusions as stated and the motion was seconded with no noted objection.**

Next, Chairperson Brown summarized the Review Committee's preliminarily findings, conclusions, and related Proposed Recommendation No. 2 regarding documentation of citizen police encounters as follows:

Proposed Recommendation No. 2 - Documenting Citizen Encounters

The Pennsylvania State Law Enforcement Citizen Advisory Commission's Bias-Based Policing Review Committee recommends that the Pennsylvania State Police explicitly prohibit the practice of issuing "verbal warnings" and require its members to provide citizens with written documentation (i.e., business card, brochure, written warning and/or traffic citation) for every traffic stop (unless exigent circumstances exist) to ensure proper recording of all traffic enforcement activity and ensure all citizens receive basic information regarding the encounter.

During its review, the Review Committee confirmed that the law enforcement activity between the complainant and the Trooper(s) was not appropriately documented (i.e., broadcasting pertinent information about the traffic stop over police radio), which was properly cited by the adjudicator and addressed with supervisory intervention. However, the Review Committee also preliminarily found that the Trooper(s) did not identify themselves by name or as members of PSP (as required by PSP policy) and did not issue a written warning or citation for the alleged traffic violation. Consequently, these various deficiencies left the citizen with limited verbal information and no written documentation regarding the Troopers who stopped the motorist or the official reason for the police action (i.e., traffic stop).

Pennsylvania State Law Enforcement Citizen Advisory Commission

Currently, PSP has several procedures concerning the documentation of traffic enforcement activity which include the following:

1. pertinent information is transmitted and recorded *via* radio broadcast or the Mobile Data Terminal (MDT);
2. the encounter is audio and visual recorded *via* the patrol vehicle's Mobile Video Recorder (MVR);
3. pertinent contact information is documented by a Trooper within a Contact Data Report; and/or
4. a Trooper documents pertinent information by issuing a written warning or traffic citation.

The Review Committee found that among the various methods designed to capture traffic enforcement activity, only a *written* warning or the issuance of a traffic citation provides a citizen with written documentation concerning the reason for the traffic stop, the Trooper's name, and other pertinent information such as the name of the agency involved in the enforcement activity. Currently, PSP policy permits the practice of issuing "verbal warnings" and does not specifically require Troopers to issue documentation to ensure citizens receive basic information regarding their encounter with PSP.

Chairman Brown opened the floor for discussion and deliberation and recognized Review Committee Chairperson Boyer. Like Proposed Recommendation No. 1, Review Committee Chairperson Boyer strongly agreed with Proposed Recommendation No. 2 concerning required documentation. In addition to fostering greater transparency and accountability, Review Committee Chairperson Boyer believed it was also a way to build trust and forge bonds within the community one serves by identifying yourself and respecting residents. When asked, no other comments or questions were posed by Commissioners.

At this time, Chairperson Brown opened the floor to public comment and no comment was offered. **Review Committee Chairperson Boyer offered a motion to adopt Proposed Recommendation No. 2 (Documentation of Citizen Encounters) and related findings and conclusions as stated and the motion was seconded with no noted objection.**

Next, Chairperson Brown summarized the Review Committee's preliminarily findings, conclusions, and related Proposed Recommendation No. 3 regarding use of criminal activity during traffic enforcement activity as follows:

Proposed Recommendation No. 3 – Traffic Enforcement Activity Using Criminal Indicators

The Pennsylvania State Law Enforcement Citizen Advisory Commission's Bias-Based Policing Review Committee recommends that the Pennsylvania State Police adopt a formal policy to require either quarterly or annual analysis of relevant data and consider revisions to the practice of using "criminal indicators" as the initial and/or primary basis for establishing reasonable suspicion that criminal activity is afoot. Given recent case law and proposed legislation, the Pennsylvania State Law Enforcement Citizen Advisory Commission's Bias-Based Policing Review Committee also recommends that the Pennsylvania State Police require either quarterly or annual analysis of relevant data and consider whether the practice of pretextual traffic stops using criminal indicator should continue in its current form.

During its review, the Review Committee confirmed the complainant's vehicle was stopped to make a criminal arrest based on "indicators" of possible criminal activity. Based on PSP's records, the "indicators" of possible criminal activity used to follow and initiate a check of the complainant's vehicle registration included:

1. driving through a "high crime area;"
2. the time of day (i.e., night); and
3. operating a rental vehicle.

Criminal indicators are behaviors or observations made by law enforcement and used as a means of both identifying and preventing potential criminal activity. While the Review Committee recognized that this method of observation-based predictive profiling can be effective when combined with enhanced interdiction training, specialized interdiction training is

Pennsylvania State Law Enforcement Citizen Advisory Commission

essential to aid officers in identifying *potential* criminal behavior and articulating reasonable suspicion of, and/or probable cause to, suspect *actual* criminal activity.

Here, Troopers initially followed the complainant's vehicle for some time while checking the vehicle's tags based on criminal indicators. Troopers gained probable cause justification for the traffic stop after the complainant stopped to park at the curb in front of her residence without signaling pursuant to Section 3334(a) of the Vehicle Code (*see* 75 Pa. C.S. § 3334(a) (Turning Movements and Required Signals)). The Review Committee also noted that United States Supreme Court precedent (i.e., Whren, et al. v. United States (517 U.S. 806 (1996))) permits officer discretion in traffic enforcement for relatively minor traffic violations.

Additionally, the Review Committee found, at the time this traffic stop occurred (February 23, 2018), Troopers were lawfully permitted to stop the complainant's vehicle based on all the aforementioned factors. However, recent decisions by the Pennsylvania Superior Court would not support Troopers making a similar traffic stop today using the same justifications. Specifically, the Review Committee found the following:

1. Commonwealth v. Tillery, 2021 Pa. Super. 249 (opinion dated March 26, 2021) – Police officers pulled the defendant over for violating 75 Pa. C.S.A. § 3334(a), which requires motorists to use turn signals when changing lanes. The Commonwealth alleged that the defendant violated this provision by pulling into a parking spot without using a turning signal. However, the Pennsylvania Superior Court held that while Section 3334(a) requires a turn signal when changing lanes or entering traffic from a parking spot, it does not support a traffic violation when pulling into a parking spot from moving traffic (as was the case under the Review Committee's consideration).
2. Commonwealth v. Singletary, 2021 Pa. Super. 251 (No. 2069 EDA 2020, opinion dated December 17, 2021) – The Pennsylvania Superior Court found that while being in a "high crime area" remains one factor police may consider, police cannot stop and seize an individual merely because the person was in an area that had a documented, on-going, open-air, drug dealing problem without evidence that the person is engaged in actual criminal activity.

As cited in PSP's Adjudicator Report, the purpose of this traffic stop was to "make a criminal arrest based on the indicators of possible criminal activity." These indicators included driving a rental car because (as the adjudicator noted) "based on the training and experience of both Troopers it was known that rental vehicles are used at times to transport illegal guns and drugs." The purpose of documenting the presence of criminal indicators is to not only justify reasonable suspicion for conducting the traffic stop but also for the purpose of establishing reasonable suspicion to conduct an investigative detention of a motorist to search for illegal guns, drugs or other contraband that define the possible criminal activity. However, the Pennsylvania Supreme Court recently affirmed in Commonwealth v. Alexander, 243 A.3d 177 (Pa. 2020) that the Pennsylvania State Constitution requires a warrant prior to searching a motor vehicle's interior contents during an otherwise ordinary traffic stop unless exigent circumstances exist. In this case, at the Troopers discretion, the vehicle was not searched. However, moving forward, if Troopers continue to use the same methods, citizens may be exposed to lengthy investigative detentions, based on a similar list of indicators, as Troopers pursue the development of probable cause to secure a search warrant if a motorist does not agree to a consensual search of his or her vehicle. While the involved Trooper used his or her discretion (in this case) to release the complainant without further incident, the Review Committee recognized the potential perils faced by citizens (when subject to these types of law enforcement practices) along with the potential safety risks such encounters pose to Troopers.

The Review Committee noted that while the practice of using "criminal indicators" can be legally justifiable under certain limited circumstances, "criminal indicators" can also be ambiguous and subjective, and wastefully focuses law enforcement resources on persons otherwise engaged in lawful behavior. Even when based on case law and observations made by well-trained law enforcement officers, pretextual traffic enforcement based on "criminal indicators" can also cause community distrust, as evidenced by the complaint under review, and may result in certain populations being aggressively targeted for search and seizure without being involved in any criminal activity. To this end, recent state legislation (House Bill No. 1361 of 2021 referred to the Committee on Transportation), for example, seeks to prevent police officers from using traffic stops as a pretext for motor vehicle searches. Based on more recent case law, the risk of exposing citizens to unreasonable lengthy investigative detention, and proposed legislation seeking to limit police officers from using traffic stops as a pretext for motor

Pennsylvania State Law Enforcement Citizen Advisory Commission

vehicle searches, the Review Committee found that PSP should consider whether the practice of pretextual traffic stops using criminal indicators should continue in its current form, and how effective the practice is at identifying *actual* criminal activity.

Chairman Brown opened the floor to discussion and deliberation and recognized Review Committee Chairperson Boyer. Review Committee Chairperson Boyer stated that a formal policy requiring either quarterly or annual analysis of traffic enforcement data to determine the effectiveness of its reliance on criminal indicators made good business sense. Review Committee Chairperson Boyer added that it was also a good way to benchmark and assess the viability of such stops by conducting quarterly or annual review(s).

Commissioner Bradford-Grey remarked that she saw this as the heart of the Review Committee's and Commission's work, i.e., captures how people feel about police interaction and how we can minimize negative perceptions. In addition, Commissioner Bradford-Grey added that transparency requires law enforcement to understand the pervasiveness and magnitude of the issue. With creation of a database and required consistent analysis, Commissioner Bradford-Grey believed this will help law enforcement better target limited resources and better understand how it views and treats members of society. Commissioner Bradford-Grey also believed this was the crux of their work, i.e., need to understand the data to improve the system, and hoped the recommendation is taken seriously [by the Covered Agency].

Commissioner Canagarajah agreed with both Review Committee Chairperson Boyer and Commissioner Bradford-Grey. However, Commissioner Canagarajah did not completely understand the intent of Proposed Recommendation No 3. (as stated) and sought clarification since the recommendation only required analysis but did not also require transparency, i.e., making the analysis publicly available. Commissioner Ashe believed Commissioner Canagarajah's proposed language was a great addition.

Chairperson Brown restated Commissioner Canagarajah's proposal to add language to the proposed recommendation making analysis of relevant data publicly available upon completion and asked if there was a consensus among Commissioners. Review Committee Chairperson Boyer Commissioner Boyer agreed to the modification and no objections were noted.

Chairperson Brown restated Proposed Recommendation No. 3 with the modification regarding public accessibility into the record and asked if there was any public comment on this issue. No public comment was offered. Chairperson Brown asked for a **motion to adopt the restated Proposed Recommendation No. 3 as modified. Review Committee Chairperson Boyer posed a motion to recommend adoption of Proposed Recommendation No. 3 (including Commissioner Canagarajah's amendment), the motion was seconded, and no objections were noted.**

With the conclusion of all deliberations concerning the matter currently under consideration by the Review Committee, Chairperson Brown turned the floor over to Review Committee Chairperson Boyer for a motion to **authorize production of Preliminary Investigative Review Report for Internal Case No. 21-0008-P. The motion was offered and seconded with no objections noted.**

Chairperson Brown stated that PSP was invited to the Review Committee's next Special Meeting scheduled for March 28, 2022, at 10:00am. Chairperson Brown also stated that his office will transmit the draft document to the Covered Agency to seek preliminary comments and feedback about the contents of the Preliminary Investigative Review Report for Internal Case No. 21-0008-P in accordance with the

Pennsylvania State Law Enforcement Citizen Advisory Commission

Commission's Bylaws and that Commissioners should be prepared for a robust discussion regarding their determinations, findings, and proposed recommendations contained in the draft report on that day.

At this time, Chairperson Brown asked if there was any other public comment or input, and none were offered. With no other comments or questions, consideration and deliberations concerning Internal Case No. 21-0008-P concluded.

At 2:04 p.m. Consideration, Discussion and Deliberation of Internal Case No. 21-0008-P Ended

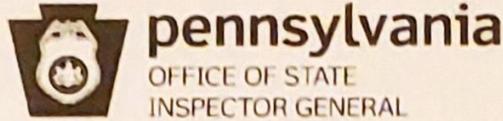
At 2:05 p.m. Announcements by Commission Chairperson

Chairperson Brown provided closing remarks and informed the public about how to file complaints using the Commission's hotline, access the Commission's webpage, and contact the OSIG and BLEO for assistance.

At 2:06 p.m. Special Meeting of the Bias-based Policing Review Committee Adjourned

DRAFT

Pennsylvania State Law Enforcement Citizen Advisory Commission



Roll Call and Attendance Form

Type of Commission Meeting: Quarterly Special Rescheduled
 Date and Time of Committee Meeting: March 15, 2021 1:00pm
 Name of Committee: BIAS-BASED POLICE REVIEW COMMITTEE

Pursuant to Article 6, Sections 2 and 5 of the Pennsylvania State Law Enforcement Citizen Advisory Commission's (Commission) Bylaws, I hereby attest to having a Roll Call of Committee Membership performed at the above listed Committee meeting and recording attendance of Committee members as indicated below:

Seat Name	Name of Commission Member	Attendance		
		Present	Excused Absence	Absent
At-Large Seat 1	David A. Sonenshein			
At-Large Seat 2	Dr. A. Suresh Canagarajah, Ph.D.	✓		
At-Large Seat 3	Kelley B. Hodge, Esquire			
At-Large Seat 4	Denise Ashe	✓		
At-Large Seat 5	Elizabeth C. Pittinger			
At-Large Seat 6	Keir Bradford-Grey	✓		
Troop A Seat	Jeffrey Wilson			
Troop B Seat	Brenda Tate	✓		
Troop C Seat	Joshua S. Maines, Esquire			
Troop D Seat	Marisa C. Williams			
Troop E Seat	Bishop Curtis L. Jones, Sr.			
Troop F Seat	Honorable Erick J. Coolidge			
Troop G Seat	Charima C. Young			
Troop H Seat	Spero T. Lappas, J.D., Ph.D			
Troop J Seat	VACANT			
Troop K Seat	Andrea A. Lawful-Sanders			
Troop L Seat	VACANT			
Troop M Seat	Marvin Boyer	✓		
Troop N Seat	Marilyn M. Brown, Ed.D.			
Troop P Seat	Rev. Shawn M. Walker			
Troop R Seat	Krista Somers			

**Signature of Sha S. Brown,
Commission Chairperson**



**BIAS-BASED POLICING REVIEW COMMITTEE
SPECIAL MEETING AGENDA**

The Pennsylvania State Law Enforcement Citizen Advisory Commission (Commission), established by Executive Order 2020-04 (as amended by Governor Tom Wolf on April 30, 2021) announces a Special Meeting of the Commission's Bias-Based Policing Review Committee (Review Committee) to be held in person at the **Office of State Inspector General located at 555 Walnut Street, 7th Floor, Forum Place, Harrisburg, PA 17101** and virtually *via* the Commission's information technology platform (Microsoft Teams) on **Tuesday, March 15, 2022, at 1:00pm (Executive Session) and at 1:30pm (Public Session).**

In accordance with 65 Pa.C.S. § 709(b) and Article 6, Section 2 of the Commission's Bylaws, the Review Committee's Meeting Agenda consists of the following items:

- (1) Executive Session [*closed to the public* – Review of Meeting Agenda; Recap of previous discussions related to and proposed schedule for completion of **Internal Case No. 21-0008-P** for the purpose of issuing a Preliminary Investigative Review Report; and other administrative matters];
- (2) Call to Order and Roll Call [*expected to begin at approximately 1:30pm*];
- (3) Acceptance of Meeting Agenda;
- (4) Approval and adoption of previous Special Meeting Minutes from February 14, 2022;
- (5) Approval of administrative and/or other procedural matters;
- (6) Report by the Bias-Based Review Committee's Chairperson;
- (7) Opportunity for public comment; and
- (8) Discussion, deliberation and official action(s) for purposes of reaching preliminary Findings and Conclusions in anticipation of issuing a **Preliminary Investigative Review Report for Internal Case No. 21-0008-P** which will include: (i) whether the completed internal investigation of the Covered Agency was prompt, fair, impartial, complete, and reasonable; (ii) whether the substance of all related bias-based policing and any other relevant internal policies, procedures, controls, regulations, guidance, practices and/or training of the Covered Agency applicable to **Internal Case No. 21-0008-P** are adequate and effective; and (iii) if not considered adequate and/or effective, what recommendation(s), if any, may be necessary to minimize and/or reduce likelihood of future incidents.

Individuals having questions regarding this Special Meeting of the Commission's Bias-Based Policing Review Committee, which is open to the public, should contact the Bureau of Law Enforcement Oversight within the Pennsylvania Office State Inspector General (OSIG) at (717) 787-6835. Media inquiries may be directed to the OSIG's Deputy State Inspector General for External Affairs Jonathan Hendrickson at (717) 265-8396.

Sha S. Brown, Chairperson
*Pennsylvania State Law Enforcement Citizen Advisory
Commission*

Pennsylvania State Law Enforcement Citizen Advisory Commission

Commission's Webpage:
www.osig.pa.gov/pslecac

Tel: 717-772-4935
555 Walnut Street, 8th Floor, Forum Place | Harrisburg, PA 17101

