

**APPROVED MINUTES  
POLICE CITIZEN REVIEW SUBCOMMITTEE**

**October 9, 2024  
Meeting Held Remotely Via Zoom**

Members present: Anne Hardcastle, Chair; Reverend Lewis, Vice-Chair; Xavier Botana Gino Desruisseaux; Tim Smith; Joey Brunelle; Kaylin Kerina (joined at 6:46)

Staff present: Associate Corporation Counsel Rachel Millette; Chief Mark Dubois; Major Dan Hondo; Lt. Jacob Titcomb

6:04 Call to order.

Motion was made by Reverend Lewis and seconded by Gino to adopt the September 11, 2024 meeting minutes. Passage 6-0.

Standing of the new ordinance:

Rachel reported that there is a plan of action for moving the new ordinance forward, however, there needs to be more negotiations with the police unions before bringing the ordinance back to the City Council, hopefully in December. Rachel will inform the subcommittee when the exact date is as soon as she knows. Reverend Lewis asked about the City Council timeline as it relates the number of readings this will need. Rachel responded that if the ordinance is added to a December agenda it would likely be in an executive session and then opened up after into a workshop session. There may be different approaches to the process if the City Council decides to make significant changes to the ordinance, it could be sent to committee where the changes would be made and then workshopped. If the City Council comes to an agreement of what the ordinance would look like, there would be two readings of the ordinance, the first of which is not open to public comment. The second read is open to public comment before the City Council votes on the ordinance.

Joey pointed out that there will be three new city council members and that a workshop would be appropriate. Xavier asked what version of the ordinance the police unions are bargaining over. Rachel expressed that the police negotiations are confidential. Xavier asked if the PCRS will see the ordinance before it goes to the City Council. Rachel responded that once the ordinance is presented to the City Council in executive session, it will then be workshopped, and then the PCRS should be able to review it before it is voted on by the City Council. Rachel expressed that there are a lot of moving parts and that there is no way to predict if the City Council will want changes. Rachel suggested that the PCRS schedule a special meeting to review the ordinance if the timing doesn't align with their normally scheduled monthly meeting. Joey pointed out that the PCRS meets on 11/13 and 12/11, the City Council meets on December 2, which may end up being the inaugural meeting for new members. Joey predicted that there could be a workshop on December 9 before the PCRS December 11 meeting.

Reverend Lewis asked if the PCRS could authorize the Chair to speak/write on behalf of the PCRS to the City Council with its response regarding the new ordinance. Rachel agreed that it could be done that way, or workshopped, though she cautioned the subcommittee about not

meeting outside of the public forum. Anne asked if they planned a special meeting what kind of advance notice would the public need. Rachel answered that there are no hard and fast meeting notice rules adding that she will know well in advance of seven days when the City Council workshop will take place.

Anne inquired about the timing of the transition from the PCRS to the Citizen Police Review Board (CPRB). Rachel responded that once the ordinance is passed, it will go into effect after 30 days, then the PCRS will be dissolved, and an appointment process will begin for the new CPRB, similar to the process that has been in place. Preference will be given for current members to serve on the new, larger board. Anne surmised that theoretically it could be 30-60 days before the new board is in place.

Joey asked how to go about bringing up a subject previously discussed at an earlier meeting. Rachel answered that the subcommittee sets the next meeting's agenda at the end of each meeting. If something comes up after a meeting, she suggests that he email her and Anne and Anne can decide if the subject should be added to the agenda. Rachel said the individual conversations around procedural topics can take place between two individuals and explained that nothing confidential should be discussed and to avoid a quorum.

No public comment was offered.

Reverend Lewis motioned to postpone review of IA2024-006 until the next meeting, Joey seconded.

Reverend Lewis explained that he believes that the case should be reviewed by the person it was assigned to – thus postponing the case until the next meeting for Kay to review the case. Anne agreed with postponing the case. Joey asked if they need to wait a whole month before reviewing the case. Anne responded that there is precedence of postponing meetings, thus it is not usual practice to hold a special meeting to review a case. Reverend Lewis re-stated his motion to defer the review of IA2024-006 until the next regular meeting of the PCRS. Tim seconded. Xavier suggested that the subcommittee appoint two people to each case to review, the second person acting as back-up. Anne agreed that it would be good practice and volunteered to be that person. Xavier volunteered to be the second person for the pending case.

Passed 6-0.

Next month's agenda:

Anne suggested that they hold a workshop around the subcommittee's roles – what they do and how they function so that the group is moving forward in the same direction. Rachel can help with some of it. Rachel and Anne will come up with an agenda. Joey would like the committee to develop SOPs for different aspects of what they do.

There are currently no new cases to review next month.

Joey asked about the Use of Force Report which was emailed to the subcommittee and if it would be added to agenda next month. Joey also asked about an earlier case which resulted in a vote that deemed the case was not thorough, not objective and not fair and what happened as a result of that vote. Anne suggested that they cover that in a workshop. Rachel will provide a copy of the redacted complainant letter that was sent. Xavier would like a forum to discuss the Use of Force Report. Rachel offered to ask someone to come and explain the report and process. The PCRS does not review Use of Force Reports. Tim suggested that the workshop include the training

opportunities available to the subcommittee. Reverend Lewis asked if the SOP addresses the Use of Force Report because it is not a citizen complaint and if the report is a public document. Rachel responded that the report is a public document. Joey also asked about discussing training in police oversight, NACOLE and their best practices. Kay joined the meeting. Anne asked the subcommittee if they wanted to review the case. Reverend Lewis expressed that he would like to go into Executive Session to discuss the case.

6:54 Motion was made to enter into Executive Session pursuant to 1 M.R.S. Sec. 405(6)(F) to discuss IA2024-006 by Anne and seconded by Reverend Lewis. Passage 7-0.

7:39 Out of Executive Session.

Motion was made by Reverend Lewis to find that IA2024-006 was objective; seconded by Kay. Passage: 3 yes; 2 no; 2 abstention, IA2024-0006 was found to be objective.

Motion was made by Xavier to find that IA2024-006 was timely; seconded by Reverend Lewis. Passage: 6 yes; 1 no, IA2024-0006 was found to be timely.

Motion was made by Reverend Lewis to find that IA2024-006 was fair; seconded by Kay. Passage: 4 yes; 2 no; 1 abstention, IA2024-0006 was found to be fair

Motion was made by Kay to find that IA2024-006 was thorough; seconded by Reverend Lewis. Fails: 3 yes; 3 no; 1 abstention, no consensus reached, IA2024-0006 was not found to be thorough, nor was it found not to be thorough.

No public comment.

7:46 Motion was made by Reverend Lewis and seconded by Gino to adjourn. Passage 7-0.