

***BALTIMORE POLICE INCIDENT OF
NOVEMBER 15, 2017
INDEPENDENT REVIEW BOARD
MEETING 4 MINUTES – OPEN SESSION***

Meeting Date: 07/31/2018

Meeting Location: Conference Call

Attendance

| Name | Title | Organization | Present |
|----------------------|-------------------------------|--|----------------|
| James CHIPS Stewart* | Director, Public Safety | CNA | Y*** |
| James Chip Coldren* | Managing Director | CNA | Y*** |
| Rick Fuentes* | Superintendent (ret.) | New Jersey State Police | Y*** |
| Pete Modafferi* | Chief (ret.) | Rockland County District Attorney's Office | Y*** |
| Charles Scheeler* | Senior Counsel | DLA Piper | Y*** |
| Marvin Sydnor* | Detective (ret.) | Baltimore City Police Department | Y*** |
| Gary Childs* | Private Detective | Dunlaw Investigations and Consulting | Y*** |
| Tammy Felix** | Research Scientist | CNA | Y*** |
| Samantha Rhinerson** | Research Specialist | CNA | Y*** |
| Veronica Hoban** | Executive Assistant | CNA | Y*** |
| Terri Dunn** | Assistant to Charlie Scheeler | DLA Piper | Y*** |

* Independent Review Board

** Staff

*** Participated telephonically

Meeting Location:

Conference Call

Meeting Start: 9:00 a.m.

9:00am: Overview of Progress from Previous Meeting (IN OPEN SESSION)

Mr. James "CHIPS" Stewart opened the fourth session of the Baltimore IRB Meeting. CHIPS then called roll to identify which members were in attendance. Several members of the media and press were present on the line. CHIPS confirmed that we have a quorum present. This meeting is following the Maryland Open Records Act. This Board was convened to review the response to the tragic shooting death of Detective Sean Suiter. The Baltimore Police Department has fully cooperated with the review. The Board has interviewed over 30 individuals, some multiple times. Sergeant James Lloyd was very professional and cooperative during this review. The Board interviewed current and former mid- and upper-level command staff who had first-hand knowledge of the tactical operations used during this investigation. The Board has made multiple trips to Bennett Place and interviewed several individuals from the U.S. Attorney's Office and the Federal Bureau of Investigation. The Board has spent over 550 hours on this complex review.

Today's meeting is focused on finalizing the evidence, findings, and recommendations for this review. CHIPS thanked the Board for conducting this review and helping BPD and the City of Baltimore find closure. CHIPS then opened the meeting up to the press and media for questions.

MEDIA: When do you anticipate releasing your final report? CHIPS noted that the report would first be sent to BPD for review. BPD will have a minimum of 10 days to review the report and to provide comment for the Board's reasonable consideration. CHIPS also noted that the report should be ready for release in 3-4 weeks.

MEDIA: Initially, you believed that you would be ready to release the report by the end of July. Have there been delays? CHIPS noted that additional interviews have been conducted and external meetings which have caused this delay. There has been no resistance to cause the delay.

MEDIA: Have you interviewed the previous Commissioner? CHIPS responded that we have.

MEDIA: Have you discovered anything that was a surprise? CHIPS noted that all members came to this investigation in an objective manner. We have made progress towards clarity.

MEDIA: Has the Board been able to conclude how Detective Suiter died? CHIPS noted that will be discussed today. We have reviewed the evidence and have determined findings.

MEDIA: So there will be a conclusion as to how he died? CHIPS noted that we cannot make an official decision as to how he died because we are not a governing entity, but our information will be available to those that can.

MEDIA: What exactly is the conclusion that you will make? CHIPS noted that the Board has reviewed the use of ICS, the homicide investigation process, training, lessons learned, and the community's response to the investigation. We have identified a witness that re-confirmed what was provided to the police department previously. We have also reviewed the four theories provided by Commissioner DeSousa. The Board will note which theory is most probable in the eyes of its members.

MEDIA: To what extent do you think that evidence will be released? How much of your work will be shown? CHIPS noted that we are required to submit the report to the Office of the Police Commissioner, who has stated that the BPD will be transparent and intend to release the report to the public. The report is very comprehensive and will answer many facets of your question.

MEDIA: The IRB will take a vote on the opinion of the members of the Board on what the manner of the death of Detective Sean Suiter, correct? CHIPS noted that it is one of many items evaluated by the Board. Charlie stated we are unable to answer many of these questions in detail, but they will be answered in the report.

9:20am: Open Meeting Legislative Session Requirements (IN OPEN SESSION)

Mr. Stewart called for a motion to transition the meeting to a closed session under the authority of the Maryland Open Meetings Act under General Provisions Article § 3-305(b)(2). This is a personnel matter and also involves the privacy of the family of Detective Sean Suiter. The Board is also reviewing an open criminal investigation. The IRB will review the Draft Report, Preliminary Findings, and Recommendations. Marvin Sydnor moved to close the meeting, and Gary Childs seconded the motion. The motion passed unanimously and the meeting moved into closed section.

Members in favor: All Members Opposed: None.

9:25am: Discussion of Draft Report, Preliminary Findings, and Recommendations (IN EXECUTIVE SESSION)

12:20pm: Next Steps (IN EXECUTIVE SESSION)

12:30pm: Adjournment

Mr. Stewart called for a motion to adjourn the meeting. Mr. Fuentes made the motion and Mr. Sydnor seconded the motion. The motion passed unanimously and the meeting adjourned.

Members in favor: All Members Opposed: None.

Meeting End: 12:31 pm

Next Meeting: August 7, 2018 at 1:00 pm via Conference Call