



ARLINGTON BRANCH #7047

NAACP

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### At-Large Executive Committee Members

Karen Nightingale, Symone Walker, Esq.,

James Younger, Esq.

July 23, 2021

6:00 p.m.

## PRESS RELEASE

### Arlington Branch NAACP Public Statement: Arlington County Community Oversight Board

NAACP National challenged our over 2,200 units across America to advocate for meaningful civilian oversight boards with subpoena power. During the past 12 months, leaders of Arlington Branch NAACP, our allies, stakeholders, and citizens have worked diligently to ensure this Call to Action was accomplished. Despite the County Board's recent adoption of a Community Oversight Board (COB) ordinance, we are disappointed that the County Board refused to adopt the General Assembly-approved authority for the COB to be truly independent and to make binding disciplinary determinations. Nevertheless, we will work with all parties to ensure that the process is equitable and transparent. Most striking to many was how during the County Board's discussions, the wellness and morale of police officers under investigation outweighed the human rights of the most marginalized. The Board should have prioritized the concerns of communities of Color that are discriminated against and have been historically victimized by improper policing. The County Board's failure to do so demonstrates their disconnect with the people they swore to serve.

What remains problematic to us is the failure of elected leaders to embrace the moment and fully adopt authorities granted in [§ 9.1-601. Law-enforcement civilian oversight bodies](#) which authorizes the following:

- “Any law-enforcement civilian oversight body established by the governing body of a locality **shall reflect the demographic diversity of the locality.**” *The Arlington County Board on a vote of 4-1 rejected an amendment that marginalized communities have a guaranteed seat on the COB.*
- “To receive, **investigate**, and **issue findings on complaints from civilians** regarding the conduct of law-enforcement officers and civilian employees of a law-enforcement agency serving under the authority of the locality.” *This is not the authority structure adopted by the County Board.*

Arlington County's [Press Release of July 22, 2021](#), states, "In an effort to improve transparency and accountability in the Arlington County Police Department (ACPD), the County Board has established a Community Oversight Board (COB) with independent investigative and subpoena power, and an

**Independent Policing Auditor."** Additionally, during the "Board wrap up" on the same website a member of the County Board repeats the assertion that the COB will have "[independent investigatory authority](#)" and twice refers to COB's "findings."

Words Matter! What is truthful, factual, and indisputable is that the County Board rejected community input and its own [Police Practices Group's recommendations](#) (Pg.'s 21-24) for true "independent investigatory" power and binding disciplinary actions for the COB. Though the Board and its members repeatedly refer to the COB's ability to make findings, in fact, key provisions for the COB's ability to make findings based on investigations were removed from the ordinance that was passed.

Standing between the COB and ACPD is the newly created Independent Policing Auditor, who will be hired and supervised by the County Manager, who also oversees the police chief and the department. The Board rejected the community's request for the County Manager to select from a roster of candidates screened and recommended by the COB. This structure was not in the statute and is potentially the biggest failing of this ordinance. The fact remains, this police auditor will have a difficult time looking at police operations from a community lens while also being selected and supervised by the police department's command structure. It will be particularly problematic for them to be that community voice if they come from a law enforcement background as telegraphed by the County Board. The danger is that the IPA model and the dominance of police in ALL investigations could render the COB mere window dressing.

It is now of paramount importance that the Independent Policing Auditor screening and hiring process be fully transparent. The COB, advocacy groups, and members of the public must have input into this selection.

Let us withhold the use of the words "independent and investigatory powers" until we see the County Board demonstrate good faith adherence to those concepts.

To be clear, the NAACP is not Anti-Police nor is our support for a robust COB a judgement on past disciplinary actions or investigations by ACPD. Instead, we seek the empowerment of the people whom ACPD is obligated to protect and serve to have a voice in how they are protected and served.

Sincerely,



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Kent D. Carter  
1<sup>st</sup> Vice President, Arlington Branch NAACP  
Criminal Justice Committee, Chair

*Founded in 1909 in response to the ongoing violence against Black people around the country, the NAACP (National Association for the Advancement of Colored People) is the largest and most pre-eminent civil rights organization in the nation. We have over 2,200 units and branches across the country, along with well over 2M activists. Our mission is to secure the political, educational, social, and economic equality of rights to eliminate race-based discrimination and ensure all persons' health and well-being. Units of the NAACP are designated as 501(c)(4) organizations, and only the National Office is a 501(c)(3) organization. A 501(c)(4) organization is a nonprofit corporation operated exclusively to promote social justice.*