

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
July 28, 2020

The Henrico County Board of Supervisors convened a special meeting on Tuesday, July 28, 2020, at 5:30 p.m., in the Board Room of the Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

Members of the Board Present:

Thomas M. Branin, Chairman, Three Chopt District
Daniel J. Schmitt, Vice-Chairman, Brookland District
Tyrone E. Nelson, Varina District
Patricia S. O'Bannon, Tuckahoe District
Frank J. Thornton, Fairfield District

Other Officials Present:

John A. Vithoulikas, County Manager
J.T. (Tom) Tokarz, Acting County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
W. Brandon Hinton, Deputy County Manager for Administration
Anthony E. McDowell, Deputy County Manager for Public Safety
Monica L. Smith-Callahan, Deputy County Manager for Community Affairs
Steven J. Yob, P.E., Deputy County Manager for Community Operations
Steven W. Knockemus, Assistant Director of Public Relations

Mr. Branin called the meeting to order at 5:34 p.m.

2020 Election Preparedness and Voting

Mr. Vithoulikas briefly introduced this item and recognized Mark Coakley, who narrated a slide presentation titled *2020 Presidential Election: Overview of Legislative Changes, Election Day Procedures, and County Information*. Mr. Coakley began his presentation by citing voter registration statistics for each magisterial district for the years 2004, 2012, and 2020, noting the number of registered voters in Henrico has increased during that time from 177,975 to 229,366. He further noted the County's 2021 redistricting will even out the number of voters among districts. Mr. Coakley next reviewed legislation passed by the Virginia General Assembly during the 2020 Session pertaining to voter registration and elections. These included bills loosening requirements for absentee voting and voter identification (ID). Mr. Coakley responded to questions from the Board regarding changes in absentee voting. He continued his presentation by highlighting officer of election training, new social distancing policies, election day supplies, and election day office support.

Following his presentation, Mr. Coakley responded to questions from the Board. He advised Mr. Thornton that his office will be recruiting temporary election workers at town hall meetings, will continue have transparency in its voting procedures, and will no longer require voters to provide a photo ID. Mr. Thornton acknowledged the County Registrar's office has

generally done a good job of handling elections during Mr. Coakley's tenure. Mr. Coakley assured Mr. Nelson that his office will correct previous issues that impeded voting at Fairfield Library by handicapped individuals. At Mr. Nelson's request, Mr. Coakley updated the Board on curbside voting procedures that will be in place for the upcoming election to ensure all curbside voters receive the necessary assistance and explained how his office will work with the Department of Public Relations to get the message out to the public about voting alternatives and procedures. Mr. Coakley also responded to questions from Mr. Nelson concerning the current process and timeframe for applying for absentee ballots. He clarified for Mrs. O'Bannon the days and hours when Henrico residents can vote in person and elaborated on voter education/registration drive regulations for Mr. Thornton, who asked Mr. Coakley to provide him with a copy of these regulations. Mr. Nelson asked the Registrar's Office to amend its in-person voting schedule to allow for voting on two additional Saturdays beyond the two Saturdays already scheduled. He also questioned why applications are required for no-excuse absentee voting. In response to a question from Mrs. O'Bannon, Mr. Coakley explained in more detail the information voters need to provide on absentee ballot applications.

Update on Civilian Review Board Input

Mr. Vithoukas introduced this item. He pointed out the Board began soliciting public input earlier in the month on the potential creation of a civilian review board for the Henrico Police Division (HPD). He thanked Mr. McDowell for responding to each citizen response that was received by the Board. Mr. Vithoukas informed the Board that the General Assembly will be holding a special session in August to consider statewide action on this issue. Mr. Thornton suggested the Board will need to be sensitive to what happens at the General Assembly and have a follow-up discussion of this matter following the session. Mr. Vithoukas noted the Board will continue to accept comments through July at civilianreviewboard@henrico.us. He further noted that public input had been requested in response to a request by Mr. Nelson for the establishment of a civilian review board in Henrico.

Mr. Vithoukas recognized Vaughan Crawley, Internal Audit Director, who narrated a slide presentation on this item. Mr. Crawley began by providing background on the process for soliciting public input, including the online webform that was created to expedite the receipt of this information by him and Mr. McDowell. He advised that residents were encouraged to provide their name and address when responding although not all respondents have done so. Mr. Crawley next explained the purpose of bringing forward this work session item was to provide a brief summary update on the input received and to formally acknowledge the transmission of the information to the Board to facilitate future discussion. He emphasized that this update would provide no opinions or recommendations from the Internal Audit Office or County management. Mr. Crawley then offered an overview of the public input process, noting 343 emails were received at the established e-mail address as of Tuesday morning, July 28, and 319 emails were transmitted to the Board in three separate packages through Wednesday, July 22. He shared his general observations with the Board, which were summarized as follows: 48 percent of the respondents expressed support for a civilian review board, 24 percent stated they were not in favor of a review board, and 28 percent had no definitive position. There were expressions of support of and appreciation for HPD by respondents, whether or not they supported the idea of a review board, and a few respondents described positive or negative experiences with HPD. Forty respondents stated an interest in helping with or serving on a review board. Mr. Crawley identified frequently used words

by respondents and common themes based on repeated sentiments and phrases. He grouped these themes into potential positives, potential concerns, potential board composition and operations, and alternative ideas. Mr. Crawley cited several resources that were referenced, including the National Association for Civilian Oversight of Law Enforcement, The President's Task Force on 21st Century Policing, and RACE Capitol. He concluded his presentation by pointing out that staff will distribute to the Board by August 3 all additional e-mails received through July 31.

Following his presentation, Mr. Crawley responded to numerous questions and comments from the Board. Mr. Schmitt and Mr. Branin indicated a concern that staff was unable to confirm all respondents were Henrico residents because some respondents failed to provide a name and address as requested. Mr. Thornton noted every locality is different and suggested the Board needs to have a future discussion to determine what is best for Henrico. He voiced concern that some of the responses by persons who were opposed to a review board used coded words and offered snide recommendations. Mr. Branin agreed the Board should not rush to judgment before having a discussion. Mr. Nelson said he was confused by the intent of this work session presentation and had come prepared to have a Board discussion. Mr. Branin opined that an in-depth conversation on this subject will require a standalone work session when the Board will have more time for discussion. Mr. Vithoukaskas clarified for Mr. Nelson that this item was brought forward simply to present data collected by staff. Mr. Nelson advocated immediate dialogue by the Board and not waiting until after the General Assembly acts. He stated there needs to be a citizen review board in Henrico based on the way he sees things lining up. Mrs. O'Bannon remarked that she would like to have a presentation by staff as to how the Police Division currently handles citizen complaints prior to further discussion by the Board on the establishment of a review board. Mr. Nelson commented that persons of color do not trust and are afraid of the police. He clarified that he is not anti-police but is pro-citizen and believes that mental health professionals should be the first to arrive on a crime scene to de-escalate the situation. Mr. Thornton said he would like to know how all his colleagues on the Board feel about a review board but does not believe the Board should be locked in by a specific timeframe for this discussion. Mr. Branin and Mr. Schmitt both agreed the Board should have a standalone special meeting to discuss this matter further. Mr. Schmitt said he has more questions than answers at this point. He would like to see what has worked and not worked in other localities and prefers hearing what the General Assembly has to say during the special session and what additional constituents want before having a full Board discussion. Mrs. O'Bannon expressed a desire to consider alternative solutions and receive recommendations from the new police chief and not limit discussions to establishment of a review board. Mr. Nelson voiced concern that the local process for reviewing police actions has failed and said the only way for the County to maintain trust in its police operations is to have a review board. He asked for a discussion on this matter in August prior to the General Assembly convening for the special session. Mrs. O'Bannon commented that the review board in Minneapolis has not been a panacea. Mr. Schmitt questioned whether other localities have reached out to citizens for input the way Henrico has and asked that the Department of Public Relations immediately use social media to solicit more citizen input.

There was discussion among the Board and Mr. Vithoukaskas relating to the appropriate timeframe for scheduling a standalone special meeting on this topic. Mr. Branin requested that a specific time and date be agreed upon by the end of the week. Mr. Vithoukaskas advised that he would poll the Board on this question. Mr. Nelson suggested that staff should be prepared to answer questions at the special meeting. Mr. Branin asked the members of the

Board to provide Mr. Vithoulkas with a list of questions by Friday, July 31. Mr. Vithoulkas recommended holding the special meeting in the Board Room and to begin early enough to allow public comment. Mr. Thornton stated he wants to ensure the Board has sufficient quality time to discuss this issue and have a full dialogue.

Regular Meeting Agenda Items

Mr. Vithoulkas suspended the review of items on the 7:00 p.m. regular meeting agenda other than to highlight briefly the two public hearing items, both of which pertained to the Department of Community Revitalization.

There being no further business, the meeting was adjourned at 6:53 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia