

**COMMUNITY POLICE REVIEW COMMISSION
(CPRC)
Wednesday, May 5, 2021
7:00 P.M.
Zoom Meeting**

MINUTES

I. CALL TO ORDER, ROLL CALL, PLEDGE

The meeting was called to order at 7:08 P.M. by Chair Randy Joseph, with all Commission Members participating via teleconference.

Present: Randy Joseph (Chair), Yenny Garcia (Vice Chair), Diego Garcia, Oscar Garcia, Carol Hegstrom, Andre Jackson*, Donnell Jones, Steven Lacy, and Dow Tunis
*Arrived after Roll Call

Absent: None

Staff: Dominique Roache-Green – Present

Council Liaison: Claudia Jimenez – Present

City Attorney's

Office Representative: Bruce Soublet, Senior Assistant City Attorney – Present

II. APPROVAL OF MINUTES (January 6, 2021, February 3, 2021, March 3, 2021 and April 7, 2021)

There were no minutes available.

III. AGENDA REVIEW

There were no changes to the agenda.

IV. PUBLIC FORUM

Cordell Hindler, Richmond, spoke to speeders along 27th Street and Nevin Avenue and urged some police presence on that corner. He also spoke to businesses that were open 24 hours a day and suggested those businesses encouraged crime.

Andres Soto, Richmond, spoke to the Cinco de Mayo riot in 2002 on 23rd Street against the Latino community when he and his sons had been victims of the Richmond Police Department (RPD) presence at that time and when their case had been brought to the Richmond Police Review Commission, which had investigated. He stated justice had not been completely served at that time and he described what had occurred in his case. He stated the Richmond Police Officers' Association (RPOA) had tremendous power in the politics in the City and should not be allowed to interfere in the work of the City. He recommended that the CPRC expand its power and authority including the topics it could investigate and its deliberations should be open to the public. He added the riot was when Richmond had started to lead the movement for progressive change.

V. REPORT OF CITY COUNCIL LIAISON (Claudia Jimenez)

Councilmember Claudia Jimenez reported that the American Rescue Plan Act (ARPA) had passed which would mean up to \$20.8 million to the City of Richmond, and the City and many other communities were organizing to hear from the community how those funds were to be used. The community meetings that the Richmond Finance Department would hold had been scheduled on May 6, 2021 at 4:00 P.M. and on June 3, 2021 at 6:00 P.M., as reported on the City's website through the ARPA Link. She also explained that the City Council had passed an item at its last meeting to create a plan for how to support small businesses, rent and mortgage assistance with ARPA funds and the City would take a more active role in that area.

When asked of her goals for supporting the CPRC, Councilmember Jimenez stated the CPRC should be given more support and more power so that it could work with the RPD to make it more accountable.

The CPRC welcomed Councilmember Jimenez and looked forward to working with her, and Cordell Hindler called in and also welcomed Councilmember Jimenez.

VI. REPORT BY CHIEF OF POLICE (Chief Bisa French or Designee)

Police Chief Bisa French wished everyone a Happy Cinco de Mayo. She stated the RPD had engaged in an Easter Basket Giveaway at Powell schools; Easter food events by the Guardians of Justice, the Black Officers' Association, had given out food boxes and bags in North Richmond and at the Barrett Apartments; participated in Earth Day in North Richmond with community leaders, the Sheriff's Department and had worked with Contra Costa County and City code enforcement to do a cleanup in the area, had walked the area and talked to residents about how to improve property and how they could get help in doing so. She and several officers had also participated in opening day for baseball at Nicholl Park put on by the Police Athletic League (PAL) and its baseball program. There had been a diversion graduation in conjunction with PAL; there had been a hate crimes seminar specifically for Asian Americans, although not necessarily an issue in Richmond, with the District Attorney's Office and community members, specifically from the Sikh community, and the NAACP. She had Sergeant Decious talk about the Office of Traffic Safety (OTS) grant to deal with traffic safety issues around the City, which grant had been used to conduct DUI Checkpoints.

Sergeant Decious reported that he was the Traffic Sergeant. In charge of the motor unit and traffic unit. With respect to the OTS grants, in 2019 and 2020 there had been \$235,000 in grants to target mostly DUIs and primary collision factors in terms of what caused accidents. It had been a very successful campaign and two additional grants had been received.

The RPD was now managing a grant for enforcement actions called a step grant including DUI suppressions, checkpoints, distracted driving and pedestrian and bicycle operations along with joint operations with other agencies allowing the RPD to branch out in different areas in the county and help with staff and enforcement. Sergeant Decious also referred to a trip grant, a technology grant of \$73,000 allowing the RPD to speak remotely in terms of a report writing system for traffic accidents, and an upload to the CHP and electronic citation devices that could be used on cellphones, along with printers.

Chair French advised that the traffic grants had been pursued because Richmond had more traffic collisions and DUIs per capita than other cities its size and more traffic-related deaths, and it was important to address the issue to save lives.

Sergeant Decious stated that since January last year, there had been 13 fatal collisions while similar cities might have five or six. The goal was to educate people and provide the City Engineer with engineering options to make intersections, roadways and streets safer for bicyclists, pedestrians and motorists, with enforcement.

Vice Chair Garcia commented that the majority of those being stopped at the DUI Checkpoints were primarily Latino folks and most were from Guatemala, and she had been concerned with those folks being pulled over and getting citations and had sought other options under the grant to educate the community since there should be a way to let the community know it was a big issue. She did not think the process was very effective.

Sergeant Decious stated there had been a total of six checkpoints allowed under the grant from October 1 through September 30. The RPD also had 14 DUI suppressions, which encompassed officers looking for driving indicators of those under the influence. That process was referred to as the saturation method. In terms of the individuals who went through the checkpoint, he stated the RPD was mandated by law to issue a press release 7-10 days prior to the actual checkpoint. Those drivers stopped without a license were allowed until the end of the checkpoint to have someone pick up their vehicle to avoid having to impound the vehicle. If a license was suspended, under the law the vehicle would automatically have to be towed.

Sergeant Decious stated the checkpoints were done in different areas of the City in areas where statistically there were a number of accidents or DUI arrests. No specific population had been targeted. He acknowledged that the RPD could be better in terms of teaching and explaining the dangers. He referred to a checkpoint in the last week with zero arrests, although a gun had been collected from four or five individuals. While some would see the press release and not drive in that direction, he did not know what avenues could be pursued other than education. He added that when people went through the actual checkpoint the RPD identified why the checkpoint was there and offered that education. The RPD was trying to provide the best service it could to keep Richmond residents the safest possible.

Vice Chair Garcia was happy to work with Sergeant Decious and other members of the RPD to explore other options, and Sergeant Decious clarified the OTS grant required certain parameters and anything out of those confines would have to be discussed.

In response to Councilmember Jimenez with respect to expired driver's licenses, Sergeant Decious stated that technically if a license had been expired for more than 30 days that person would be considered unlicensed, and that person could have someone pick up a vehicle. The only way that vehicles would be towed in that case is if someone had not been able to pick up that vehicle. He added that during COVID the RPD had allowed expired licenses of up to six months without towing vehicles given the difficulty of getting in to the DMV to make sure their license was valid and up to date. He reiterated that if someone had a suspended license, under the law that vehicle had to be towed.

Councilmember Jimenez asked about race data from checkpoints that could help address some of the racial bias rightly or wrongly associated with the checkpoints, and Chief French explained the RPD was not currently collecting data on race but was looking at a vendor to collect that data since by law in January the RPD would have to report on that data on every stop or search and would be able to capture that information and make it available to the public.

On the continued discussion of the collection of racial data, Chief French stated it was important to know how people got to the checkpoint since the RPD was not selectively picking vehicles.

Sergeant Decious noted there had been a point in time when the line had been very long and very few evaluators or screeners were available when 100 to 150 or so vehicles had been allowed through to avoid inconveniencing the public. He stated that 95 percent or more of those folks going through the checkpoints were happy to see it and thanked the RPD. He added for the most part the community as a whole was appreciative of the efforts to keep them and their families' safe.

Commissioner Oscar Garcia thanked the Chief for participating in the video for the Cinco de Mayo Parade and stated the video could be put on Chat for anyone interested in seeing it. With respect to the DUI Checkpoints, he stated over the years many improvements had been made such as not arresting the undocumented and impounding their vehicles. On the perspective of someone who had lost a close family member due to a drunk-driver, he was appreciative of the RPD's efforts with the DUI Checkpoints.

Sergeant Decious reported that at the checkpoint on Saturday last week, 1,271 vehicles had gone through the checkpoint and only five vehicles had been towed.

Commissioner Diego Garcia stated he had been one of the participants with Vice Chair Garcia at a DUI Checkpoint and he noted that the officers who were involved were very friendly and accommodating, especially to those who did not have a driver's license. As one of the translators that day and given his desire that the community feel comfortable and understand the reason for the checkpoint, he concurred that most were supportive and grateful for the checkpoints.

Commissioner Diego Garcia recommended that the CPRC work more closely with the City Council and the Chief to see how to support the RPD given there were some traffic issues where the RPD was limited to address. He had also seen vehicles leave very quickly when approaching the checkpoint. He added that most people did not understand the restrictions the RPD had with respect to high-speed chases or drivers driving fast through the checkpoints, and sometimes the community might think that the RPD did not want to do something about it. He asked Sergeant Decious or Chief French to elaborate on what the RPD could and could not do in those cases.

Chief French advised that there had been a very restrictive pursuit policy in the last couple of years and there were very limited circumstances where officers could chase vehicles, which could only be done if related to a violent crime or something occurring with the use of a gun. If there was a stop for a traffic violation and that vehicle did not stop, officers could not chase that vehicle because of the possibility of harm to the community. Officers had to weigh the risk to the community versus the outcome. Property crimes, even stolen vehicles, would not be cause for a chase by the RPD.

Mr. Soublet confirmed from a liability standpoint for an entity that employed officers the consequences given the potential for the City to be liable for injuries was immense.

Chief French cited dirt bikes as an example and noted the frustrations involved when the RPD did not chase.

The discussion recognized the limitations of the RPD and wanted to make sure that the public was aware of those limitations.

Vice Chair Garcia agreed the RPD was not targeting the Latino community in the DUI Checkpoints and there was no bias; however, she still wanted to know if there were alternative ways to address the issue related to DUIs. She affirmed that the RPD had been very respectful at the DUI Checkpoints and wanted to make sure that other options were explored and whether there was another grant that could address other options.

In response to the Chair as to the length of the DUI Checkpoints, Sergeant Decious stated there would be a briefing at 5:00 P.M., set up between 6:00 and 6:30 P.M., and the checkpoint would end about 1:30 A.M., after about seven hours of enforcement.

Continuing her report, Chief French stated there had been two homicides last month which had both occurred on the same day within 20 minutes of each other when a ShotSpotter had identified gunshots. One victim had been found at Second and Chanslor Avenue seated in a vehicle with multiple gunshot wounds and pronounced dead at the scene, while the other had been found in a car with gunshot wounds while officers had responded to the Pullman Apartments and had also been pronounced deceased at that site. There was currently no one in custody and handling two homicides at the same time when there were only nine officers on duty had been extremely challenging and El Cerrito PD had been called in to assist. RPD was working on a couple of leads for both of those homicides.

Chief French reported that currently more RPD officers were off work than in a very long time in that 25 officers were injured or on light duty, which had left the RPD extremely short staffed. She referred to great recommendations coming out of the Reimagining Public Safety Task Force but stated there had been one recommendation to reduce \$2 million from the RPD, which would equate to the reduction of 35 officers. When taking into consideration the 157 officers authorized, with the 11 vacancies, a potential 35 officers removed with a \$2 million reduction in the budget along with those on light duty, there would be fewer than 100 officers to patrol the City as well as provide any investigations. If that were to occur, several units including the traffic unit would have to be cut along with the Community Violence Reduction Team, the regulatory unit and a whole host of services.

Commissioner Oscar Garcia asked whether the two recent homicides were connected, and Chief French stated the RPD was still investigating whether there was a connection and that the public had been asked about a specific vehicle.

Councilmember Jimenez asked about the number of officers sent on calls related to mental health and how long it would take to be in that situation, and Chief French stated it would depend on the call. If there was a call that someone was off their meds and wanted to go to the hospital, two officers would typically respond by calling an ambulance and filling out the paperwork to have someone go to the hospital.

Other mental health calls where someone was harmed or there was a propensity for violence would involve multiple patrols. There was no way to determine how long it would take in that some calls would take hours while others might take only a few minutes depending on the circumstances.

Chair Joseph asked if a ShotSpotter report would be forthcoming and Chief French stated there was currently no Crime Analyst available to prepare the report but as soon as that position had been filled the ShotSpotter reports would be provided.

Chair Joseph noted there had been a shortage of dispatchers for some time. He asked how the RPD was going about recruiting dispatchers.

Chief French explained that last month the City Council had approved a Dispatcher 3 position. She explained that RPD dispatchers were the lowest paid dispatchers in the county with the exception of Pinole, which only dispatched police. RPD dispatchers had been leaving and it had been difficult to attract new dispatchers but the hope was that the new Dispatcher 3 position would help attract dispatchers since that would provide some upward momentum. She also explained that the RPD had gone into a new records management and dispatch system a couple of years ago and the fire department wanted a different system more compatible with the county. The dispatch provided to both the RPD and the fire department was the same.

Cordell Hindler complained about the speeders along 27th Street and Nevin Avenue, which was also becoming an eyesore and he identified dangerous behavior along that street and would be happy if more RPD officers could be present in that area.

VII. REPORT BY RICHMOND POLICE OFFICERS' ASSOCIATION (Ben Therriault or Designee)

Ben Therriault, President of the Richmond Police Officers' Association (RPOA), stated the Boys & Girls Club of West Contra Costa had put on its Annual Law Day which included a mock trial with the County District Attorney. He advised that \$3,500 would be used to pay for 14 spots for youth attending a sports camp. The RPOA would also participate in the NAACP Annual Fundraiser where Chief French would be receiving an award. With respect to the DUI Checkpoints, the RPD welcomed more Latino volunteers to be trained by the RPD at the checkpoints to educate the public about DUIs and maybe even driving cars home. He introduced Dominica Cardenus to talk about DUIs.

Dominica Cardenus, Richmond, stated that on May 24 it would be eight years she had been grieving the loss of her dad, who had been legally crossing the street and had been killed by someone driving under the influence. She commented that drunk driving within the Latino community was normal because drivers did it back in their country but did not see the consequences. She stated that drunk driving destroyed families. She also noted that the OTS grants had been very helpful trying to save lives. The night her father had been killed there had been a saturation patrol enforcement going on in Daly City and if there had been a checkpoint at the intersection where her dad had been hit her dad would not have been killed. She wanted people to be held accountable and suggested the DUI Checkpoints were saving lives. She urged support for the RPD and had been fighting for the past eight years along with her family for DUI enforcement but she repeated that the mentality in the Latino community to drive under the influence was normal because it was normal in their home country.

[At this time, Vice Chair Garcia explained that her comments were not intended to blame the Latino community but most of her comments were not audible on the recording.]

Officer Therriault referred to misinformation regarding the DUI Checkpoints that implied they were ICE operations, which was not the case and which hurt everyone in regards to public safety. He was a member of the Reimagining Public Safety Task Force and while he supported the new ideas being considered to reimagine different ways to address issues that did not merit a police response, such as mental health, one of the issues was to defund the RPD, although that had never been the intent.

Commissioner Tunis thanked Officer Therriault for everything he did in the RPD. He referred to the new Commissioners, the new City Council liaison, and people who were inquisitive about everything and while he did not support tearing money away from the RPD budget, he suggested with more minds looking at the same problem a different way of doing things might be found. He looked forward to participating in the ridealongs and other activities to better understand the RPD and its functions.

Commissioner Diego Garcia thanked Ms. Cardenas for speaking out and explained the CPRC supported the RPD and communication between the community and the RPD. He supported the use of OTS funds from the grant for the checkpoints to do outreach to the community given the community's perception that many of the checkpoints had been used to target some areas. Moving forward, he stated the community needed more participation in the checkpoints and he would be an advocate to inform the community of that need and to emphasize that no population was being targeted.

Luis Chacon, Richmond, expressed his appreciation to the RPD and noted that everyone wanted their loved ones to be safe but he referred to the comment around the normalization of the Latino community and driving under the influence and suggested that was a racist notion, and if folks with that mindset were informing the approach to traffic enforcement that got to the root of why there was so much distrust with DUI Checkpoints and traffic enforcement in general. He stated that was cause for concern. As to the Reimagining Public Safety Task Force, Mr. Chacon referred to the language centered on racial justice and reevaluating the impacts that policing had on specifically black communities. He suggested part of the scope of the work was to evaluate City policies and procedures and the approach to policing which would include budgetary issues, and which had been part of the reason why there had been a budgetary approach to the work. He appreciated the opportunity for the community to come out to the DUI Checkpoints which would be a good opportunity for increased collaboration between the community and the RPD to help foster more trust in the community.

Charles Woodfork, Richmond, stated the Reimagining Public Safety Task Force had been built to reimagine the vision of what the City of Richmond felt it should look like around public safety and new programs it wanted to see, which all cost money. He stated while police played a role in the City, they were also the overwhelming majority of the budget so it made sense to take from them to fund the otherwise underfunded areas of the budget. He suggested that all the programs that the RPD was trying to take on should be able to be done given that most of the RPD budget was salary. He did not support taking away services from the community and suggested the services should still be able to take place if things were correctly allocated. He added that the Task Force had been created for a change and a change was what was needed.

Marisol Cantú thanked the CPRC for discussing DUI in the community. She was glad that Vice Chair Garcia had brought it up and was speaking of the majority of the Latino community feeling some tension between the RPD and ICE because many folks were undocumented. She objected to Officer Therriault's choice of one young Latina to be the voice of his campaign and to share her pain in front of everybody, which she suggested was a token. She noted that her brother had been 21 when he had been hit by a drunk driver and had become a quadriplegic, and she and her family had taken care of him 24/7. Her brother died a year later, and she had lost many people from her life in Richmond. She saw a model of reaction instead of education. She also objected to the comment that because many Latinos were from a different country meant they did not understand the laws of this country. She suggested the undocumented understood the laws in the US more than US citizens, and she preferred to work collaboratively on prevention with respect to DUI Checkpoints.

Helene Burks, Richmond, also expressed concern for the generalized comments with respect to Latinos, and as a teacher of science and one who analyzed data she suggested that was not the way to make decisions based on generalized statements and causes without any kind of foundation. She expressed concern about those comments going unchecked against the majority of the Latino community, and encouraged the CPRC to make sure that when describing community members the comments honored humanity and experiences.

Eddy Chacon, Richmond, echoed the comments just made and had called in to clarify what Officer Therriault had said about the Task Force. He noted there had been a lot of misunderstanding and miscommunication about the Task Force and commented that many people thought it was a defund issue when it was more a reallocation of budget, with funds into programs already in place that could potentially even benefit the RPD, which did not know how to respond to mental health, for instance.

Andres Soto referred to the story he had earlier reported about the Cinco de Mayo riot and pointed out the RPOA was a political player in the community and had spent hundreds of thousands of dollars through the years to influence the politics in the City and get people who were pro police to spend a disproportionate budget on the RPD, which was their right to do. He stated it was shaded as a way to benefit their members at the expense of the taxpayers and the paradigm that the Task Force had been looking at was a new way of looking at public safety in the City of Richmond that was not based on the historic pattern of paramilitary oppression in a community primarily of color. He stated it was that way when the City was predominately African American and continued now that the City was predominately Latino. While there had been some improvements under Chris Magnus with the community policing, there had not been a paradigm shift in how many of the social ills should be addressed that were the result of the socio and economic inequalities perpetrated by corporations and other companies who refused to pay their fair share in taxes to have rich programs that cultivated human beings in Richmond. He suggested that anything said by the RPOA should be considered with a careful eye since they were powerful players in Richmond.

VIII. REPORT BY RICHMOND POLICE MANAGEMENT ASSOCIATION (Captain Timothy Simmons)

Captain Timothy Simmons, President of the Richmond Police Management Association (RPMA) was not available at this time.

IX. OLD BUSINESS, DISCUSSION ITEMS

A. Update on Reports Status (Threet)

Jerry Threet, Investigative Officer, referred to two completed investigations for Cassandra Robinson and Sarah Lin's complaints and reported he was working on the officer-involved fatality of Jose Luis Lopez, which would be completed this month. He was also working on #2020-1, an officer-involved shooting of Juan Ayon-Barraza from April 2020, and after that there were seven complaints from 2018, which all alleged excessive force and all had a statute of limitations that had expired at this point. A recent complaint from March 2021 alleged excessive force and racially abusive behavior.

Officer Threet asked whether the CPRC wanted him to move to the most recent complaint before the statute expired or continue to work on the 2018 complaints. He explained that he had contacted all the old complaints and there had been no responses to his contact.

Mr. Soublet clarified that the item had been listed as a discussion item and not as an action item.

Commissioner Hegstrom pointed out that while the CPRC wanted to catch up as much as possible, she suggested those complaints that were still within the statute should be considered first.

Chair Joseph agreed with the need to consider the most recent complaints first.

Officer Threet announced that his husband had received a job offer in British Columbia and they would be moving. He had consulted with the City about whether it was possible to continue his work while living there and those discussions were ongoing.

Commissioner Oscar Garcia was sorry to hear that Officer Threet would be moving given his great work, commitment and thoroughness, and selfishly he noted that each time an investigator had been lost it had taken a year on average to get a new one. He asked Councilmember Jimenez to monitor that situation given the difficulties in getting a new investigator.

Officer Threet stated he would love to continue if it was possible to do so.

Mike Parker noted that raised an issue given that there needed to be more staff for the CPRC for investigations and he suggested that the City Council be asked to assign a part-time staff person to work with the investigator and to carry over. He also suggested the CPRC consider what it needed to request in the form of resources added to make the job of the CPRC easier such as getting more information quickly.

B. Discuss and Vote on Members to NACOLE Conference (Chair Joseph)

Chair Joseph reported that interest in attending the NACOLE Conference on December 12-16 in Tucson, Arizona had been received from Commissioner Tunis and Vice Chair Garcia. He asked if anyone else was interested and Commissioner Jones expressed his interest in attending the conference.

Mr. Soublet advised that past practice was to allow three people from those who had not had the opportunity to attend the conference the first right. If there were no three people interested from that category others could be considered. He added that the airfare, hotel, transportation to and from the airport and to and from the hotel and a small stipend for meals not covered by the conference would be provided by the City. Since Chair Joseph and Commissioner Lacy had also expressed an interest in attending but because both had attended the previous conference, he stated the three attendees at this point in time would be Vice Chair Garcia and Commissioners Tunis and Jones.

Cordell Hindler suggested there should be a vote on the three members of the CPRC listed for the conference.

Mr. Soublet stated with respect to travel to Arizona he would have to check on that given City Council ordinances and government policy in Arizona, which would have to be verified.

C. Elect Designated Voting Person for NACOLE (Chair Joseph)

Chair Joseph verified the need to select a voting person for the NACOLE Conference and out of those scheduled to go to the conference one should be designated as the voting delegate.

Commissioner Jones stated that since the Chair had been delegated as the voting delegate for the last conference and since Vice Chair Garcia would be attending this year's conference, he recommended that Vice Chair Garcia be the voting delegate for this year's conference.

ACTION: M/S/C (Jones/Hegstrom) to select Vice Chair Yenny Garcia as the voting delegate to the NACOLE Conference in Tucson, Arizona on December 12-16, 2022, carried by the following Roll Call vote: 8-0 (Ayes: D. Garcia, O. Garcia, Y. Garcia, Hegstrom, Jones, Lacy, Tunis and Joseph; Noes: None; Abstain: None; Absent: Jackson.)

Commissioner Jackson joined the meeting at this time after attempting to join through Zoom for 1.5 hours.

X. NEW BUSINESS

A. Planning and Scheduling for CPRC Retreat (Chair Joseph)

Chair Joseph explained that once a year outside of the regular meeting time there would be a CPRC retreat to discuss long-term views, goals, get reacquainted with the ordinance and other things going forward, usually scheduled on a Saturday morning in August between four and five hours in length. Whether the retreat, which would be a public meeting, would be in person or virtual would depend on the status of COVID-19 at that time.

Chair Joseph suggested planning on a virtual meeting pending other information. He asked Commissioners to check their calendar to consider possible dates.

B. Discuss Correction of CPRC Name on Ordinance (Commissioner Hegstrom)

Commissioner Hegstrom noted that in February 2021 when she was looking up the ordinance for the Ordinance Subcommittee she had found that somehow an old version of the ordinance had gotten mixed up with the new one and the old name had replaced the new name. She had alerted the City Attorney and she asked for an update on the status of that situation.

Mr. Soublet stated there had apparently been a mix-up in that an incorrect version of the ordinance had been submitted. Because there were other changes that had been passed by the Council not reflected in the version on the website, he had pulled four staff reports and the accompanying redline and final clean versions of the ordinances that had been decided upon by the City Council along with the last three or four amendments, and was in the process of getting one final clean version of the ordinance to be able to put on the website. As to why it was taking so long, he commented that his office was understaffed and he was juggling a number of issues.

Cordell Hindler stated it had been his idea to place the retreat on the agenda and he had attended the retreat in the past. He stated the retreat would be great for the new members of the Commission.

C. Report of Proposals from Reimagining Public Safety Task Force (Chair Joseph)

Chair Joseph referred to the work of the 20 people associated with the Reimagining Public Safety Task Force that had started in December 2020, as to how to reimagine public safety in the City of Richmond.

The Chair advised that he had invited Task Force members Marisol Cantú, Armond Lee, Officer Ben Therriault, Luis Chacon, Helene Burks and Tamisha Walker to the meeting.

Chair Joseph presented an overview of the Task Force proposals and budget, the process and length of proposals, clarification of information, discussions, questions and recommendations. The proposal focused on better adjusting key community needs and issues to prevent and better respond to community crises in a way that reduced overreliance on policing, with the following recommendations for a total overall funding of \$10.2 million.

1. Funding for Safe Organized Spaces (SOS) (\$3.4 million)
2. Increased funding for the Office of Neighborhood Safety (ONS) (Additional \$2.5 Million)
3. Funding implementation of Community Crises Response Program (CCRP) (\$2.445 Million)
4. Increased funding for Youth Works (Additional \$1.9 Million)
5. Traffic Violation Protocols and Procedures Review

Chair Joseph offered details for each of the proposals and identified the need and the hoped for outcomes of each for Safe Organized Spaces (SOS), Office of Neighborhood Safety (ONS), Community Crises Response Program (CCRP) and Youth Works.

The last recommendation was to look at traffic violation protocols and procedures review given the racial disparities in traffic enforcement, with a recommendation to require written consent for all vehicle searches pursuant to a traffic stop, ban pretextual stops, institute a moratorium on traffic fees and fines until March 2022, de-prioritize traffic stops for minor traffic violations that did not impact public safety, focus police actions on investigative stops and driving violations related to traffic safety, and consider developing an alternative method of traffic law enforcement led by unarmed civilians.

As to how to pay for the cost of the recommendations, Chair Joseph stated the Task Force had recommended looking at cost savings for overtime, from other pay in the budget line by line, a reduction of 25 sworn officers, professional services, costs for other operators, asset and capital outlay, equipment and other services and utilities. The point of the programs was to reduce other calls and other crimes and get to the root causes of the issues.

Commissioner Oscar Garcia stated he had requested the presentation to be able to learn the details of the Task Force's recommendations. With respect to outreach, he asked what community input had been obtained in the process and Chair Joseph stated that there had been four separate Town Halls when four separate subjects had been discussed from January through April. The community had been invited to attend those four meetings with a different topic for each to discuss homelessness, employment, the RPD budget and police accountability.

Helene Burks, a member of the Task Force stated with respect to outreach that one discussion related to the origin of the Reimagining Public Safety Task Force, which had gotten started in response to community response and actions, especially from the youth of the community. She stated a number of organizations had been involved in addition to the community members and there had been a number of opportunities to come as speakers or listeners to community events for input, which was the organic way in which the Task Force had moved.

Commissioner Oscar Garcia stated the item had been brought up in the Iron Triangle Neighborhood Council meeting which represented different neighborhood groups and no one had heard about the Task Force, which was a concern and why he had asked about outreach given that many people had complained about various crime issues in the neighborhood and the prospect of the loss of so many officers was very concerning.

Marisol Cantú, a member of the Task Force, stated she and others had gone to multiple neighborhood councils and had encouraged the CPRC to promote the Task Force. There was also a lot of outreach on the street between surveys, printed flyers, visiting local parks, and the meetings were public and anyone could have access to the meetings on-line. She encouraged a collaborative meeting between the CPRC and the Task Force to move forward and educate people on community outreach and continued meetings with the neighborhood councils.

Commissioner Oscar Garcia commented that he had attempted to participate in the process and there was not an easy way to do that. He stated the neighborhood councils had to deal with the issues in businesses and homes and there was a lot of concern.

Chair Joseph commented that he had reported on Task Force meetings throughout CPRC meetings and since he lived in the Iron Triangle he had discussions with people who lived in the neighborhood.

Commissioner Oscar Garcia commented that he did not have the details just shared by Chair Joseph who explained that the details had just come out and this was the first opportunity to share them.

Commissioner Tunis noted that Ms. Cantú had visited the East Richmond Heights Neighborhood Association meeting in which he had attended, and he acknowledged that Chair Joseph had offered information in the past but the CPRC had sought more information. With respect to the presentation, he referred to one RPD officer who was a mental health professional and asked whether there were other mental health professionals in the RPD.

Luis Chacon, a member of the Task Force, stated that in putting the proposals together they wanted to be mindful of making sure that whatever alternative programs were developed would fully address the needs of the community, one of which was to have trained professionals. He stated the goal of the Community Crises Response Program (CCRP) was for the creation of a program that created more humanizing and caring opportunities to deal with mental health crises that would involve staff extensively trained in de-escalation methods of various degrees, staff expertly trained in mental health first aid, harm reduction substance use, and conflict resolution, and that program would be staffed by certified and credentialed individuals when dealing with health-related issues.

The other mental health component in the proposal included increased funding for collaboration between ONS and the RYSE Center. He suggested that was key work that focused on youth directly impacted by violence and the collaboration aimed to interpret that cycle of violence, which often resulted in retaliatory shooting and aimed to support youth in dealing with the trauma that came with that violence which showed in additional violence.

Commissioner Tunis noted that most services were provided by the County's extensive mental health team but he suggested creating something totally new in the City of Richmond would be useful.

Mr. Chacon added that had come up and ideally the county's existing program would address the issues but unfortunately even at the county level they were currently creating a new program since the county level program was not working. The creation of a Richmond-based program was to have folks directly involved in the community. He added that the individual staff in the CCRP had a goal to have folks employed who were direct residents in Richmond or who had experience in communities like Richmond that would also bring jobs to the City.

Commissioner Hegstrom commented that the programs sounded good but she was concerned taking money out of the police budget, and part of that was timing since those programs were not in place and it would take time to set them up. She stated police were needed in the neighborhood where she lived given the violence involved. She added that police were an absolutely necessary component to stop the violence and suggested the consequences of eliminating police officers should be considered.

Chair Joseph did not think the Task Force was advocating the elimination of all police officers but to address the root issues of crime, which was what the community was looking at first, and having more police did not always result in reduced crime. He stated the Task Force was recommending something new and different and wanted to talk to the community about that.

Ms. Burks commented that the current county mental health did not meet the needs. As an assistant principal at Kennedy High School, she saw first-hand when people were in crises and was aware of calls to the mobile response team at the county level and many times there was a long wait involved, which in some cases created very dangerous situations. She emphasized the need for a responsive mental health program and noted that some recipients of the service had felt disconnected given that the responders were not necessarily from West County. She added that the amount of pain, trauma and loss carried by members of the Task Force was huge from being community members from their own family members experiencing the pain, trauma and loss, and the group was not insulated in any way. With respect to the comment that shootings were currently a regular thing, she stated the Task Force was trying to move to a space where shootings were not a regular thing. Safety was usually a reactive safety, which was the job of the police but the point of the Task Force recommendations was for a proactive safety to work on prevention and intervention. Right now the funds were weighted in the reactive sense, shootings should not be regular, and the City needed to invest in things to ensure that would not be the case.

Commissioner Hegstrom agreed that prevention was the ultimate goal and supported funding for that but did not support taking millions from the RPD without having things set up given the unknown of whether the proposals would work. She reiterated her concern with the amount of money proposed to be taken away from the RPD.

Tamisha Torres Walker, Richmond, another member of the Task Force, had grown up in Richmond, her brother had been killed coming home from work at the height of violence in Richmond, shot 43 times and his case was still unsolved. When mentioning gun violence specifically, she stated that gun violence was down but while one homicide was too many when homicides were 75 to 45 a year she stated the reduction was a blessing but policing had nothing to do with that reduction. She explained that the establishment of the Office of Neighborhood Safety, efforts around re-entry programs and investing in people returning to their community to have alternatives, youth programs in the RYSE Center and the Youth Council, and collaborations with non-profits on every corner addressing every need had reduced the violence. Just from being on the ground in the community there was a diverse set of complications with the recommendations and while people did not want the reduction of the RPD budget, the reality was that RPD's budget was part of the General Fund and all City departments were lobbying for money. The Task Force had the same right to ask for what was needed to curb and reduce violence and bring equity to the City just like the RPD did. It was not RPD's money, it was taxpayer money. She appreciated the Task Force members and the CPRC for holding the RPD accountable while moving forward to make sure that the best would be done for the young and those most vulnerable in the community.

Commissioner Jones stated the Task Force was not trying to get rid of police. He stated the Mayor was doing that as was a low budget and there was not the police needed in neighborhoods right now. He added that mental health did not just effect youth and he stated RYSE could not deal with the adults with mental health issues.

With respect to the budget and the monies allocated toward crime prevention, Commissioner Jones suggested that the RPD had gotten rid of a lot of the population so that portions of Richmond could be redeveloped so when talking about trauma he suggested there should be a broad scope to include those families in North Richmond and elsewhere that had been displaced and were homeless and still had connections to Richmond. He commented that many people making the decisions had not been in Richmond long and added that he had a nephew at 16 years old who had been shot 19 times and that case was still open. He wanted to know what was happening with the people right now that had been left behind after being displaced and homeless.

Chair Joseph continued the conversation to next month's meeting.

Cordell Hindler lived on the south side of Richmond and stated that police were needed to address the speeders in his neighborhood.

Mike Parker, Richmond, stated residents were living with the result of 30 years of failed policing strategy to make the public safe, and after mass incarceration, profiling, broken windows theory, school to prison pipeline and other things that now had to be undone because it did not work. Here there was a Task Force that offered some alternative to deal with these things and he suggested the CPRC should support the efforts and discussions.

Steve Bishop was glad to see the proposal spelled out and while there were a lot of good ideas there was an issue of transition and some interesting possibilities, and if AB 988 passed there might be money for crises outreach. He wanted to make sure everyone saw the proposal with enough time to talk about it before proceeding.

With respect for the concern about the lag of time the Task Force had taken, Helene Burks stated the Task Force had already met with ONS, SOS and Youth Works and they were ready to go and as far as the mental health response there was a timeline. She added that she enjoyed being with the CPRC and appreciated its expertise and wisdom and suggested the two groups needed more time together and there was too much overlap. She wanted to better collaborate moving forward. She added that the Task Force was still taking recommendations and hoped to be extended.

Marisol Cantú stated the Task Force wanted to work collaboratively with the CPRC, she believed in the CPRC and its oversight and representation of the community. She commented that she also had family that had died due to gun violence in Richmond. She asked how the CPRC could be strengthened and how both groups could work together.

Luis Chacon explained that the CPRC and the Task Force had a lot of love for the community, he thanked all those who had commented and wanted to see more time spent on discussing actual issues as opposed to retreats and other bureaucratic issues. He too sought more collaboration between the CPRC and the Task Force.

D. Update on Public Case Summaries (Commissioner Hegstrom)

Commissioner Hegstrom commented that the Investigator had been creating the Public Case Summaries, although the CPRC had not been getting them. She asked if they were getting posted on the website.

Mr. Soublet advised that only one had not been posted on the website, one that had been passed but would have to be brought back given that there may have been information in violation of current law regarding the names of the officers. All the other Case Summaries that had been passed had now been posted on the website. There was no backlog.

XI. OPEN FORUM BEFORE CLOSED SESSION

No written comments were submitted or oral comments made by any member of the public.

XII. EXECUTIVE SESSION – CLOSED TO THE PUBLIC – Government Code §54957(b)

The CPRC adjourned into executive session at _____ P.M.

- A. Receive Report from CIAO on Case #2020-3, Unnecessary/Excessive Use of Force for Cassandra Robinson - Discuss and Vote on Findings and Recommendations**
- B. Receive Report from CIAO on Case #2020-6, Unnecessary/Excessive Use of Force for Sarah Lin - Discuss and Vote on Findings and Recommendations**
- C. Report Any Final Action(s) Taken in Executive Session**

The CPRC returned to open session at _____ P.M. and Mr. Soublet provided the report from executive session.

ACTION: For Case #2020-3, Cassandra Robinson, the CPRC had voted 8-0 (Ayes: O. Garcia, Y. Garcia, Hegstrom, Jackson, Jones, Lacy, Tunis and Joseph; Noes: None; Abstain: None; Absent: D. Garcia) to accept the report of the Investigative Officer on the recommendation of the Investigative Officer to exonerate the officers complained against for excessive force, with 8-0 (Ayes: O. Garcia, Y. Garcia, Hegstrom, Jackson, Jones, Lacy, Tunis and Joseph; Noes: None; Abstain: None; Absent: D. Garcia) to accept the exoneration.

ACTION: For Case #2020-6, Sarah Lin, the CPRC voted 5-1 (Ayes: O. Garcia, Y. Garcia, Hegstrom, Tunis and Joseph; Noes: Jackson; Abstain: Jones and Lacy; Absent: D. Garcia) to accept the report of the Investigative Officer. On the recommendation of the Investigative Officer to exonerate the officer involved, the vote was 6-0 (Ayes: O. Garcia, Y. Garcia, Hegstrom, Lacy, Tunis and Joseph; Noes: None; Abstain: Jackson and Jones; Absent: D. Garcia).

XIII. REPORTS OF SUBCOMMITTEES, COMMISSIONERS, AND STAFF, RIDEALONGS

When asked, Mr. Soublet suggested it would be a couple of months before ridealongs were again allowed.

Chair Joseph invited people to attend a special City Council meeting on May 10, 2021 at 6:30 P.M. when the City Council would hear the recommendations from the Reimagining Public Safety Task Force. The regular Task Force meeting would be held on May 12.

As a member of one of the subgroups in the Task Force talking about improving and strengthening the CPRC, Chair Joseph would send an email through staff to invite CPRC members to that conversation.

Chair Joseph referred to some of the comments earlier in the meeting about race and stated that had not been appropriate as part of the discussion.

Vice Chair Garcia reported that she had attended the RPD hiring panel on April 17, which had been interesting.

Mr. Soublet asked for a copy of the PowerPoint that Chair Joseph had presented on the Task Force.

One of the members of the Task Force noted with respect to the public comments that when people were talking about trauma the comments may come out inappropriately.

XIV. ADJOURNMENT

The meeting was adjourned at 10:47 P.M.

Randy Joseph, Chair