

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

MINUTES

I. CALL TO ORDER, ROLL CALL, PLEDGE

The meeting was called to order at 7:00 P.M. by Chair Randy Joseph, with all Commission Members participating via teleconference.

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

Absent: Oscar Garcia

Staff: Dominique Roache-Green - Present

Council Liaison: Claudia Jimenez

City Attorney's

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

II. APPROVAL OF MINUTES

There were no minutes.

III. AGENDA REVIEW

Vice Chair Garcia referred to Chair Joseph's presentation of recommendations from the Reimagining Public Safety Task Force at the May 5, 2021 meeting and wanted to make sure that Claudia Jimenez, the City Council Liaison would bring the CPRC's recommendations related to defunding the police to the City Council. She emphasized that Councilmember Jimenez, whatever her personal opinions, served as the CPRC City Council Liaison and represented the CPRC on the City Council.

Commissioner Hegstrom stated that Commissioner Oscar Garcia had asked her to make the same statement as to when the CPRC's recommendation would be brought to the City Council by the City Council Liaison.

IV. PUBLIC FORUM

Dominique Roache-Green stated she had received an email from Cordell Hindler who had asked when the CPRC would return to in-person meetings.

V. REPORT OF CITY COUNCIL LIAISON (Claudia Jimenez)

Councilmember Claudia Jimenez was not available.

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

Chief Bisa French stated that last month violent crime was up and there had been five homicides last month alone and an additional 11 people had been shot. This time last year there had been five homicides with 11 so far this year. The most recent homicides had occurred on Father's Day when eight people had been shot and three had died in one shooting alone at a Guatemalan celebration for a saint. The investigation had been difficult given some language barriers and reluctance to cooperate on the investigation from those who had been present. She noted some people were undocumented and the reluctance to participate had been out of fear of retaliation and fear of the police, with few leads to go on, although the RPD was checking with San Pablo PD to review its license plate readers to help identify a vehicle that may have been involved.

Chief French thanked Vice Chair Garcia and Commissioner Oscar Garcia for helping with the victims of that shooting, and for helping to connect with the Latina Center and the Family Justice Center with respect to victim witness assistance and ensure resources were provided to the victims of that shooting.

Chief French reported that in addition to crime, the RPD had been reduced by 12 positions during the budget cycle and six officers had recently left for other police departments, and with seven officers confirmed in background to work with other departments. As a result, efforts had again been ramped up to recruit and hire with testing at the end of the month when CPRC members would be asked to participate. Recruitment had been a challenge for the last few years and with discussions about reallocations and potential layoffs many people were choosing not to apply to the RPD. She added that there were currently six vacant positions and 25 people were out on injury leave or light duty and she did not expect that all would return. She had been working with the Human Resources Department to see how to get those positions off the books to allow them to be refilled.

The Chief also reported that the RPD had attended several community events and had escorted the parade around the City for Juneteenth, which ended up at Kennedy High School; and had participated in a walking school bus in relation to a shooting near the Shields-Reid Center in North Richmond right before summer school was to begin at Verde Elementary School. To support the young kids, community members, police officers and firefighters had escorted the kids to the center so they would feel safe. RPD officers had escorted the kids to the center that entire week.

Chief French added that the RPD continued to work with the Center for Policing Equity providing data to evaluate whether there were discrepancies around race and equity issues, and the RPD supplied use of force data for evaluation as well. The Center was also seeking stop data but the way the data was collected by the RPD did not provide enough consistency to be able to evaluate that data. A meeting with the Center two weeks ago had discussed how the RPD could better collect that data in the future.

Vice Chair Garcia thanked Chief French for the support offered the Guatemalan community after the shooting earlier referenced. She had been in close contact with many of the families and the District Attorney's Office to get resources from the Family Justice Center and the Latina Center, which was the best way to connect with the families.

Vice Chair Garcia expressed her hope the RPD would continue to use those resources whenever there was a shooting in the Latino community and continue through Safe Organized Spaces (SOS) and other programs to bring the resources to families. She noted with respect to that shooting there were housing and immigration issues involved and she was proud of the work that the detectives had done. She wanted to make sure moving forward that the CPRC was involved in the process given that many community members did not feel comfortable talking to the Chief or detectives but preferred to talk to the Latina Center and the Family Justice Center, which had offered real support for their actual needs. She asked the Chief and City Council members to get residents to a place where they felt supported and heard every step of the way.

Chair French thanked the Vice Chair for her comments and looked forward to continuing to work with the Latina Center and noted that last year the RPD had started to work with the Chaplain's Program and a few other community-based organizations on shootings so there were others not in law enforcement that would be responding to address issues.

Vice Chair Garcia offered herself as a resource to work with those programs to help make changes in the community that worked for everyone. She supported Chief French and stated she had been doing an extraordinary job under the circumstances and she commended her for all her work in general.

Commissioner Hegstrom stated that most of the Commissioners at the last CPRC meeting had stood up for the RPD and did not support reduced funding for the RPD.

Chair Joseph commented that he had conversations with Chief French and with Officer Therriault, and while they did not always agree they always worked together to work things out. He explained that the Reimagining Public Safety Task Force and its recommendations were not about Chief French or the Richmond Police Officers' Association (RPOA), it was about the safety of the community and seeing changing outcomes of what public safety looked like, and seeing how policing had been done for so long where money was being thrown at policing but the crime was not abating and they were trying something new. He did not support personal attacks and he was trying to change his community for the better. Whether using the term defund or reallocate, they were both the same, an attempt to find what was best for the community.

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

Ben Therriault, President of the RPOA, reiterated that last month the RPD had participated in the school bus walk which had been well done and it was good to see outside agencies involved in that event. The RPOA had also sponsored the food for 150 people at Crescent Park for a mental health day because of violence and due to COVID restrictions coming to an end. Those were the two big events outside of Juneteenth, which was a major holiday that would be celebrated in perpetuity.

As far as staffing was concerned, Officer Therriault echoed the Chief's comments. He also commented that Fourth of July was out of control, the Chief had some comments in the news media about changing ordinances and dealing with fireworks activity as a community issue. He agreed there needed to be a better way to discourage the use of fireworks and noted the issue was way beyond Richmond.

Vice Chair Garcia stated with respect to fireworks there needed to be a city-wide community engagement plan so that every organization could reach out to every single one of their folks. She personally could talk to many people and admonish the use of fireworks, for instance, but there needed to be a city-wide program to trigger communication with respect to what was going on. As CPRC members, she suggested that all members needed to be accountable to educate the public about what needed to be done to make a change in the community and the CPRC needed to set the example and offer that education. She emphasized that the City Council Liaison needed to support the CPRC in what needed to be done and identify what the CPRC wanted.

Commissioner Jackson thanked the RPD for the Juneteenth parade and for being with the public as it celebrated that day.

Commissioner Jones heard Vice Chair Garcia and heard Officer Therriault's report and with respect to fireworks stated the City sounded like Beirut. He agreed that the problems associated with fireworks were totally out of hand and the CPRC should be doing more and the community needed to be aware. He noted there was a new population in Richmond and everything was changing everywhere and the CPRC had to be more sensitive, alert and wise and had to be able to create strategies to be able to address all those things. He applauded the Chief for the work she had been doing and agreed with the need to come together and find more solutions in a private or public way, and everyone had to come to a place of unity and maturity to be able to discuss and find ways and make every effort to guard and protect community values and integrity. He supported more conversation.

At this point in the meeting after a series of personal attacks, Mr. Soublet explained that the discussion was off course, the item related to the report from the President of the RPOA, and the comments were not appropriate.

Commissioner Hegstrom responded to the situation that had just occurred and stated that personal attacks were not okay and care needed to be taken to avoid them.

Chair Joseph stated with respect to the report that having been in Atlanta, Georgia where fireworks were legal, he suggested there was a need to make fireworks legal at a state level given that some cities and counties in California allowed fireworks and some did not. He wanted to know what could be done to direct people away from fireworks, such as family events. He also thanked Mr. Therriault for his work on the Reimagining Public Safety Task Force from the beginning and while there may be disagreements they had all worked together to address the issues and to move forward.

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

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

IX. OLD BUSINESS, DISCUSSION ITEMS

A. Update on Reports Status (Threet)

Jerry Threet, Investigative Officer, pointed out there were two items that were updates. In executive session there was a completed investigation for the Darrel Ocampo complaint, which was the most recent complaint that the CPRC had requested be prioritized. He continued to work on the two officer fatality cases; Jose Luis Lopez and Juan Ayon-Barraza and hoped to have the Lopez investigation completed soon. He also commented that the issues around the remote access to the AVR video had been resolved. There were six more complaints in the backlog that he would address next.

Vice Chair Garcia referred to previous comments over the last few months that members of the CPRC did not know what was happening in the way of investigations but she stated that Officer Threet had been providing his reports and the members of the CPRC had the responsibility to read those reports and other information that had been provided.

Commissioner Lacy commented that everyone on the Commission should do their part and keep moving forward.

B. Report on Pending and Completed Investigations (Threet)

Officer Threet had already provided the report.

X. NEW BUSINESS

A. Review and Approve Public Case Summaries for #2020-3 C. Robinson and #2020-6 Lin

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

ACTION: It was M/S/C Hegstrom/Joseph to approve Public Case Summaries for #2020-3 C. Robinson and #2020-6 Lin; approved by a Roll Call Vote: 6-1 (Ayes: Hegstrom, Jackson, Jones, Lacy, Tunis and Joseph; Noes: Y. Garcia; Abstain: None; Absent D. Garcia and O. Garcia)

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 [REDACTED] P.M.

Vice Chair Garcia stated it was important for the undocumented community to have a say.

A. Receive Report from CIAO on Case #2021-1, Unnecessary/Excessive Use of Force and Racially Abusive Treatment for Darrel Ocampo - Discuss and Vote on Findings and Recommendations

B. Report Any Final Action(s) Taken in Executive Session

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

ACTION: The CPRC had met in executive session to receive the report from the Appeals Officer on Case #2021-1, Darrel Ocampo, unnecessary and excessive use of force and racially abusive treatment. The CPRC had voted five yes, zero no (5-0), with four absent to accept the report of the Investigative and Appeals Officer, and as for the allegations of excessive use of force, the CPRC voted 5-0 (Ayes: Hegstrom, Jones, Lacy, Tunis and Joseph; Noes: None; Abstain: Jackson; Absent: D. Garcia, O. Garcia and Y. Garcia) to sustain the allegation of excessive use of force; and the CPRC voted 6-0 (Ayes: Hegstrom, Jackson, Jones, Lacy, Tunis and Joseph; Noes: None; Abstain: None; Absent: D. Garcia, O. Garcia and Y. Garcia) to not sustain an allegation of racially abusive treatment.

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

Mr. Soublet reported that the announcements for the NACOLE virtual conference had been sent out and those attending needed to identify their attendance so that staff could register them. There were sufficient funds to send everyone to the virtual conference. He clarified that because the conference was in Arizona, City funds could not be used to send Commissioners to the conference, although he verified that anyone could attend the conference at their own expense.

Vice Chair Garcia reiterated her request that the City Council Liaison report CPRC recommendations to the City Council.

Chair Joseph referred to the DUI Checkpoint next Friday; advised that the Reimagining Public Safety Task Force would meet only once on the fourth Wednesday during the month of September at 5:30 P.M., and invited everyone to be part of the conversation; reminded everyone of the upcoming retreat and expressed his hope that ridealongs could start again soon.

XIV. ADJOURNMENT

The meeting was adjourned at 9:01 P.M.

Randy Joseph, Chair