

**COMMUNITY POLICE REVIEW COMMISSION  
(CPRC)  
Wednesday, September 1, 2021  
7:00 P.M.  
Zoom Meeting**

**MINUTES**

**I. CALL TO ORDER, ROLL CALL, PLEDGE**

The meeting was called to order at 7:04 P.M. by Chair Randy Joseph, with all Commission Members participating via teleconference.

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

**Absent:** Diego Garcia and Andre Jackson

**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 (January, February, March, April, May, June 2021)**

There were no minutes.

**III. AGENDA REVIEW**

There were no changes to the agenda.

**IV. PUBLIC FORUM**

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

**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)**

Police Chief Bisa French reported the RPD had participated in National Night Out and in the Put the Guns Down event in conjunction with another parade throughout the City that had ended with an event at Nicholl Park; she had a discussion with Congressman DeSaulnier which had been productive in terms of the County's public safety needs; and she had attended the National Police Athletic League (PAL) Conference where the kids from Richmond PAL were one of the highlighted PAL programs nationwide and had represented the City well by performing at that national PAL gala in New Orleans.

Chief French also reported the RPD had also participated and recruited last Saturday at the Job Fair at Nicholl Park.

In terms of crime, Chief French reported there had been 13 homicides in the City year to date, none during the month of August. There had been an increase in home invasions and robberies across the City, which was a major focus of RPD, and shootings continued to be a concern across the City. A new Crime Analyst had been hired and as a result a ShotSpotter report would be forthcoming on a monthly basis again. Staffing continued to be a huge challenge. The RPD was currently authorized for 145 officers from the Chief of Police down to police officers in training. She stated a number of officers had been lost during the last few months, with four to five officers lost to other departments in August alone. The total was currently down to 135 officers in the RPD. Out of those 135 officers, there was one in the Police Academy and two in training, with 18 officers currently out on injury, a significant reduction in staffing over the past few months which affected deployment and services provided to the City.

Because so many officers were being lost and there were so many officers out on injury leave, the RPD had been forced into mandatory overtime just to cover the nine beats throughout the City and officers were getting burned out. As such, as of this date there would be a mandatory overtime sign-up. The vacancies for the next two months would be identified and officers had to sign up for a certain number of overtime shifts to work over the next two months, which would be helpful since officers would know when they would be forced to work overtime. The deployment would be changed for next year to staff the patrol teams, putting at least 11 officers on each team, and pursuant to the Memorandum of Understanding (MOU) two officers had to be let off on vacation at any time. Staffing with 11 officers should not incur overtime when officers were on vacation.

As of result of staffing issues, Chief French explained that the Investigative Unit that used to be comprised of 50 detectives would deploy only 14 to 15 detectives next year, which would mean that investigations would be limited. A small traffic unit would be retained given the traffic problems in the City. She added that every other ancillary unit that had been available over the years would not be staffed in the coming year.

Chief French referred to the retreat and the comments at that time when some in the community had expressed concern for the number of police who showed up for incidents and whether other officers were available to serve the City during those times. She explained if there were more officers than needed the watch commander would distribute the officers elsewhere, although she explained there were times when more officers were needed given the work that needed to be done depending on the incident involved. Another question from the retreat was that someone had witnessed a crime and had called 9-1-1 when there was a busy signal. She stated no one should get a busy signal when calling 9-1-1 since there were eight 9-1-1 lines. With the ninth call, the callers would go into a queue with a recording that would identify the 9-1-1 call and state that someone would get back to them. She stated a busy signal should not happen in that there would be a recording if all lines were tied up.

Another question related to the vaccination mandate due to COVID that Chief French clarified meant all City employees and all members of the City's commissions and committees. She did not know how many City staff and RPD had received vaccinations but before vaccinations were available a poll had been taken at the RPD and it was about 50-50 across the entire department as to whether RPD staff would get vaccinated.

Chief French also did not know the percentage of those vaccinated but was aware that some who had indicated they would not get vaccinated had indeed gotten a vaccination. Eventually, everyone would comply with the vaccination mandate by early October or be separated from the RPD. She had personally been vaccinated and encouraged everyone to get vaccinated.

Commissioner Tunis asked about the prospects from the most recent interviews, and Chief French stated that three people were currently in the background phase from the testing process. Twenty people had applied for police officer positions, only nine had shown up for actual testing, and out of that only three had turned out to be good prospects for police officer positions.

Commissioner Hegstrom had raised the question of the busy signal for 9-1-1 and she would follow up with the person who had raised that concern. She thanked the Chief for the response.

Chief French commented that when calling 9-1-1 from a cell phone depending on the location in the City, those calls would go directly into the RPD center but if close to a freeway there could be some interference and it was possible some calls would go to the CHP 9-1-1. She did not know how the CHP system worked.

Chair Joseph referred to the 18 officers on injury leave and asked if the Chief expected any of them to return, and the Chief noted she did not expect all of them to return. She added that in addition to the hiring event last Saturday, the personnel and training recruiters had gone to the police academy to try to recruit those not already hired by a police department and there were a number of people who had been approached and some interest had been shown. Testing on that site would be pursued to make it more convenient for those already at the police academy. She stated it had been difficult to recruit with COVID, and RPD was also looking at incentive programs in the City given that it was hard to compete with departments offering \$20,000 signing bonuses for police officers. She was working with HR to see if there were any possible incentives.

Chair Joseph had attended the last DUI Checkpoint and he commended the Sergeant and all the officers at that checkpoint along with the two cadets. He asked whether cadets would go through the same process of being hired as someone applying from the outside, and Chief French explained the differences in that cadets had a thorough background check when hired and there would be an updated background when hired as a police officer making that process a bit easier. She added that the RPD started with the Explorer Program and then moved on to the Cadet Program to learn more about the RPD before then moving into police officer positions.

Mr. Soublet explained in terms of filling positions that the Chief had mentioned there were 18 people out on injury leave, and while some would return those positions were still frozen until the individuals went out on disability or retired.

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

Ben Therriault, President of the Richmond Police Officers' Association (RPOA), stated that staffing continued to be a huge concern and there was a dangerous trajectory regarding staffing in terms of recruiting.

Officer Therriault noted, for instance, that when he had been hired and gone through the process in 2007/08 during a recession, he had competed against 400 some odd people for a few spots compared with the current situation where 20 people had signed up with interest, nine had shown up, and three were potential candidates, which was a real problem. He added that not just a policing RPD issue, the decorum or lack thereof of elected leaders and their inability to work together was a real problem and had been cited by many as one of the reasons for a lack of recruitment, particularly for the RPD but also with other city departments as well. He stated it was important to emphasize that concern and for the Police Chief to be able to do her job it was a real hindrance.

Officer Therriault wanted to see a more robust cadet program to bring people up in the culture of the community which led to better outcomes down the line with what the RPD wanted and expected. He suggested more local people could be recruited that way.

Chair Joseph thanked Officer Therriault for his support and for his work on the Reimagining Public Safety Task Force and his support and efforts to secure more dispatchers.

Commissioner Jones stated he had the opportunity to sit on the oral interview board for hiring a few weeks ago and he suggested the problem of staffing was not only with the City of Richmond but finding people to qualify and go through the process. He asked if 18 officers were out on leave whether there was anything set in place or guidelines on the injury itself and the process and the time when an officer could be out. He noted there were too many officers out at one time and suggested that was a red flag.

Mr. Soublet stated if an officer was injured on duty that officer was covered by the Workers' Compensation System and the City had to go through that process, which could be protracted depending on the injury that might take six to eight months before an officer could return to work. If an officer could not be cleared by a doctor for duty that position would remain open until there was a decision on a return to duty, disability or retirement. He stated that some officers could be off an entire year with full salary until a decision had been made.

Officer Therriault advised that the RPOA had carved itself out of the Workers' Compensation System in order to speed up the processes such as treatment and getting back to work, although the RPOA had ultimately terminated that contract because they did not feel that certain people within the City apparatus were being good partners and it had been taking so long to get treatment that injuries that were not career ending became career ending. Because the RPOA had decided to rejoin the Workers' Compensation System the RPD was still stuck with the same problem.

Chief French explained that the state of law enforcement was at an all-time low with very low morale and when people had previously been eager to get back to work, that was no longer the case and people were off until they had to come back to work.

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

Captain Timothy Simmons, President of the Richmond Police Management Association (RPMA), was out on injury leave and was not available.

**IX. OLD BUSINESS, DISCUSSION ITEMS**

**A. Update on Reports Status (Threet)**

Jerry Threet, Investigative Officer, referred to a completed investigation involving Jose Luis Lopez, an officer-involved death in executive session. He continued to work on an officer-involved shooting case for Juan Ayon-Barraza, which should be completed and submitted at the next meeting. There remained six to seven complaints from 2018 that were outstanding, all excessive force complaints that he would be addressing next.

**B. Report on Pending and Completed Investigations (Threet)**

The report had already been presented and Officer Threet advised there was no need for Item B since it was routinely addressed under Item A.

**X. NEW BUSINESS**

**A. Review and Recap CPRC Retreat (Chair Joseph)**

Chair Joseph recapped the retreat held last Saturday when the history and details of the CPRC's role and responsibility had been discussed along with the ordinance that had established the CPRC. There had been discussions to make sure people answered emails and had conversations, learned from Mr. Soublet about holding off on the work of the subcommittee groups pending City work on how such groups should operate, and talked briefly about police and the functions of the police due to the budget crises.

**B. Review and Approve Public Case Summary for #2020-1 D. Ocampo**

Since the CPRC had not received the actual public summary, the item was continued to the next meeting.

**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.

**A. Receive Report from CIAO on Case #2020-5, Unreasonable/Excessive Use of Force for Lopez, Jose Luis - 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 the executive session.

**ACTION:** The CPRC had met in executive session to receive the report from the Investigative Officer on Case #2020-5, Jose Luis Lopez, unreasonable/excessive use of force. The CPRC had voted six yes, zero no (6-0) to accept the report of the Investigative Officer, and by a five yes to one no (5-1) vote, the CPRC voted to sustain an allegation of unreasonable or excessive use of force against three officers, and voted to sustain an allegation of failure to intercede in the exercise of excessive use of force by officers against three other officers by a vote of five yes to one no (5-1).

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

Commissioner Hegstrom stated she had been attending the NACOLE Conference by Zoom.

It was noted that today's discussion at NACOLE had related to the hiring practices to hire people onto commissions.

Chair Joseph stated he had been able to attend the DUI Checkpoint on the 21<sup>st</sup> and had gotten to see the work done and had met the cadets and talked to them about what they did and it had been a great experience. Many community members at that checkpoint had questions and he had been able to answer them and noted that one person did not want to show his ID fearing there would be other consequences but he had been able to convince him that would not be the case.

**XIV. ADJOURNMENT**

The meeting was adjourned at \_\_\_\_\_ P.M.

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Randy Joseph, Chair