

COMMUNITY POLICE REVIEW COMMISSION (CPRC)

Wednesday, June 1st, 2022 – 7:00 PM

Zoom Meeting

MINUTES

I. CALL TO ORDER, ROLL CALL, PLEDGE

The meeting was called to order at 7:03 PM by **Chair Yenny Garcia**

Present: Yenny Garcia (chair), Dow Tunis (Vice-chair), Oscar Garcia, Carol Hegstrom, Andre Jackson, Randy Joseph

Absent: Diego Garcia, Steven Lacy

Vacancies: 1

Administrative Staff: Dominique Roache-Green, Staff Liaison – Present

Council Liaison: Claudia Jimenez – Present

City Attorney's Office Representative: Bruce Soublet, Senior Assistant City Attorney – Absent

Commissioner O.Garcia led the pledge the commissioners collectively held a moment of silence for the victims of shootings at Buffalo, Uvalde, and Tulsa.

- II. APPROVAL OF MINUTES** – Upon motion by Commissioner Joseph and seconded by Commissioner Hegstrom the February and May meeting minutes were approved with correction of listing Commissioner Joseph as the sponsor instead of Hegstrom in the May minutes' new business by the following vote: **Ayes:** Chair Garcia, Vice-chair Tunis, and Commissioners D. Garcia, O. Garcia, Hegstrom, Jackson, and Joseph **Noes:** None. **Absent:** Commissioners D. Garcia and Lacy. **Abstained:** None.
- III. AGENDA REVIEW** – Commissioner Hegstrom noted the council liaison report can be removed as she is absent.
- IV. PUBLIC FORUM** – No public comments were made.
- V. REPORT OF CITY COUNCIL LIAISON (Claudia Jimenez)** - No comments from Council Liaison as she was absent.
- VI. REPORT OF CHIEF OF POLICE (Interim Chief Louie Tirona or designee)** – Captain Simmons reported that they haven't received the most updated shot spotter and crime statistics reports as their crime analyst has been out due to COVID-19. As for the use of force statistics, there were 6 use of force incidents (1 K-9 contact, 1 use of rap restraint, 1 use of the painting of a taser (the taser was never deployed), and 5 bodily force restraints). In terms of staffing, there are 30 sworn vacancies (23 officer rank, 1 captain, 2 lieutenants, and 4 sergeants). There are currently 2 people in the academy with another expected to start and 4 in various stages of training. There are 11 officers out on long-term injury, 3 out on administrative leave, and 4 out on modified duty, totaling 18 personnel out. There are 6 dispatch vacancies (2 dispatch candidates to start in June), 3 record specialist vacancies, 1 property technician vacancy (1 in the background process), 1 crime analyst assistant vacancy (interviews are being conducted), 2 parking enforcement vacancies (2 in background). Captain Simmons answered questions by Commissioners Joseph and O. Garcia regarding budgeted officers and hiring tactics such as hiring bonuses by stating that the department is currently budgeted for 145 officers and that currently the City is not considering providing hiring bonuses as they are currently in contract negotiations.

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Captain Simmons then answered Commissioner Joseph's questions regarding the class and comp study, what is currently going on in the city, and the department's feelings towards situations at Rydin Road and Castro with the homeless.

VII. **REPORT BY RICHMOND POLICE OFFICERS' ASSOCIATION (Ben Therriault or designee)** – Officer

Therriault reported that the active shooter training is not a standard practice in California, and that appropriate steps should have been taken to not confuse the public, such as making the training on the weekend. In terms of staffing, there is an issue with dispatch center and sworn personnel. The City of Richmond has not had meetings about the impending contract that is expiring in July. **He expressed his concerns that the longer a city goes without a contract, the more apprehensive people are going to be.**

Officer Therriault answered questions by Commissioners Hegstrom and Joseph regarding the officer's wellbeing and dispatch by stating that the officers are still being forced to work mandatory overtime so they are not performing at their best and that the meetings with Reimagining just started back up so they will begin to work with them regarding dispatch. Captain Simmons added that the department is almost at 100% of downloads of the mental health application with staff.

Leisa Johnson: Expressed her concern about the mental health of the officers right and how that translates to their safety and the public's safety with overtime. She noted the department currently has 97 officers, and that doesn't account for any officers out on leave at any point in time. It also doesn't consider that there are 18 officers eligible for retirement this month, with an additional 6 by December. She requested if the commission could voice their concern to Council regarding this issue.

VIII. **REPORT BY RICHMOND POLICE MANAGERS ASSOCIATION (Timothy Simmons)** – Captain

Simmons reported the department is currently in a mandatory overtime for sixty days, and he just ordered a lieutenant to start signups for another sixty days, adding they will probably have to continue this until December. The ask is that each officer is required to signup for a minimum of 3 overtime shifts, and if there is any left over, the officers must sign up for a shift from reverse order of seniority. As a captain, he has been working the shifts that are left over. He has recently temporarily lifted the overtime maximum of 64 hours per pay period cap. In addition to vacancies, they have been having a lot of sick calls and covid related vacancies.

He also wanted to publicly thank Councilmember Jimenez for working with the department to get information out to residents when the department had an active shooter training, which coincidentally took place a day after the shooting in Texas.

Leisa Johnson: asked Captain Simmons if RPD is currently capable of promptly answering all 911 incidents or is the current capacity hindering that as well.

Captain Simmons responded they are capable of answering calls; however, they are answered based on a priority system.

IX. **OLD BUSINESS, DISCUSSION ITEMS**

a. **Update on reports status, pending and completed Investigations (Mr. Threet)** –Mr.

Threet reported one investigation has been completed since last meeting. The CPRC also received one new complaint that alleges anti-immigrant bias by an officer and the

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investigation of a domestic violence. The complainant is actually not the victim; it is a health facility. He will need to use the translation service for this investigation.

- b. **Update on RPD Statistical Data report as requested by CPRC (Mr. Threet) –** Mr. Threet has met with Officer Therriault and discussed they are waiting for the acting chief to come back from vacation to get the data.

After discussing a complaint that was submitted that technically wasn't a complaint, it was clarified by Chair Garcia that for the commission to investigate, the complaint would need to be formally turned in.

X. NEW BUSINESS

- a. **Review, Discuss and vote on the new CPRC flyer (Commissioner Joseph/D. Garcia) –** Commissioner Joseph shared the flyer he made in collaboration with with Chair Garcia and Commissioner D. Garcia. Commissioner Hegstrom suggested they add meeting information to the flyer, to which Chair Garcia agreed to.

- b. **Review, Discuss and vote CPRC letter to Chief on completed cases (Commissioner Hegstrom) –** Commissioner Hegstrom noted that per their ordinance, once the commission reaches a verdict on their case, they are supposed to send a letter to the Chief of Police within 30 days. The Chief is supposed to respond whether they agree or disagree with the commission's decision within 30 days. She noted the commission has not sent any letters for previous cases.

After discussion, it was agreed that the commission would begin to send letters to the Chief going forward for all new cases. In addition, Bruce would review the template Commissioner Hegstrom provided for grammatical errors then send the finished letter to Chair Garcia.

XI. OPEN FORUM BEFORE CLOSED SESSION

XII. EXECUTIVE SESSION - CLOSED TO THE PUBLIC - Gov. Code §54957(b) Receive Complaint Report from CIAO on the case:

- a. Complaint 2021-6 (Linowitz/Rader)
- b. Complaint 2018-5 (Washington)
- c. Complaint 2018-6 (Hayes), Discuss and vote on findings and recommendations.

Return to Open Session

Report any final action(s) taken in the executive session

Bruce reported that in closed session, the commission considered three complaints.

Complaint #2021-6 (Lenowitz/Rader) to accept the report of the investigator. **Ayes:** Chair Garcia, Vice-chair Tunis, and Commissioners O. Garcia, Hegstrom, and Joseph.

Noes: None. **Absent:** Commissioners D. Garcia, Jackson, and Lacy. **Abstained:** None. By the same vote, the commission voted to not sustain as to the allegations made by Lenowitz/Rader. For complaint #2018-5 (Washington), the commission voted to accept the report of the investigative officer. **Ayes:** Chair Garcia, Vice-chair Tunis, and Commissioners O. Garcia, Hegstrom, Jackson, and Joseph. **Noes:** None. **Absent:** Commissioners D. Garcia and Lacy. **Abstained:** None. By the same vote, the commission

voted to accept that the allegations were unfounded. For complaint #2018-6 (Hayes) commissioners voted to accept the report on the recommendations of the investigative

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officer. **Ayes:** Chair Garcia, Vice-chair Tunis, and Commissioners O. Garcia, Hegstrom, Jackson, and Joseph. **Noes:** None. **Absent:** Commissioners D. Garcia and Lacy.

Abstained: None. In the use of force, one recommendation of exoneration and two recommendations of not sustained, the commission voted a 3-3 tie. **Ayes:** Commissioners O. Garcia, Joseph, and Jackson. **Noes:** Chair Garcia, Vice-chair Tunis, and Commissioner Hegstrom. **Absent:** Commissioners D. Garcia and Lacy. **Abstained:** None. Therefore, no recommendation was made.

XIII. CPRC BUSINESS – Chair Garcia reported that the commission now have their own canopy and chairs for any event they would like to host. She suggested they participate in the Juneteenth event. Randy expressed his interest.

XIV. ADJOURNMENT – the meeting was adjourned at 9:28 PM.