

**COMMUNITY POLICE REVIEW COMMISSION (CPRC)**

**Wednesday, July 6<sup>th</sup>, 2022 – 7:00 PM**

**Zoom Meeting**

**MINUTES**

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

The meeting was called to order at 7:02 PM by **Chair Yenny Garcia**

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

**Absent:** None

**Vacancies:** 1

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

**Council Liaison:** Claudia Jimenez – Present

**City Attorney's Office Representative:** Bruce Soublert, Senior Assistant City Attorney – Present

**II. APPROVAL OF MINUTES** – No minutes were approved.

**III. AGENDA REVIEW** – Bruce Soublert stated that there will not be a closed session tonight as no cases are being considered.

**IV. PUBLIC FORUM**

**Randy Joseph** – Expressed his feelings and concerns regarding COVID-19 and how the pandemic is still ongoing. He urged everyone to take the proper precautions and to take care of themselves and others.

**Leisa Johnson** – Inquired about the three crime scene technician vacancies and the illusion that all nine beats are being fully staffed. She also expressed her gratitude toward RPD as a member of the public.

**V. REPORT OF CITY COUNCIL LIAISON (Claudia Jimenez)** – Councilmember Jimenez reported that the state-adopted AB481 California Ordinance requires each California governing agency to adopt a written military-use by police ordinance. She had a meeting with members of the public as well as Captain Simmons and other captains of the police department. Together they are working in collaboration to identify accountability mechanisms for the military-use by the police and hope to present these findings to City Council.

Councilmember Jimenez answered Commissioners O. Garcia and Joseph's questions and concerns regarding the police staffing shortage and the City Council's lack of support for the police department. She stated that the Council recognizes they have several vacancies and are working to fill them; however, they also acknowledge that the hiring average has been the same and there are less applicants for the police department. She also noted MOU conversations are starting and they hope to move the conversation forward as soon as possible.

**VI. REPORT BY CHIEF OF POLICE (Interim Chief Louie Tirona or designee)** – Captain Simmons noted that their July 3<sup>rd</sup> event was a success, and a great collaboration between departments and neighbors all over Richmond. As for the Crime Data Report, shots fired dropped from 100 to 89 from May 2022 to June 2022. Shot spotters activations dropped from 69 in May down to 47 in June. Homicides: 2 in May and 2 in June. Aggravated assaults: 19 in May and 28 in June (8 were by use of weapons). Robberies: 19 in May and 14 in June. out of the robberies, 4 were by use of

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firearm. Criminal sexual assault: 11 in May and 6 in June. Property crimes break down as the following: Burglaries: 63 in May and 44 in June. Of the burglaries, 14 were commercial and 10 residential. In the month of June, there were 20 vehicular burglaries, 89 larcenies and thefts, and 69 stolen vehicles. Use of force for the month of June: 7 total: 1 K-9, 3 use of body force/physical restraint, 3 rap.

In terms of staffing, there are 19 sworn personnel not working (13 personnel out on injury leave, 1 person out on extended long term sick leave, 1 person out on administrative leave, 4 on modified duty). There are 26 sworn vacancies (3 in the academy), 5 dispatch vacancies (3 in background), 1 crime analyst assistant vacancy (1 in background) and 2 parking enforcement vacancies (1 in background).

Captain Simmons answered questions by Commissioners O. Garcia and D. Garcia regarding the location of shooting incidents to which he responded he would look into the correlation of shootings versus neighborhoods.

Captain Simmons also answered the question posed by Commissioner Joseph regarding the rhetoric that less cops equals more crime when his statistics prove the opposite. Captain Simmons emphasized that using crime stats as a metric to identify the success of a police department is problematic as the statistics only show whatever crime is being reported. It does not account for unreported crime nor quality of life. Therefore, crime stats can't be solely used to determine if a department is successful.

**VII. REPORT BY RICHMOND POLICE OFFICERS' ASSOCIATION (Ben Therriault or designee)** – Officer Therriault reported that statistics presented and what goes into the statistics are very different. For example, the department receives numerous calls, but by the time the officers get there, the callers are gone. The department currently has one person patrolling for the entire police department. They can't trust using the metric of statistics as they are understaffed. He emphasized that if there is not a significant change in trying to recruit people in law enforcement, there will be a loss of capital.

Officer Therriault answered Commissioners O. Garcia and Joseph regarding crime scene technicians and the class and comp study by stating that during some shifts, some patrolling officers need to step in as they are short crime scene technicians, and that the data for the class and comp study is inaccurate and outdated.

Councilmember Jimenez added that while the numbers of the case study are a year behind, the consultant has worked with other cities, and the information has been provided to the Unions, who have until the 21<sup>st</sup> to respond.

**VIII. Report BY RICHMOND POLICE MANAGERS ASSOCIATION (Timothy Simmons)** – Captain Simmons reported on current staffing issues. The department is still in mandatory overtime signup. He is also signing up for overtime, and he anticipates the burn out rate will increase. In the last week they had 33 officers call out sick. He is very concerned about the wellbeing, health, and safety about the people who work under his command. He is trying to do what he can to not affect his workers, and they are having conversations about eliminating certain units to have patrolling police offers.

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**IX. OLD BUSINESS, DISCUSSION ITEMS**

- a. **Update on reports status, pending and completed Investigations (Mr. Threet) – Mr. Threet** reported that the commission had received an anti-immigrant bias complaint by an officer during a sexual assault case. He currently needs help getting a Spanish translator with a confidentiality agreement. In addition, the sexual assault investigation is ongoing, and he needs to look at that information to further investigate. Until further, the complaint will be in pending status.  
After discussion, Captain Simmons agreed to meet with Mr. Threet offline to assist with the investigative process, Councilmember Jimenez stated she would email the City Attorney's Office to facilitate the confidentiality notice, and Bruce clarified that if an investigation is pending, the police department will not give information to outside sources or third parties as it could jeopardize the investigation.
- b. **Update on RPD Statistical Data report as requested by CPRC (Mr. Threet) – Mr. Threet** reported he met with acting Chief Tirona, Captain Simmons and they agreed on a set of data for Mr. Threet to analyze.
- c. **Update on CPRC ordinance corrections/updates (Vice-Chair Dow/Commissioner Hegstrom) – Commissioner Hegstrom** reported that the corrected ordinance version has been sent to the person who uploads on Municode.
- d. **Review, discuss and vote on updates done to CPRC letter to RPD Chief on completed investigations- Item continued from May meeting. (Counsel Soublet) – Bruce** stated that he did not have anything to report as he had a major medical operation; however, once the letter has been completely reviewed, he will send it to Chair Garcia with his approval.

**X. NEW BUSINESS**

- a. **Review, discuss and vote on public summaries for Complaints: 2018-5 (Washington), 2018-6 (Hayes), and 2021-4 (Linowitz/Rader) (Mr. Threet) – Mr. Threet** reported there 3 public summaries that have been provided to all commissioners. Commissioner Hegstrom motioned to accept the first two cases (2018-5 and 2018-6) and change the wording in 2021-4 to state Rader as a "possible occupant" instead of "passenger." The motion was seconded by Commissioner D. Garcia.  
Upon a substitute motion by Chair Garcia and seconded by Commissioner Joseph, the separation of the three cases for voting purposes was approved by the following vote: **Ayes:** Chair Garcia, Vice-chair Tunis, and Commissioners D. Garcia, O. Garcia, Hegstrom, Jackson, Joseph, and Lacy. **Noes:** None. **Absent:** None. **Abstained:** None.  
Upon motion by Vice-chair Tunis and seconded by Commissioner Hegstrom, cases 2018-5 and 2018-6 were accepted by the following vote: **Ayes:** Chair Garcia, Vice-chair Tunis, and Commissioners D. Garcia, O. Garcia, Hegstrom, Jackson, Joseph, and Lacy. **Noes:** None. **Absent:** None. **Abstained:** None.  
Upon motion by Commissioner Hegstrom and seconded by Commissioner D. Garcia, case 2021-4 was accepted with a one-word change from "passenger" to "occupant" by the following vote: **Ayes:** Vice-chair Tunis and Commissioners D. Garcia, O. Garcia,

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Hegstrom, and Jackson. **Noes:** Chair Garcia and Commissioners Joseph and Lacy. **Absent:** None. **Abstained:** None.

- b. **Review and discuss attendees to the NACOLE conference 2022 (Commissioner Joseph)** – Commissioner Joseph stated the NACOLE conference will be taking place from September 11 – 15 in person in Texas and virtual October 26 and November 9<sup>th</sup>. After further discussion, Commissioner Hegstrom stated she would like to attend the virtual conference and Commissioners Joseph and Lacy would like to attend the in-person conference.
- c. **Review, discuss and vote on CPRC August retreat (Chair Y. Garcia)** – Upon motion by Commissioner Joseph and seconded by Commissioner Hegstrom, an August recess was approved by the following vote: **Ayes:** Chair Garcia, Vice-chair Tunis, and Commissioners D. Garcia, Hegstrom, Jackson, Joseph, and Lacy. **Noes:** None. **Absent:** Commissioner O. Garcia. **Abstained:** None.
- d. **Review, discuss and vote on a suggested recommendation to the city council regarding the RPD staffing shortage (Commissioner Hegstrom)** – Commissioner Hegstrom suggested that the commission make a general, short recommendation to City Council to do everything possible to retain current officers.  
After discussion, it was clarified that there were two items (an email and word document) sent by Commissioner Hegstrom. Because the word document had not been shared to the public, Bruce suggested that the commission have a discussion and make a verbal recommendation to their council liaison.  
Commissioner Joseph voiced his concerns with making this recommendation as he doesn't want the commission to be used as a "ploy" in issues regarding the RPA and City Council and there is a lack of community members' voices in the recommendation. Commissioner Hegstrom stated that the staffing crisis is a national and local problem as RPD is competing with other local departments to attract and retain officers. Commissioner Jackson echoed Commissioner's Hegstrom sentiment and stated they if they have pride in the City, they should have pride in the police department and should want them to be the best they can.  
Chair Garcia acknowledged that both items sent from Commissioner Hegstrom were well-written and that it is the commission's jurisdiction to make recommendations regarding RPD to City Council; however, she did not want to make specific suggestions regarding contract negotiations.  
Commissioner Hegstrom motioned to recommend to City Council that due to serious staffing shortage, that they do everything possible to retain and recruit officers. The motion was seconded by Commissioner Jackson.  
**Emily Ross** – Expressed her concerned about the discussion regarding an informal recommendation, because it sounds like a policy recommendation. Based on the synopsis, she would prefer specific recommendations because general recommendations could mean all kind of things.  
**Leisa Johnson** – thanked the commission for having this discussion. She also suggested Commissioner Hegstrom could include neutral recommendations in her motion, and if

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someone disagrees, they can amend the motion. She stressed the importance of the commissioners serving the community at large.

**Jamie** – Echoed some concerns about that the desire to see recommendations written. He emphasized how concerning it was to hear how talks were proceeding earlier about written items that were not sent to the public. He stated everything should be as transparent as possible.

**Officer Therriault** – Voiced that it is good the commission is paying attention to the staffing crisis because the bottom line is that if something is not done, there is going to be a lot of tenured people leaving.

Commissioner Hegstrom retracted her motion and made a new motion that the CPRC take the safety of the city very seriously and since there is a crisis in staffing at RPD, the commission recommends that the City Council take the issue very seriously and do what they can to help retain and recruit officers.

The motion was seconded by Commissioner Jackson, and failed by the following vote:

**Ayes:** Commissioners Hegstrom and Jackson **Noes:** Chair Garcia, Vice-chair Tunis, D. Garcia, and Commissioners Joseph and Lacy **Absent:** Commissioner O. Garcia.

**Abstained:** None.

Upon a motion by Chair Garcia and seconded by Vice-chair Tunis, the CPRC recommendation of a relaying a message to City Council to work together with the RPOA, RPMA, and Richmond Fire Department to come to an agreement that benefits the broader community was approved by the following vote: **Ayes:** Chair Garcia, Vice-chair Tunis, and Commissioners Joseph and Lacy. **Noes:** Commissioners Hegstrom, D. Garcia **Absent:** Commissioner O. Garcia. **Abstained:** Commissioner Jackson.

Commissioner D. Garcia expressed that the recommendations are very broad and that not enough information was provided for the community to have a proper discussion. He expressed concerns with leaving it to their council liaison to speak for them.

Councilmember Jimenez stated her appreciation for the conversation and urged commissioners to familiarize themselves with the MOU as RPOA, RPMA, and Local 188 all have items listed in the MOU. She also acknowledged that the City is working to apply the class and comp study in an equitable manner.

**XI. OPEN FORUM BEFORE CLOSED SESSION**

**Cordell Hindler** – Invited the CPRC to the Mayor’s roundtable talk tomorrow, July 7<sup>th</sup> at Rigger’s Loft, from 11:30 AM – 1 PM. Tickets will be \$35 at the door.

**XII. EXECUTIVE SESSION - CLOSED TO THE PUBLIC - Gov. Code §54957(b)**

**XIII. CPRC BUSINESS** – Commissioner Hegstrom expressed she would like the commission to have a booth at future Juneteenth celebrations.

**XIV. ADJOURNMENT** – the meeting was adjourned at 9:40 PM.