

**COMMUNITY POLICE REVIEW COMMISSION**  
**of the City of Richmond, California**  
**(CPRC)**  
**Wednesday, March 1, 2023**  
**7:00 P.M.**

**MINUTES**

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

The meeting was called to order at 7:03 P.M. by Chair Carol Hegstrom in the Employee Lunchroom in the Basement of 450 Civic Center Plaza at Richmond, California.

**Present:** Carol Hegstrom (Chair), Dow Tunis (Vice Chair), Oscar Garcia, Randy Joseph and Steven Lacy

**Absent:** Diego Garcia and Andre Jackson

**Staff:** Lilia Corral, Shané Johnson - Present

**Council Liaison:** Claudia Jimenez – Present

**City Attorney's  
Office Representative:** Pam Lee - Present

**II. APPROVAL OF MINUTES (January 4, 2023)**

Commissioner Joseph requested a clarification in the second sentence in the second paragraph on Page 3 of the January 4, 2023 minutes, and requested the following amendment: *Speaking to the 2022 ShotSpotter chart, Commissioner Joseph asked about the total number of incidents in the December 2022 report, which the Chief confirmed at 71 incidents, and Commissioner Joseph requested that the report be revised in the future given that there appeared to be more incidents than there actually were.*

<p><b>ACTION:</b> It was M/S/C (Joseph/Tunis) to approve the minutes of the January 4, 2023 meeting, amended as shown; approved by a Roll Call vote: 5-0 (Ayes: O. Garcia, Joseph, Lacy, Tunis and Chair Hegstrom; Noes: None; Abstain: None; Absent: D. Garcia and Jackson).</p>
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**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 reported there had been a meeting with Chair Hegstrom, Investigator Threet, Police Chief French, Assistant Chief Simmons and other RPD staff to explain police strategies and an analysis of use of force, and to clarify access to information, the conclusion of which was that it would be good for the Investigator to have access to the Internet Dashboard. As a result, the City Attorney's Office would be asked to determine whether that information could be shared to allow Mr. Threet to complete the analyses requested by the CPRC.

Councilmember Jimenez advised that at last night's City Council meeting, there had been a discussion about a license plate reader camera system proposed by the RPD to help with investigations, and it would have to be determined where the cameras would be located. She clarified that the cameras would not be used for surveillance purposes.

Chair Hegstrom referred to discussions of license readers in the past and the issues related to privacy as well as the potential for involvement of the U.S. Immigration and Customs Enforcement (ICE), but Councilmember Jimenez stated in response to both the Chair and to Commissioner Joseph with the same question that while there were still privacy issues that needed to be addressed ICE should not be involved because Richmond was a Sanctuary City.

Carol Hegstrom referred to another item the CPRC had pursued to allow complaint forms to be electronically submitted and Councilmember Jimenez understood that was already being considered and she would work with Chair Hegstrom to get the request on the next City Council agenda for March 21, 2023.

Staff explained that the process related to electronic complaints had already started and could be on the March 7, 2023 City Council agenda.

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

Chief Bisa French had presented a written report which included a ShotSpotter Report given that the Chief and command staff members were not present in that they were at a dinner recognizing Detective of the Year 2022, hosted by the Elks Lodge to honor officers from West County police agencies. The 2022 Officer of the Year was identified as Brian Hoffman.

Chair Hegstrom read the report submitted by Chief French, which reported that in February there were 62 assaults, 19 robberies, 10 sexual assaults, 27 burglaries, 123 thefts (including auto burglaries), 65 vehicle thefts and one arson. In addition, staff had towed 185 vehicles, responded to four side shows, responded to 142 vehicle collisions and conducted nine DUI investigations.

Commissioner Oscar Garcia continued with the report from Chief French which highlighted several significant investigations involving major injuries.

Commissioner Joseph also read another segment of the Chief's report with respect to staffing, where there were 32 sworn vacancies and 22 professional staff vacancies, nine officers were out on injury leave, and four officers were on light duty. The Personnel, Recruiting and Training Unit was working on vacancies and had hired eight police officers and two professional staff members, and would be starting two Record Specialists in the next couple of weeks.

Commissioner Oscar Garcia referred to the Chief's report on significant investigations, one of which was for a hit and run, and suggested that having cameras for hit and run accidents would have allowed a solvable case and was an example of where not having cameras had an impact on being able to solve crimes.

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

Ben Therriault, President of the Richmond Police Officers' Association (RPOA), was at the awards banquet and not available at this time.

**VIII. REPORT BY RICHMOND POLICE MANAGEMENT ASSOCIATION (Esteban Barragan or Designee)**

Lieutenant Esteban Barragan, President of the Richmond Police Management Association, was also not available at this time.

**IX. REPORT BY INVESTIGATIVE AND APPEALS OFFICER (Jerry Threet)**

Jerry Threet, Investigative and Appeals Officer, reported there were currently three or four complaints pending and for one of those he had been unable to interview the complainant, although she had contacted him to advise that she was recovering from surgery so it would be awhile before the interview could occur. He had recently received relevant information from RPD and noted that many records had been held back due to an active murder investigation related to the complaint. There were two other investigations where complaints and witnesses had been interviewed, he had conducted office interviews and he was working on the analysis of the evidence for one complaint. He explained that one of the complaints would be ready for an executive session with the CPRC at its next meeting.

Mr. Threet reported for the third complaint he had sent a request in December for officer interviews but had discovered that one of the officers no longer worked for the RPD and he hoped to have contact with the other three officers soon. He explained that the CPRC had recently received a new complaint for an alleged failure to investigate a crime, and having consulted with the Chair he had advised the complainant that the allegation was outside the jurisdiction of the CPRC. He had also explained to the complainant that if she was dissatisfied with a finding by the RPD on her complaint she could appeal that to the CPRC. With that understanding, the complainant had withdrawn her complaint which was considered to be closed at this time.

Mr. Threet reported that both the Use of Force Data Analysis and Annual Report projects requested by the CPRC had been on hold. He had participated in a meeting with RPD and police strategists to discuss access to the compiled data and was continuing to explore some possibilities to get access to that data. He suggested it might be worthwhile for the CPRC to visit the question of what he could provide that would not be provided by the police strategists. He noted they were doing an Annual Report and also doing a review of Use of Force data during that Annual Report and it might be worthwhile to have that conversation again as to whether the CPRC still wanted that information from him.

Mr. Threet also reported that last month the City had released to the public all records related to the investigation of the death in 2020 of Jose Luis Lopez while in police custody in Richmond, a case he had investigated and the CPRC had made findings on in 2021, and a summary of those findings had been included on the website. The records had been released in response to a request through the California Public Records Act that had been filed by the Berkeley School of Journalism, the San Francisco Chronicle and the Associated Press, and he expected some sort of news coverage in the future that might include information about the case. He advised that the records released included the report he had prepared, the confidential report he had prepared for the CPRC, the Office of Professional Accountability Investigation Report, the District Attorney's Criminal Investigation Report, the Coroner's Report, and other related records, which had not been available to the public in the past, and which had been redacted to keep some information confidential. With that type of release, the names of the officers involved in the investigations had also been released to the public.

Mr. Threet commented that there were differences in findings between some of those reports, primarily the report to the CPRC and the CPRC's finding, and the report produced by the RPD and the RPD findings. Both reports sustained findings of unreasonable force against the main officer in that case, the first to encounter Mr. Lopez in the incident. The RPD sustained no additional findings in policy or law violations against any other officers while the CPRC sustained findings of unreasonable force against two other officers, and also sustained findings of failure to intervene and unreasonable force against three officers. The District Attorney had found there was insufficient evidence under the criminal standard of proof to charge any officers for criminal wrongdoing in that incident.

## **X. OLD BUSINESS, DISCUSSION ITEMS**

### **A. Update CPRC Annual Report (R. Joseph)**

Commissioner Joseph verified that Vice Chair Tunis was also involved in the preparation of the report and they would meet to finalize the report.

## **XI. NEW BUSINESS**

### **A. Tabling at Events (C. Hegstrom)**

Chair Hegstrom noted a number of events coming up, for example the International Day of Women at Memorial Auditorium, reported by Councilmember Jimenez to be set for Saturday, March 11, 2023 from 10:00 A.M. to 2:00 P.M.

Chair Hegstrom noted that the CPRC had not signed up for a table at that event, which it usually did and she wanted to identify the other events for setting up a table and then to identify CPRC volunteers for those events. It was reported that the Cinco de Mayo Festival would be celebrated on Sunday, May 7, 2023 and Juneteenth dates may not yet have been identified.

Chair Hegstrom stated that the CPRC had made presentations to neighborhood councils in the past, and because that had not been agendaized would be discussed at a future meeting.

**B. Complaint Form (C. Hegstrom)**

Chair Hegstrom reported that former Chair Yenny Garcia had completed the complaint form with the CPRC's approved changes and the form was ready to be uploaded electronically. Once the ordinance had been changed, the new complaint form could then be used to file complaints electronically.

**C. Legal Representative (C. Hegstrom)**

Chair Hegstrom introduced Pam Lee from the City Attorney's Office and verified that Ms. Lee would be the CPRC's legal liaison.

**D. Commissioner Handbook and COR Board and Commission Handbook (C. Hegstrom)**

Chair Hegstrom verified that a Handbook was being created for the CPRC. She recommended it was time for updated Brown Act Training and Ms. Lee noted that in addition to the Brown Act, training related to fair hearing process and ethical issues would also be beneficial. Given the uniqueness of the CPRC, tailor-made training was recommended.

With respect to the City of Richmond Board and Commission Handbook which she recommended all members of the CPRC read, Chair Hegstrom explained the Handbook included the requirement that after three absences a member had effectively resigned from the CPRC. To CPRC members, she stressed the importance of attending CPRC meetings. The process involved with a number of absences was identified by staff. Given that the term for Commissioner Diego Garcia had expired, Chair Hegstrom asked the City Clerk to make that position available for appointment.

**E. CPRC Social Media (C. Hegstrom)**

Chair Hegstrom suggested that the CPRC do something on social media in an unofficial capacity and City Attorney Liaison Lee described that as a gray area in that it depended on what the CPRC wanted to do on a social media page to determine whether or not it was allowed.

Chair Hegstrom verified with Ms. Lee that posting the CPRC meeting schedule and links to Public Case Summaries on social media would be acceptable.

Commissioner Joseph noted that had been attempted in the past and had been problematic in that Richmond staff would have to post that information. He had a problem with an unofficial posting that could be confusing to the public.

Staff identified some difficulties in past efforts and it was noted that the City had updated its web site and there was now more staff available to keep the website updated, which could include CPRC postings on meeting schedule, flyers for upcoming events, and updates and links to the website to identify the electronic complaint form, for instance.

Chair Hegstrom recommended a cover sheet for the complaint form to identify the CPRC and the complaint process with the complaint form to be attached, and with forms available in the Library and the Police Station for those who did not have a computer.

Commissioner Joseph asked about CPRC flyers and City “swag” and staff noted that flyers were available and the CPRC had a budget to purchase such things as pens and other things that could be used as giveaways during the tabling events.

**XII. REPORTS FROM COMMISSIONERS, STAFF, AND RIDEALONGS**

Vice Chair Tunis noted that he had attended the recent swearing-in ceremony for the new police officer and described that ceremony as awesome, and he had been thanked by the RPD for being present. He noted that DUI Checkpoints had not been conducted because of staffing and he looked forward to the resumption of ridealongs in the future.

Commissioner Joseph stated that he worked for the RYSE Center and the new building at 3939 Bissell Avenue in Richmond was now open. He invited everyone to the Be a Kid Fundraiser 2023 and a tour of the new building on Friday, April 28, 2023 for adults only, 21 and up. He commented that he expected to go on a ridealong this month with Officer Therriault.

**XIII. ADJOURNMENT**

The meeting was adjourned at 7:58 P.M.

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Carol Hegstrom, Chair