

**COMMUNITY POLICE REVIEW COMMISSION**  
**of the City of Richmond, California**  
**(CPRC)**  
**Wednesday, March 6, 2024**  
**7:00 P.M.**

**MINUTES**

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

The meeting was called to order at 7:00 P.M. by Chair Carol Hegstrom in the Richmond Room at 450 Civic Center Plaza, 1<sup>st</sup> Floor, at Richmond, California.

**Present:** Carol Hegstrom (Chair), Oscar Garcia, Daniel Lawson, Steven Lacy\*, and Rachel Lorber  
\*Arrived after Roll Call

**Absent:** Andre Jackson and Carole Johnson

**Staff:** Shané Johnson – Present

**Council Liaison:** Claudia Jimenez – Not Present

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

**II. STATEMENT OF CONFLICT OF INTEREST**

Pam Lee from the City Attorney's Office advised that anyone who may have any conflict of interest with respect to any item on the agenda identify that conflict. She acknowledged Commissioner Lorber's conflict of interest with respect to the item under Executive Session, and advised that without the presence of another member of the Commission there would be no quorum to hold the Executive Session.

**III. AGENDA REVIEW**

Commissioner Lawson questioned whether the Executive Session would be required given that the discussion related to a determination of whether or not to proceed to investigate, although Ms. Lee verified that an Executive Session was still required given the need to consider the facts to determine whether or not there were certain factors involved to be able to proceed with the investigation. She noted that a similar need to make such a determination had occurred in the past in Executive Session.

**IV. APPROVAL OF MINUTES (February 7, 2024)**

<p><b>ACTION:</b> It was M/S/C (Lawson/Garcia) to approve the minutes of the February 7, 2024 meeting, as submitted; approved by a voice vote: 4-0 (Ayes: Garcia, Lawson, Lorber and Chair Hegstrom; Noes: None; Abstain: None; Absent: Jackson, Johnson and Lacy).</p>
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**V. PUBLIC FORUM**

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

**VI. REPORT OF CITY COUNCIL LIAISON (Claudia Jimenez)**

Council Liaison Claudia Jimenez was not present at this time.

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

Police Chief Bisa French presented the report for January 2024 given that the February statistics were not yet available. In terms of staffing, she advised there were 29 vacancies, eight officer trainees in the Police Academy, another eight officers in training, and the Richmond Police Department (RPD) had been hiring. She explained that the hiring and training process took some time to complete. She also reported that nine retirements were expected this year.

In January, there had been 13 incidents in the Use of Force Report with three canine contacts. For sexual assaults, there had been a significant increase from three the prior period to 16 last month, although no patterns had been found. In terms of property crime, there had been a decrease in February (from February 1 to 21), and an increase in robberies from 18 to 23. There had been a pattern with respect to robberies in that people leaving ATM machines were being robbed in their cars when leaving the bank, which had primarily occurred in the areas of San Pablo Avenue downtown, the Macdonald corridor and around the Hilltop Mall area. Some outreach had been done in terms of safety recommendations related to ATM withdrawals.

Chief French reported that in terms of homicides, there had been one homicide in February and one in January. In February, officers arrived after a shot fired activation on Lancaster Drive when a victim had been found in a carport with a single gunshot wound that proved to be fatal. There were promising leads in that case. An attempted murder case on south 22<sup>nd</sup> Street had resulted in an RPD arrest and booking. She also identified a fatal collision on Pier Street in February and another in January when two people had been killed while racing cars on Carlson Boulevard.

Chief French referred to a mass shooting in Richmond on Dunn Avenue on Father's Day 2021, when a shooting at a party resulted in the loss of four people with others injured. She reported that RPD detectives had identified the suspect who had been arrested and had just been convicted on 12 separate accounts.

Chief French also reported on the Detective of the Year Dinner held on the day of last month's CPRC meeting when Detective Jaimie Guzman had been honored as RPD's 2023 Detective of the Year. She explained that Detective Guzman had started at the RPD as a Police Explorer when a teenager, graduated to the Cadet Program, had become a Police Officer, and was now a Detective at the Family Justice Center.

Chair Hegstrom reported that Steven Lacy had arrived at 7:12 P.M.

Commissioner Lawson asked about the ShotSpotter Report and the difference between shots fired and activations, and Chief French explained that shots fired were those shots reported through calls from the public about gunfire, while the activations were shots fired.

Commissioner Garcia referred to the “smoke shops” primarily along central downtown Richmond and commented that a few of the shots were literally in front of the smoke shops. As a result, he asked if the smoke shops were attracting some of the shootings.

Chief French commented that there had been a double homicide in front of a smoke shop on 23<sup>rd</sup> Street when people going into the shop had been shot to death, and there had been a number of incidents that had also resulted in calls related to fighting in front of several smoke shops. She stated the RPD did not have the regulatory authority or the staffing to address the smoke shops unless code enforcement was involved. She also verified that dispensaries had also been targeted by large groups of people robbing those establishments. She had not seen the same occur with smoke shops.

Chair Hegstrom noted that there were also drug deals in front of the smoke shops.

Commissioner Garcia reported that the 23<sup>rd</sup> Street Merchants had been pleased with the increase in patrols, and Chief French acknowledged that several meetings had been held with the 23<sup>rd</sup> Street Merchants to address their issues.

**VIII. REPORT BY RICHMOND POLICE OFFICERS’ ASSOCIATION (Ben Therriault or Designee)**

Sergeant Ben Therriault, President of the Richmond Police Officers’ Association (RPOA), reported that there were a lot of new members of the RPOA. RPD staffing remained the number one priority and there had been only a slight net increase in staffing given the competition between new hires and retirements along with candidates who did not pass training. He added that the main goal about staffing was to change the stigma around Richmond and attract people to work in Richmond. He also explained that while last year’s low homicide rate was great, crime was still a concern and it was important for people to know that in 2022, 42 people had been shot and in 2023, 51 people had been shot, and while lower than in years past it was not a trend in the right direction. Richmond was way above other cities in the County, which was unacceptable. He stated the RPD needed to do a better job and a lot of that had to do with staffing.

**IX. REPORT BY RICHMOND POLICE MANAGEMENT ASSOCIATION (Eric Smith or Designee)**

There was no report from the Richmond Police Management Association (RPMA).

**X. PRESENTATION**

a. RPD Staff Presentation of “Use of Force’ and De-escalation Techniques

Chair Hegstrom noted that the Citizens Academy had not been launched given the small number of people interested, and this year an on-line hybrid was being pursued. She added that a Community Safety Academy was expected to be held in the spring.

Lieutenant E. Loucas provided an overview of use of force, de-escalation and the training by the RPD. He identified the mandatory training required, a total of 24 hours of approved training every two years and he detailed that training along with the changes to the law involved in the use of deadly force, training on de-escalation, and RPD’s policies for when to apply force, how to apply force, and how and when to report it.

Lieutenant Loucas noted that Richmond Police Department Policy Manual 300 went over the use of force, purpose and scope, definition, specified policies, scope of force, what constituted the use of force and the reportable use of force. He identified the guidelines and factors involved to determine when to use force, such as to prevent escape, in defense of others or officers, and to prevent public offenses and to maintain order, all according to applicable laws within imposed guidelines and within RPD policy. He advised that RPD's Policy Manual 300 was available on line.

Lieutenant Loucas described the RPD's use of force policies, with a duty to intercede, to report excessive force, for a fair and unbiased use of force, and the consequences for a failure to intercede. He spoke to when to apply force and the RPD training related to the use of force and the factors used to determine reasonableness with respect to the use of force. He also described RPD's de-escalation tactics and the additional training the RPD conducted beyond standard requirements. He pointed out the RPD had a Use of Force Review Board comprised of all bureau captains, the watch commander, training manager/training sergeant, the Office of Professional Accountability (OPA) manager, defensive tactics (DTAC) instructor, and RPA representative, which met monthly.

Commissioner Lawson asked how often the committee considered a use of force to be inappropriate and Lieutenant Loucas clarified that because of the multiple layers of review, if there was a determination of inappropriateness the incident would already have been forwarded for investigation to the Office of Professional Accountability.

Commissioner Lorber clarified with Lieutenant Loucas that mental health calls to 911 were referred to 211 and there was a limited relationship of the RPD to those calls. The question of use of force in relation to arrests and the level of resistance related to use of force was also clarified.

Lieutenant Loucas explained that the RPD was only involved in 211 if one of 211's representatives had requested the RPD's presence and/or if the person called upon had already done something or demonstrated violence or had a weapon. The dispatcher would broadcast that information and the supervisor would make the ultimate call as to how RPD would become involved.

Chair Hegstrom asked for a highlight of the de-escalation techniques RPD would use to avoid use of force and Lieutenant Loucas clarified that would depend on the situation and he offered examples of those techniques.

Chair French referred to the use of tenets of procedural justice to allow people to be heard and to slow a situation down to one of safety and de-escalation. She also noted with respect to mental health crises that often mental health professionals called the RPD in cases where someone might harm themselves, or through the suicide hot line when welfare checks were requested.

Commissioner Lawson verified that the RPD used Lexipol, a tool that provided Best Practices policies and that Lexipol standards were amended to comply with RPD standards.

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

### **A. Status Update**

Jerry Threet, Investigative and Appeals Officer, reported there were currently eight investigations pending, the same as last month. One of those eight investigations would be discussed in Executive Session to consider whether there had been excusable neglect in the failure to file within the 120-day time limit under the ordinance.

**XII. OLD BUSINESS, DISCUSSION ITEMS:** None

**XIII. NEW BUSINESS:** None

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

Staff Liaison Shané Johnson advised that Commissioners interested in the virtual training through the National Association for Civilian Oversight of Law Enforcement (NACOLE) should identify that interest.

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

BenTherriault offered public comment at this time and stated the item to be considered under Executive Session was a jurisdictional case that involved an individual who had run over a police officer with a big box truck. He explained that the officer was still injured and the individual had been convicted of an assault on a peace officer with serious bodily injury and was facing four to five years of confinement. He stated it was important for the CPRC to know those facts.

Commissioner Lorber recused herself at this time and left the meeting.

**XV. EXECUTIVE SESSION – CLOSED TO THE PUBLIC – Government Code §54957(b)**

- a. Receive Complaint Report from CIAO on Complaint 2023-7 (Medrano). Discuss and vote on finding and recommendations.

**RETURN TO OPEN SESSION**

Pam Lee, Legal Counsel representing the City Attorney's Office, reported that the CPRC had met in Executive Session with respect to the item listed on the agenda, and had taken the following action.

With respect to Complaint 2023-7 (Medrano), the CPRC had voted unanimously (4-0) to accept the report and had voted (3-1) to accept the recommendation that there was no excusable neglect for the late filing of the complaint, which would end the jurisdiction of the CPRC on this matter.

**XVI. ADJOURNMENT**

The meeting was adjourned at 8:31P.M.

  
Carol Hegstrom  
Carol Hegstrom (Apr 4, 2024 14:46 PDT)

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Carol Hegstrom, Chair

# CPRC Minutes 03.06.24

Final Audit Report

2024-04-04

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