

**COMMUNITY POLICE REVIEW COMMISSION**  
**of the City of Richmond, California**  
**(CPRC)**  
**Wednesday, June 5, 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\*, Andre Jackson, Daniel Lawson and Carmen Martinez  
\*Arrived after Roll Call at 7:03 P.M.

**Absent:** Steven Lacy and Rachel Lorber (Vice Chair)

**Staff:** Shané Johnson – Present

**Council Liaison:** Claudia Jimenez – Present

**City Attorney's  
Office Representative** Kimberly Chin, Senior Assistant City Attorney - Present

**II. STATEMENT OF CONFLICT OF INTEREST**

Kimberly Chin, Senior Assistant City Attorney asked Commissioners to review the agenda to determine whether there were any conflicts with respect to any item on the agenda. There were none.

**III. AGENDA REVIEW**

Commissioner Lawson referred to a recent case in the newspaper about an individual who had been complaining about an altercation with an officer and he was uncertain whether or not a complaint had been filed with the CPRC. He asked about the process by which the CPRC would become aware of such situations.

While that item was not on the meeting agenda to allow a discussion, Senior Assistant City Attorney Chin advised that if so desired the item could be placed on the next meeting agenda. There was no desire expressed to do that at this time.

**IV. APPROVAL OF MINUTES (May 1, 2024)**

Senior Assistant City Attorney Chin requested a correction to the May 1, 2024 minutes to reflect that Pam Lee, shown as being from the City Attorney's Office, had actually been retained from the firm of Aleshire & Wynder LLP, and was not an employee of the City of Richmond. She requested a correction to that effect.

**ACTION: It was M/S/C (Lawson/Martinez) to approve the minutes of the May 1, 2024 meeting, as corrected; approved by a voice vote: 5-0 (Ayes: Garcia, Jackson, Lawson, Martinez and Chair Hegstrom; Noes: None; Abstain: None; Absent: Lacy and Lorber).**

## **V. PUBLIC FORUM**

CORDELL HINDLER commented that he had a couple of folks in mind to fill the remaining vacancies on the CPRC and emphasized the importance of including young adults since young adults had been impacted by police. He advised that he would speak to the Youth Council later this month about filling some of the vacancies. He invited the CPRC to the Contra Costa Mayors' Conference on October 3, 2024 at 6:30 P.M. hosted by the City of Richmond, location to be determined. He reported that he had attended Coffee with a Cop in Marina Bay and urged Commissioners to attend the next event.

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

Council Liaison Claudia Jimenez, the Vice Mayor of the City Council, reported that the City Council had made a decision to secure a Confidential Investigative and Appeals Officer (CIAO) and she had been given the charge to choose two members of the CPRC to be on the hiring committee with the Human Resources Director and other organizations. She explained that she had already communicated with Commissioners Lawson and Martinez to be on that hiring committee. She added that while a part-time position would be pursued, if there was no part-time competent individual available, a full-time position would be sought.

As to how long the hiring process would take in response to the Chair, Council Liaison Jimenez explained that the City had contracted with the Byers Group to conduct a recruitment, and a meeting had been scheduled to start planning for that recruitment. She advised that she would follow through and advise the CPRC on the timeline involved. She also clarified, when asked, that she had been given the choice to choose two members of the CPRC and she had chosen Commissioners Lawson and Martinez.

Commissioner Garcia commented that in the past the CPRC had chosen the members to participate in the hiring, and Chair Hegstrom explained that she recalled that three members had been chosen in the past and those members involved had volunteered to serve.

Council Liaison Jimenez was receptive to a third person from the CPRC to be part of the hiring committee and asked if Chair Hegstrom also wanted to participate. She took this opportunity to thank Jerry Threet, the current CIAO for staying on to help the City fulfill its investigative role and commented that it would be difficult to replace him.

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

Police Chief Bisa French introduced Acting Lieutenant Joseph Englund, who would be replacing Eddie Aubrey, the Manager of the Office of Professional Accountability (OPA). She reported that Lieutenant Englund had been working under Eddie Aubrey for the last several years and would take over the role of managing investigations.

Acting Lieutenant Englund stated that he planned to attend each CPRC meeting.

In terms of staffing, Chief French reported the Richmond Police Department (RPD) had been making strides in hiring and last year the RPD had hired 20 police officers, although the RPD continued to lose officers and this year nine police officers had been hired but six had been lost. The RPD continued to be challenged with staff issues. As a result, all officers had been required to sign up for mandatory overtime shifts again, partially due to injuries. There were people in training but it would be a while before those individuals would become solo officers. She explained that the numbers were good for professional staff in that there were only eight vacancies. The biggest turnaround was in the Communications Center where only two positions remained to be filled.

Chief French stated that last month there had been 13 uses of force, with two canine and two taser deployments. There had also been one homicide last month when an 18-year-old student from Kennedy High School had been killed as a result of an apparent drug deal gone bad.

Chief French reported that the RPD had been focusing a lot of effort on 23<sup>rd</sup> Street through the 23<sup>rd</sup> Street Merchants Group, focusing on the speed of vehicles, street vendors, prostitution operations and overall trying to deal with some of the issues that the 23<sup>rd</sup> Street Merchants had brought forward and requested enforcement. Parking enforcement had been pursued in the area since February, issuing citations and doing timed parking, and parking enforcement officers had been coming in on overtime on the weekends, which was not usual, to conduct that enforcement.

Chief French stated in terms of community events, Cinco de Mayo had been a huge lift for the RPD and officers had been on overtime for the festival; the parade had been rescheduled for September due to rain, but the all-day festival on Sunday had been well attended by the community and had gone well without too many problems. She added there had been an awards event internally for the RPD and awards for going above and beyond. There had also been three Coffee with a Cop events. She advised that National Police Week was recognized during the month of May and Walmart had done an event and provided snacks for officers as they came into the store throughout the day. The RPD had also attended the Family Justice Center event in May.

With respect to the CIAO recruitment, potentially for a full-time investigator, Chief French noted that the RPD had been asked to look at the budget to find areas to cut and she commented there had never been a full-time investigator, and she questioned whether there was enough work generated for a full-time CIAO.

Commissioner Garcia thanked the Chief for the increased patrols on 23<sup>rd</sup> Street given a number of issues including those associated with the smoke shops. He noted the City seemed to still be evaluating enforcement on the smoke shops and he asked if RPD had been engaged in that process. He noted the current City ordinance required RPD to conduct enforcement.

Chief French clarified that the ordinance indicated that the City did the permit but the RPD did enforcement around the permit, and when Defund the Police and lack of funding and loss of officers had become an issue, she had indicated that there would no longer be a regulatory unit and the enforcement would go back to the Code Enforcement Department.

Since that time, the RPD had done nothing with respect to regulating smoke shops and the like and the RPD had been working with the City Attorney's office to change the ordinance to allow Code Enforcement to conduct that enforcement.

Commissioner Garcia noted his understanding that the Richmond Fire Department (RFD) was now involved in the permits for smoke shops and the like, which he suggested was odd. He emphasized that the businesses near the smoke shop on 23<sup>rd</sup> Street were very concerned with the issues associated with those businesses and he was concerned that there had been no regulations or enforcement. He was particularly concerned that kids were being exposed to those shops.

Chair Hegstrom asked for a clarification of the extra hours the officers were required to work with mandatory overtime, reported by Chief French to be an extra shift a week, working from the regular 40 hours to 50 hours a week, which did not include filling in for someone who was sick. This could mean that an officer could work 18 hours straight.

Chief French verified with respect to the Communications Center that the additional bodies had not been realized yet because the training for new hires was generally six to eight months in length and the new hires were not yet fully trained. She clarified that the RPD Communications Center was different from most since the Communications Center responded to police, fire and medical calls, which were more complicated.

CORDELL HINDLER identified three of his pet peeves related to the 23<sup>rd</sup> Street corridor: People doing donuts; people hanging out in front of the 7-Eleven; and cars parked in the same area for hours.

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

Officer Alyssa Alvarado, speaking for the Richmond Police Officers' Association (RPOA), re-emphasized the strained staffing levels and explained how the mandatory overtime affected officers, particularly when also having to attend court, training classes and the like. She also stressed that two separate City funded studies had indicated that the City's current number of officers at 146, including those injured and those on leave for whatever reason was still well below the 175 to 200 officers that had been recommended. She emphasized it was not safe for officers or the citizenry who deserved a high level of service and officers could not respond appropriately in a timely manner. She added that officers had donated time to the Cinco de Mayo Festival and Juneteenth and had just done the second shift pick for the next deployment as well as working with Shop with a Cop and other events on the annual calendar.

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

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

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

- a. Status Update

Jerry Threet, Confidential Investigative and Appeals Officer, stated there were seven investigations pending, and one recent complaint had been dismissed and referred to the RPD for investigation because it concerned allegations not within the authority of the CPRC. He reported that the Simpson complaint was complete and had been included in the Executive Session on this meeting agenda. He added that the District Attorney had released her report on the Macdonald officer-involved shooting, had cleared the involved officers of any criminal charges and had released the remaining evidence, reports and interviews to him. He was now reviewing those records for the case. The five other pending complaints he had previously identified to the CPRC.

Mr. Threet stated the City of Richmond had moved him into a contract status and he would continue to provide services to the CPRC until his replacement had been hired as a contractor. He expected that shift would happen around the beginning of August and he suggested it would take into the fall to recruit a replacement.

Commissioner Garcia asked how many hours a week the CIAO spent on the Richmond CPRC and Mr. Threet reported he had spent 20 to 25 hours a week when it was busy.

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

### **a. Community Events – Juneteenth**

Commissioner Garcia reported that the CPRC had been signed up for Juneteenth and he had asked to be part of the City of Richmond's tent. He would bring a table and hand out goodies but could not cover the entire event. CPRC members volunteered their time to table as follows: Commissioner Garcia would set up the table and work from 11:00 A.M. to 1:00 P.M.; Commissioner Lawson would table from 12:30 to 2:30 P.M.; Commissioner Martinez would cover from 2:00 to 4:00 P.M., Commissioner Jackson would fill in, and Chair Hegstrom would cover from 3:30 to 5:00 P.M. when the CPRC table would be removed by Commissioner Garcia. Staff would provide a chair, a banner with bungies, and the goodies.

CORDELL HINDLER suggested that a Board and Commissioner application should be available at the table on Juneteenth to encourage people to fill out an application for CPRC membership, especially encouraging young people to file.

### **b. Update on the Status of the Commission's Proposed Revisions to Chapter 3.54**

Senior Assistant City Attorney Chin reported that the City negotiator would reach out to the unions, asked for a labor letter and had been provided a draft of a labor letter. That was the extent of the information available at this time.

## **XII. NEW BUSINESS**

### **a. National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference in Tucson, AZ – October 13-17, 2024**

Chair Hegstrom stated the NACOLE Conference was usually reserved for newer members and those who had not previously attended NACOLE.

While two Commissioners had expressed an interest in attending the NACOLE Conference, Chief French reminded the CPRC that Arizona was a banned state for travel for City employees. She clarified that the travel ban had been lifted except for the state of Arizona.

Chair Hegstrom urged Legal Counsel to see what could be done to allow two CPRC members to attend the NACOLE Conference.

Chief French commented that the City Council had the authority to approve attendance at a conference in a banned state, and there was an approval process to follow to do that.

Commissioner Lawson explained that there were also NACOLE regional events that were available to attend.

b. DISCUSS/VOTE on Upcoming July 3<sup>rd</sup> Regular Meeting Schedule

On the discussion of potentially changing the date of the next meeting, which had been scheduled for July 3, Senior Assistant City Attorney Chin advised that the CPRC could cancel the July 3 meeting but could not just reschedule the meeting. If the CPRC decided to hold a special meeting, it would have to meet the criterion for holding a special meeting. As an alternative, the CPRC could cancel the July 3, 2024 meeting and hold the August 7, 2024 meeting that was normally cancelled.

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

**ACTION: It was M/S/C (Garcia/Jackson) to cancel the scheduled CPRC meeting of July 3, 2024, and to hold the scheduled CPRC meeting of August 7, 2024; approved by a voice vote: 5-0 (Ayes: Garcia, Jackson, Lawson, Martinez and Chair Hegstrom; Noes: None; Abstain: None; Absent: Lacy and Lorber).**

CORDELL HINDLER recommended a retreat for the newer Commissioners to help orient them to the mission of the CPRC.

Chief French advised that National Night Out would be held on August 6, the RPD would be working late, and would not be able to attend the August 7 CPRC meeting.

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

Commissioner Lawson reported on the Cinco de Mayo event, commented that it had been a nice, fun event, and explained that it had been nice talking to the community and educating folks about the CPRC.

Commissioner Garcia stated that the goodies had been very popular at Cinco de Mayo when there had been good questions from the public. He commended the fact that the phone number had been placed on the goodies, which had been a nice detail.

Chair Hegstrom commented that some time ago the application form had been changed to recommend ridealongs as opposed to requiring ridealongs.

Officer Alvarado expressed disappointment that ridealongs were no longer required, particularly from a public safety standpoint because that firsthand experience was valuable to the community.

Council Liaison Jimenez referred to the calendar invitation for the CPRC meeting, which she noted was out-of-date in that the CPRC membership was incorrect. She also requested the email addresses of CPRC members.

Chair Hegstrom adjourned into closed session at approximately 8:00 P.M.

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

- a. Receive complaint Report from CIAO on Complaint 2023-6 (Simpson). Discuss and vote on finding and recommendations.

RETURN TO OPEN SESSION

Chair Hegstrom returned into open session at 8:48 P.M.

**Senior Assistant City Attorney Chin reported that in Executive Session the CPRC had received the complaint report from the CIAO on Complaint 2023-6 (Simpson) and had taken the following actions: The Commission voted unanimously to accept the report; the unanimous vote was 5-0 (Ayes: Garcia, Jackson, Lawson, Martinez and Chair Hegstrom; Noes: None; Abstain: None; Absent: Lacy and Lorber). The CPRC had then voted to exonerate the two officers relating to the complaint of racial discrimination in connection with the incident, which passed 4-1 (Ayes: Garcia, Lawson, Martinez and Chair Hegstrom; Noes: None; Abstain: Jackson; Absent: Lacy and Lorber); and the CPRC also voted to accept the recommendation in the report that the RPD amend its body worn camera policy to require officers to maintain body worn camera activation until contact with the suspect or arrestee or member of the public had ended, by a vote of 5-0 (Ayes: Garcia, Jackson, Lawson, Martinez and Chair Hegstrom; Noes: None; Abstain: None; Absent: Lacy and Lorber).**

**XV. ADJOURNMENT**

The meeting was adjourned at 8:50 P.M.

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Carol Hegstrom, Chair