

Exhibit IV

**COMMUNITY POLICE REVIEW COMMISSION
of the City of Richmond, California
(CPRC)
Wednesday, May 7, 2025
7:00 P.M.**

MINUTES

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:02 P.M. by Vice Chair Oscar Flores in the Richmond Room at 450 Civic Center Plaza, 1st Floor, at Richmond, California.

Present: Oscar Flores (Vice Chair), Marisol Cantú, Oscar Garcia*, Carol Hegstrom**, Andre Jackson, Daniel Lawson and Rachel Lorber*
*Arrived after Roll Call
**Online

Absent: Carmen Martinez (Chair)

Staff: Adam Cunha - Present

**City Attorney's
Office Representative** Floy Andrews, City Attorney's Office - Present

II. STATEMENT OF CONFLICT OF INTEREST

Floy Andrews, Legal Counsel, Aleshire & Wynder, LLP, advised there was no reported conflict of interest.

III. AGENDA REVIEW

There were no changes to the order of the agenda.

IV. APPROVAL OF MINUTES (April 2, 2025)

Vice Chair Flores referred to Page 4 of the April 2, 2025 minutes and requested a correction to the seventh paragraph, as follows:

Vice Chair Flores suggested building confidence with what the CPRC was doing and what it stated it would do, and he stated it was not anti-police but it was or anti-police misconduct.

<p>ACTION: It was M/S/C (Lawson/Cantú) to approve the minutes of the April 2, 2025 meeting, as corrected by Vice Chair Flores; approved by a Roll Call vote: 6-0 (Ayes: Cantú, Hegstrom, Jackson, Lawson, Lorber and Vice Chair Flores; Noes: None; Abstain: None; Absent: Garcia and Martinez).</p>

V. PUBLIC FORUM

CORDELL HINDLER, Richmond, reported that he had spoken to the Youth Council at its last meeting to encourage youth to consider filling the vacancy on the CPRC.

Mr. Hindler invited the CPRC to the Contra Costa Mayors Conference on June 5, 2025 hosted by the City of San Ramon, \$70 per person, with a required RSVP. He also reported that he had requested in the future that the closed sessions for the CPRC be scheduled an hour before meetings to be more convenient to the public.

OSCAR GARCIA, stated he had participated in the City Council meeting yesterday and was shocked to hear that the City had made no progress on what the former Confidential Investigative and Appeals Officer (CIAO) had stated in regard to his resignation. He encouraged the CPRC to ensure that it was complying with all ethical and legal requirements, and he supported a review of the comments offered by the former CIAO. He also noted that during the meeting some conflict of interest with members of the CPRC had been raised, and having looked at the Form 700s for all Commissioners, he was surprised to see that the main employer for two Commissioners and a source of income for a third was Imagine Richmond, and that those Commissioners were being paid to attend CPRC meetings, which was a concern he would further pursue.

LISA JOHNSON (online) spoke to a Brown Act violation at the March 5, 2005 meeting when Legal Counsel Andrews disallowed public comment on the Chief of Police report after Cordell Hindler had asked to speak, and he had not been allowed to do so. She stated there was nothing on the March 5 agenda or public comment instructions that indicated that no public comment would be allowed on the item, the placement of the Police Chief's report after the public forum made it impossible for the public to comment on its content, the written instructions on Page 3 of the packet referenced a submissions deadline of January 15 (nearly two months prior to the meeting date), and the minutes of the March 5, 2005 meeting omitted a record of the public comment denial.

Ms. Johnson added that City Council agendas clearly permitted public comment after reports from the City Manager. She urged the CPRC to follow that precedent and to instruct the City Attorney's office to cure the Brown Act violation by correcting the minutes, reaffirming the public's right to comment on all agenda items, repeating the agenda item and allowing public comment and ensuring that those restrictions were not repeated going forward.

BEN THERRIAULT (online), President of the Richmond Police Officers' Association (RPOA), noted that the emails and letters about the Brown Act violation had been acknowledged and he asked about the cure for that violation, in writing. He stated it was important for the public to know that his ability to speak on the issues were a matter of labor union right and the right of public concern.

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

Vice Chair Flores reported that Chief of Police Bisa French had communicated that she would be unable to attend the meeting and there was no one to stand in for her, and she would provide a written report and also provide the information at the June CPRC meeting.

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

VII. OLD BUSINESS, DISCUSSION ITEMS

- a. Status of the Commission's Proposed Revisions to Chapter 3.54 of the Richmond Municipal Code

Legal Counsel Andrews explained that the item related to the continuing meet and confer process. She recommended that since the CPRC's recommendations had been brought to the City Council and over time some may result in a meet and confer process, that all the items should be consolidated since calls to the City's negotiator had not moved the items forward.

Commissioner Lawson sought advice from legal counsel on the best ways to move the proposals forward.

[The meeting broadcast paused at 7:16 P.M. and reengaged at 7:17 P.M.]

Commissioner Lawson sought legal advice on potential alternatives, the actions that could be recommended to the City Council, and the actions that might be possible to pursue.

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

- b. Interim Investigator Hiring

Sharrone Taylor, Richmond Human Resources Director (online), reported that with the assistance of the CPRC's ad hoc committee, an investigator had been identified to take care of the backlog of cases. That investigator was in the contract review period of the process, which would require City Council approval. She expressed a hope for approval before the end of May.

Commissioner Cantú asked about the length of the contract and any overlap with the permanent investigator.

Ms. Taylor commented that the contract would be for 12 months, although she did not expect that it would take 12 months to secure a permanent investigator, and there would be some overlap to hopefully create a smooth transition.

Commissioner Garcia commented that it had taken over two years to hire the former investigator. He supported the inclusion of language in the contract to allow an extension, if needed, and Ms. Taylor stated she could add a potential year's extension to the contract.

CORDELL HINDLER, Richmond, also supported the potential for an extension in the contract for an interim investigator.

LISA JOHNSON (online) asked Ms. Taylor at what point the investigators would be aware of the former CIAO's concerns highlighted in his resignation letter along with other ongoing conflict of interest that had been communicated to the City Attorney's office.

c. Permanent Investigator Recruitment

Ms. Taylor reported that the Byers Group, assisting with the recruitment of a permanent CIAO, had the edits from the CPRC's ad hoc committee and were working on a final draft, to be sent to the ad hoc committee in the next week or so. She stated the process was rolling and she hoped to have something to the CPRC very soon.

Commissioner Cantú asked if there was a plan for the continuation of the ad hoc committee to work with the HR Department on a permanent investigator.

Ms. Taylor reported that the City Council would ultimately be the hiring authority for the position and while the desire was to have the ad hoc committee be involved in at least the first round of interviews, those details were still being finalized.

Commissioner Garcia asked about the plan in how to address the fact that the position was vacant, and Ms. Taylor explained that the City Council would oversee the dissemination of information related to the hiring of the permanent investigator.

CORDELL HINDLER, Richmond, thanked Ms. Taylor for the update and asked about the number of applicants expected and when the person selected would come on board.

d. Update on Process of Bringing Additional Proposed Revisions to Chapter 3.54 of the Richmond Municipal Code

Legal Counsel Andrews referred to the actions taken by the CPRC for changes to Chapter 3.54, all to be compiled and submitted to the City Council for review, sent to meet and confer or be incorporated into the City's code and then move forward. Last month a table of items had been developed to identify all of the different meetings where action had been taken on the various revisions, sorted by topic, and an error had been found in one item that had inadvertently been dropped off in the minutes related to expanding the jurisdiction to automatically review broader use of force actions, which meant that the minutes would have to be amended. She requested that CPRC members divvy up the minutes involved to check them for accuracy with the live motions. If there were errors, the minutes would have to be corrected.

Commissioner Cantú reported that she had looked through ten of the different videos and had found no other errors but her review had not yet been completed.

Legal Counsel Andrews noted her understanding that the City Attorney had presented to the City Council a proposal to create an ad hoc committee of members of the City Council, the CPRC and potentially others to initially review the items recommended for revision by the CPRC, although that ad hoc committee had been voted down. She expected the next process was to bring all the revisions to the City Council.

Commissioner Cantú suggested that the Commissioners who had presented the proposals to the CPRC be those to present the items to the City Council, with the help of the CPRC's Council Liaison to help get those revisions before the City Council for action.

Commissioner Hegstrom supported that recommendation and agreed that the members of the CPRC who had presented the proposals be those to present the items to the City Council or at least work on the language for the agenda report to the City Council.

Commissioner Garcia asked about the list and was told by Legal Counsel Andrews that she had created the list of the items the CPRC had approved from the minutes of CPRC meetings, and she was not aware whether or not Commissioner Cantú had seen the list.

At this point in the meeting, Commissioner Lawson requested that Commissioners speak to each other with respect and direct any comments to individuals through the Chair only.

Commissioner Cantú clarified for the record that she had not received the list, but because she had drafted eight of the recommended revisions to Chapter 3.54, she had been reviewing all the minutes related to the CPRC's actions on those recommendations, had sent the Chair and Vice Chair a follow-up email along with the City Attorney about the next steps for the process, which was when she had learned that the City Attorney was reviewing all of the minutes and creating a list, which she supported. She had pulled the information from online, had reviewed all the videos, had not been paid to do so and she had found the omission of the reference to batons that should have been in the motion to expand jurisdiction to automatically review broader use of force actions.

Commissioner Garcia stated he was not aware that members of the CPRC could directly discuss CPRC business with the City Attorney, and he asked whether all members of the CPRC were capable of making that kind of contact.

Legal Counsel Andrews stated that was possible to do since the City Attorney was legal counsel to the City Council while she was legal counsel to the CPRC.

Commissioner Garcia expressed a preference to be able to weigh in on the process related to the proposals to the City Council as well as the content of what would be presented to the City Council. He expressed concern that the CPRC was being given something that he suggested had been pre-digested.

Legal Counsel Andrews stated that once she had the authority to distribute the list, the CPRC would be able to comment on the language that came straight out of the motions shown in the minutes. She stated the content had not changed.

Commissioner Hegstrom pointed out that when the CPRC approved the proposed amendments to Chapter 3.54, it had been done in broad terms in that the legal language would have to be provided by Legal Counsel Andrews. She recommended that those members of the CPRC who had drafted the amendments work with legal counsel now to prepare that language, with the understanding that the City Council may make changes to what the CPRC submitted.

Legal Counsel Andrews stated she could write the final ordinance changes and the specific changes to procedures and the CPRC would be able to review that final ordinance. She also noted that the final language would be at the discretion of the attorney, but the language came straight out of the agenda reports, was currently accurate, readable, and described what was being requested. She clarified that the final ordinance language would not be drafted until the City Council agreed to move in that direction. She understood the City Attorney would be working directly with Council Liaison Jimenez to shepherd the revisions through to the City Council.

Legal Counsel Andrews affirmed her understanding that the CPRC wanted those Commissioners involved with the original drafting and research to participate in the presentation to the City Council. She described her understanding of the process to get an item on the City Council agenda and explained that it was a process. It was also noted that it could require a year or two for the revisions, if approved by the City Council, to become law.

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

VIII. NEW BUSINESS

a. Discuss and Consider Public Comment Format at CPRC Meetings

Legal Counsel Andrews stated she had recognized the CPRC's interest in efficiency and had raised the item to create more efficiency and more transparency in the process. She identified two different ways a public body could take public comment. One option under the Brown Act was to have an open forum session at some point in the meeting when the public would be able to speak about anything not on the agenda within the purview of the CPRC and anything on the agenda, to create one public comment period. The other option was to have public comment at the top of the meeting on anything not on the agenda within the jurisdiction of the entity and then have public comment on each item on the agenda, which provided more transparency and interface with the community but undermined efficiency. She recommended a discussion of the options.

Commissioner Hegstrom stated the CPRC previously wanted people to be able to make comments to the Chief of Police, and in a previous meeting the CPRC decided to hold public comment after the Chief had spoken and the Commission had questions, and the Chief would then be able to respond to members of the public if she so chose. She liked that process to allow the community to have a voice directly with the Chief of Police.

Commissioner Lorber verified that the agenda was released to the public in advance of meetings and included agendaized new business action items so the public would know in advance what was on the agenda during the initial public forum.

Legal Counsel Andrews reported the agenda was required to be distributed at least 72 hours prior to the meeting but was generally distributed a couple of days prior. She did not know any City Board or Commission that followed the one public forum format.

Commissioner Hegstrom stated that part of the point of having public comment after the item had been presented was that more information could be provided than what had been included on the agenda. She questioned whether there would be a Brown Act violation by not allowing the public to comment.

Legal Counsel Andrews stated that legal had looked into the public comment process and this was also the advice of the City Attorney.

Commissioner Lorber stated it may increase the public forum transparency aspect to have agendaized items be discussed in the initial portion of meetings because some meetings went on late into the evening. The early availability of public comment might result in more comments.

Commissioner Lawson suggested that efficiency actually increased the public's access to meetings and he pointed out that no further research was required as to whether or not the recommended options were in conformance with the Brown Act because legal counsel had already advised that they were.

Commissioner Garcia was concerned for that person who wanted to make a comment during the consideration of an item on the agenda, and he suggested a well-established democracy was giving everyone an opportunity to weigh in. While he understood that the Brown Act offered options, he stated someone could be late to a meeting and would miss the opportunity for public comment, or would hear something in the discussions that would prompt a response that would not be possible to provide.

Vice Chair Flores suggested that matters that involved action and a vote should allow members of the public to comment.

Commissioner Cantú asked for clarification on the options where members of the public would be allowed to make comment on each item, and asked whether that related to just voting items or all items.

Legal Counsel Andrews explained that for the second option where public comment would be permitted to be heard throughout the meeting, public comment would be allowed on all items on the agenda whether a voting item or not.

Commissioner Jackson asked what had prompted the concern related to public comment.

In response, Legal Counsel Andrews explained there had been a CPRC meeting that needed to be more efficient, and to her it did not make sense to have public comment after the Chief of Police report and she had opined that public comment could only be made on items that required a vote. She had later researched the situation and had learned of the two options previously identified.

Commissioner Lorber asked if the CPRC could vote to change agendized and non-agendized items at the front public comment and then also allow public comment only on items that required a vote.

Commissioner Cantú asked if as standard operating procedure the report by the Chief of Police be moved up on the agenda before public comment to allow the public to make their comments during public comment.

Legal Counsel Andrews stated that she would have to research those possibilities to confirm whether or not that could be done, and she would report out at another meeting.

Commissioner Hegstrom liked the idea of allowing comments after the Chief of Police report and allowing the Chief to answer if she so chose, which is what had earlier been established by the CPRC. She clarified in the discussion that while this was not a matter that had resulted in a vote, the CPRC might agendize a future discussion and vote on the suggestion.

Legal Counsel Andrews stated she would research the matter and return with a couple of options. She noted that generally speaking the public was not entitled to a back and forth with agendized speakers on items or even during the public comment period.

Commissioner Jackson asked about the goal of the discussion. He wanted to work on the structure of the CPRC, with members working together to determine how to proceed as a Commission.

Vice Chair Flores emphasized the need to have efficiency, transparency and opportunities for the public to make comment and determine how the structure of the CPRC would need to be modified to allow goals to be identified and accomplished.

Commissioner Lawson suggested the CPRC identify goals it was trying to accomplish and whatever changes were made be made to advance the CPRC's mission to be able to move forward. He agreed that one of the things that barred any kind of participation was when meetings were running inefficiently and did not serve any purpose.

CORDELL HINDLER, Richmond, presented minutes from the November 6, 2024 meeting when the public had spoken under the Chief of Police report and where he had also spoken to some issues regarding 23rd Street at that time. He added that he attended a number of meetings in and around the City and whatever the process he hoped the CPRC would return with some options to allow the public to participate either in-person or remotely regarding the Chief of Police Report or other item.

LISA JOHNSON (online) expressed her concern for the option where there would be just one public forum during CPRC meetings, which would mark a significant departure from long-standing practice where for decades the Richmond City Council, Boards and Commissions had allowed public comment on each agenda item at the appropriate time, which approach promoted transparency, informed participation and meaningful public engagement between the community and its representatives. She noted a similar policy for just one public forum had previously been introduced at the West Contra Costa Unified School District (WCCUSD) Board of Trustees, had been met with strong opposition and was quickly reversed. If the CPRC was committed to democratic values and genuine community involvement and public input, and by extension First Amendment Rights, the public should not be stifled in the name of procedural compliance with the Brown Act.

Ms. Johnson urged the CPRC to retain the current format. She added that at least two Brown Act complaints had been lodged and conformed by the very actions transpiring this evening allowing public comments on each item and comments made by Legal Counsel Andrews. Instead of curing those violations within 30 days, as required by California law, the City Attorney instead chose to propose this item for consideration. She encouraged the Commission to consider why the proposal was truly being introduced now and whether it truly addressed a Brown Act compliance issue or created a new barrier to public participation. The CPRC had a deeply concerning legitimacy issue and she asked if it really wanted to be the only commission in the City of Richmond that was restricting public comment.

IX. REPORTS FROM COMMISSIONERS, STAFF, RIDEALONGS

With respect to the Cinco de Mayo event, Commissioner Cantú reported on the lack of the new logo, branding and swag. She stated the tabling at that event looked very unprofessional and she was embarrassed. She recommended along with the new logo purchasing quite a bit of outreach materials. She added there were no printed complaint forms or QRs for people to make complaints. She urged that the next tabling event include the complaint forms or a way to access the website. She added that there was nothing to share or engage in and stated the CPRC could do better. There were tote bags and they were great but should have had pamphlets of information inside them.

Commissioner Lawson stated he had attended the Cinco de Mayo event in the second shift. He liked the flyer because it invited people to attend CPRC meetings. He stated an attendee had noted that the participation at the event was lower than normal, probably due to potential attention from US Immigration and Custom Enforcement (ICE).

Commissioner Lober had also attended the Cinco de Mayo event and noted that the stress balls had gone quickly, the tote bags were popular, but in previous years there had been chip bag clips that should be re-ordered because they had also been popular.

Commissioner Hegstrom noted she had been unable to attend the event but she had been active behind the scenes. She reported that Adam Cunha, the staff liaison, was unable to make purchases for the CPRC and she understood that the City would hire a part-time assistant to help Mr. Cunha, and that assistant would be a city employee able to order supplies. She added that the HR Director was aware of the recommended part-time assistant.

Mr. Cunha stated there were no updates at this time in that he had no input in the process. To ensure no conflict, he kept his job in the City Attorney's office separate from the staff liaison position to the CPRC.

Legal Counsel Andrews stated while she was attorney to the CPRC and while she worked with the City Attorney, neither she nor the City Attorney had any involvement with the Finance Department. She could make phone calls and had made some, but someone who had pull with the resources was needed to address that situation.

On the discussion and the frustration of not being able to obtain the resources promised the CPRC, several recommendations were discussed, among them that the Council Liaison be asked to help move forward to secure the financial resources, particularly since the Juneteenth event was upcoming, and to facilitate the selection of the proposed part-time assistant to help handle the finances for the CPRC. Commissioner Hegstrom was asked to contact the HR Director as well as Council Liaison Jimenez to further that effort.

X. ADJOURNMENT

The meeting was adjourned at approximately 8:40 P.M.

Oscar Flores, Vice Chair