

**CITIZENS POLICE REVIEW COMMISSION
(CPRC)**

**Wednesday, February 7, 2018 – 7:00 PM
Employment & Training Building
330 – 25th Street
Conference Room 1**

MINUTES

I. CALL TO ORDER, ROLL CALL, PLEDGE

The meeting was called to order at 7:04 p.m. by **Chair David A. Brown**

Present: David Brown (Chair), Felix Hunziker (Vice-chair), Yenny Garcia, Carol Hegstrom, Demnlus Johnson III, Bea Roberson

Absent: Diego Garcia, Oscar Garcia

Vacancies: 1 Vacancy

Administrative

Staff: Lucky Narrain, Confidential Investigative and Appeals Officer (CIAO) – Present; Shané Johnson, Staff Liaison – Present;

Council Liaison: Jael Myrick, Council Liaison – Present

City Attorney's

Office Representative: Everett Jenkins, Senior Assistant City Attorney – Present

II. APPROVAL OF MINUTES (January 3, 2018)

Upon motion by Commissioner Roberson and seconded by Commissioner Hegstrom, the minutes for the regular meeting of January 3, 2018, were approved as written.

III. AGENDA REVIEW – No change

IV. PUBLIC FORUM

Cordell Hindler – Mr. Hindler expressed his excitement over Commissioner Johnson's recent appointment.

Gerald Smith – Mr. Smith commented on the Perez investigation. He expressed his thoughts about the community's view of CPRC while also acknowledging the

commission's efforts to reach the community. Mr. Smith urged the commissioners to try harder to produce better results.

Rick Perez – Mr. Perez commented on the recent side show that resulted in the injury of an officer and questioned the officer's choice to stand in front of a vehicle. He voiced his concern about the kind of law enforcement that is being hired and the choices they are making. Mr. Perez also commented on the Perez investigation and communicated his hope that the investigation will reveal the truth.

Patricia Perez – Mrs. Perez commented on the Perez investigation. She said that her grandson's life cannot be restored, so she hopes that restoration of his name is possible through the results of the investigation.

Tarnel Abbott – Ms. Abbott addressed the Perez case and questioned why interviews from an independent source have not been conducted. She expressed that the community feels nervous as a whole because of the case.

V. COMMENTS BY COUNCIL LIAISON JAELE MYRICK – Councilmember Myrick reported that, after an amendment, the Council solidified \$20,000 during the mid-year budget review for commissions and boards to use for staff support. Other budget updates included an allocation of approximately \$3.2 million in OPEB to pay down the unfunded liability, and \$300,000 in increased funding for fire security/prevention.

A. Discussion re failure of City to facilitate DNA testing on a case and CIAO's problems with access – Chair Brown introduced discussion about DNA processing for a pending investigation. Chair Brown stated that the commission has been waiting for approximately 6-8 months for the evidence to be tested during which time the City Attorney's Office reported that the process had begun. A recent report from the Confidential Investigative and Appeals Officer (CIAO) stated that the process has not started due to a payment dispute. Chair Brown acknowledged Councilmember Myrick's success in appointing a staff person to the commission and called on the council member to apply the same tenacity to assist with having the DNA evidence processed. Councilmember Myrick promised to follow-up immediately. Vice-chair Hunziker inquired about the timeframe for DNA processing, and the CIAO responded that it could be at least 30 days unless an expedition occurred for a substantially more expensive cost. Chair Brown explained more about the pending DNA testing at the request of Senior Assistant City Attorney, Everett Jenkins.

Rick Perez – Commented on the Perez case and stated that the police conducted a DNA test which yielded negative results. He feels that the commission is doing the right thing, but that the Mayor has a different agenda. He says that he wants to see a real police commission and that RPD's officers do not always conduct themselves in the best manner.

Gerald Smith – Commented on the Perez case and said that he saw the DNA report which showed negative results. He encouraged the commission to continue with processing their own DNA testing as well.

VI. COMMENTS BY CHIEF OF POLICE (Allwyn Brown or his designate) – Chair Brown presented Police Chief Brown with a card received from a Massachusetts resident thanking RPD for their work. Chief Brown reported that crime was up 14% overall throughout 2017 due to a significant increase in property crimes; violent crime was down approx. 2% with a total of 15 homicides for the year. Newer problems such as side shows and homelessness are arising. RPD is looking at things such as social media for the side shows and regional task force group collaborations to help transition people toward needed resources. Chief Brown will meet with El Cerrito and San Pablo police chiefs on January 4, 2018, to formalize the approach; \$25,000 was passed during the City Council's mid-year budget review to assist. RPD's Open Data Portal will open to the public tonight and will follow-up on RPD's earlier commitment to the White House's police initiative that was launched back in April 2015.

Chair Brown inquired if the portal would provide access to internal and external complaints and their dispositions; Chief Brown responded affirmatively.

Vice-chair Hunziker commented on the recent injury of the officer during a side show and the subsequent nearby shooting into the air moments later. He also commented on a recent article regarding Alameda's sharing of information with ICE, and confirmed with Chief Brown that Richmond is not doing the same.

Commissioner Roberson asked if spike strips could assist in stopping the illegal side shows. Chief Brown said yes, but that the focus is currently on awareness and being adequately staffed.

Commissioner Y. Garcia commented about the local side shows and inquired if the participants of these illegal activities were local residents. She also said that it's important for RPD to have people who can report to them what's happening and where. Chief Brown responded that the public has been helpful and willing to share information for the investigation.

VII. REPORTS BY RICHMOND POLICE OFFICERS' ASSOCIATION (Ben Therriault) – Detective Therriault commented on the DNA testing and compared the real-life process to that depicted on television. He continued on to speak about the crime statistics and attributed the overall increase in crime to the passing of Proposition 47, which changed drug and property crimes to a lower-level misdemeanor. He also commented on the side show and said that a member of the public provided the video that was critical in locating the suspects; the POA intends to privately reach out and thank the person. He expressed his feelings regarding public conversations surrounding the recently injured officer and the plan to limit funding to sanctuary cities.

Commissioner Y. Garcia pointed out her previous mention of the side shows at last month's meeting. She expressed her feelings about being heard as a community member and urged the Chief to listen at all times, not only when an officer is injured.

Commissioner Roberson asked if an officer can chase a person involved in a side show. Detective Therriault responded that there are policies and limitations that prevent officers from engaging in a chase.

Vice-chair Hunziker asked if RPD could respond with vehicles that read license plates to help assist in locating participants of side shows. He also asked Mr. Therriault's thoughts on how policy changes can be helpful. Detective Therriault stated that funding issues act as barriers to obtaining the necessary tools. He also said that current policy is being reviewed and revised.

VIII. OLD BUSINESS, DISCUSSION ITEMS – None

IX. NEW BUSINESS

- A. RPD Task Force re celebratory gunfire (Commissioner Hunziker)** – Captain Walle spoke about the city-wide strategy to address celebratory gunfire and illegal fireworks. Crime prevention efforts are underway to get K-8 graders and their parents involved. Shot spotter activations will be used to assist RPD with placing officers in active areas, and undercover officers will be present as well. The project is a regional plan and includes other law enforcement and county agencies.
- B. Website Update (Chair David A. Brown)** – The commission has two landing pages: one under Public Safety, and the City Clerk's Board and Commissions page.
- C. Audio Files to be included on website? (Chair David A. Brown)** – Vice-chair Hunziker questioned whether audio files were redundant. Commissioner Y. Garcia liked the audio files for those who cannot read. Staff S. Johnson referenced a quicker and more accurate summary of the meetings. Chair Brown liked the idea for a more transparent government. Commissioner Y. Garcia motioned to make audio files publicly available on the webpage. Commissioner Hegstrom seconded the motion. All were in favor.
- D. Public Email Addresses? (Chair David A. Brown)** – Commissioners were polled to see whether or not to include their email addresses on the webpage. All were okay with their email addresses being public and some had already created email addresses explicitly for CPRC business. Discussion took place regarding the Brown Act.
- E. Providing More Information on CPRC complaints and investigations? (Commissioner Carol Hegstrom)** – A member of the San Diego police commission is canvassing different police commissions throughout the state in an effort to increase transparency. He is encouraging commissions to publish certain information on cases similar to the National Association of Civilian Oversight of Law Enforcement (NACOLE). Chair Brown suggested a subcommittee

be formed to explore this more. The subcommittee will include Commissioner Hegstrom as Chair, Vice-chair Hunziker as a member, and Detective Therriault as an ex-officio member. The subcommittee is to report back to the commission in a couple of months with an update.

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

F. Receipt of CIAO report and recommendation in case #04222017

****** RETURN TO OPEN SESSION ******

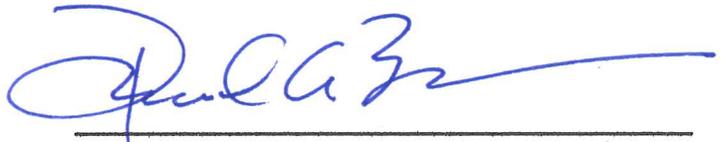
G. Report of final action taken in executive session – There were no final actions taken. The matter was tabled because of the absence of information being provided to the CIAO.

VII REPORTS OF COMMISSIONERS, CIAO AND STAFF

- Chair Brown – Intends to ask for a meeting with Chief Brown, Eddie Aubrey, and himself to discuss the timely delivery of information to the investigating officer. Chair Brown will invite a commissioner to accompany him at the meeting.
- Vice-chair Hunziker – Requested a status update on the Perez case at next month's closed session.
- Commissioner Y. Garcia – She continues to attend the meetings for the International Women's Day. She is also volunteering to help Girls, Inc. apply for a grant to rebuild their playground
- Commissioner Roberson – Participated in a ride-along.
- Commissioner Johnson – Introduced himself and provided background about the work that he is currently involved with.

VIII ADJOURNMENT

The meeting was adjourned at 9:05 p.m.



David A. Brown, Chair