

**CITIZENS POLICE REVIEW COMMISSION  
(CPRC)**

**Wednesday, March 7, 2018 – 7:00 PM  
Employment & Training Building  
330 – 25<sup>th</sup> Street  
Conference Room 1**

**MINUTES**

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

The meeting was called to order at 7:04 p.m. by **Vice-Chair Felix Hunziker**

**Present:** Felix Hunziker (Vice-chair), Diego Garcia, Oscar Garcia, Yenny Garcia, Carol Hegstrom, Demnlus Johnson III, Bea Roberson

**Absent:** David Brown (Chair)

**Vacancies:** 1 Vacancy

**Administrative**

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

**Council Liaison:** Jael Myrick, Council Liaison – Present

**City Attorney's**

**Office Representative:** Bruce Soublet, Senior Assistant City Attorney – Present

**II. APPROVAL OF MINUTES (February 7, 2018)**

Upon motion by Commissioner Roberson and seconded by Commissioner Johnson, the minutes for the regular meeting of February 7, 2018, were approved as written.

**III. AGENDA REVIEW – No change**

**IV. PUBLIC FORUM**

**Gerald Smith** – Mr. Smith shared information from a document regarding the NYC police department. He invited the commissioners to join him in Sacramento to lobby against the Law Enforcement Officer Bill of Rights.

**Cordell Hindler** – Mr. Hindler suggested that the CPRC do some more promoting, especially to younger individuals, in the community during the upcoming National Night Out event in August.

**Patricia Perez** – Mrs. Perez said that she is looking forward to the investigator's findings. She also said that she has been connecting with many others across the country since being involved in the Perez case.

**Rick Perez** – Mr. Perez distributed a handout comparing violent crimes and police shootings. He also commented on information that he read regarding the Perez case. He announced that he will be attending an invitation-only meeting with Javier Bezerra and 40 other families who are victims of excessive use of force. Mr. Perez plans to discuss how to move forward in getting investigations, such as the Perez case, reviewed by an independent party.

**Stan Woods** –Mr. Woods is a resident of Oakland and works with the Perez family and the Oscar Grant Committee. He feels that the entire investigation should be made public and not just the findings/conclusions. He urged the CPRC to open up the investigation to the public based on the motion that was passed by the City Council previously.

- V. COMMENTS BY COUNCIL LIAISON JAELE MYRICK** – Councilmember Myrick reported that City Manager Bill Lindsay will be resigning his position effective July 2018. City staff will put out a Request for Qualifications/Proposals to begin the search for a new City Manager as soon as possible. CIAO Narain asked if an acting City Manager will be assigned, and Myrick responded that the goal is to have a permanent person in place. Councilmember Myrick also responded affirmatively when asked by Commissioner Hegstrom if internal candidates would be considered.

**A. Update on the City's failure to facilitate DNA testing on a case.–**

Councilmember Myrick presented an email from City Manager Bill Lindsay confirming that the DNA evidence in the Perez case was sent to the Serological Institute lab and that processing commenced. The email also stated that a request to expedite the information will be submitted to Serological Institute for consideration. Vice-Chair Hunziker confirmed with the councilmember that the DNA processing should be at least two weeks into processing based on previous communication. After hearing public comments for this item, Councilmember Myrick clarified that he and the City Manager were just notified of this item and that there had not been an intentional effort to silence or delay the issue.

**Rick Perez** – Expressed that he is glad that progress is being made with the DNA testing. He commented that Mayor Butt has been his biggest obstacle during this investigation.

**Gerald Smith** – Commented that he read a report of a negative DNA test result for the Perez case. He stated that the Commission needs to be fully-funded to do their job effectively.

- VI. COMMENTS BY CHIEF OF POLICE (Allwyn Brown or his designate)** – Captain Anthony Williams congratulated Commissioner Johnson on his appointment. He began by presenting stats from the Crime Report. Through February 2018, there has been an *overall* property/violent crime reduction of 11%. However, violent crime is up 16% due to robberies and shootings in the central and southern districts; there were no homicides in January or February. The month to month report shows an overall 6% decrease in crime. Captain Williams demonstrated a method of how to review the shot spotter report vs. calls for service for shots fired; the reports had a large variance. The

captain also provided information about RPD's response to side shows. RPD joined in crime sharing analysis with Oakland PD, and are also partnering with CHP, Pinole and San Pablo PD for an event in March 2018. Captain Williams provided stats for RPD's staffing levels: 8 vacancies, 10 people in background to fill vacancies, 4 officers in training, and 17 officers on long-term or sick leave. Lastly, the captain reported that a few of RPD senior command staff will be participating in a meeting in Portland, OR to learn about their data collection method as recommended by the Department of Justice. Commissioner Johnson requested that the attending officers provide a report when they return; Captain Williams will mention to Chief Brown.

Vice-chair Hunziker requested that Captain Williams email the information he provided to staff S. Johnson for distribution to the commissioners.

Captain Williams responded that the training bulletin was created by RPD's subject matter experts, traffic personnel, and criminal investigation unit when asked by CIAO Narain. The bulletin was created in approximately 2 weeks' time and is an internal training document created as needed.

Commissioner Roberson pointed out multiple spelling errors in the document and questioned the language regarding vehicle and pedestrian right-of-ways. Captain Williams explained the law.

Commissioner Y. Garcia asked about jay-walking and its legality and Commissioner Hegstrom inquired about terms used in the vehicle code. Captain Williams referred to the most current vehicle code and explained the terms in question.

Commissioner O. Garcia referenced the DOJ audit and asked about the city's plan to improve their relationship with the Latino community, especially with the recent immigration actions. Captain Williams is not aware of plans, but will check with Chief Brown and report back.

Commissioner D. Garcia asked about the area near Andy's Donuts on 23<sup>rd</sup> Street. He said that he has spoken with local neighbors who continuously call RPD and questioned why the same people are being detained and let go. Captain Williams stated that enforcement efforts are being made to stop the illegal activity, but that there are limits to the law. Captain Williams suggested that the locals continue to call in the activity. Currently, RPD is pushing for geographic probation as a solution to the problem. Commissioner D. Garcia also suggested that the businesses come together to create a surveillance camera system. There are currently a limited number of cameras located on 23<sup>rd</sup> street that are monitored by RPD.

Commissioner Hegstrom inquired about the law concerning missing license plates. Captain Williams explained that RPD enforces the law to the best of their ability.

**VII. REPORTS BY RICHMOND POLICE OFFICERS' ASSOCIATION (Ben Therriault) – Ben Therriault was not available. No report.**

**VIII. OLD BUSINESS, DISCUSSION ITEMS – None**

**IX. NEW BUSINESS**

- A. RPD Update on RPD Task Force re: celebratory gunfire (Commissioner Hunziker) –** Commissioner Hunziker attended a meeting with representatives from RPD and the District Attorney's office. An outreach program is underway to address the July 4<sup>th</sup> illegal activity and will include training for officers and visiting neighborhood councils to inform them. The task force is focusing on the pallets of illegal fireworks that make it into the community. Commissioner Roberson volunteered to attend the next meeting on 3/8/18 in place of Commissioner Hunziker. Concerns about RPD's safety when confronting the illegal activity was voiced.

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

- B. Receipt of CIAO investigative update in case #091414. No action taken.**

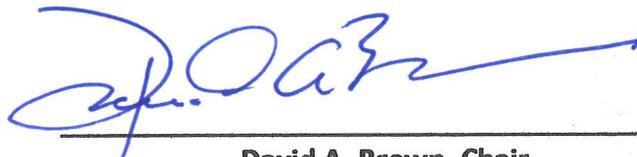
**\*\*\*\* RETURN TO OPEN SESSION \*\*\*\***

**X. REPORTS OF COMMISSIONERS, CIAO AND STAFF**

- Commissioner Y. Garcia – She continues to attend the meetings for the International Women's Day which will be held on Saturday, February 10<sup>th</sup> from 10am -2pm at City Hall. She also attended the Immigration Legal Observer Training on February 28<sup>th</sup>, and on March 1<sup>st</sup>, the group started the Contra Costa Stand Together Rapid Response Network.
- Commissioner O. Garcia – He attended the recently closed café in the Marina area on its last day of service and shared a story of a RPD officer showing compassion.
- Vice-chair Hunziker – He attended RPD Task Force meeting. He also asked for volunteers for upcoming events: Commissioners D. Garcia and Y. Garcia will attend Cinco de Mayo, and Commissioners Johnson and Roberson will attend Juneteenth.
- Staff S. Johnson – She provided a monthly phone log to the commissioners containing 29 entries and, also, requested an email address from each commissioner for posting to the website. Lastly, she announced that attendance records for the CPRC meetings will be made available at each meeting.

**XI. ADJOURNMENT**

The meeting was adjourned at 9:08 p.m.



David A. Brown, Chair