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**CITIZENS POLICE REVIEW COMMISSION INVESTIGATION REGARDING THE
DEATH OF RICHARD "PEDIE" PEREZ**

RICHMOND, California. May 10, 2018

At its meeting of Wednesday, May 2, 2018, the Citizens Police Review Commission (CPRC) of the City of Richmond received and discussed the investigation regarding the death of Richard "Pedie" Perez. Following this discussion, the following statement was submitted to Police Chief Alwyn Brown by David A. Brown, Chair of the Citizens Police Review Commission for the City of Richmond:

The Citizens Police Review Commission of the City of Richmond was mandated by the City Council to conduct an investigation into the circumstances surrounding the death of Richard "Pedie" Perez III at the hands of Wallace Jensen, then a Richmond Police officer, on September 14, 2014.

Pursuant to that mandate, the Commission's Investigative Officer conducted what we find to be a thorough and comprehensive review of the available evidence, including evidence derived from the prior investigations of this matter by the Contra Costa District Attorney's office, the Coroner and other sources.

The Commission spent more than four hours reviewing the presentation of the Investigator.

Upon conclusion of our consideration of the evidence, the Commission finds, by clear and convincing evidence, with one Commissioner dissenting, as follows:

The complaint of the Perez family alleging that excessive and/or unreasonable force was used resulting in the death of Mr. Perez is SUBSTANTIATED.

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As Mr. Jensen is no longer an employee of the Department, we have no disciplinary recommendations.

This notification to you is made pursuant to Richmond Municipal Ordinance §3.54.080(b)(5).

In the course of its consideration of this case, the Commission has found that there are a number of policy changes that will be recommended. We will consider those policy changes in the coming months and will make recommendations in regard thereto once we have held further public discussions of these matters.

Respectfully submitted,

David A. Brown, Chair
Citizens Police Review Commission
City of Richmond, California

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Background

On February 2, 2016, the Richmond City Council passed the following motion:

“Direct staff to initiate, as soon as the position of Police Commission Investigative Officer has been filled, a Police Commission investigation into the killing of Richard Perez on September 14, 2014, to determine whether excessive or unnecessary force was used in this case, and to report the Police Commission findings publicly to the Richmond City Council to the extent legally possible...”

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On February 24, 2017, the City hired Lucky Narain (the Investigator) to serve as the Confidential Investigator for the Citizens Police Review Commission. The Investigator conducted a thorough, comprehensive, and independent investigation, including the review of evidence derived from the prior investigations of the matter by the Contra Costa County District Attorney’s Office, the Contra Costa County Coroner, and the investigation performed by a private firm at the request of the city.

On May 2, 2018, the Investigator provided, in closed session, a verbal report of his investigation to the entire Citizens Police Review Commission. The Commission received the report and spent considerable time questioning the Investigator regarding its contents. At the end of the discussion, the Investigator made a recommendation to the Commission.

Pursuant to the ordinance establishing the Citizens Police Review Commission, the Commission can rule in the following manner on complaints that have been investigated and brought to them for the purpose of making findings:

1. The complaint is unfounded;
2. The complaint is exonerated;
3. The complaint is unsubstantiated; and
4. The complaint is substantiated.

In this matter, the Investigator’s recommendation to the Commission was that, by clear and convincing evidence, an allegation of unnecessary or excessive force was substantiated. The Commission deliberated and then held a vote on the

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recommendation of the Investigator. The Commission voted seven to one to accept the recommendation of the Investigator substantiating the allegation of the use of unnecessary or excessive force.

In accordance with the Richmond Municipal Code (Section 3.54.080), the findings of the Commission have been forwarded to the Chief of Police, and the Chief is required to submit a written response to the Commission, and to notify the complainant of the disposition of the complaint.

The City of Richmond mourns the loss of Pedie Perez and extends its sympathies to his family, friends, and community.

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