

APPROVED

**COMMUNITY POLICE REVIEW COMMISSION
(CPRC)**

**Wednesday, November 4, 2020 – 7:00 PM
Zoom Meeting**

MINUTES

I. CALL TO ORDER, ROLL CALL, PLEDGE

The meeting was called to order at 7:00 p.m. by **Vice-Chair Yenny Garcia**

Present: Yenny Garcia (Vice-chair), Diego Garcia, Oscar Garcia, Carol Hegstrom, Randy Joseph, Steven Lacy

Absent: None

Vacancies: 3

Administrative

Staff: Shané Johnson, Staff Liaison – Present

Council Liaison: Jael Myrick, Council Liaison – Absent

City Attorney's

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

- II. APPROVAL OF MINUTES (September 2, 2020)** – Upon motion by D. Garcia and seconded by R. Joseph, the minutes for the meeting of September 2, 2020, were approved by the following vote: **Ayes:** Vice-chair Y. Garcia, and Commissioners, D. Garcia, C. Hegstrom, R. Joseph, and S. Lacy. **Noes:** None. **Absent:** O. Garcia **Abstained:** None

- III. AGENDA REVIEW** – New Business Item #IX.C was moved to the next meeting in December 2020.

IV. PUBLIC FORUM

Cordell Hindler – Refer to attached comment(s)

David Brown – Refer to attached comment(s)

- V. COMMENTS BY COUNCIL LIAISON JAEL MYRICK** – Councilmember Myrick was out of town and unavailable to attend the meeting. He provided a report noting that his last update from staff was that the City was continuing to engage with the RPOA. Councilmember Myrick stated that he made clear to everyone his expectations that a first reading go before Council by the end of the month.

- VI. COMMENTS BY CHIEF OF POLICE (Interim Chief Bisa French or designate)** – Captain Timothy Simmons reported on violence in Richmond. Approximately 2 months ago, an initiative called the Community Violence Reduction Project began. The project includes four patrol officers reassigned to the investigations unit to help stop violent crimes. Since its inception, the project has seen a positive impact. September had 16 shootings and 4 homicides, while October had a decrease with 6 shootings and 1 homicide. A recent investigation led to a stash house of firearms in Benicia of which some of the

recovered firearms were connected to recent shootings in Richmond. Two individuals were taken into custody. After being asked by Commissioner O. Garcia, Capt. Simmons confirmed that at least one of the arrested individuals was planning to carry out retaliatory gun violence during a planned memorial service for slain rapper Tay Way. RPD's intervention prevented further gun violence.

Chief French told Commissioner R. Joseph that she would check on the status of his public records request and spoke about RPD's overtime before providing stats on injured officers. There are currently six officers on injury leave and five officers on modified duty. Some officers retired helping to reduce the injured officer stats to the lowest they've been in a while. During the month of October, RPD had 16 COVID-19 exposure cases. All officers tested negative for the virus and followed guidelines to quarantine. Other items to note in October included numerous town hall meetings, a virtual Halloween event where officers read books to youth, a virtual National Night Out event, a presentation on the roles of SROs by the Chief to West Contra Costa Unified School District (WCCUSD) during their safety meeting, and the Chief's participation in a panel about race and equity hosted by the University of Southern California and former governor Schwarzenegger.

The Chief reported that RPD completed the process for the department's new deployment that goes into effect on January 3, 2021. The process takes place annually around October. Chief French noted that a female sergeant is leaving RPD and changing career paths in the wake of all that has occurred this year. A second female officer is due to leave for the same reason.

Commissioner D. Garcia inquired about the hiring and assignments of officers. Chief French said that she had met with the 23rd Street Merchants Association to discuss their desire to hire/promote more Latino officers. Vice-chair Y. Garcia asked about the lack of data being presented on the Transparent Richmond website. The Chief said that the new Transparent Richmond site does not talk to the old site and that the records management system is working on writing a program so that data is automatically transferred over each month. Chief French will check on the date when the data is expected to be available to the public.

- VII. REPORTS BY RICHMOND POLICE OFFICERS' ASSOCIATION (Ben Therriault, President) –** Detective Therriault announced the annual Richmond Fire and Police holiday toy drive that happens in December. There will be a drive-thru giveaway event where 500 families will receive gift cards. Bicycles were donated and built up by Rich City rides and will also be given to families. The Rotary Club has 60 bikes so far and is trying to reach their goal of 100.

Det. Therriault spoke about the trend of officers leaving the policing field and the impact that the departure will have on future policing. Upon request by Vice-Chair Y. Garcia, Mr. Therriault provided an update on the discussion between RPOA and the City regarding the requested changes to the ordinance. Mr. Therriault said that RPOA is waiting on the City to make the initial contact. Captain Simmons also spoke on behalf of

the RPMA and said that a request for a meeting has just been received for the first time and that a meeting date/time is being scheduled.

VIII. OLD BUSINESS, DISCUSSION ITEMS

- A. Update on reports status (Jerry Threet)** – The next case due to be presented to the CPRC is the officer-involved shooting of Luc Toan Chanh Ciel. Mr. Threet also has a translation meeting set for next week to discuss a complaint filed in July.
- B. Approve Public Summary for Complaints #2019-3 (Perez) and #2019-6 (Reason)** – Upon motion by R. Joseph and seconded by S. Lacy, the public summary for case #2019-3 (N. Perez) was unanimously approved by the following vote: **Ayes:** Vice-Chair Y. Garcia and Commissioners D. Garcia, O. Garcia, C. Hegstrom, R. Joseph, and S. Lacy. **Noes:** None. **Absent:** None. **Abstained:** None.

Upon motion by C. Hegstrom and seconded by R. Joseph, the revised public summary for case #2019-6 (Reason) was approved by the following vote: **Ayes:** Vice-Chair Y. Garcia and Commissioners C. Hegstrom, R. Joseph, and S. Lacy. **Noes:** O. Garcia. **Absent:** None. **Abstained:** D. Garcia.

Ben Therriault – He doesn't agree with the report. He feels that the commissioners need to look up the meaning of specific terms to make better decisions. He expressed that the findings is a "slap in the face" to current officers and to the spouse of late Sgt. Thomas. Mr. Therriault also said that in light of the recent abstention, he feels commissioners should not be seated if they cannot make a yes or no vote.

Timothy Simmons – He asked the CPRC to consider the dynamics of the shooting. He explained what he felt was an escalation of violence by the deceased Eric Reason. He urged the Commission to think about what a reasonable person would do.

Commissioner D. Garcia offered his feelings as a response to the public comment.

IX. NEW BUSINESS

- A. Election of a new Chair and Vice-Chair** – Bruce Soublet explained the process to formally elect the positions. R. Joseph and C. Hegstrom nominated current Vice-Chair Y. Garcia to be the new chairperson. Y. Garcia declined stating other time commitments as the reason. Y. Garcia then nominated R. Joseph to be the Chair while O. Garcia nominated C. Hegstrom for the position. C. Hegstrom declined the nomination. R. Joseph was unanimously approved as the new chairperson by the following vote: **Ayes:** Vice-Chair Y. Garcia and Commissioners D. Garcia, O. Garcia, C. Hegstrom, R. Joseph, and S. Lacy. **Noes:** None. **Absent:** None. **Abstained:** None.

Vice-Chair Y. Garcia nominated herself to remain in the position. She was unanimously approved as the vice-chair with by the following vote: **Ayes:** Vice-Chair Y. Garcia and Commissioners D. Garcia, O. Garcia, C. Hegstrom, R. Joseph, and S. Lacy. **Noes:** None. **Absent:** None. **Abstained:** None.

A next election will be held in November 2021.

Cordell Hindler – He would like to see Y. Garcia, R. Joseph, or S. Lacy take on the role of the chairperson.

Carol Yu Johnson – She feels C. Hegstrom would be great as the chairperson.

- B. Discuss and recommend procedures regarding AVR footage usage and submission to the commission** – In response to public comment on this item, R. Joseph framed this item. He said that item is being discussed because of camera footage that was turned off at critical moments and then turned back on. The CPRC doesn't receive many cases to review footage, but found that in the last two cases that they received, the AVR data is missing at critical points. The missing footage may have had an impact on how the commissioners voted. Therefore, the CPRC wanted to bring up a conversation about why footage is missing and the disciplinary actions that may be given to officers. Chief French responded that officers who intentionally violate the AVR policy will be dealt with on a case-by-case basis. The range of discipline can go from a letter of instruction up to and including termination. The Chief pointed out that there are policies that dictate when an officer should activate the AVR.

Ben Therriault – He doesn't understand the dilemma about AVR footage since it's already being provided to the CPRC investigator upon request.

- X. OPEN FORUM BEFORE CLOSED SESSION** – Ben Therriault offered comments related to the previous item.

XI. REPORT OF FINAL ACTIONS TAKEN IN EXECUTIVE SESSION

- Keyon Shanta Williams (#2019-2) The Commission voted unanimously to accept the report of the investigative officer. They also voted unanimously to accept a finding of "Exonerated."

XII. REPORTS OF SUBCOMMITTEES, COMMISSIONERS, CIAO AND STAFF – None

Yenny Garcia – Participated in a voter registration project with the Latina Center in an effort to get more of the population to vote.

Oscar Garcia – Also participated in the voter registration project with Y. Garcia.

Randy Joseph – Tabled at the Come in Unity event organized by S. Lacy.

Bruce Soublet – Will be meeting next week with RPOA President Ben Therriault to discuss the proposed ordinance changes.

Shane Johnson – New commissioners are expected to be appointed by the next meeting. She also brought the commissioners' attention to an email invitation to be a part of an upcoming RPD interview panel. R. Joseph, Y. Garcia, D. Garcia, and S. Lacy all expressed interest in participating. Ms. Johnson will assist with scheduling for the CPRC.

Ridealongs – Ridealongs are encouraged. Staff will follow-up on when these will resume.

XIII. ADJOURNMENT

The meeting was adjourned to the public at 9:10 p.m.

Yenny Garcia, Vice -Chair