

City of Richmond, California
Community Police Review Commission

PUBLIC CASE SUMMARY

Case #	Date Received	Date Completed
2021-4 (Linowitz)	10/20/2021	6/1/2022

CATEGORY OF CONDUCT: (check one)

Appeal of OPA Finding

FINDINGS OF FACT: (brief summary of appeal and investigation)

On February 20, 2019, an RPD officer engaged in a high-speed pursuit that ended without arrest. During the pursuit the officer identified Armani Johnson as the suspect and possibly also Brian Rader as an occupant. These statements were captured on the AVR video of the pursuing officers. In the related incident report that day, the officer identified with certainty the driver of the car as Brian Rader and Armani Johnson as the passenger. The officer made the same certain identifications during testimony to the grand jury on June 12, 2019, causing Rader to be indicted for criminal evasion of officers that day.

The Deputy District Attorney later dismissed the indictment against Rader, citing the discrepancy between the AVR statements of the officer and the officer’s later identification of Rader as the driver in the incident report and before the grand jury. Rader’s Deputy Public Defender, Zachary Linowitz, filed a complaint with RPD alleging that the officer intentionally misrepresented these facts in his incident report and grand jury testimony. RPD found the complaint “unfounded.” Linowitz appealed that finding to the CPRC.

The Commission found that there was not clear and convincing evidence to support the allegations that the officer intentionally misrepresented the facts he stated in his incident report and grand jury testimony. Therefore, the Commission found the allegations against the officer ***NOT SUSTAINED***.

RECOMMENDED FINDINGS: (check one)

Appeal of “Unfounded” Finding for Dishonesty

<u>SUSTAINED</u>	<u>NOT-SUSTAINED</u>	<u>UNFOUNDED</u>	<u>EXONERATED.</u>
	X		