



REGULAR MEETING MINUTES

for

Wednesday, November 19, 2008

4:00 PM – Case Review

5:15 PM – Outreach Committee Meeting

5:30 PM – Regular Meeting

5th Floor Large Conference Room

3900 Main Street, Riverside, CA

CASE REVIEW – 4:00 P.M.

Case Review Roll Call

| Rotker | Soubirous | Hubbard | Brandriff | Ward | Pearcy | Corral | Santore | Beeman |
|--------|-----------|---------|-----------|------|--------|--------|---------|--------|
| ✓ | ✓ | A | ✓ | A | ✓ | A | ✓ | ✓ |

✓ = Present A = Absent L = Late LE = Left Early

STAFF: Kevin Rogan, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comment

There was no public comment.

Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:03 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

| | CPRC CASE NO. | RPD CASE NO. |
|----|----------------------|---------------------|
| 1) | 08-011 | PC-08-05025 |
| 2) | 08-028 | PC-08-07048 |
| 3) | 08-009 | PC-08-04021 |
| 4) | 07-058 | PC-07-09066 |
| 5) | 08-006 | PC-08-03016 |

The Commission adjourned at 5:30 PM, reconvening in the Outreach Committee Meeting at 5:35 PM.

OUTREACH COMMITTEE MEETING

Audio for the following meeting is available on the CPRC website:

www.riversideca.gov/cprc

Copies can also be obtained by calling the CPRC office at (951) 826-5509.

Committee Chair Beeman asked Ms. Sherron to confirm commissioner attendance.

Call to Order / Roll Call

| Rotker | Soubirous | Hubbard | Brandriff | Ward | Pearcy | Corral | Santore | Beeman |
|--------|-----------|---------|-----------|------|--------|--------|---------|--------|
| ✓ | ✓ | A | ✓ | A | ✓ | A | ✓ | ✓ |

✓ = Present A = Absent L = Late LE = Left Early

STAFF: Kevin Rogan, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comment

Mary Shelton spoke regarding the importance of outreach, noting that successful oversight bodies throughout the country have continual outreach to the community.

Steve Simpson said that all commissioners were encouraged to participate in outreach when he served on the Commission, advising the Committee chair of the event and reporting afterward. He said that the Executive Director should be selected by and serve at the pleasure of the Commission.

Commissioner Santore noted that he and Commissioner Brandriff attended a Neighborhood Watch meeting one evening at the La Sierra Library.

New Business

Committee Chair Beeman asked if there were any suggestions or ideas to discuss.

Commission Chair Pearcy suggested attending Mayor's Night Out (MNO).

Commissioner Brandriff noted that MNO conflicts with Commission meetings as they are both held on Wednesday evenings.

Commission Chair Pearcy suggested that an inventory be done with regard to what city facilities have complaint forms and CPRC brochures.

Project Updates

A) Public Service Announcement Video

Commission Chair Pearcy advised that he and Vice-Chair Corral were videoed before the last meeting (Nov. 5). Mr. Rogan said he has no other update.

B) Community Outreach Letter

Committee Chair Beeman advised that a mailing list of community groups was provided by the Office of Neighborhoods and that the letters will be signed by Commission Chair Pearcy.

C) Posters

D) Brochures

Mr. Rogan presented rough drafts of two tri-fold brochures regarding filing complaints and how to become a commissioner. Suggestions for corrections / modifications included:

- listing other police stations in the “complaint” brochure
- making brochures in Spanish and, if possible, other languages
- list locations where complaint forms can be obtained
- remove time limit in last paragraph

Committee Chair Beeman asked for any other corrections / modifications to be sent to staff by Friday.

| Motion for Approval | Motion | Second | Approve | Oppose | Abstain |
|---|-----------|-----------|-----------|--------|---------|
| Make changes and bring to next meeting for approval | Brandriff | Soubirous | Unanimous | 0 | 0 |

Committee Chair Beeman asked if there was progress on the posters. Mr. Rogan said there was not.

E) Shirts

The Committee was presented with two logo samples for embroidery on shirts: the City logo with Community Police Review Commission stitched below and the CPRC logo.

| Motion for Approval | Motion | Second | Approve | Oppose | Abstain |
|------------------------------|--------|-----------|-----------|--------|---------|
| Approve use of the City logo | Pearcy | Soubirous | Unanimous | 0 | 0 |

Items for Future Committee Consideration

There were no items discussed for future consideration.

Adjourn to Regular Meeting

The Outreach Committee adjourned at 6:10 PM.

REGULAR MEETING

Audio for the following meeting is available on the CPRC website:

www.riversideca.gov/cprc

Copies can also be obtained by calling the CPRC office at (951) 826-5509.

The Commission reconvened at 6:15 PM. Chairman Percy asked Ms. Sherron to confirm commissioner attendance.

Regular Meeting Roll Call

| Rotker | Soubirous | Hubbard | Brandriff | Ward | Pearcy | Corral | Santore | Beeman |
|--------|-----------|---------|-----------|------|--------|--------|---------|--------|
| ✓ | ✓ | A | ✓ | A | ✓ | A | ✓ | ✓ |

✓ = Present A = Absent L = Late LE = Left Early

STAFF: Kevin Rogan, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

Mary Shelton spoke regarding a man, an LAPD sergeant, who she met at an FBI meeting. She also commented on the “resurrection” of changing the limitation of length of time for public comment. She said that City Council has restricted public comment and that it would be bad for the Commission to follow suit.

A) Consideration of Modifying Public Comment Time Limits

This item was not discussed in detail or acted on as the requesting commissioner was not present.

Approval of Minutes

| Minutes for Approval | Motion | Second | Approve | Oppose | Abstain |
|---|---------|-----------|--|--------|------------------------|
| A) October 8 Outreach / Special Meeting | Santore | Beeman | Rotker Percy Santore Beeman | 0 | Soubirous Brandriff |
| B) October 22 Regular Meeting | Santore | Rotker | Rotker Brandriff Percy Santore Beeman | 0 | Soubirous |
| C) Nov. 5 Case Review / Special Meeting | Santore | Soubirous | Rotker Soubirous Percy Santore Beeman | 0 | Brandriff |

Staff Report

A) Taser Training

Mr. Rogan advised that he can schedule Taser training, but asked that the training be deferred until the completion of one of the OIDS. Chairman Percy agreed and asked that the training be done prior to the completion of the Hill case.

Cloud Officer-Involved Death (OID) Evaluation Process

Discussion of the Commission's public report regarding the officer-involved death of Douglas Steven Cloud on October 8, 2006:

- A) Stage V, Consideration of Policy Recommendations
- B) Stage VI, CPRC Prepare Written Public Report

Chairman Percy opened this item, noting that the goal is to complete the public report, in terms of content, by the end of the year. He then opened for public comment.

Mary Shelton said she hoped the report is larger than the draft. She also said she assumed there would be policy recommendations made as a result of this case.

Chairman Percy opened for Commission discussion. He asked if there were any comments or suggestions regarding policy or training recommendations:

- officers should report whether or not they have seen a weapon when they make a "211" call.
- obtain a Field Training Manual
- help develop the area of best practices training
- crime broadcasts possibly an area needing refinement
- training policy recommendation regarding keys

After discussion occurred regarding non-receipt of the minority report, Chairman Percy asked if there were any additional suggestions for policy recommendations. As there were none, he closed this item, noting the wait for a follow-up on RPD's training module regarding vehicle stops.

Hill Officer-Involved Death (OID) Evaluation Process

Discussion of the Commission's public report regarding the officer-involved death of Joseph Hill on October 19, 2006, Stage II, Fact Certification Process:

- A) Commission Discussion of Underlying Facts
- B) Identification of Additional Facts for Future Commission Discussion, if any
- C) Initiate discussion of Stage III, Policy & Procedure Certification Process

Chairman Percy began by noting that the Commission was still in the process of building the fact sheet. He then opened for public comment.

Mary Shelton expressed concern regarding the number of contacts between Officer Adcox and Mr. Hill. She said she was concerned about pretext stops and that it is not clear why Mr. Hill was stopped.

Leslie Braden said she had reviewed the casebook. She commented on several items listed in the fact sheet:

Chairman Percy opened for Commission discussion, noting revisions to the fact sheet were in italics.

Commissioner Brandriff asked if Ms. Herrera had been contacted. Mr. Rogan said he was in the process of contacting her.

Chairman Percy asked if Mr. Warnberg would be bringing a Spanish-speaker to interview Mr. Quinones. Mr. Rogan said yes.

Discussion of Fact Sheet items occurred. At the close of this item, Chairman Percy advised they would work on the dispute process at the next meeting.

Communication between CPRC and City Council

- A) Status report of Chair’s letter to City Council
- B) Discussion and further action, if any

Chairman Percy advised that the letter was completed and delivered to Council on Friday. He then opened for public comment.

Steve Simpson commended the Commission for “starting the dance.” He said it would be better if it had started with independent counsel. He also noted that some councilmembers would be happy if the Commission didn’t exist.

Mary Shelton said she hopes that Council will rethink the position of hobbling the Commission. She also said the Commission has lost a witness in the Acevedo case already and that the person wasn’t interviewed because the Commission didn’t send an investigator out. She noted that one councilmember supports the Commission because he knows how important it is.

Chairman Percy reported that he received a call at 3 PM from Mayor Pro-tem Rusty Bailey, who told him that the letter will be noted as received and filed by City Council.

Commissioner Rotker asked the Chair for an interpretation. Chairman Percy said to proceed with business as the Commission and that the directive from the City Manager to staff is the apparent will of the City Manager.

Commissioner Beeman made a motion that the Commission initiate investigations into the three recent OIDs. Commissioner Brandriff seconded.

After additional discussion, the Commission voted on the following motion:

| Motion for Approval | Motion | Second | Approve | Oppose | Abstain |
|--|--------|-----------|---|--------|---------|
| Direct staff to move forward on commencing investigations on the three currently existing officer-involved death cases | Beeman | Brandriff | Soubirous Brandriff Percy Santore Beeman | Rotker | 0 |

Policy & Procedure Review Committee

- A) Establishment of Policy & Procedure Review Committee to handle modifications / amendments to the Commission’s By-Laws and Policies & Procedures
- B) Appointment of Committee Chair

Chairman Percy said that he had decided to reconstitute the Policy & Procedure Review Committee as a full Commission body due to questions posed by Commissioner Rotker to make ride-alongs by commissioners mandatory. He then opened for public comment.

Mary Shelton expressed confusion regarding the agenda item as she hadn’t supported the elimination or the original committee. She said she was not surprised to see it reinstated.

Steve Simpson expressed concern that if something more than an opinion regarding ride-alongs is express it could cause problems.

Chairman Percy said he had asked Commissioner Brandriff if he would chair the committee, to which he agreed.

Communication between CPRC and City Council (Reopened)

Chairman Percy reopened this item, stating it would be prudent to have a directive to staff by the Commission to request clarification from the City Manager regarding the directive.

| Motion for Approval | Motion | Second | Approve | Oppose | Abstain |
|---|-----------|-----------|------------------|--------|---------|
| Direct staff to contact the City Manager to seek clarification in the 1 st paragraph of the e-mail sent on Sept. 3, 2008 setting forth the directive of the cm in terms of the limitations on investigations was to apply only to OIDs where causation was not immediately and readily apparent. | Brandriff | Soubirous | Unanimous | 0 | 0 |

Commissioner Comments

There were no commissioner comments.

Items for Future Commission Consideration

Commissioner Santore suggested obtaining side lights so there would be light when the main lights timed out.

Adjournment

The Commission adjourned at 9:19 PM.

Respectfully submitted,

PHOEBE SHERRON
Sr. Office Specialist