



**REGULAR MEETING
MINUTES OF ACTIONS
Wednesday, February 23, 2011
5th Floor Large Conference Room
and
Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:00 PM

Case Review Roll Call

Rotker	Slawsby	Hubbard	Brandriff	Morales	Pearcy	Roberts	Santore	Beeman
✓	✓	A	✓	A	✓	✓	✓	✓

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

STAFF: Frank Hauptmann, CPRC Manager
Phoebe Sherron, Sr. Office Specialist

Public Comment

Ms. Piazza addressed the Commission on her case.

Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:05 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	10-042	PC-10-09060
2)	10-044	PC-10-10062
3)	10-057	PC-10-09056

The Commission recessed at 5:20 PM to reconvene in the Regular Meeting.

REGULAR MEETING – 5:30 PM

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

www.riversideca.gov/cprc

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

PLEDGE OF ALLEGIANCE

Regular Meeting Roll Call

Rotker	Slawsby	Hubbard	Brandriff	Morales	Pearcy	Roberts	Santore	Beeman
✓	✓	A	✓	A	✓	✓	✓	✓

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STAFF: Frank Hauptmann, CPRC Manager
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Public Comments

Mary Shelton said she was concerned about this situation where the Commission now has to train 1/3 of its members, noting that the Commission is now back to the position where many of the members need training.

Bob Melsh welcomed new CPRC Manager Frank Hauptmann. He noted that current members can encourage interested individuals to apply. He commended Commissioner Beeman for her service to the Commission.

Michael Dunn, speaking for the Riverside Coalition for Police Accountability (RCPA) thanked Commissioner Beeman and Pearcy for their years of service and hard work, especially Commissioner Beeman who had worked since 1999 on oversight. He noted that Commissioner Pearcy is a dedicated and hardworking member of the Commission and appreciated. He extended a warm welcome to Mr. Hauptmann and the new commissioners, noting that he was pleased with the selection.

Bill Howe extended his gratitude to Chairman Pearcy, noting the time they had spent together at conferences and meetings and thanked for him for his comments and help. He welcomed Mr. Hauptmann, noting that he expects good things.

Linda Dunn said that Mr. Hauptmann attended an RCPA meeting. She said she hoped everyone would get to hear about his history. She also noted that RCPA had created a wish-list for Mr. Hauptmann. She commented on meetings in 1998 with Commissioner Beeman, noting that during her reappointment interview, she had good ideas for the future. She thanked Chairman Pearcy for the work he's done and for chairing the Code of Ethics Committee.

Mr. Hauptmann said it was important to "...acknowledge the service and the dedication and the commitment that commissioners have provided..." At this time, he asked Commissioner Beeman to approach the podium, where he then presented her with a clock plaque in appreciation of her term of service to the Community Police Review Commission and thanked her for her service.

Mr. Hauptmann then asked Chairman Pearcy to approach the podium. Mr. Hauptmann said that Chairman Pearcy had served two terms on the Commission, with three terms as Chair. He commented that the clock, commemorating Chairman Pearcy's eight years of service on the Commission, didn't seem like enough to convey the appreciation for his commitment while serving.

Commissioner Rotker thanked Commissioner Beeman for her service on the Commission and wished her the best of luck. He then acknowledged and thanked Commissioner Hubbard for his service and his terms as Chair and Vice-Chair. He concluded by thanking Chairman Percy noting that he is always a gentleman and that he would leave a legacy for the Commission, specifically the formalized procedure for working on OIDs.

Commissioner Brandriff thanked Commissioner Beeman for her participation and bringing forth items that might not otherwise have been discussed. He then thanked Chairman Percy for taking new members “under his wing” and sharing historical aspects of how the Commission started, noting that the Commission would lose historical knowledge with Chairman Percy’s absence.

Commissioner Roberts thanked Commissioner Beeman for her support and sharing of ideas. She then thanked Chairman Percy for his service to the Commission and community at large, commenting that the OID evaluation process he constructed helped during the review of OIDs.

Commissioner Slawsby thanked Commissioner Beeman for her opposing view points. He thanked Chairman Percy and Commissioner Hubbard for their service to the community.

Commissioner Beeman said she is disappointed that she won’t be continuing with the Commission, but looks forward to working with RCPA again. She thanked Chairman Percy for his service and noted that the Commission is in a forward position because of his leadership. She said that she appreciated the opportunity to serve with everyone.

Chairman Percy said he felt Commissioner Hubbard enjoyed time on Commission. Chairman Percy said it was a pleasure and privilege to serve as Chair for three different terms and that he appreciated the trust and confidence members had in his ability to serve in that role. He advised the new, incoming Commission members to remember that “bad press and some disagreement” is part of the job. He thanked all commissioners for the time and efforts they put forth, noting that Planning is the only other board or commission that puts in a much time as CPRC.

Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
January 23 Regular Meeting	Santore	Brandriff	Rotker Brandriff Percy Roberts Santore Beeman	0	Slawsby

Outreach

- A) February Outreach
- B) Future Outreach Opportunities
 - 1) Annual Community Fair & Spring Egg Hunt on Saturday, April 16, at Bobby Bonds Park
 - 2) Presentation to Community Relations Class, RCC Downtown Campus, April 4 or 11 at 6 PM.
 - 3) Input from Commission Members on potential outreach events in 2011

Mary Shelton said she hoped more work would be done regarding outreach. She noted that outreach is one of most pivotal roles the Commission has. Some of the groups she suggested addressing are the homeless, deaf, and immigrants. She said that there is no clear direction about where to go with outreach, but hopes that changes.

CPRC Manager, Frank Hauptmann, noted that outreach is a critical component of what the Commission should be doing and that Ms. Sherron would be speaking on outreach actions and opportunities. He also asked that commissioners advise Staff if they learn of any potential outreach events.

Ms. Sherron said she had acted on Commissioner Beeman's outreach requests at the January meeting regarding the homeless and that she had contacted or left messages for Ms. Ruth Record, Project Food, and Mr. Don Smith, Project Manager for the City's Homeless Services Center.

- Ms. Record was very interested in a presentation and will try to find a location where a presentation can be given;
- no a return call had been received from the person in charge of Project Food in response to a voicemail message left for her;
- and, Staff learned, through Commissioner Brandriff, that Mr. Don Smith is no longer with the City. Commissioner Brandriff said he would contact someone at the Homeless Services Center and advise Staff of the results.
- Ms. Sherron advised that she and Mr. Hauptmann would be working on a letter that would go to groups that work primarily with the City's homeless population.

Ms. Sherron then informed the Commission of upcoming outreach opportunities:

- Vice-Chair Santore, along with Commissioners Morales and Roberts have volunteered to staff a booth at the Annual Community Fair & Spring Egg Hunt on Saturday, April 16, at Bobby Bonds Park. Mr. Hauptmann has said he will also help staff the booth.
- Presentation to Dr. Oliver Thompson's Community Relations Class, RCC Downtown Campus, with possible dates of March 28, April 4, or April 11, with March 28 the preferred date. Commissioner Brandriff said he would be able to make the presentation on March 28.

Several suggestions were made for participation in future events:

- Commissioner Roberts – annual Martin Luther King event
- Chairman Percy – the Law Enforcement Appreciation Dinner
- Commissioner Brandriff – annual Riverside Neighborhood Conference

OLD BUSINESS

Sanchez Officer-Involved Death (OID) Evaluation Process

Continued discussion and action, if any, on the OID evaluation. The Commission has initiated Stage III (Policy & Procedure Certification Process). Discussion at this stage is to identify and present all existing RPD Policy & Procedures implicated under the OID fact pattern, and that Staff identifies any other generally accepted law enforcement policies or procedures implicated under the OID fact pattern that are not existing RPD Policy & Procedures. The Commission may proceed to Stage IV (Deliberation & Finding Process).

Mary Shelton said she was concerned about the OID review of because there haven't been any formal findings or policy recommendations yet. She also commented on problems the new commissioners faced because they were being brought into case later in the process.

Chairman Percy noted that the new members would have to decide whether or not they want to participate or abstain. He noted Ms. Shelton's concerns could be easily addressed as the easiest way for new members to deal with the current case is to abstain and work toward next case.

Mr. Hauptmann said he was concerned about the amount of time the OIDs are taking noting that discussion had occurred to have two meetings a month to deal with OIDs. He strongly urged that two meetings a month be held to handle OIDs.

Commissioner Beeman noted the Commission's history of meeting twice a month to handle OIDs and any backlog of complaint cases. She strongly supported meeting twice a month.

Commissioner Brandriff said that in his first 2-1/2 years of service the Commission met twice a month to help keep things on track and that he thought two meetings were supposed to have started in January.

Commissioner Slawsby said he had voted on two meetings a month and was perplexed as to why they hadn't happened.

Chairman Percy strongly urged that two meetings a month begin to help deal with the OIDs.

Mr. Hauptmann said two meetings a month would begin in March.

Chairman Percy began discussion of Stage 3a, Best Practices, and asked if there were any policy recommendations to be made. He also made reference to questions brought up by Commissioner Morales. Vice-Chair Santore noted that Commissioner Morales had asked about weapons that were recovered, if it was registered to anyone, and about the handling of weapons or contraband found on suspects.

Vice-Chair Santore noted he had also raised questions regarding parolees and searches. He noted that answers had been sent to commissioners via e-mail.

Chairman Percy said there seemed to be no need for training so Section B would be skipped. He then moved to Section C and asked if there were any questions.

Vice-Chair Santore asked if the *Terry* stop could be readdressed. Chairman Percy asked if anyone would like clarification on the *Terry* stop pat-down. Commissioner Brandriff asked for a brief review. Mr. Hauptmann advised that *Terry v. Ohio* is case law that says a peace officer can pat someone down if there is a reasonable belief that the person may be armed.

As there were no other questions, Chairman Percy moved through Section D, again with no questions, so he moved to Section E to close the Fact Certification Process.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
To close the Fact Certification Process	Rotker	Santore	Rotker Slawsby Brandriff Percy Roberts Santore	0	Beeman

Chairman Percy moved to Stage 4, Deliberation & Finding Process. Commissioner Brandriff suggested that discussion of this stage should begin at the first meeting in March.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
To begin Stage 4 discussion at first meeting in March	Brandriff	Slawsby	Rotker Slawsby Brandriff Roberts Santore	0	Percy Beeman

Chairman Percy noted that in the past, round-table discussion would best be held in the 5th Floor conference room.

Commission Elections

Announcement by Chair that Annual Elections for Chair and Vice-Chair will be held at the first meeting in March, as required by By-Laws.

Mary Shelton commented that under the Charter, officer elections have to take place in March. She said there should be a process for doing this and that there should be some sort of presentation by those interested as members should know about those who are interested in running.

Chairman Percy asked if any commissioners wanted to voice their interest in either office. Vice-Chair Santore said he was first interested in the position of Chair, but that he would be interested in Vice-Chair as a second choice.

NEW BUSINESS

Annual Report 2010

Discussion and action, if any, on Draft No. 1 of the 2010 Annual Report.

Mary Shelton said that members of the ad-hoc committee are departing. She said that the Annual Report does provide Council and the community a look at what the Commission has done in the past year. She hopes the process can go forward and that new members can participate.

Mr. Hauptmann said that the By-Laws say the annual report is to be completed by March 31. He noted that it is important to have input from all the commissioners, but that he wants to make sure the report is completed on time.

Chairman Percy suggested that a red-lined version be given to commissioners so they know where and what changes have been made.

Commissioner Beeman spoke on content she felt should be addressed, such as the Chair's message and Commission outreach. She noted that information about outreach should address homeless outreach and that Ms. Sherron's assistance with outreach should be addressed in the report. She also noted that "Case Disposition" on Pg. 13 needed to be defined. She said she would send additional comments to Staff.

Discussion also took place regarding whether or not to have the outgoing Chair write the "Chair's Message." It was the general consensus of the Commission that Chairman Percy, who was chair in 2010, write the message.

Staff Report

- A) Preparation of CPRC Training Schedule
 - 1) Cognitive Interview Techniques

Mr. Hauptmann advised that he was in the process of developing and drafting a tentative training plan for the next 12 months. He said it would be presented to the Commission at the March Regular Meeting. He also addressed the workshop, noting that he had postponed it because, as the CPRC Manager, it is his responsibility to develop the Commission's training plan. In view of that, he said he didn't want to move forward on something with which he was unfamiliar and uncertain as to its objective. He said he would continue to work on the topic as part of his training plan.

Several commissioners noted the importance of new commissioners having an understanding of the Commission's history. Mr. Hauptmann noted that the workshop was supposed to have occurred before the new members were selected. Chairman Percy noted that the workshop wasn't only for new members, but for new CPRC Staff, new RPD Command Staff, Council, and the community at large.

Commissioner Beeman said it is important for people to understand the developmental process of the Commission and that its history be institutionalized through a workshop.

Mr. Hauptmann said he was going to be meeting with Maureen Kane and that he would talk to some other to determine what will take place. Chairman Percy said it is important that all involved with the Commission have a good understanding of its history.

Mr. Hauptmann next addressed Commissioner Beeman's question regarding cognitive interview techniques, which is a method of soliciting information from witnesses. He said it was formulated after about 30 years of research into how people best recall events and designed primarily for people who are cooperative witnesses. He said it might be best to speak with RPD and learn if there are members of the Department who have training in this technique or make a suggestion that they might consider training some of their members in this interview technique.

Commissioner Beeman again voiced her concern over the interview techniques used in the Sanchez OID, noting that the article she had read touched on concerns with officers involved in an OID. She said she had wanted to open a discussion with RPD on how to handle interviews with officers in traumatic situation, and that standard interview techniques are only the beginning. She said the Commission can play a role in opening a discussion regarding this issue with RPD's new command staff.

Mr. Hauptmann said he mentioned this to Lt. Cook in Internal Affairs and hopes to discuss this with him in the future.

Commission Member Comments

Pursuant to Government Code Section 54954.2, Commission members may use this time to make brief announcements or a brief report on their own activities.

Commissioner Roberts said she attended an RCPA meeting which was her outreach in February.

Vice-Chair Santore said he had received notification of the Citizens' Police Academy, starting on Thursday, March 31, and goes thru May 26. He also met with several citizens in La Sierra regarding their incidents with RPD.

Chairman Percy informed the Commission that Ruth Brewer, the wife of former commissioner Jack Brewer, had passed away. He said that in keeping with Mrs. Brewer's wishes, no services would be held.

"Phoebe, it's been a long time...it's been a pleasure..." Chairman Percy said that Ms. Sherron "has been here from Day 1," and advised the new members that she is a tool and resource they should not hesitate to utilize.

Chairman Percy said it had been a pleasure working and serving with everyone. He then addressed Mr. Hauptmann, noting that Mr. Hauptmann's former rank as a Chief of Police was also recognition the importance of the skill level necessary to assist the Commission in its future endeavors.

Items for Future Commission Consideration

There was no discussion of items for future consideration.

Adjournment

The Commission adjourned at 7:50 PM.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist