



**REGULAR MEETING  
MINUTES OF ACTIONS  
Wednesday, June 22, 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 |  | Johnson | Brandriff | Morales | Jackson | Roberts | Santore | Adams |
|--------|--|---------|-----------|---------|---------|---------|---------|-------|
| ✓      |  | ✓       | ✓         | UE      | ✓       | ✓       | ✓       | ✓     |

✓ = Present    **B** = Absent / Business    **S** = Absent / Sick    **V** = Absent / Vacation    **O** = Absent / Other  
**UE** = Absent / Unexcused    **L** = Late    **LE** = Left Early    **■** = Vacant

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

**Public Comment**

Mr. Jeffrey Ricketts addressed the Commission on his 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) | 08-042        | PA-08-09067  |
| 2) | 10-055        | PC-10-12076  |
| 3) | 11-003        | PC-11-01005  |
| 4) | 11-006        | PC-11-02009  |
| 5) | 11-004        | PC-11-01006  |
| 6) | 11-017        | PC-11-04020  |

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

## REGULAR MEETING – 5:30 PM

Audio for this Regular Meeting is available on the CPRC website: [www.riversideca.gov/cprc](http://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 |  | Johnson | Brandriff | Morales | Jackson | Roberts | Santore | Adams |
|--------|--|---------|-----------|---------|---------|---------|---------|-------|
| ✓      |  | ✓       | ✓         | UE      | ✓       | ✓       | ✓       | ✓     |

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

#### Public Comments

Dr. Deborah Wong spoke regarding Item 9, Minority Report Format Outline, and asked for the removal of Items 2, 4, and 6 in the Minority Report Format outline.

There were no other public comments.

#### Approval of Minutes

| Minutes for Approval                    | Motion  | Second  | Approve          | Oppose | Abstain |
|---|---------|---------|------------------|--------|---------|
| A) May 11 Training / Regular Meeting    | Johnson | Adams   | <b>Unanimous</b> | 0      | 0       |
| B) June 1 Special / Case Review Meeting | Adams   | Johnson | <b>Unanimous</b> | 0      | 0       |
| C) June 15 Training Meeting             | Adams   | Rotker  | <b>Unanimous</b> | 0      | 0       |

#### Outreach

##### A) May and June Outreach

Ms. Sherron reported that Commissioners and / or Staff attended or participated in:

- the 2011 Law Enforcement Appreciation Dinner & Award Ceremony in May;
- the Riverside Neighborhood Conference;
- the Special Olympics Tip-a-Cop at The Roadhouse

##### B) Scheduled Outreach Events

Ms. Sherron said there were no specific events that had been scheduled for attendance or commissioner presentations.

### C) Future Outreach Opportunities

#### 1) Days and Times for Presentation at the City's Homeless Services Center

Ms. Sherron noted that no one had yet offered to make a presentation at the Homeless Center. She again advised that the days and times available are Monday, Wednesday, or Friday at 9 AM or 2:30 PM. She asked that anyone interested in making the presentation decide what day and time would work best for them, then advise her so she could make the arrangements.

#### 2) Input from Commission Members on potential outreach events in 2011

Ms. Sherron said that Commissioner Johnson had provided a substantial list of community events.

#### 3) Input from Commission Members on potential outreach events in 2011

Ms. Sherron asked Commissioner Johnson, Outreach Committee Chair, to comment on upcoming outreach events.

Commissioner Johnson said that the Outreach Committee had had one meeting and developed a rules list and to provide the Commission with as much information as possible regarding potential outreach opportunities.

Ms. Sherron asked if any commissioners had any outreach / community events attended on which to report. Commissioner Johnson said he attended a community meeting at Bobby Bonds Park, the Eastside Health Center's Grand Re-Opening, Mayor's Night Out, Riverside Neighborhood Conference, and the In-Custody Deaths Seminar.

Commissioner Adams said that she is going to participate with her neighborhood group in National Night Out on August 2<sup>nd</sup>.

Commissioner Jackson noted that she speaks Spanish and can assist in presentations where a Spanish speaker is needed.

Chairman Santore asked Commissioner Brandriff to contact him to plan for the presentation at the Homeless Center.

## **OLD BUSINESS**

### **Officer-Involved Death (OID) Evaluation Process**

#### A) Continued discussion and action, if any, on the Acevedo OID evaluation.

Chairman Santore said that several Commissioners and Staff attended the Excited Delirium training seminar.

Mr. Hauptmann advised that CPRC's independent investigator, Mr. Mike Bumcrot, reviewed the Acevedo case information and had written a report. Mr. Hauptmann said that the report would be available online. Commissioner Brandriff recommended that a finding not be made until Mr. Bumcrot's report is read. Chairman Santore noted that commissioners can be working toward a finding in the meantime.

Commissioner Rotker asked if a written rationale had been developed. Mr. Hauptmann said he had provided fact sheets for this and the Hyatt case.

#### B) Begin discussion and action, if any, of the Hyatt OID.

Commissioner Rotker asked if Mr. Bumcrot had reviewed the Hyatt case. Mr. Hauptmann said that he had. Mr. Hauptmann said the Hyatt Fact Sheet had been completed and would be available online in the next day or so.

Commissioner Brandriff asked about the other investigation reports. Mr. Hauptmann said that they are online with Mr. Bumcrot's an addition. Mr. Hauptmann advised that Mr. Bumcrot's job is not to make decisions for the Commission, but to determine whether or not RPD's investigation was thorough.

Commissioner Johnson thanked Mr. Hauptmann for the timely class on Excited Delirium.

### **OID Minority Reports Format**

As inclusion of Minority Reports in OID Public Reports has been approved by the Commission, discussion and action, if any, will occur regarding

- A) the acceptable minority report format,
- B) the process of accepting a minority report's inclusion in an OID Public Report, and
- C) the inclusion of this process in the CPRC By-Laws / Policies & Procedures.

Commissioner Johnson noted that Vice-Chair Roberts had made some excellent suggestions to the outline. Vice-Chair Roberts had suggested rewording Items 1 – 3 so that the outline says what can be done rather than what it doesn't do. She said that the minority should be able to say what they want, but must have supporting rationale.

After some additional discussion, Commissioner Rotker asked if there was a Minority Report ad-hoc committee; Chairman Santore replied there was not.

Vice-Chair Roberts said the Commission should decide how to handle minority reports and then give the end result to the Policies, Procedures, & By-Laws Committee to incorporate into those documents.

Chairman Santore said this item would be continued on the next regular meeting agenda.

Mr. Hauptmann noted that in the past, the Commission had decided to do things and that these changes needed to be memorialized in the By-Laws. He said that the Commission would make the decision regarding the minority report which would then go to the committee to be memorialized, stressing the importance of the Commission getting into the habit of memorializing actions of this nature.

### **CPRC Ad-hoc Committees**

Reports from Committee Chairs, with Commission discussion and action, if any, regarding respective Committee activities and / or recommendations:

- A) Outreach
- B) Annual Report
- C) Policies, Procedures, & By-Laws

Commissioner Brandriff said he had spoken with Mr. Hauptmann regarding agendizing the ad-hoc committee meetings. Mr. Hauptmann suggested that Commissioner Brandriff bring his concerns to the Commission for discussion

Commissioner Johnson disagreed with Commissioner Brandriff, saying that the issue was addressed when the Commission decided to have ad-hoc or standing committees. He said the Commission chose ad-hoc because information discussed would be disseminated to the public at a full Commission meeting.

Commissioner Rotker agreed with Commissioner Johnson saying it would place an unnecessary burden on the committees and that including the public would be a step backward.

Vice-Chair Roberts said that while she liked the idea of the community being involved, the Commission decided for ad-hoc committees, noting that it wouldn't be good to be tied down to a structured meeting time or schedule.

Mr. Hauptmann noted that if the committees decided to invite the public, protocol would have to be established to maintain control. He reiterated the fact that actions taking place in an ad-hoc committee meeting would be brought to the Commission in an open meeting forum.

Commissioner Jackson suggested that while each committee is different, it might be good to have open meetings a couple times a year for community ideas, but to open up each meeting to the public wouldn't be good. She said that the Commission has to allot hours responsibly, afford public participation during the year, but having the public at each meeting would add time to meetings that some commissioners don't have.

| <b>Motion for Approval</b>   | <b>Motion</b> | <b>Second</b>          | <b>Approve</b> | <b>Oppose</b> | <b>Abstain</b> |
|--|---------------|------------------------|----------------|---------------|----------------|
| That Ad-hoc Committee meetings be agendized and posted online to allow for public attendance and participation | Brandriff     | Died for lack of a 2nd | -              | -             | -              |

## **NEW BUSINESS**

### **Staff Report**

Mr. Hauptmann briefly mentioned Mr. Bumcrot's review of and reports on the Acevedo and Hyatt OID cases.

Mr. Hauptmann next informed the Commission that Mr. Joseph Brann had conducted an assessment of the Commission in 2007 at the Commission's request. He noted that he had recently received the completed report and that it would be made available to the Commission and would be agendized for this Commission's review and discussion. Mr. Hauptmann noted that Mr. Brann had had severe health issues that had interfered with the completion of the report in 2007 / 2008.

Commissioner Brandriff asked if Mr. Brann would be present for Commission questions. Mr. Hauptmann said he would be.

### **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 Johnson noted that if commissioners have an event or meeting that isn't on the Outreach list, to send that information to the Outreach chair or Ms. Sherron. He also asked that commissioners let him or Ms. Sherron know where they might be spending National Night Out.

### **Items for Future Commission Consideration**

There were no items for future consideration.

**Adjournment**

The Commission adjourned at 7:19 PM.

Respectfully submitted,

  
PHOEBE SHERRON

Sr. Office Specialist