



**REGULAR MEETING
MINUTES OF ACTIONS
Wednesday, September 26, 2012
Art Pick Council Chambers
3900 Main Street, Riverside, CA**

REGULAR MEETING – 5:30 PM

PLEDGE OF ALLEGIANCE

Regular Meeting Roll Call

Rotker	Smith	Johnson	Sawyer	Ortiz	Jackson	Roberts	Santore	Adams
✓	✓	✓	✓	✓	V	✓	✓	✓

✓ = 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 Comments

Bill Howe introduced his friend, John Hinxman, a retired police officer from Winchester, England. While working for Corona P.D. Mr. Howe met Mr. Hinxman in the late 1970's when he came to the area with a State narcotics agent. They became good friends and Mr. Hinxman comes to the U.S. every year to visit Mr. Howe and other friends and that Mr. Hinxman would be willing to speak with commissioners after the meeting.

Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
A) August Regular Meeting Minutes, as amended	Santore	Rotker	Unanimous	0	0

Outreach

A) August Outreach

Commissioner Adams:

- Street Crimes Seminar

Commissioner Johnson:

- August 24 & 27 – Block & Shelton Garage, 1-on-1's
- August 27 - 29 – Street Crimes Seminar
- September 19 – RPD Community Outreach Lecture Series at North High School
- September 20 – Human Relations Commission meeting
- September 21 – Neighborhood Cigar Night at “Chucks”
- September 24 – Deaf Awareness Week, The Big Cheese Pizza Co. – Monday Night Football

Commissioner Smith:

- Street Crimes Seminar
- RPD Community Outreach Lecture Series at North High School

Commissioner Santore:

- 1-on-1's in neighborhood and senior center
- Neighborhood Watch

Commissioner Sawyer:

- Street Crimes Seminar
- Ride-along
- 1-on-1's

Commissioner Rotker:

- Street Crimes Seminar

Commissioner Ortiz:

- Ride-along
- Path of Life Ministries Fundraiser
- Give Big Riverside

Vice-Chair Jackson given by Chairwoman Roberts:

- September 9 – Moms of Military at Fairmount Park
 - Suggests that CPRC have a table / booth at this event next year
- September 12 – Orange County Traffic Officers Assoc. Police Rodeo
 - Noted that several RPD officers participated, one of whom placed 2nd as “Top Gun”
- September 18 – Tip-A-Cop at Chili's
 - Benefit for St. Jude's Children's Research Center

Chairwoman Roberts:

- Street Crimes Seminar
- Governmental Affairs Committee Meeting regarding the Code of Ethics annual review
 - Has suggested some modifications, which will be submitted for consideration.

Mr. Hauptmann:

- Riverside Coalition for Police Accountability (RCPA)
 - Policy recommendations were discussed.
 - He re-emphasized the Commission's need to remember their ability to make policy recommendations to RPD, whether it results from an OID or a complaint case.
 - Whether or not the recommendation is accepted is up to the Chief of Police, but recommendations have been accepted in the past.

B) Scheduled Outreach Events

- 1) Riverside Police Foundation's “Golden Badge Awards”, September 29th at 6 PM
- 2) Riverside Community Health Foundation's “Cruisin' Under the Stars”, September 29th at 6 PM
- 3) Arlanza / Solander Center Community Fair, Bryant Park, October 6th from 11 AM – 3 PM

Chairwoman Roberts noted

- that several commissioners would be attending the “Golden Badge Awards”
- that she and Commissioner Johnson would be attending “Cruisin’ Under the Stars”
- that CPRC has a booth at the Arlanza / Solander Center Community Fair at Bryant Park on October 6th.

C) Future Outreach Opportunities

- 1) Input from Outreach Coordinator on upcoming outreach events
- 2) Input from Commission Members on potential outreach events

Commissioner Johnson:

- October 6 – Mayor’s Ball for Arts and Innovation, Citrus Towers
- October 7 – Citrus Classic Bike Run
- October 17 – second of RPD’s Community Outreach Lecture Series at MLK High School; subject is “Human Trafficking”
- October 21 – Inaugural Riverside Triathlon at Bobby Bonds Park

Commissioner Adams:

- November 10th presentation at Riverside Community Hospital Volunteer Breakfast

OLD BUSINESS

CPRC Ad-hoc Committees

A) Policies, Procedures, & By-Laws (PPBL)

Committee Chair Rotker noted that the committee is continuing its work at a good pace.

B) 2012 Annual Report Ad-hoc Committee

Committee Chair Smith said that the committee members had met and reviewed the 2011 report. She said that she hopes that the Commission Chair, being an ex-officio committee member, would want to meet with them also. Chairwoman Roberts said she would.

Officer-Involved Death (OID) Case Evaluation

A) Continue Millon OID Case Evaluation

Chairwoman Roberts noted that all commissioners had submitted a rationale except for Commissioner Ortiz and herself. She said she will compose a draft rationale after seeing the rationale submitted by Commissioner Ortiz.

She then noted that the majority of the Commission feels that the officer acted within policy and asked Mr. Hauptmann if he would draft a letter of commendation to the officer from the Commission if the Commission agreed.

Commissioner Rotker made a motion for the letter to be drafted; Commissioner Santore seconded.

Commissioner Adams, prior to the vote, said that she, as a citizen, disagreed with this action because the officer did his job. He did what he is supposed to do.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That a Letter of Commendation be drafted for Officer Fishell, commending him for his actions during the Millon incident.	Rotker	Santore	Rotker, Smith, Johnson, Sawyer, Ortiz, Roberts, Santore	Adams	0

Chairwoman Roberts asked that the letter not be sent until the completion of the OID rationale.

2012 NACOLE Conference Update

Mr. Hauptmann informed the Commission that, due to a conflict, Commissioner Smith would not be attending the conference, and that Commissioner Rotker would be attending in her place.

NEW BUSINESS

Use of Term “Officer-Involved Shooting” instead of “Officer-Involved Death”

- A) The Commission's use of the term "Officer-Involved Death"
- B) Discussion and action, if any, regarding changing the term used by the Commission to “Officer-Involved Shooting.”

Mary Shelton strongly objected to the possible change. She noted that the purview of the Commission in the Charter is to review and investigate officer-involved deaths. An officer-involved shooting can be a “subset” of officer-involved death, but to change from officer-involved death to officer-involved shooting would “muddy the water” because there are other types of incidents where an officer is involved and a person dies. She said she couldn’t understand why, after all this time, “the crystal clear definition is trying to be changed,” and feels that things should remain as they are.

Commissioner Santore said he had asked that this topic be agendaized because:

- He questioned the term ‘officer-involved death’ when he first started with the Commission;
- Mr. Hauptmann questioned its use when he first started with the Commission;
- He is always asked about the term by members of the public because they are confused;
- New commissioners are confused by the term, making them think an officer has died;
- It can cause stress for officers involved in these types of incidents;
- It has become an issue because the term makes citizens think it was the death of an officer
- He believes the Commission should use officer-involved shooting or in-custody death in keeping with the terms used by RPD.

Commissioner Johnson:

- term ‘officer-involved death’ is appropriate;
- ‘officer-involved shooting’ (OIS) and ‘officer-involved death’ (OID) are two separate issues;
- ‘officer-involved death’ defines what the Commission does;
- Sees no need to change anything.

Commissioner Rotker:

- ‘officer-involved death’ has always been used;
- as was pointed out by Ms. Shelton, there have been OIDs where a gun wasn't involved;
- sees no need to change terminology;
- doesn’t know why anyone would misinterpret the term.

Commissioner Sawyer:

- said it was partly her fault as she was confused by both ‘officer-involved shooting’ and ‘officer-involved death’, thinking that an officer was shot (OIS) or killed (OID)
- has figured out the difference and now understands the term.

Vice-Chair Jackson’s comments read by Chairwoman Roberts:

- shooting is only one source of many potential forms of death;
- if ‘officer-involved shooting’ were adopted, it would give the Commission tasks similar to a shooting review team and the exclusion of other methods of death;
- if there is a misunderstanding of the term’s definition, the Commission should then work at

better educating new commissioners, the public, and members of the Riverside Police Department.

- Using 'officer-involved shooting' rather than 'officer-involved death' would only serve to confuse those who interface with the Commission.

Mr. Hauptmann:

- initially questioned the term, but after learning more, realized 'officer-involved death' made sense.
- never made a reference that it should be 'officer-involved shooting' instead of 'officer-involved death'.

Commissioner Adams:

- sees no reason to change;
- the Commission is here to be objective and is concerned that there would be concern that the term might bother an officer.

Commissioner Ortiz:

- agreed that the term is appropriate and sees no reason to change it.

John Brandriff said he was concerned when he saw this on the agenda and was glad to see the majority of Commission agrees that it not be changed. He also noted that "you can't 'just change' the Charter."

Christina Duran appreciated Commissioner Adams' comments, noting that community members could get confused about filing complaints and other things if the terminology was changed.

Staff Report

Mr. Hauptmann asked to agendize discussion regarding the amendment of Subsection C, Commissioner Notification, on Page 6 of the Commission's Policies & Procedures. He said that the change is needed because the process used when the policy was written no longer applies. He noted that the 10 days the policy currently requires in is no longer necessary because the method of distribution is now electronic. He suggested a policy change to 5 days, which would still allow him sufficient time to write and submit the synopsis, then agendize the case if the case is received less than 10 days before the next meeting.

Mr. Hauptmann also informed the Commission that the report on the traffic collision OID should be received in the very near future. He noted that he is in the process of finalizing a contract with a traffic accident reconstruction expert to review the case

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 Rotker expressed concern regarding Chief Diaz speaking publicly to community members about the current situation with the officer-involved death that occurred in their neighborhood. He said he was concerned because what he learned about the OID was from the newspaper rather than a presentation from RPD's Command Staff to the Commission.

Mr. Hauptmann said that he spoke with Chief Diaz who said he felt he had to speak to the community about recent events regarding the OID. Mr. Hauptmann also said that when the case comes to the Commission, there will be much more case detail available to commissioners than what Chief Diaz gave to the community.

Chairwoman Roberts asked that Commissioner Rotker's concern be agendized for more in-depth discussion.

Commissioner Smith voiced her concern about the Commission being asked to congratulate or commend an officer doing something that is not related to the performance of their duty, saying that it goes beyond what the Commission should do.

Chairwoman Roberts asked that Commissioner Smith's concern also be agendized for more in-depth discussion.

Items for Future Commission Consideration

There were no items for future Commission consideration.

Adjournment

The Commission adjourned at 6:38 PM.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist

09-26-12 Minutes – Sep Regular