



Community Police Review Commission Memorandum

City of Arts & Innovation

TO: COMMUNITY POLICE REVIEW COMMISSION **DATE: SEPTEMBER 24, 2025**
FROM: CITY MANAGER'S OFFICE **WARDS: ALL**
SUBJECT: CRIMINAL CASE BOOK FOR AN OFFICER INVOLVED DEATH FOR CASE #2022-00362 AND #MB22 019 0001 – J. TRACY

ISSUE:

Continue Stage Four – Deliberation and Finding Process of the Officer Involved Death case #2022-00362 and #MB22 019 0001 – J. Tracy.

RECOMMENDATIONS:

That the Community Police Review Commission:

1. Continue Stage Four – Deliberation and Finding Process of the Officer Involved Death case #2022-00362 and #MB22 019 0001 – J. Tracy; and
2. Receive an update from the City Attorney's Office regarding the status of the subpoena from the Riverside Sheriff's Office and the City of Hemet.

BACKGROUND:

Former Chair Berrellez initiated the review of the Criminal Case Book for Officer-Involved Death (OID) Case #2022-00362 and MB22 019 0001 – J. Tracy at the February 26, 2025, meeting of the Community Police Review Commission (CPRC) meeting. This marked the beginning of Stage One – Commission Review, which involves an in-depth review of the OID Investigation materials. As part of this stage, the Commission's Independent Investigator provided an overview of the case, along with a Rationale Worksheet, Fact Sheet, and a projected timeline for case benchmarks.

Stage One concluded at the April 23, 2025, CPRC meeting, after which the Commission proceeded through Stage Two and Stage Three, both of which were completed at the June 25, 2025, meeting.

- At the July 23, 2025, meeting, the Commission was informed that the City Attorney's Office is awaiting surveillance footage and related documentation from the Riverside County Sheriff's Office. Additionally, the City of Hemet declined to provide any information. The Commission remains in Stage Four – Deliberation and Findings and will not proceed further until members feel they have sufficient information to make a determination.

- At the August 27, 2025 meeting, the Commission continued Stage Four of the review process. The Commission was advised that RPD does not have the requested videos and that the videos cannot be viewed in closed session. The CAO also reported that relevant agencies had agreed to provide the CPRC with confidential, secure access to the requested materials; however, the mechanism for access was still being determined. The legal review was not concluded, and proper noticing under the Brown Act had not been provided. Staff advised that the matter would be completed by the September meeting.

DISCUSSION:

Stage Four of the review process includes the deliberation and finding process. Immediately upon completion of Stage Three, the Chair gives notice to the Commissioner that each Commissioner is responsible to develop a rationale for a finding on whether or not the OID is consistent with RPD policy. Commissioners are encouraged to be specific in reference to facts and policy as a basis for potential finding. Every rationale should rely solely on the facts of the case, investigation, and training, and Commissioners should be prepared to discuss their rationales for their findings. Commissioners will submit completed rationales to the Consultant.

The Chair will call for all Commissioners to publicly offer their rationales and finding as a starting point for discussion. Commissioner rationales will be used to construct the Commission's summarized findings in the Commission's OID Public Report.

Commissioners will commence discussion of rationales and finding upon conclusion of all of the above steps. Commissioners discuss whether one unified rationale is sufficient to cover Commission positions, views, and concerns. Commissioners with dissenting points of view, if any, should articulate and discuss their specific areas of concern by identifying and applying facts from Stage Three and Four using RPD policies in existence at the time of the OID.

If any dissenting rationales are identified and developed, the Commission must determine by consensus or majority vote, if necessary, whether to include a dissenting rationale in the Commission's OID Public Report. Dissenting rationales should be considered at the conclusion of all discussions on a finding.

After all rationales have been discussed, a Commissioner should make a motion as to whether or not the OID is consistent with RPD Policy and Procedures. The finding may be based on the "totality of circumstance." The Commission should strive to complete Stage Four Deliberation and Finding Process within 30 days of completing Stage Three.

The OID Public Report will be prepared based upon the input provided by Commissioners during discussion, deliberation, and the Commissioner's rationales and findings.

Commissioners have the option to discuss any findings or recommendations for the Riverside Police Chief. The Commission may transition through more than one Review Stage during the public meeting. The list of OID Review Stages are:

Stage One – Commissioner Review

Stage Two – Fact Finding, Request for Training & Investigation

Stage Three – Policies and Procedures Process

Stage Four – Deliberation and Finding Process

Stage Five – Policy Recommendation Process (if desired)

Stage Six – Officer Involved Death Case Public Report

Stage Seven – Public Report is sent to the Chief of Police and posted on the CPRC website as public information

Approved by: Ruby Leann Castillo, Principal Management Analyst

Attached: Projected Case Benchmarks – J. Tracy