



## REGULAR MEETING MINUTES

Wednesday, November 18, 2015

Art Pick Council Chambers

3900 Main Street, Riverside, CA

### REGULAR MEETING – 6:00 PM

#### PLEDGE OF ALLEGIANCE

#### Regular Meeting Roll Call

Rotker	Hawkins	Ybarra	Huerta	Smith	Jackson	Roberts	Andres	Adams
✓	✓	✓	✓	✓	✓	✓	✓	✓

✓ = 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

Public comment on any subject matter within the Commission's jurisdiction.

There were no public comments.

#### Approval of Minutes

Commissioner Huerta asked that the typo "ghe" in the second to last sentence on Page 3, be corrected to "he."

A motion was made by Commissioner Hawkins to approve the Minutes of October 28, 2015, as corrected. The motion was seconded by Commissioner Ybarra. The Commission approved the minutes with Commissioners Smith and Roberts abstaining.

#### **OFFICER-INVOLVED DEATH (OID) CASE EVALUATIONS**

- A) Stage I – Commission Member Review
- B) Stage II – Fact Finding, Request for Training & Investigation
- C) Stage III – Policy and Procedure Process
- D) Stage IV – Deliberation and Finding Process
- E) Stage V – Recommendation Process
- F) Stage VI – Written Public Report

### **Jimenez Officer-Involved Death (OID) Case Evaluation**

Continue discussion and action, if any, on the Jimenez OID Case Evaluation. The Commission may return to discussion of completed Stages, if needed.

**E)** Stage V – Recommendation Process: In Process

**F)** Stage VI – Written Public Report: In Process

Chair Jackson opened by calling for public comment.

Michael Dunn summarized RCPA's recommendations made at the previous meeting. Deborah Wong said that the Commission should change the standards it uses when reviewing OIDs by looking at the totality of an incident.

Chair Jackson opened for the Commission's continued discussion regarding its policy recommendations to RPD. Commissioner Rotker recommended that a letter be sent to Chief Diaz regarding the Commission's "Areas of Concern". This letter would first be discussed and approved by the Commission, then signed by the Chair prior to being sent to RPD.

A motion was made by Commissioner Roberts that the Commission review the items in the "Recommendations for Discussion" document in order to determine what the letter to Chief Diaz would contain. Commissioner Hawkins seconded. As a result of discussion prior to the vote, Commissioner Ybarra suggested that Commissioners review the document, note items of concern they wanted to include in the letter, and submit that information to Staff. A letter would then be drafted by Mr. Hauptmann for the Commission's review at the next meeting. Commissioners Roberts and Hawkins agreed and withdrew the motion and second.

Chair Jackson opened for additional public comment.

Michael Dunn said Commissioners could be trained regarding tactics. Christina Duran said a K9 shouldn't be brought into an incident if it isn't going to be used.

Commissioner Hawkins asked if an officer had reasonable grounds to shoot a suspect if the deployed K9 was stabbed. Asst. Chief Vicino said that dogs are property and they will be sacrificed for the life of a person.

Chair Jackson asked Commissioners to submit their concerns to Staff by November 23<sup>rd</sup> to allow sufficient time for the document to be drafted and readied for attaching to the December agenda on November 25<sup>th</sup>.

### **Hayes Officer-Involved Death (OID) Case Evaluation**

Continue discussion and action, if any, on the Hayes OID Case Evaluation. The Commission may return to discussion of completed Stages, if needed.

**F)** Stage VI – Written Public Report: In Process

Chair Jackson noted that the Commission was waiting for the public report. Mr. Hauptmann said the draft would be ready for the next meeting.

### **Ramirez Officer-Involved Death (OID) Case Evaluation**

Begin discussion and action, if any, on the Ramirez OID Case Evaluation. The Commission may return to discussion of completed Stages, if needed.

**A)** Stage I – Commission Member Review: In Process

**B)** Stage II – Fact Finding, Request for Training & Investigation: In Process

Chair Jackson opened and asked Mr. Mike Bumcrot, CPRC's independent investigator, to give a verbal presentation of the incident and his final report on this case.

Chair Jackson asked Commissioners if they had any questions after Mr. Bumcrot concluded. There were none. She also asked Mr. Bumcrot if he found any additional witnesses. He said that residents in the neighborhood would not answer their doors.

Chair Jackson asked Mr. Hauptmann about the Fact Sheet. He said he hope to have it ready for the December meeting. Chair Jackson asked Commissioners if they had any training requests or items needing clarification by RPD. There were none.

## **COMMISSION ACTIVITY REPORTS**

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

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

- A)** Outreach Committee: Vice-Chair Adams, Committee Chair
- B)** RPD Outreach Committee: Commissioner Rotker, Committee Chair
- C)** Formation of 2015 Annual Report Committee

- A)** Outreach Committee: Vice-Chair Adams, Committee Chair

Vice-Chair Adams advised that the high schools will be contacted after the first of the year to schedule presentations.

- B)** RPD Outreach Committee: Commissioner Rotker, Committee Chair

Commissioner Rotker said the first meeting took place on November 16<sup>th</sup>. The target audience and presentations were discussed and Asst. Chief Vicino and Capt. Gonzalez will be asked to attend the next Committee meeting.

- C)** Formation of 2015 Annual Report Committee

Vice-Chair Adams asked for 2015 Annual Report Committee volunteers. Chair Jackson said she would participate and said that Mr. Hauptmann and Ms. Sherron would also be involved. She also noted that the report had to be ready for approval at the March Regular Meeting.

### **Meetings and Training Sessions**

Reports from Commissioners regarding CPRC-based meetings, non-Outreach meetings, and / or training sessions attended in October / November.

Commissioners reported on the various meetings and training sessions they attended.

### **Outreach**

- A)** October / November Outreach

Reports from Commissioners regarding community meetings or events which they attended.

- B)** Scheduled Outreach Events

- C)** Future Outreach Opportunities

- 1)** Input from Outreach Coordinator on potential outreach events

- 2)** Input from Commission Members on potential outreach events

Commissioners reported on the various community meetings or events they attended.

Vice-Chair Adams reminded Commissioners of the open house at Pacific Grove Hospital on November 20. Chair Jackson informed Commissioners of the Nows meeting in the Woods Streets Neighborhood. She also asked Commissioners to try to attend a couple of events for Outreach before year's end.

## **Staff Report**

Mr. Hauptmann read the letter he received from NACOLE Board President Brian Buchner thanking the Commission and Staff for its support and contributions to the 21<sup>st</sup> NACOLE Conference.

## **OLD BUSINESS**

### **Independent Investigators**

Continued discussion and action, if any, to expand the diversity of independent investigators used by the Commission.

Chair Jackson opened and turned the item over to Commissioner Roberts. Commissioner Roberts said that in her review of some of the OIDs, she had noticed that Mr. Bumcrot had found no witnesses. She realized that could be a result of the diverse communities in which some of these incidents occurred and felt the Commission should discuss this.

Mr. Bumcrot advised the Commission that he has investigators who accompany and assist him, especially when going into gang-infested areas. Because the Jimenez incident occurred in a largely Hispanic neighborhood, Mr. Bumcrot's wife, a Spanish-speaker, accompanied him.

After some additional discussion took place, the Commission took the following action regarding Mr. Bumcrot's services.

A motion was made by Commissioner Rotker that the Commission continue with Mr. Bumcrot. The motion was seconded by Vice-Chair Adams. Unanimous Commission approval.

### **Commissioner 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.

There were none.

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

Items for future Commission consideration can be agendaized by any Commissioner. Discussion and action, if any, will occur only during the meeting for which that item has been agendaized.

Chair Jackson asked that the Commission's Self-Assessment be added to the December agenda.

## **Adjournment**

The Commission adjourned at 8:05 PM.

Respectfully submitted,



PHOEBE SHERRON  
Administrative Assistant

11-18-15 Minutes – Nov Regular