



REGULAR MEETING MINUTES

Wednesday, March 22, 2017

Art Pick Council Chambers

3900 Main Street, Riverside, CA

CASE REVIEW – 4:00 PM

Case Review Roll Call

Evans	Kurkoske	Ybarra	Huerta	Smith	Jackson	Ortiz	Timmons	Adams
✓	✓	B	✓	✓	✓	✓	✓	✓

✓ = 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, Administrative Assistant

Annual CPRC Officer Elections – March 2017

Elections for the CPRC Chair and Vice-Chair will take place during the first meeting in March. Commissioners can inform the Commission of their interest or can nominate a fellow Commissioner during the March Regular Meeting. During this meeting, the candidates may speak about their qualifications for the office they are seeking. When discussion is completed, the Administrative Assistant will call for the vote for Chair and Vice-Chair. Nominees receiving the majority affirmative vote will be elected.

Chair Adams opened for the 2017 CPRC Officer Elections and asked if there were any nominations for Chair in addition to that made for Jane Adams; there were none.

Ms. Sherron called for the vote for Jane Adams as Chair.

Evans	Kurkoske	Ybarra	Huerta	Smith	Jackson	Ortiz	Timmons	Adams
Y	Y	----	Y	Y	Y	Y	Y	Y

Jane Adams was unanimously elected by the Commissioners present as the CPRC Chair for 2017.

Ms. Sherron asked if there were any nominations for Vice-Chair in addition to that made for Greg Smith; there were none. Ms. Sherron called for the vote for Greg Smith as Vice-Chair.

Evans	Kurkoske	Ybarra	Huerta	Smith	Jackson	Ortiz	Timmons	Adams
Y	Y	----	Y	Y	Y	Y	Y	Y

Greg Smith was unanimously elected by the Commissioners present as the CPRC Vice-Chair for 2017.

Public Comment

This is an opportunity for members of the public to address the Commission on closed session items.

Ms. Jacqueline Baez addressed the Commission regarding her complaint case.

Closed Session – Case Review

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:32 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	17-001	

The Commission recessed at 5:30 PM to reconvene in the Regular Meeting.

REGULAR MEETING – 5:30 PM

PLEDGE OF ALLEGIANCE

Regular Meeting Roll Call

Evans	Kurkoske	Ybarra	Huerta	Smith	Jackson	Ortiz	Timmons	Adams
✓	✓	B	✓	✓	✓	✓	✓	✓

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STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Administrative Assistant

Public Comments

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

Anjolina Garcia spoke regarding the death of her brother, Marcelino Garcia.

Commission Meeting Absences

A) February 22 Regular Meeting – Commissioner Andres

Chair Adams noted that Commissioner Andres was absent due to personal obligations and health concerns. Commissioner Ortiz made a motion to excuse Commissioner Andres' absence, and this was seconded by Commissioner Huerta. Seven Commissioners excused the absence; Commissioner Timmons abstained.

Approval of Minutes

A) February 22 Regular Meeting

Chair Adams asked for a motion to approve the February 22nd minutes. A motion was made by Commissioner Huerta to approve the minutes and seconded by Commissioner Kurkoske. Seven Commissioners excused the absence; Commissioner Timmons abstained.

RPD Briefing

Preliminary briefing on the officer-involved death of Marcelino Garcia on February 20, 2017.

Captain Larry Gonzalez briefed the Commission on the Garcia incident. Vice-Chair Smith asked if the suspect killed himself. Capt. Gonzalez said it was not yet conclusive that he had.

Anjolina Garcia, the decedent's sister, questioned why there were no investigation markers for shell casings from bullets that were shot by her brother.

Christina Duran said there was a blood trail and asked where that wound was located.

OFFICER-INVOLVED DEATH (OID) CASE EVALUATIONS

Discussion and action, if any, on the following OID Case Evaluations. While the stages noted with each case are the current points of focus, the Commission may move on to new stages or return to discussion of completed stages, if needed.

- 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

Lewis Officer-Involved Death (OID) Case Evaluation

- D) Stage IV – Deliberation and Finding Process
- E) Stage V – Recommendation Process

Chair Adams asked if all rationales had been submitted. As not all had been, she asked if Commissioners wanted to continue with discussion or wait until the April meeting. Commissioner Jackson gave her finding and the rationale for it. Other Commissioners then commented on their rationales and findings.

Commissioner Jackson then noted that because the majority had commented on their rationales and finding, she moved that the actions of the involved officers were Within Policy; Commissioner Kurkoske seconded. Seven Commissioners approved the finding; Commissioner Timmons abstained.

Chair Adams advised that the public report would now be drafted. Mr. Hauptmann asked that any rationales not yet submitted be sent to him so he could begin drafting the public report.

ONGOING COMMISSION ACTIVITIES & ISSUES

CPRC Ad-hoc Committees

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

- A) 2016 Outreach Committee
 - 1) CPRC Self-Assessment Project
 - 2) Community Footprint Project

A) 2016 Outreach Committee

Vice-Chair Smith reviewed the Committee's discussion topics: the researching of Facebook sites for other oversight bodies, the RPU bill inserts and a similar inclusion in City Council newsletters, a second Mental Health forum, a meeting with Marketing regarding a CPRC infomercial, and a possible NPR presentation. He asked that Commissioners attend Ward community meetings, as well as any larger City events.

Outreach

A) February / March Community 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.

Meetings and Training Sessions

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

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

Annual Goals

Discussion of goals for 2017

A) Review of "Totality of Circumstances" for Officer-Involved Death (OID) case evaluations.

B) Youth Outreach

- 1) Discussion and action, if any, regarding Denver's "Youth Outreach Program"

C) Ensure that CPRC Brochures are in all local City Community Centers

D) Create and send a separate assessment form to RPD Officers

F) Receive completed assessment forms from 1% of the city's population

Chair Adams reported on the status of items in the Annual Goals list.

- Gary Geuss, Riverside City Attorney, declined to give a presentation regarding the Hayes Case and the "Totality of Circumstances" as he felt those with the LA Police Commission were better suited to handle this request. Chair Adams noted that other options would be looked at to provide information on this topic prior to a decision being made by the Commission on whether or not to review OIDs using "totality of circumstances" guidelines.
- Chair Adams and Commissioner Jackson spoke about attending RPD's SOAR program at Riverside high schools, which was similar to Denver's Youth Outreach Program. Commissioner Jackson felt that any panel that is created as part of this or other RPD programs for youth, should have CPRC included. Commissioner Jackson said it would be helpful to get training from RPD regarding their youth programs before any decisions are made regarding the Commission's inclusion.
- Research would be done regarding placement of brochures in the various community centers.
- The RPD Outreach Committee would work on preparing a separate assessment form for officers.
- A number of completed survey forms have been received, but they would continue to be handed out at CPRC presentations.

Staff Report

Mr. Hauptmann informed the Commission that RPD would now be sending CPRC all complaints deemed Inquiries or frivolous.

2016 Annual Report

Discussion and action, if any, on Final Draft of the 2016 Annual Report.

Ms. Sherron advised of several minor changes and corrections. Commissioner Jackson made a motion that the 2016 Annual Report be accepted, with changes; Commissioner Evans seconded the motion. Unanimous approval.

OTHER MATTERS

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.

Vice-Chair Smith commented on a survey form submitted by a member of the audience.

Commissioner Ortiz commented on various activities in which he was recently involved. He also noted that he had recently been appointed to California's Fair Employment and Housing Council by Gov. Brown.

Mr. Hauptmann advised that he had attended Commissioner Timmons' swearing in. He also noted that he had received requests for information about CPRC from the oversight boards in Long Beach and the City of San Diego. Commissioner Jackson noted that other oversight agencies are very surprised by CPRC's transparency.

Items for Future Commission Consideration

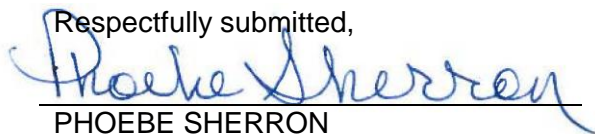
Items for future Commission consideration can be agendaized by any Commissioner. Discussion and action, if any, will occur only during the meeting for which that item has been agendaized.

Chair Adams reiterated the request for RPD training regarding their various youth programs. There were no additional items requested for future consideration.

Adjournment

The Commission adjourned at 7:20 PM.

Respectfully submitted,

A handwritten signature in blue ink, reading "Phoebe Sherron", is written over a horizontal line.

PHOEBE SHERRON
Administrative Assistant

03-22-17 Minutes – March Regular