



**CASE REVIEW / SPECIAL /
POLICIES & PROCEDURES REVIEW COMMITTEE
MEETINGS MINUTES**

**Wednesday, January 14, 2009 at 4:00 PM
5th Floor Large Conference Room
3900 Main Street, Riverside, CA**

Chairman Percy called the meeting to order at 4:05 PM.

Roll Call

Rotker	VACANT	Hubbard	Brandriff	Ward	Percy	Corral	Santore	Beeman
✓	X	✓	✓	✓	✓	✓	✓	✓

✓ = Present A = Absent L = Late LE = Left Early

Staff: Kevin Rogan, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

There was no public comment.

Closed Session

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:05 p.m. to review the following case(s) involving PUBLIC EMPLOYEE PERSONNEL MATTERS:

	CPRC CASE NO.	RPD CASE NO.
1)	07-058	PC-07-09066
2)	08-001	PC-08-01002
3)	08-006	PC-08-03016
4)	08-009	PC-08-04021
5)	08-028	PC-08-07048

The Commission recessed at 5:34 PM, reconvening in Open Session at 5:51 PM.

SPECIAL MEETING OPEN SESSION

Audio for the following proceedings is available on the CPRC website:

www.riversideca.gov/cprc

Copies can also be obtained by calling the CPRC office at (951) 826-5509.

Roll Call

Rotker	VACANT	Hubbard	Brandriff	Ward	Pearcy	Corral	Santore	Beeman
✓	X	✓	✓	✓	✓	✓	✓	✓

✓ = Present A = Absent L = Late LE = Left Early

Staff: Kevin Rogan, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Meeting for January 21, 2009

Discussion of whether to hold meeting for work on OIDs due to Chair's absence on this date.

After brief discussion, it was the Commission's consensus not to hold a Special Meeting on January 21.

Public Comment

This is an opportunity for members of the public to address the Commission on any subject matter that is within the Commission's jurisdiction. Each speaker should complete a "Request to Speak" form and submit it to the Clerk.

Mary Shelton spoke regarding the relocation of Internal Affairs.

Jerry Rogers spoke regarding two complaints he filed.

Cloud Officer-Involved Death (OID) Evaluation Process

Discussion of the Commission's public report regarding the officer-involved death of Douglas Steven Cloud on October 8, 2006:

- A) Stage V, Consideration of Policy Recommendations
- B) Stage VI, CPRC Prepare Written Public Report

Discussion occurred of the revisions and modifications in the draft public report. The presented revision of the first paragraph under "VIII. Recommendations," Pg. 7, was discussed and revised to read as follows:

"Although the ultimate actions of the officers were found to be consistent with policy, the Commission expressed concern at the rapid progression of events. The Commission believes it is important that officers be provided additional training and tactics to slow down and better control events, when possible, in order to afford greater protection for all parties involved, and thereby lessen any threat posed by suspects."

Motion	Motion	Second	Approve	Oppose	Abstain
That the revision of the first paragraph under "VIII. Recommendations," Pg. 7 be approved.	Beeman	Brandriff	Rotker Brandriff Pearcy Santore Beeman	Hubbard Corral	Ward

Motion	Motion	Second	Approve	Oppose	Abstain
That the removal of the last bullet under "VIII. Recommendations," Pg. 7 be approved.	Beeman	Brandriff	Rotker Hubbard Brandriff Pearcy Santore Beeman	Corral	Ward

Commissioner Santore asked that the license plates of all but Mr. Cloud's car be redacted from the diagram before publication of the report.

Motion	Motion	Second	Approve	Oppose	Abstain
That this draft, with all revisions and modifications made, be approved as the Cloud OID Public Report	Rotker	Brandriff	Unanimous	0	0

Chairman Pearcy asked staff to forward the completed report to him for final review prior to publication. He informed the commissioners that, with the completion of the public report, the Cloud OID Administrative Casebook was now available for their review.

Hill Officer-Involved Death (OID)

Discussion of the Commission's public report regarding the officer-involved death of Joseph Hill on October 19, 2006, Stage II, Fact Certification Process:

- A) Commission Discussion of Underlying Facts
- B) Identification of Additional Facts for Future Commission Discussion, if any
- C) Initiate discussion of Stage III, Policy & Procedure Certification Process

Mary Shelton said this was the last case to be investigated prior to the change in protocol. She also said she was perplexed by some of the recordings not being provided, noting that all professional contacts are to be recorded.

Leslie Braden spoke about several items in the Fact Sheet.

Karen Wright expressed concern that the case has continued for so long.

The Commission began discussion of Fact Sheet items. As each item was addressed, the Commission also determined whether it was undisputed or disputed. All items in the list were determined to be undisputed except for Item 36. (The Fact Sheet, showing the changes made during this meeting, is included with the digital version of these minutes.)

Chairman Pearcy asked staff to schedule training regarding Tasers, latent prints, and ground fighting for the next meeting.

Commissioner Comments

Commissioner Brandriff said he was invited to and attended a meeting of the Riverside Coalition for Police Accountability. He also said he went to the Northside Association Meeting where Commissioner Beeman made an outreach presentation

Commissioner Beeman requested the Commission address the credibility assessment process.

Chairman Percy said he would be making an outreach presentation to the Friends of Mt. Rubidoux on January 15 at 7 PM.

Items for Future Commission Consideration

Commissioner Brandriff asked that staff give a status report on Mr. Jerry Rogers' cases.

Adjourn to Policies and Procedures Committee Meeting

The Commission adjourned to the Policies and Procedures Review Committee Meeting at 9:09 PM.

POLICIES & PROCEDURES REVIEW COMMITTEE MEETING

Call to Order / Roll Call

Rotker	VACANT	Hubbard	Brandriff	Ward	Percy	Corral	Santore	Beeman
✓	X	✓	✓	✓	✓	✓	✓	✓

✓ = Present A = Absent L = Late LE = Left Early

Staff: Kevin Rogan, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comment

This is an opportunity for members of the public to address the Committee on any subject matter that is within the Committee's jurisdiction.

Mary Shelton spoke regarding the purpose of the committee. She recommended that past policy recommendations be revisited and to push through the policy recommendation to include recording all professional contacts.

Items for Future Committee Consideration

This is an opportunity for committee members to request items for inclusion on a future agenda. This includes issues that are the result of a discussion on an agenda item but are not specifically agendaized for discussion or action, and other topics that may be of interest to and with the purview committee.

Committee Chair Brandriff advised the Commission that he had been informed by staff that, as stated in the By-Laws, amendments of the By-Laws had to be handled by the Commission. He said that because of that, he had put no items on the agenda to discuss with regard to amending of the By-Laws or the Policies and Procedures because the amendments were intertwined.

He asked that Commissioner Rotker's suggested amendment to the By-Laws be placed on the January 28 agenda.

Adjournment

The Policies and Procedures Review Committee adjourned at 9:45 PM.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist

HILL OID FACT SHEET

CPRC MEETING DATE: 01/14/09

VERSION 6.02 - REVIEWED & UPDATED AT MEETING OF JAN. 14, 2009

Revised items are indicated in bold italics.

1. On 10-19-2006, Officer Jeffrey Adcox was on patrol when he first noticed a subject in a vehicle. ~~Adcox said the subject, a man, "had a weird look," and was, "trying to get away from" Adcox.~~ The man, later identified as Mr. Hill, pulled over and stopped, ~~so Adcox, "let it go."~~¹
2. About 15 minutes later, Ofcr. Adcox said he ~~saw the same man~~Mr. Hill again driving. Again, the man pulled over. Ofcr. Adcox said he pulled up next to ~~the man's~~Mr. Hill's parked car, and began a ~~"consensual encounter" and~~ conversation. Ofcr. Adcox said ~~the man~~Mr. Hill complained that the officer was "harassing" ~~the man~~him. Ofcr. Adcox said he again drove away without taking action.²
3. Ofcr. Adcox said he did not believe ~~the man's~~Mr. Hill's statement ~~that he was visiting a friend, so Ofcr. Adcox~~and remained in the immediate area.³
4. Ofcr. Adcox described driving around the block, and then seeing ~~the man~~Mr. Hill driving toward him. ~~The man~~Mr. Hill then made a u-turn and drove though two stop signs without stopping.⁴
5. At approximately 10:17 a.m., Ofcr. Adcox initiated a traffic stop at Crest Avenue and Babb Street on a red Toyota 4-door license #5VEE903 driven by Joseph Darnell Hill.⁵
6. Ofcr. Adcox said the reason for the stop was that Hill failed to come to a complete stop at two intersections.⁶
7. Witness Quinonez saw a police officer (Adcox) and a driver (Hill) stopped in front of Quinonez' home.⁷
8. Quinonez watched the incident from a distance of about 25-30 feet.⁸
9. Quinonez is primarily conversant in Spanish, but said he understands and speaks some English.⁹
10. Ofcr. Adcox activated his belt recorder in order to record the contact.¹⁰
11. Ofcr. Adcox approached the vehicle and talked with Hill obtaining his driver's license.¹¹
12. Ofcr. Adcox said ~~that Hill appeared mad, and that Hill was yelling, and~~ Hill's hands were visibly shaking ~~"real bad."~~¹²
13. Ofcr. Adcox returned to his vehicle and "paused" his belt recorder while requesting backup on his police radio.¹³
14. Ofcr. Adcox broadcast his request for a back-up, "can I get a 11-10," approximately 2 minutes and 15 seconds after the stop was broadcast.¹⁴
15. Ofcr. Ili responded that he would back up Ofcr. Adcox.~~Ofcr. Adcox talked with Ofcr. Ili after he arrived, but there was no car-to-car radio traffic between Adcox and Ili.~~

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VERSION 6.02 - REVIEWED & UPDATED AT MEETING OF JAN. 14, 2009

16. There is no recorded radio traffic between Adcox and Ili.¹⁵

17. Ofcr. Adcox first talked with Ofcr. Ili after he arrived.

16-18. Ofcr. Adcox said he told Ofcr. Ili that Hill had been avoiding Adcox for an unknown reason, and that something just didn't seem right about the circumstances.¹⁶

17-19. Ofcr. Ili recalled that Ofcr. Adcox said Hill had looked like he was stuffing something inside the car, and so Ofcr. Adcox wanted to get Hill out of the car.¹⁷

18. No contraband was found in the car.

20. Officer Adcox reactivated his recorder.

21. Both officers approached Hill's vehicle.¹⁸

20-22. Ofcr. Adcox asked Hill to step out of the car and he complied.¹⁹

21-23. Ofcr. Adcox conducted a pat-down search, and detected no weapons.²⁰

22-24. Ofcr. Adcox instructed Hill to sit on the curb with his legs extended in front of him.²¹

23-25. Hill complied, but argued with the officers and accused them of harassment.²²

24-26. Ofcr. Adcox told Hill 3 consecutive times to straighten his legs and Hill twice replied that his legs were straight.²³

27. Ofcr. Ili said he did not feel comfortable at that point and activated his recorder because of Hill's attitude.

25-28. Ofcr. Adcox said at first Hill didn't cross his legs, and then when he did cross them, he did so in such a way that he could still stand up and run.²⁴

26-29. Ofcr. Adcox said he did not feel comfortable about Hill's behavior.²⁵

27-30. Ofcr. Ili also said he did not feel comfortable about the contact at that point.²⁶

28-31. Ofcr. Adcox elected to place Hill in the back seat of the police car while he and Ili searched the vehicle.²⁷

29-32. Ofcr. Adcox said he picked Hill up from the seated position, put Hill's hands behind his back and had hold of Hill's fingers, and began to walk Hill to the police car.²⁸

30-33. ***When questioned by RPD investigators, Witness Quinonez four times recalled that Hill said, "you're not going to arrest me."²⁹***

31-34. ***When questioned later by CPRC investigators, Witness Quinonez recalled that the one of the officers told Hill that he was going to be arrested. Quinonez then added that Hill said, "you're not going to arrest me for nothing."³⁰***

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~~32.35.~~ Ofcr. Adcox said he did not tell Hill he was under arrest. ~~Adcox said he intended to tell Hill that he was not under arrest, and that Hill was only going to placed in the rear of the police car, but Hill suddenly attacked before Adcox said anything.~~³¹

~~33.36.~~ Ofcr. Ili said neither he nor Ofcr. Adcox told Hill he was under arrest.³²

~~34.37.~~ **As Ofcr. Adcox said as he started to tell Hill what was going to happen, grabbed Hill's hand, Hill stated something like, "you're not gonna arrest me"**³³

38. *The digital recording has no record of either officers advising Hill he was under arrest.*

39. *The digital recording did capture Hill stating, "You're going to arrest me? What the fuck you arrestin' me for?"*³⁴

~~36.40.~~ Hill spun around and initiated a fight with the officers.³⁵

~~37.41.~~ Hill put his arm around Ofcr. Adcox' neck, and placed Adcox in a headlock.³⁶

~~38.42.~~ Witness Quinonez saw Hill spin and grab one police officer, then punch the officer in the head.³⁷

~~39.43.~~ Witness Navarette saw Hill raise both arms and "attack" one officer.³⁸

~~40.44.~~ Hill and Ofcr. Adcox went to the ground.³⁹

~~41.45.~~ On his way to the ground, Ofcr. Adcox struck his head on the police car passenger side mirror.⁴⁰

~~42.46.~~ Ofcr. Ili also went to the ground in an attempt to aid Ofcr. Adcox.⁴¹

~~43.47.~~ Ofcr. Adcox saw Ofcr. Ili was also on the ground and Ili's back was to Hill.⁴²

48. Ofcr. Ili felt tugging on his holstered firearm, which caused his "Sam Brown" duty belt to twist.

~~49.~~ Ofcr. Ili believed that Hill was trying to remove the gun from the holster.⁴³

~~45.50.~~ Ofcr. Adcox saw Hill tugging on Ofcr. Ili's "Sam Brown" (duty belt).⁴⁴

~~46.51.~~ Ofcr. Ili grabbed his holstered gun with his right hand, ~~Ili~~ then turned onto his right side, causing Hill to release his hold of the holstered gun.⁴⁵

~~47.52.~~ Ofcr. Ili then felt tugging on the other (left) side of his Sam Brown.⁴⁶

~~48.53.~~ Witness Quinonez said Hill was trying to grab the Taser, ~~but (it It~~ is unclear from the interview at what point in time Quinonez observed this act.)⁴⁷

~~49.54.~~ Ofcr. Ili saw Hill holding a Taser, trying to turn the safety off.⁴⁸

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50.55. Ofcr. Ili pulled the cartridge from the front of the Taser to prevent being shot with the taser darts.⁴⁹

51.56. Ofcr. Ili grabbed Hill's wrist and tried to turn the Taser from being pointed at him.⁵⁰

52.57. Ofcr Ili believed that he would be disabled if he was tased.⁵¹

53.58. Ofcr. Adcox heard the sound of a discharging Taser, then saw Hill holding a Taser with both hands.⁵²

54.59. Ofcr. Adcox heard Ofcr. Ili yelling, and thought Ili was being tased.⁵³

55.60. Ofcr. Adcox believed that if Hill was able to tase the officers, he would disable and kill them.⁵⁴

56.61. Ofcr. Adcox pushed away from Hill, pulled his duty weapon, and fired several times at Hill's torso.⁵⁵

62. As Ofcr. Adcox fired his weapon, Ofcr. Ili and Hill were struggling.

57.63. At 10:25, eight (8) minutes after the traffic stop was broadcast, Ofcr. Adcox advised "shots fired."⁵⁶

64. The shooting was broadcast at 10:25:58.

65. Dispatch alerted AMR and the Fire Department to respond at 10:26.

66. Fire Engine 7 advised it was on-scene 6 minutes later at 10:32, and broadcast that AMR was already on-scene.

67. Hill was treated at the scene by paramedics, then transported to the hospital.⁵⁷

68. Engine 1 advised that a paramedic and AMR were enroute to community hospital at 10:34, 8 minutes after the initial shooting call went out.⁵⁸

59. Hill was treated at the scene by paramedics, then transported to the hospital.⁵⁹

60.69. Parkview Emergency Room physician Dr. Abdelsheid told RPD Detective Smith that Abdelsheid pronounced Hill deceased at 11:17.⁶⁰

70. A subsequent search revealed no contraband was found in the car.

61.71. Post mortem toxicology examination detected the presence of cannabanoids (marijuana by-product) in Hill's blood, but no value was assigned from which to determine intoxication.⁶¹

72. The Riverside County Coroner identified the cause of death as from gunshot wounds.

73. Five gunshot wounds were identified.⁶²

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63-74. The Taser was processed and examined for latent fingerprints, but no identifiable prints were located.⁶³

64-75. The Taser was swabbed for DNA evidence, but the collected sample was insufficient to make a DNA finding.⁶⁴

¹ Officer Adcox interview, by Detective Medici. Criminal Investigation Book, tab 55, pg 3, lines 95-101.

² Ibid, lines 102-14.

³ Ibid, lines 114-21.

⁴ Ibid, lines 121-29.

⁵ RPD Initial Report, P06092770, Detective Mike Medici, pg. 1, CIB (Criminal Investigation Book), (tab 3).

⁶ Adcox interview, pg 3, lines 122-32 (tab 55).

⁷ Witness Quinonez interview, Officer Nelson and Detective Shumway, pgs 2-3, lines 88-100 (tab 24).

⁸ Ibid, pg 9, line 375.

⁹ Quinonez interview, pg 2, line 58-61 (tab 24).

¹⁰ Officer Adcox interview, pg 3, (tab 55); Adcox belt recorder transcription, (CIB, tab 73)

¹¹ Ofcr. Adcox interview, pg 3 (tab 55); Adcox belt recorder transcription, (tab 73); Interview report, Warnberg, witness Quinonez pg 1 (RCPRC)

¹² Ofcr. Adcox interview, pg 4 (tab 55).

¹³ Ofcr. Adcox interview, pg 25, (tab 55).

¹⁴ Police radio main channel transcript, pg 2 (tab 74); CD of police radio main channel, approx 2:50 mark.

¹⁵ Ibid.

¹⁶ Ibid, pg 4, line 152-53.

¹⁷ Officer Ili interview, Det, Medici, pg 2, line 89; pg 5, line 197 (tab 56).

¹⁸ Interview report, Warnberg, witness Quinonez pg 1 (RCPRC)

¹⁹ Adcox belt recorder transcription (tab 73)

²⁰ Adcox interview, pg 4, lines 167-71; pg 8, lines 338-46 (tab 55). Ili interview, pg 3, lines 103-04 (tab 56).

²¹ Interview report, Warnberg, witness Quinonez pg 1 (RCPRC)

²² Adcox belt recorder transcription (tab 73)

²³ Ibid, pgs 2-3, lines 88-98.

²⁴ Adcox interview, pgs 8-9, lines 359-62 (tab 55).

²⁵ Ibid, pg 10.

²⁶ Ili interview, pg 3, lines 110-11; pgs 6-7 (tab 56).

²⁷ Adcox interview, pg 5 (tab 55); Ili interview, pg 3 (tab 56); Interview report, Warnberg, witness Quinonez pg 1 (RCPRC)

²⁸ Adcox interview, pgs 11-12, lines 493-533 (tab 55).

²⁹ Quinonez interviews: (1) pg 2, line 45-46 (tab 23); (2) pg 4, line 159-61 (tab 24); (3) pg 8, line 317-18 (tab 24); (4) pg 8, line 352-53 (tab 24)..

³⁰ Quinonez interview, RCPRC, page 10, paragraphs 5 & 6..

³¹ Adcox interview, pgs 11-12, lines 480-97 (tab 55).

³² Ili interview, pg 7, lines 276-88 (tab 56).

³³ Adcox interview, pg 11-12, lines 493-97 (tab 55).

³⁴ Digital recording transcript, pg 3 (tab 73).

³⁵ Adcox interview, pg 6 (tab 55); Ili interview, pg 3 (tab 56) ; Interview report, Warnberg, witness Quinonez pg 2 (RCPRC);

³⁶ Adcox interview (tab 55).

³⁷ Interview of Witness Quinonez (tab 24).

³⁸ Interview of Witness Navarette (tab 25).

³⁹ Adcox interview.

⁴⁰ Ibid.

⁴¹ Ili interview (tab 56).

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- 42 Adcox interview.
- 43 Ili interview.
- 44 Adcox interview.
- 45 Ili interview, pg 10, lines 424-44 (tab 56).
- 46 Ibid.
- 47 Quinonez interview, pg 12-13 (tab 24).
- 48 Ili interview (tab 56).
- 49 Ibid.
- 50 Ibid.
- 51 Ibid.
- 52 Ibid.
- 53 Ibid.
- 54 Adcox interview.
- 55 Ibid.
- 56 Synopsis, and CAD records (tab 3).
- 57 Coroner's report (tab 10).
- 58 CAD Fire broadcast (tab 77).
- 59 Coroner's report (tab 10).
- 60 Supplemental Report, Det. D. Smith, pg 3 (tab 18).
- 61 Bio Tox Laboratory report (tab 66).
- 62 Coroner's report (tab 10).
- 63 Supplemental Report, RPD Tech Fuller (tab 68).
- 64 Supplemental Report, RPD Tech Lujan (tab 69).