



**REGULAR MEETING
MINUTES OF ACTIONS
for
Wednesday, June 23, 2010
6th Floor Large Conference Room
3900 Main Street, Riverside, CA**

CASE REVIEW – 1:30 PM

Case Review Roll Call

Rotker	Slawsby	Hubbard	Brandriff	Morales	Pearcy	Roberts	Santore	Beeman
✓	✓	✓	A	✓	A	✓	✓	✓

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

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

Public Comment

There was no public comment.

Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 3:35 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	10-001	PC-10-01004

The Commission recessed at 1:55 PM to reconvene in the Regular Meeting.

REGULAR MEETING – 2:00 PM

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.

Regular Meeting Roll Call

Rotker	Slawsby	Hubbard	Brandriff	Morales	Pearcy	Roberts	Santore	Beeman
✓	✓	✓	A	✓	A	✓	✓	✓

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

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

Public Comments

Mary Shelton spoke regarding the Commission's action / lack of action regarding the incident concerning former police chief Russ Leach and said that the Commission is in violation of the City Charter. She said that the Commission is supposed to advise the Mayor and City Council on all situations regarding RPD.

Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
May 19 Regular Meeting	Santore	Hubbard	5	1	2

OLD BUSINESS

Quinonez Officer-Involved Death (OID) Evaluation Process

Continued discussion and action, if any, on the OID evaluation. The Commission has initiated Stage I, concerning the facts of the OID incident.

Mr. Rogan spoke about the supplemental report given to commissioners regarding the interviews of two neighborhood witnesses.

Commissioner Rotker asked that Staff begin writing the OID report.

Commissioner Beeman spoke regarding RPD's report:

- concerns about the interview process:
 - interview of Thomas Castro, Jr., Tab 47, Line 219, when he says that Mr. Quinonez pulled the shot gun
 - differences between Line 219 and Line 222
- concerned about the quality of the interview
 - statements shouldn't be changed by the interviewer / writer of the report
 - Jorge Salinas – Tab 50, Line 693
- coaching by the interviewer
- concerned about Officer Munoz' audio recorder
 - Officer Munoz keeps the recorder until it's asked for (Line 1112 – 1117)

Mr. Rogan asked

- if recordings could be erased from the hand-held recorders.
 - Capt. Blakely confirmed that they could be tampered with, but that it could be identified that something had been erased.
- are techniques used by interviewers common in RPD
 - Capt. Blakely said that special training is given to officers used in OISs and OIDs and that coaching, asking leading questions, or giving answers when asking questions is not encouraged.

Capt. Blakely also confirmed that the concerns expressed by Commissioner Beeman would have been considered leading questions.

Commissioner Beeman also voiced concern regarding

- possession of the shotgun
- Officer Heiting putting the shotgun into a police car
- chain of evidence issue
 - possession of the shotgun should have gone to someone in charge
 - inadequate control of evidence.

During discussion of this concern Greg Priamos, City Attorney, commented that it was important to make sure RPD's policy was being followed. Mr. Priamos also copied RPD Policy and Procedure Section 4.8, which addresses police procedure following an officer-involved shooting or OID.

Discussion ended with a general consensus for the Commission to review RPD Policy 4.8 and that Mr. Rogan would start working on the OID draft report.

Annual Report

Discussion and action, if any, on whether to amend the draft 2009 Annual Report, or accept as complete.

Mr. Rogan advised that the Commission needed to make a decision regarding Commissioner Beeman's proposed change which combined Police / Commission and Police / Community Relations into one document titled Commission Relations.

After brief discussion regarding the nature of the proposed change, the following vote took place:

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That the 2009 Annual Report draft be accepted as complete, with Commission Relations replacing Police / Commission Relations and Police / Community Relations	Hubbard	Slawsby	Unanimous	0	0

NEW BUSINESS

RPD Training

Presentation by Lt. Gary Leach covering training given to RPD officers on Domestic Violence, and on RPD Policy Section 7.5, Arrest & Detention of Undocumented Persons.

Lt. Leach spoke regarding RPD's policy regarding the handling of undocumented people. Questions were raised regarding officers' training on what type of ID they ask for – a drivers' license or any photo ID; the extent to which RPD assists ICE. Lt. Leach said that RPD isn't the agency charged with determining a person's legal status in the US.

Lt. Leach then spoke about RPD's Domestic Violence (DV) policy and training given to officers. He advised that RPD policy requires documentation of a DV incident; that there can be a Citizen's Arrest if the officer didn't witness the alleged actions; that officers can make warrantless entry into a dwelling on a DV call to conduct a welfare check of occupants.

Policy Recommendation

Discussion and vote to approve the following policy recommendation:

The Commission recommends that RPD modify Policy 2.23, Rules of Conduct, Subsection P, to include intentional omissions as possible conduct violations. The Commission believes that intentional report omissions may form the basis for conduct rule violations in the same manner as intentional report inclusions.

Commissioner Morales recommended the addition of "reasonably" before "necessary."

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
<p>The Commission recommends that RPD Policy 2.23 P be modified to include intentional omissions as possible conduct violations; add <i>reasonably</i> before <i>necessary</i>: RPD Policy Section 2.23, Rules of Conduct, Subsection (P): "Intentionally falsifying records by diligently entering, or causing to be entered, any inaccurate misleading, or incorrect information, or by intentionally omitting or causing to be omitted any <u>reasonably necessary, critical, or pertinent information</u> in the preparation of official reports, recordings, records, logs, time cards, or other documents."</p>	Morales	Hubbard	Unanimous	0	0

Staff Report

Mr. Rogan advised that, in a meeting with Mayor Loveridge, he had learned that the Commission's next meeting would be held in the Council Chambers.

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 Morales suggested a formal training curriculum be created for incoming commissioners.

Mr. Rogan also said he would suggest that incoming members meet with tenured members.

Items for Future Commission Consideration

Commission members requested the following items be agendaized for future Commission consideration:

There were no Commission member comments.

Adjournment

The Commission adjourned at 4:10 PM.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist