



**REGULAR MEETING
MINUTES OF ACTIONS
Wednesday, November 10, 2010
5th Floor Large Conference Room
and
Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:00 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: Mario Lara, Interim CPRC Manager
Phoebe Sherron, Sr. Office Specialist

Public Comment

Mr. Paul Cousins and Ms. Jesse Hunter addressed the Commission regarding their respective cases.

Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 1:35 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	10-030	PC-10-06047
2)	10-011	PC-10-03019
3)	10-023	PC-10-05033
4)	10-031	PC-10-07050
5)	10-034	PC-10-08052
6)	10-035	PC-10-08053
7)	10-037	PC-10-08055

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

REGULAR MEETING – 5:30 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.

PLEDGE OF ALLEGIANCE

The Commission paused for a moment of silence in memory of RPD Officer Ryan Bonaminio, who was killed in the line of duty on November 7, 2010.

Regular Meeting Roll Call

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

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

STAFF: Mario Lara, Interim CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

Ruth Record spoke regarding recent incidents involving the homeless in Riverside and their contact with RPD officers.

Michael Dunn spoke regarding Dr. Martinelli's report on the Sanchez OID.

Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
October 27 Regular Meeting	Santore	Roberts	Unanimous	0	4

OLD BUSINESS

Sanchez Officer-Involved Death (OID) Evaluation Process

Continued discussion and action, if any, on the OID evaluation. The Commission has initiated Stage II (Fact Finding & Certification Process). Discussion at this stage is to identify facts that need to be clarified or investigated further, and to follow up on prior Commission request of Staff and CPRC investigator for facts to be clarified or investigated.

In view of the fact that the Commission has three active OID cases, Chairman Percy suggested holding two meetings a month in order to get through them in a timely manner.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That the OIDs be handled one at a time	Roberts	Rotker	Unanimous	0	0

Commissioner Rotker suggested waiting until next year to start two meetings a month. And as he preferred not to hold two monthly meetings if at all possible, he suggested that the Commission wait to see the progress with the Sanchez case before having a second monthly meeting.

Discussion continued regarding a second monthly meeting, concluding with the following:

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
To hold two meetings a month with one (1) specifically to address OIDs	Rotker	Santore	Rotker Hubbard Morales Pearcy Roberts Santore	0	Slawsby

Additionally,

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That holding two meetings begin in January	Rotker	Santore	Unanimous	0	0

Chairman Pearcy said that he had two versions of the fact sheet. He noted that the version currently in hand is listed as version 1.0, but that it should be v2.0, and he asked staff to make the correction. He then asked for any discussion regarding the investigator's report. There was none. He also asked for any other discussion or any questions pertaining to the case.

Vice-Chair Santore asked for research on PC 3064, search and seizure of parolees, and how that's handled and noted that an e-mail response would be acceptable. He also asked for training on a Terry stop and pat-down search.

Commissioner Morales asked for information regarding how weapons are handled when found on a suspect or recovered. He also asked for information on the recovered weapon and if there was a registration number. He noted that a written response would be acceptable.

Chairman Pearcy asked that commissioners be given two copies of the fact sheet: one, a red-lined version showing changes made, and the other a clean version reflecting any changes made. He closed by asking for a commitment to finish Stage 2 at the December meeting, to which he received a general consensus.

Acevedo Officer-Involved Death (OID) Evaluation Process

Continued discussion and action, if any, on the OID evaluation. The Commission has initiated Stage II (Fact Finding & Certification Process). Discussion at this stage is to identify facts that need to be clarified or investigated further, and to follow up on prior Commission request of Staff and CPRC investigator for facts to be clarified or investigated.

Chairman Pearcy asked if, based on their review so far, commissioners had any suggestions or questions on which Staff could begin working.

Vice-Chair Santore asked for a definition for excited delirium as it pertains to this case.

Hyatt Officer-Involved Death (OID) Evaluation Process

Continued discussion and action, if any, on the OID evaluation. The Commission has initiated Stage I, Member Review, in preparation of beginning Stage II, Fact Finding & Certification Process. The

Commission may proceed with Stage II, Fact Finding & Certification Process, or continue to hold off on further evaluation pending private investigator report.

Chairman Percy advised that this case is currently in Stage 1 and suggested discussion begin at the second February meeting.

Commissioner Rotker asked about the fact sheet. Mr. Lara advised that it should be ready in about a week.

Chairman Percy reiterated that discussion would not take place until after the first of the year.

Outreach

A) Update on the steps that have been taken to provide outreach to the City's homeless population.

Ruth Record spoke regarding Riverside's homeless population, noting that the Commission should have outreach to the homeless.

Mr. Lara advised that he had connected with Don Smith, Project Manager, Housing and Neighborhoods Division, Development Department. Information brochures and complaint form have been provided to the City's Homeless Outreach Team for placement at the Homeless Outreach Center and in the van. CPRC Staff will coordinate with the Homeless Outreach Team to insure that this material continues to be available. Mr. Smith is also in the process of getting a list of agencies for the Commission.

NEW BUSINESS

Training Presentation

A) Discussion and action, if any, regarding scheduling and organizing a CPRC workshop to "revisit the Council's original intentions and examine the CPRC's current functions" as indicated in Chair's annual report to City Council on Oct. 5th 2010.

Chairman Percy advised that he had asked former councilmember Maureen Kane to give a presentation as has she has first-hand knowledge regarding the Commission, the ordinance that created the CPRC, and provide an update of what the Commission is and what it does. He noted the importance of the workshop in that the Commission will soon have a new manager; that RPD, aside from DC Blakely, has new executive command staff; that the recruiting process for Commission candidates is underway; and that there may be others in the community who may not fully understand the Commission's point of origin.

Chairman Percy asked Ms. Maureen Kane to provide the workshop because she was the lead on Council at the time for investigation and implementation of the vote for CPRC. She was one of leaders of the group that investigated various oversight entities in existence at that time and has significant knowledge of what was intended, the "living, breathing, legislative history" and can address questions regarding the ordinance that created the CPRC.

Chairman Percy said the workshop would probably be about 1.5 – 2 hours with additional time for questions.

Commissioner Rotker asked if the workshop is something the Commission is sponsoring. Chairman Percy noted that it is training put on by the Commission for the Commission, but is open to the public. Commissioner Rotker said he feels the Commission should be able to see a draft or outline of what is going to be presented, and decide whether or not a topic should be included.

Chairman Percy responded that the history of the Commission would be presented by someone involved in the process of creating the Commission. Getting this information "from the horse's mouth" would give people a better and clearer idea of what the CPRC was intended to be.

Commissioner Rotker agreed that it would be a type of history lesson, but wants it communicated at some point in the presentation that what went before isn't necessarily the way things will be now.

Commissioner Roberts said she would like to be able to review Ms. Kane's outline at the next meeting. Chairman Percy said he would work on getting the document for review at the next meeting.

Chairman Percy was planning on holding the workshop in the Mayor's Ceremonial Room. Discussion then took place as to time and dates.

Commissioner Morales also suggested that the workshop be recorded and placed on the CPRC website.

Commissioner Rotker asked if Ms. Kane was going to be the only speaker. Chairman Percy noted that it would primarily be Ms. Kane, but that he or Mr. Lara would also be part of the presentation regarding the activities of the Commission today.

Staff Report

A) Update on CPRC Manager recruitment status.

Mr. Lara informed the Commission that a panel made up of community members and City employees interviewed seven applicants for the CPRC Manager position. He said the City Manager will then meet with each panelist to discuss the applicants after which the final candidates will be determined and interviewed by the City Manager and the choice made. The final candidate will be required to successfully complete a comprehensive background check.

Commissioner Rotker asked if the final candidate would be working part-time. Mr. Lara said that is dependent on the person's situation. He advised that the position is budgeted as full-time, but that Mr. Rogan could not work full time because he had retired through PERS.

Chairman Percy asked Vice-Chair Santore, who was one of the panelists, to tell about the process. Vice-Chair Santore said the group was diverse with applicants who had served as police chiefs and deputy chiefs, and served with the FBI and DEA. He said there were eight questions asked, with a ninth allowing for the candidate to tell how he / she felt they could best fill the position. Candidates' answers were rated on a scale of 1 – 10, total them, then give an opinion as to who would be best. He ended by saying he is scheduled to meet with City Manager Hudson.

Commissioner Morales asked Vice-Chair Santore if he thought there were questions that should have been asked, but were not, to which Vice-Chair Santore answered no.

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 donation to the Bonaminio Family from the Commission.

Chairman Percy suggested a collective donation to which he would pledge \$100.

Vice-Chair Santore said members should ID their check as being from a CPRC member.

Chairman Percy informed the Commission of sitting on Code of Ethics Review Committee of which he ended up being chair. He noted that the Code of Ethics 24 / 7 rule applies to electeds, not appointeds. He said that complaints go to a board or commission chair for informal resolution. While the chair may feel an issue has been resolved, the complainant may not, and the complainant can now appeal a decision.

Commissioner Rotker said he attended all the meetings. He strongly objects to complainants being given the option to bypass the informal complaint process. He had asked that the current process continue to be used.

Items for Future Commission Consideration

There were no items suggested for future Commission consideration.

Adjournment

The Commission adjourned at 7:40 PM.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist