Civilian Police Oversight Agency Board

Patricia J. French, Chair *Jesse Crawford, Vice-Chair* *Greg Jackson*
Angela Luce *Eric Nixon* *Rashad Raynor*
Michael Wartell
Deirdre Ewing, Executive Director

SPECIAL MEETING AGENDA

Monday, December 12, 2022 – 5:00 p.m.

Attendance: In response to the Public Health Emergency, the Civilian Police Oversight Agency (CPOA) Board meeting on Monday, December 12, 2022, at 5:00 p.m. will be held via Zoom video conference.

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, or to stream live on the GOVTV website at: https://www.cabq.gov/culturalservices/govtv, or on YouTube at: https://www.cabq.gov/cpoa/events/cpoa-board-special-meeting-12-12-2022-suof-ois-case-review. (Please note that the link for YouTube has not yet been generated, however, the link could easily be found on the link provided above prior to the start of the meeting). The GOVTV live stream can be accessed at these addresses from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the CPOA Board will also remain available for viewing at any time on the CPOA's website. CPOA Staff is available to help members of the public access pre-recorded CPOA meetings online at any time during normal business hours. Please email for assistance.

The agenda for the meeting will be posted on the CPOA website by 4:00 p.m., Friday, December 9, 2022, at www.cabq.gov/cpoa.

Public Comment: The CPOA Board will take general public comment and comment on the meeting's specific agenda items in written form via email through 4:00 p.m. on Monday, December 12, 2022. Submit your public comments to: POB@cabq.gov. These comments will be distributed to all CPOA Board members for review.

I. **Welcome and call to order –** *Patricia J. French, Chair*

II. **Roll Call**

III. **Approval of the Agenda**

IV. **Public Comment**

V. Serious Use of Force Cases/Officer Involved Shooting Executive Director's Findings & Recommendation

- **a. 19-0075385**
- **b. 20-0036730**
- **c. 20-0037585/ 20-0037588**
- **d. 21-0015116**

VI. Discussion, Updates, and Possible Action:

- **a. Request for Waiver from City Council related to CPOAB Training Requirements –** *Patricia J. French*
- **b. Case Review Materials –** *Patricia J. French*
- **c. Subcommittee Assignments –** *Patricia J. French*

VII. Old Business

VIII. New Business

IX. Adjournment- ***The next Regularly scheduled CPOA Board meeting will be on January 12, 2023, at 5:00 p.m.***

Force Review Board

CHIEF'S REPORT
(P78F)

JULY 29, 2021

TIME: 1001 TO 1246 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau)
VOTING MEMBERS (P78)	DCOP Michael Smathers (Special Operations Bureau) A/DCOP Luke Languit (Investigative Bureau) Interim DCOP Joshua Brown (Field Services Bureau) Commander Johnny Yara (Southeast Area Command)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (City Legal) Edward Harness (CPOA Director) Julie Jaramillo (FRB Admin Personnel/AOD)
REPRESENTATIVES	Interim Deputy Chief Cori Lowe (IAFD) – via teleconference A/ Commander Terysa Bowie (SOD) Sergeant [redacted] (SOD) Sergeant [redacted] (SOD/Presenter) Lieutenant [redacted] (CIT) – via teleconference Policy Manager Patricia Serna (Policy and Procedure) Sergeant [redacted] (IAFD)
OBSERVERS (P78b)	Superintendent Sylvester Stanley (Police Reform) – via teleconference DCOP Eric Garcia (Police Reform) – via teleconference Katharine Jacobs (IAFD) Detective [redacted] (IAFD/Presenter) A/Commander Richard Evans (IAFD) Deputy Commander Ben Bourgeois (IAFD) A/ Deputy Commander Jason Sanchez (IAFD) Officer [redacted] (IAFD ILD) Christine Bodo (COD) Detective [redacted] (IAFD) Corey Sanders (USDOJ) Elizabeth Martinez (USDOJ) Patrick Kent (USDOJ) - via teleconference Phil Coyne (IMT) Sarah Lopez (USDOJ) Yvonnie Demmerritte (USDOJ) – via teleconference Darriel Bone (EFIT) Sergeant Charles Crook A/Lieutenant [redacted] (SOD) DCOP Donovan Olvera (FSB)
PREVIOUS MINUTES	July 22, 2021
UNFINISHED BUSINESS	• None

CASE #: 20-0036730 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: MAY 5, 2020 LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 2350
CASE PRESENTER	DETECTIVE [redacted]	
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE	
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☐ NOT AN IAFD PRESENTATION	
INJURIES SUSTAINED	☒ YES ☐ NO	
DAMAGE TO PROPERTY	☐ YES ☒ NO	
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT	
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO	
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO	
DISCUSSION	☒ YES ☐ NO	
DISCUSSION TOPICS	1. THERE WAS ONLY A VERBAL WARNING OF CRIMINAL TRESPASS? WHY NOT ISSUE A CITATION PRIOR TO ARREST?	

A. CORRECT. THE CHARGE WAS INCLUDED ON THE CRIMINAL COMPLAINT.

2. BOTH OFFICERS HAVE INVESTIGATIONS FOR LACK OF DE-ESCALATION?

A. YES. OFFICER 1 DID HAVE DE-ESCALATION HOWEVER, THERE WAS AN SOP VIOLATION REGARDING DISRESPECTFUL TREATMENT. OFFICER 2 WAS ESSENTIALLY TARGETED FOR PROFANITY.

3. WERE THESE OFFICERS ECIT TRAINED AND DID THEY REQUEST ECIT TRAINED OFFICERS?

A. NOT TRAINED AND NOT REQUESTED.

4. WHICH CAME FIRST, THIS CASE, OR THE OTHER ONE WE REVIEWED WITH THIS PARTICULAR OFFICER?

A. THIS ONE WAS MAY 5TH, THE OTHER WAS MAY 9TH.

5. THERE WAS A MISSED OPPORTUNITY WHEN THE INDIVIDUAL MENTIONED THE NEED TO GO TO WORK TOMORROW. WE COULVE HAVE INFORMED HIM THE QUICKER HE GOES, THE QUICKER HE GETS OUT. THERE WERE A NUMBER OF MISSED OPPORTUNITIES FOR DE-ESCALATION.

6. DID OFFICERS INDICATE IF THEY REALIZED IT WAS NOT JUST HIS FOOT IN THE DOOR, BUT THAT HIS LEG WAS ON THE GROUND?

A. NOTHING DOCUMENTED BECAUSE THE OFFICER DID NOT INCLUDE IT IN HIS NARRATIVE.

B. DURING THE CLARIFYING INTERVIEW WITH IAFD THE OFFICER SAID HE WASN'T CONCERNED BECAUSE THE INDIVIDUAL WAS WEARING STEEL TOE WORK BOOTS.

C. WE ARE ASKING HIM TO MOVE HIS FOOT BUT WE ARE DOING THINGS THAT PREVENT HIM FROM BEING ABLE TO COMPLY.

I. PRIOR TO THIS WHEN THE DOOR WAS OPEN, HE LAUNCHED HIMSELF OUT OF THE CAR AND LANDED ON HIS FACE. AND UNDER A LAWFUL OBJECTIVE THEY WERE TRYING TO KEEP HIM FROM DOING THAT AGAIN WITH THE MINIMAL USE OF FORCE.

D. COULD THEY HAVE PULLED HIM OUT THE OTHER SIDE OF THE PATROL CAR? WERE OTHER OPTIONS DISCUSSED?

I. YES. EVENTUALLY ANOTHER OFFICER COMES AROUND TO ASSIST ON THE OTHER SIDE. THEY WERE NOT HOLDING THE DOOR TO KEEP HIM IN BUT TO KEEP HIM INSIDE.

7. WHAT AN OFFICER SAYS AND WHAT WE OBJECIVELY VIEW IN THE VIDEO, ARE NOT CONGRUENT.

8. WE SHOULD HAVE DISCUSSED A PLAN.

I. WE COULD HAVE HAD TAKEN HIM BACK OUT AND HAD HIM SIT ON THE CURB.

II. WE COULD HAVE TAKEN HIM TO THE HOSPITAL ONCE HE ASKED TO GO.

9. THE RECRUIT USED BOILER PLATE LANGUAGE IN HIS REPORT. THIS SAME RECRUIT WAS WITH THE SAME OFFICER

ON ANOTHER CASE. HAS ANYONE REACHED OUT TO THIS RECRUIT TO ADDRESS THESE ISSUES?

A. HE WAS REFERRED FOR TRAINING. THE LARGER ISSUE IS WITH THE FIELD TRAINING OFFICER. NO ONE FROM INTERNAL AFFAIRS FORCE DIVISION HAS REACHED OUT TO THIS OFFICER.

10. WHAT ABOUT THE LACK OF PROSECUTION?

A. IAFD DID GO TO COURT SERVICES, AND THERE WAS NO FAILURE FOR THE PROSECUTOR TO SHOW UP.

11. WE NEED TO HEAR FROM A/COMMANDER EVANS ON THIS.

A. THESE INVESTIGATIONS ARE OLDER AND NOT UP TO STANDARDS. EVERY MONTH WE HAVE IMPROVEMENTS AND MORE TRAINING COMING. THIS HAS BEEN ADDRESSED AND WE HAVE DISCIPLINED IAFD INTO NON-EXISTENCE. WE HAVE BEEN WORKING DILIGENTLY TO ADDRESS THESE CASES APPROPRIATELY, ESPECIALLY WITH EFIT. THERE IS A LOT IN PLACE NOT, THAT WASN'T THEN.

B. AS OF TODAY WE HAVE AN ISSUE WITH THIS. WE HAVE HAD OTHER PRESENTATIONS WITH THIS.

I. I WOULD ASK THE BOARD TO CONSIDER GETTING AWAY FROM REINVESTIGATING OLDER CASES. IT IS A FURTHER DISADVANTAGE FOR PROGRESS AND THE BACKLOG GROWS EACH TIME.

II. I THINK WE COULD HAVE ADDRESSED THIS ONE BETTER ON THE FRONT END AND I AGREE IT IS OUT OF POLICY. WE ALSO HAVE LIMITED PERSONNEL IN FRB AND WORK UP TO THE DAY OF THE PRESENTATION.

III. IT IS IMPORTANT TO WORK WITH EFIT UNTIL WE ARE ALL ON THE SAME PAGE. TRAINING IS COMING.

A. WE ARE ACROSS THE MAP ON ASSESSMENT OF WHAT HAPPENED. TODAY IS WITHIN POLICY WITH NO CAVIAT OR ADDENDUM SO IAFD BELIEVES THE USE OF FORCE IS WITHIN POLICY SO IT LOOKS LIKE IAFD RECONSIDERED.

A. IF ANY DISCIPLINE SHOULD BE GIVEN, IT SHOULD BE GIVEN TO ME.

I. DID YOU SIGN OFF ON THE INVESTIGATION?

A. NO, BUT I DID SIGN OFF ON THE PRESENTATION.

I. WE CAN TABLE THE CORRECTIVE ACTION. WE HAVE FAITH PROGRESS IS BEING MADE AND THAT A/COMMANDER EVANS'

<table>
<tr><td colspan="3"></td><td colspan="4">WORK PRODUCT WILL CONTINUE TO IMPROVE.
II. IF THERE IS DISAGREEMENT HOW YOU FEEL TODAY ABOUT CONCLUSIONS, CAN IT BE INCLUDED IN THE PRESENTATION?
A. YES, THEY IDENTIFY MANY OF THE PROBLEMS. WE CAN DO REFERRALS AND RULE IT OUT OF POLICY IF NECESSARY. NOT SURE WHY IT DIDN'T HAPPEN IN THIS CASE. MY APOLOGIES AS WE LEARN WHAT THE BOARD NEEDS.</td></tr>
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☐ YES ☒ NO</td><td colspan="4">DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:</td></tr>
<tr><td>(P78e):</td><td>POLICY</td><td>TACTICS</td><td>EQUIPMENT</td><td>TRAINING</td><td>SUPERVISION</td><td>SUCCESSES</td></tr>
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<tr><td colspan="3">PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)</td><td colspan="4">DEPUTY CHIEF MICHAEL SMATHERS</td></tr>
<tr><td colspan="3">SOP TITLE OF VIOLATION</td><td colspan="4">USE OF FORCE DE-ESCALATION</td></tr>
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DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. THERE IS A PATTERN FOR HOLDING OFFICERS ACCOUNTABLE UNDER DE-ESCALATION. IT IS CLOAKED UNDER 1-1. THERE HAS TO BE SOME ACCOUNTABILITY. 2. AGREEMENT WITH DCOP SMATHERS REGARDING USE OF FORCE NUMBER FOUR AND THE LACK OF CONGRUENCY. 3. AT SOME POINT THE SQUAD DOOR BECOMES A WEAPON. EVALUATION OF WHAT IS REASONABLE BY PART OF STANDARDS IS LACKING IN MY OPINION. 4. DO NOT THINK THE FINDINGS ARE JUSTIFIED FOR THE EVIDENCE PRESENTED. 5. AGREED WITH THE FRB: THE NUMBER FOUR USE OF FORCE WAS OUT OF POLICY.

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☒ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO SUPERVISION. INTERNAL AFFAIRS FORCE DIVISION WILL AMEND THE RULING OF THE USE OF FORCE NUMBER FOUR TO BE OUT OF POLICY THROUGH ALL RECORDED VOTES.
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	A/COMMANDER RICH EVANS
DEADLINE: (P78e)	AUGUST 12, 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☐ NO ☒ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☒ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	DEPUTY CHIEF SMATHERS WILL COMPLETE AN INTERNAL AFFAIRS REQUEST (IAR) FOR THE INTERNAL AFFAIRS PROFESSIONAL STANDARDS DIVISION (IAPS) TO ASSESS THE POTENTIAL POLICY VIOLATIONS FROM 2-55-4A1-2: DE-ESCALATION TECHNIQUES ARE PROACTIVE ACTIONS AND APPROACHES THAT AN OFFICER USES TO GAIN VOLUNTARY COMPLIANCE OF THE INDIVIDUAL(S) TO REDUCE OR ELIMINATE THE NEED TO USE FORCE. WHEN FORCE IS NECESSARY, AN OFFICER SHALL REDUCE THE AMOUNT OF FORCE USED AS AN INDIVIDUAL'S RESISTANCE DECREASES. 1. THE FOLLOWING LIST OF DE-ESCALATION TECHNIQUES IS NOT INTENDED TO ESTABLISH AN ORDER OF PRIORITY IN THEIR USE BY OFFICERS. 2. DE-ESCALATION TECHNIQUES INCLUDE, BUT MAY NOT BE LIMITED TO: A. USING DISTANCE, COVER, CONCEALMENT, AND/OR TIME. THESE TECHNIQUES ALLOW AN OFFICER TO: ASSESS THE SITUATION AND THEIR OPTIONS; BRING ADDITIONAL RESOURCES TO THE SCENE; AND DEVELOP A PLAN FOR RESOLVING THE INCIDENT WITHOUT USING FORCE; B. UTILIZING INTERMEDIATE BARRIERS; C. WHEN FEASIBLE, REQUESTING ADDITIONAL PERSONNEL AND WAITING FOR THEIR ARRIVAL; D. USING ACTIVE LISTENING SKILLS BY AN OFFICER TO INDICATE ENGAGEMENT IN CONVERSATION WITH AN INDIVIDUAL; E. EMPLOYING VERBAL DE-ESCALATION, WHICH MAY INCLUDE: I. COMMUNICATING WITH THE INDIVIDUAL(S) IN A CONVERSATIONAL TONE OF VOICE WHILE CONSIDERING ADDITIONAL RESOURCES (E.G., CIT OFFICERS, MOBILE CRISIS TEAMS, CITY SOCIAL SERVICES, AND BEHAVIOR HEALTH SERVICES) TO BEST RESOLVE THE INDIVIDUAL'S CRISIS; II. BEGINNING BY ASKING QUESTIONS RATHER THAN IMMEDIATELY ISSUING ORDERS; III. ADVISING THE INDIVIDUAL(S) OF THE ACTIONS THAT OFFICERS MAY TAKE TO END THEIR CRISIS WITHOUT THE NEED TO USE FORCE; AND IV. WARNING THE INDIVIDUAL THAT DISOBEYING ORDERS AND POSING AN IMMEDIATE THREAT TO OFFICERS OR OTHERS MAY RESULT IN THE NEED TO USE FORCE. IAPS COMMANDER COTTRELL WILL PROVIDE THE POLICIES INVESTIGATED, FINDINGS OF THE INVESTIGATIONS, AND RESPONSE OF THE FINDINGS. THE DUE DATES ARE JULY 30, 2021 (DEPUTY CHIEF SMATHERS) AND NOVEMBER 29, 2021 (COMMANDER COTTRELL).
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	DEPUTY CHIEF MICHAEL SMATHERS (IAR) COMMANDER ZACHARY COTTRELL (INVESTIGATION)

DEADLINE: (P78e)	NOVEMBER 29, 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO ☐ IAR	**REFERRAL INFORMATION**
TYPE OF REFERRAL(S): (P78e)	☒ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO POLICY. THE POLICY AND PROCEDURE MANAGER WILL REVISE THE SOP FOR THE CHIEF OF POLICE TO REMOVE FIELD TRAINING OFFICERS IN VIOLATION OF MISCONDUCT OR USE OF FORCE POLICY WITHOUT HAVING TO GO TO THE BOARD.
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	POLICY MANAGER PATRICIA SERNA
DEADLINE: (P78e)	SEPTEMBER 8, 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☐ NO ☒ IAR	**REFERRAL INFORMATION**
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☒ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	THE FRB HAS IDENTIFIED A DEFICIENCY/CONCERN RELATED TO SUPERVISION. INTERNAL AFFAIRS FORCE DIVISION WILL PRESENT CASES UNDER CURRENT STANDARDS. ANY DISCREPENCIES OR ISSUES WILL BE ADDRESSED PRIOR TO PRESENTATION.

EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	A/COMMANDER RICH EVANS
DEADLINE: (P78e)	AUGUST 18, 2021

CASE #: 21-0037085 TYPE: SOD (P78)	DATE OF INCIDENT: MAY 14, 2021	LOCAT[redacted] TIMES: DISPATCH / ON SITE: 1455 CALL TO TACTICAL: 1926 SWAT ACTIVATION: 2206

CASE PRESENTER	SERGEANT [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING	☐ YES ☒ NO

ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WHAT CAUSED THE INDIVIDUAL TO GO OUT THE BACK? WAS IT THE COMMUNICATIONS? A. AS WE ROLLED UP THE REAR, WE ILLUMINATED AND STARTED THE ANNOUNCEMENTS. HE SAW THE BEARCAT. 2. WHY WAS THE ROOMMATE TAKEN INTO CUSTODY? A. THERE WERE KNOWN WEAPONS AND WE DIDN'T KNOW HIS INVOLVEMENT. B. HE HAD NO IDENTIFICATION ON HIM AND A MISDEMEANOR WARRANT. THEY HAD SEEN THE INDIVIDUAL TO A HAND TO HAND OF NARCOTICS. C. WE NEEDED TO ENSURE THERE WASN'T A DANGER FOR DETECTIVES. 3. WHY WAS THE SHED BREACHED? A. WE WANTED TO MAKE SURE EVERTHYING WAS CLEAR AND NO DANGER TO THE DETECTIVES.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?

MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. HOW WERE THE OFFICERS ABLE TO TRACK THE INDIVIDUAL'S CELL PHONE TO THE APT? A. UNKNOWN THAT WAS COMPLETED BY THE FIELD OFFICERS PRIOR TO SOD'S RESPONSE.

CASE #: 21-0037248	**DATE OF INCIDENT: MAY 15, 2021**	**LOCATION:** [redacted]	**TIMES:** **DISPATCH / ON SITE: 1225** **CALL TO TACTICAL: 1337** **SWAT ACTIVATION: 1721**
TYPE: SOD (P78)			
CASE PRESENTER	SERGEANT [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT		

	☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION. "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES")	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. THERE WAS A DOOR LOCKED OR ROOM BREACHED AFTER MY. YANEZ WAS IN CUSTODY. WHY? A. TO ENSURE THERE WASN'T A POTENTIAL DANGER TO DEEM IT SAFE FOR DETECTIVES.

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO

PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE.

Next FRB Meeting: August 5, 2021

Signed: _____

Harold Medina, Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

SEPTEMBER 16, 2021 TIME: 1001 TO 1202 HOURS

APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau)
VOTING MEMBERS (P78)	DCOP Arturo Gonzalez (Investigative Bureau) DCOP Michael Smathers (Special Operations Bureau) – not present for SOD presentations Interim DCOP Joshua Brown (Field Services Bureau) Commander Timothy Espinosa (Field Services – Southwest)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (City Legal) Edward Harness (CPOA Director) Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (COD)
REPRESENTATIVES	Commander Terysa Bowie (SOD) A/ Commander Richard Evans (IAFD) – via teleconference Lieutenant [redacted] (CIU) – via teleconference A/ Lieutenant [redacted] (Training Academy) – via teleconference Sergeant [redacted] (SOD/CNT) Sergeant [redacted] (IAFD) – via teleconference Policy Manager Patricia Serna (Policy and Procedure) – via teleconference
OBSERVERS (P78b)	Detective [redacted] (IAFD/Presenter) – via teleconference Lieutenant [redacted] (SOD/Presenter) Superintendent Sylvester Stanley (Police Reform) – via teleconference DCOP Eric Garcia (Police Reform) – via teleconference Interim DCOP Cori Lowe (COD) – via teleconference Chief of Staff Cecily Barker (Chief's Office) – via teleconference Commander Renae McDermott (Training Academy) – via teleconference Deputy Commander Ben Bourgeois (IAFD) – via teleconference A/ Commander Jason Sanchez (COD) – via teleconference Officer [redacted] (IAFD) Officer [redacted] (IAFD) – via teleconference Marvin Barnes (IAFD) – via teleconference Dr. Jessica Henjy (Training Academy) – via teleconference Christine Bodo (Compliance Bureau) – via teleconference Cara Garcia (Compliance Bureau) Andrea Jones (SOD – Tactical Support Specialist) Carlos Pacheco (City Attorney) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Corey Sanders (USDOJ) –via teleconference Patrick Kent (USDOJ) – via teleconference Sarah Lopez (USDOJ) – via teleconference Phillip Coyne (IMT) – via teleconference Darriell Bone (EFIT)

Darryl Neier (EFIT)

PREVIOUS MINUTES September 9, 2021

UNFINISHED BUSINESS
- None

CASE #: 21-0058816 TYPE: SOD (P78)	DATE OF INCIDENT: JULY 27, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1111 HOURS CALL TO TACTICAL: 1254 HOURS SWAT ACTIVATION: 1516 HOURS

CASE PRESENTER	LIEUTENANT [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO

DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. PRESENTER ADVISED THERE WAS ENOUGH PROBABLE CAUSE TO ARREST THE INDIVIDUAL WITHOUT A WARRANT. HOW WAS THIS DETERMINATION MADE? A. THERE WERE ROBBERY CHARGES AGAINST THE INDIVIDUAL REGARDING A CALL, WHICH JUST OCCURRED. 2. WHAT WAS THE TIME DELAY BETWEEN THE INCIDENT AND WHEN ISU PICKED UP THE INDIVIDUAL'S VEHICLE? A. APPROXIMATELY TEN MINUTES. 3. PRESENTER ADVISED ISU SHOULD HAVE COMPLETED A TRAFFIC STOP. WHY THIS INSTEAD OF BARRICADING THE INDIVIDUAL IN A BUILDING AFTER HE SEPARATED FROM HIS VEHICLE? A. A HIGH-RISK STOP WOULD ALLEVIATE THE NEED FOR A TACTICAL ACTIVATION, USING UNNECESSARY TIME AND RESOURCES. 4. WHO MADE THE DETERMINATION THIS WOULD BE A BETTER WAY? A. BOTH ISU AND FIELD SERVICES WERE INVOLVED IN DISCUSSION AND DETERMINATION. 5. CURRENT APPREHENSION PROCEDURES FOR ISU ON A KNOWN ARMED AND VIOLENT INDIVIDUAL IS TO FOLLOW AND BARRICADE THEM. THIS TOPIC IS AN ONGOING CONVERSATION BETWEEN ISU AND SOD TO FIND A GOOD BALANCE. 6. THE POTENTIAL FOR AN INDIVIDUAL TO FLEE AND CAUSE A PURSUIT IS HIGH, WHICH ENDANGERS MORE CIVILIANS. THIS IS REASON FOR THE CURRENT PROCESS.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE.

TYPE: SOD (P78)	SWAT ACTIVATION: 2300 HOURS
CASE PRESENTER	LIEUTENANT [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☒ YES ☐ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. DID THE GROUP OF "COP WATCHERS" PRESENT CHANGE THE RESPONSE? A. YES, UPON ARRIVAL THEY BEGAN RECORDING INSIDE THE SOD LIEUTENANT'S VEHICLE SO HE HAD TO DEAL WITH THESE CONCERNS.

	I. THIS DELAYED THE ACTIVATION AND PERIMETER WAS NOT LOCKED DOWN AS QUICKLY AS IT SHOULD HAVE BEEN. 2. WHAT ISSUES ABOUT THE PERIMETER WERE DISCUSSED WITH THE ON SCENE FIELD LIEUTENANT AND SERGEANT? A. LOCKING THE PERIMETER DOWN AND EXPANDING IT IF NEEDED. B. THE "COP WATCH" GROUP WAS IN LINE OF SIGHT OF THE HOT ZONE AND RESIDENCE.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	~~DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS~~, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. REGARDING THE "COP WATCHERS," WAS THERE ANY FOLLOW UP TRAINING COMPLETED OR ONLY THE BRIEFING? A. NO TRAINING. I. THEY HAVE EVERY RIGHT TO BE THERE AND RECORD. II. WERE ONLY ADDRESSING THE CONCERNS WITH THE FIELD OF NOT HANDLING THE SCENE PROPERLY WITH THEIR PRESENCE. B. ONLY BRIEFED THE FIELD SUPERVISORS ON THESE CONCERNS, NO FOLLOW UP TRAINING. 2. RECOMMEND A BRIEFING OR SOMETHING REGARDING THIS GROUP. SEEING CONTINUED COMPLAINTS FROM THEM AND HAVE HAD TO SUSTAIN A FEW OFFICERS DUE TO THEIR ACTIONS. THEY ARE AGGRESSIVE, ARE THE CAUSE OF CONTINUED ISSUES AND HAVE A YOUTUBE CHANNEL. A. THE DEPARTMENT IS LOOKING INTO WAYS TO EDUCATE OFFICERS FURTHER REGARDING THESE CONCERNS.

CASE # 20-0037585 **TYPE: LEVEL 3** (P78)	**DATE OF INCIDENT: MAY 9, 2020**	**LOCATION:**	**TIMES: DISPATCH / ON SITE: 0337 HOURS**
CASE PRESENTER	DETECTIVE		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME		

	☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☐ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☒ YES ☐ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE." TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. THE INDIVIDUAL BEING REJECTED BY MDC PERSONNEL FOR HER INTOXICATION WAS THE CAUSE OF THIS USE OF FORCE CORRECT? A. CORRECT. BECAUSE SHE REFUSED THE BREATH TEST ADMINISTERED BY MDC MEDICAL INTAKE, MDC REFUSED TO BOOK HER. 2. CONCERNS OF THE CONSTITUTIONALITY OF BLOOD DRAW. WHO DETERMINED A BLOOD DRAW WOULD BE REQUIRED? A. MDC STAFF AND THE SUPERVISOR OF MEDICAL. THE SUPERVISOR OF MDC INFORMED APD A BLOOD DRAW WOULD BE REQUIRED AND THE OFFICER ADVISED HIS SERGEANT. 3. TO VERIFY, MDC'S INSTRUCTIONS WERE FOR APD TO OBTAIN A BLOOD DRAW AND NOT A MEDICAL CLEARANCE? A. CORRECT. MDC REQUIRED THE INDIVIDUAL'S INTOXICATION LEVEL AND SINCE SHE REFUSED

	THE MDC BREATH TEST, THIS IS THE PROCESS THEY REQUIRED. 4. TO CLARIFY, THE INDIVIDUAL WAS TAKEN TO THE PTC, WHERE SHE REFUSED TO TAKE A BREATH TEST. AT MDC, SHE REFUSED THE PBT. FINALLY, MDC SAID WITHOUT A KNOWN ALCOHOL LEVEL THEY WOULD NOT COMPLETE THE INTAKE AND MADE HER BE TRANSPORTED TO LOVELACE FOR THE BLOOD TEST? A. CORRECT. 5. HOSPITAL TEST IS AN ENZYME TEST TO PROVIDE RESULTS WITHIN AN HOUR. COULD ALSO USE CHEEK SWAB AND OTHER MEANS AT THE HOSPITAL TO OBTAIN THE INDIVIDUAL'S ALCOHOL LEVEL. 6. WHAT STEPS DID THE OFFICER TAKE WHEN THE INDIVIDUAL REFUSED THE BREATH TEST? DID THE OFFICERS ATTEMPT A BLOOD DRAW? A. WHEN SHE REFUSED THE INITIAL BREATH TEST, THE OFFICERS CONSIDERED IT AN AGGRAVATED AND CHARGED HER AS SUCH. 7. THERE WERE ISSUES WITH PAPERWORK AT MDC? A. YES. AFTER THE OFFICER TRANSPORTED THE INDIVIDUAL TO LOVELACE FOR THE BLOOD DRAW, A DIFFERENT OFFICER TRANSPORTED HER. B. THE RELEASE PAPERWORK FROM THE HOSPITAL DID NOT INCLUDE THE BLOOD ALCOHOL LEVEL; THEREFORE, THE OFFICER HAD TO TAKE HER BACK TO THE HOSPITAL TO GET THIS INFORMATION ON HER PAPERWORK. 8. OFFICERS WERE TIED UP ON THIS CALL FOR ELEVEN HOURS. 9. THE EMT AT MDC WOULD NOT ALLOW THE ADMITTANCE EVEN THOUGH THE INDIVIDUAL HAD BEEN RELEASED BY A DOCTOR AT THE HOSPITAL? A. CORRECT. 10. DID THE OFFICER CHECK IN WITH THEIR SUPERVISOR WHEN MDC WOULD NOT ALLOW THE INDIVIDUAL TO BE BOOKED AGAIN? A. YES, BOTH THE DAY AND GRAVE SUPERVISORS INVOLVED WERE ADVISED OF MDC'S PROTOCOL. 11. DID MDC PROVIDE ANY DOCUMENTATION TO THE OFFICERS TO VERIFY THE REQUIRED PROCESS PRIOR TO OFFICERS TAKING THE INDIVIDUAL TO THE HOSPITAL FOR THE BLOOD DRAW? A. UNKNOWN FOR SURE BUT DOES NOT BELIEVE SO. 12. NURSES TOLD THE INDIVIDUAL IT WAS A MEDICAL TEST ONLY AND WOULD NOT BE PROVIDED TO OFFICERS FOR CRIMINAL PROSECUTION? A. YES. 13. POTENTIAL HIPAA ISSUES NOW. A. CORRECT. 14. DOES POLICY REQUIRE A WARNING PRIOR TO USING FORCE PRIOR TO FORCING THE BLOOD DRAW?

A. IF THE BLOOD DRAW IS CONSIDERED AN APPLICATION OF FORCE, THEN YES, IF FEASIBLE. OFFICERS DID NOT CONSIDER THIS AN APPLICATION OF FORCE, SO NO.

15. WAS THERE ANY CONSIDERATION FROM ANYONE AS TO WHETHER A JUDGE WOULD HAVE SIGNED AN ADMINISTRATIVE WARRANT?
    A. NO BUT HAD IT BEEN, THE JUDGE WOULD NOT HAVE SIGNED.
16. CONCERNS ARE LARGER TO THIS CASE. MDC HAS REQUIRED WOMEN PREGNANT ON METHADONE TO BE TRANSPORTED TO THE HOSPITAL TO HAVE THEIR PRESCRIPTION CHANGED TO SUBOXONE PRIOR TO BEING ACCEPTED AT BOOKING. THIS EXCEEDS MDC'S MEDICAL CALL. REFERRAL NEEDED FOR CITY LEGAL TO EXAMINE THE CONSTITUTIONALITY OF THIS PROCESS. APD OFFICERS ARE BEING FORCED TO MAKE DECISION BEYOND THEIR SCOPE AS OFFICERS.
    A. REFERRAL: CITY LEGAL WILL EXAMINE THE POLICY AND PROCEDURES OF MDC'S INTAKE REGARDING CONCERNS SURROUNDING ADMINISTRATIVE PROCEDURES ON BOOKING AND MDC'S RIGHT TO REFUSE PRISONERS.
        I. DUE DATE: 30 DAYS
        II. RESPONSIBLE PARTY: CARLOS PACHECO
17. LOW-LEVEL CONTROL TACTICS THAT RESULTED IN AN INJURY, BUMPED IT UP TO A LEVEL 2 HOW DID WAS THIS DETERMINATION MADE?
    A. TYPICALLY, IT IS A USE OF FORCE AND INJURY DETERMINE THE LEVEL. IN THIS INCIDENT, MULTIPLE LOW-LEVEL CONTROL TACTICS EVENTUALLY CAUSED AN INJURY. THERE WAS NOT ONE HOLD THAT CAUSED THE INJURY; THIS WAS THE BEST WAY TO DOCUMENT THE INJURY.
18. ARE THERE CONVERSATIONS GOING ON REGARDING LOW-LEVEL CONTROL TACTICS RESULTING IN INJURIES AND HOW TO PROPERLY ADDRESS THIS?
    A. YES LOW-LEVEL CONTROL TACTICS ARE STILL FORCE, JUST NON-REPORTABLE.
    B. THIS WAS A UNIQUE SITUATION.
    C. INJURES OCCUR BASED ON AN OFFICER'S ACTIONS AND IT IS CALLED AS JUST SUCH.
19. IMMEDIACY OF THE THREAT SHE WAS NOT IN DANGER OF HARMING HERSELF. DOES THIS COUNTER THE WHOLE REASON OF THE BLOOD DRAW?
    A. YES; HOWEVER, THE BLOOD DRAW WAS COMPLETED BASED OFF MDC'S DETERMINATION OF THE INDIVIDUAL NOT BEING ADMITTED, NOT THE OFFICER'S.
20. THE BOARD RECOGNIZES THE PRECARIOUS SITUATION THE OFFICERS WERE PLACED IN AND BELIEVE IT NOT APPROPRIATE TO DISCIPLINE THEM FOR SOMETHING OUT OF THEIR CONTROL. THE BOARD DOES HOWEVER BELIEVE THERE IS A NEED FOR DEPARTMENT TRAINING IN REGARDS TO AN OFFICER'S ROLE, IF ANY, DURING A MEDICAL PROCEDURE.

	A. REFERRAL FOR TRAINING FOR DEPARTMENT PERSONNEL TO ENSURE THEY DO NOT ASSIST IN MEDICAL PROCEDURES WHEN THE HOSPITAL DRAWS AN INDIVIDUAL'S BLOOD AND TO HAVE CLEAR DELINEATION BETWEEN CRIMINAL MATTERS, ADMINISTRATIVE AND/OR MEDICAL PROCEDURES. I. DUE DATE: 60 DAYS II. RESPONSIBLE PARTY: COMMANDER MCDERMOTT. B. POTENTIAL CONSIDERATIONS SURROUNDING POLICY.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	

	☐ YES ☒ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. THE OFFICERS ALLOWED THE INDIVIDUAL TO DETERMINE SHE DID NOT NEED MEDICAL ATTENTION. SHOULD THIS HAVE BEEN DETERMINED BY RESPONDING HEALTHCARE PERSONNEL DUE TO THE ACCIDENT? A. IF AN INDIVIDUAL IS INVOLVED IN AN ACCIDENT AND THERE IS AN INJURY, OFFICERS ARE REQUIRED TO REQUEST MEDICAL. IN THIS CASE, THE INDIVIDUAL DID NOT INDICATE AN INJURY. SHE ALSO PERFORMED THE FIELD SOBRIETY, SO IT WAS REASONABLE FOR THEM TO ASK HER ABOUT INJURY AND PROCEED WITH THEIR INVESTIGATION. 2. AGREES WITH FINDINGS OF THE IAFD INVESTIGATION. HOLDING THE PERSON FOR THE BLOOD DRAW IS NOT OUT OF POLICY. THERE IS A HUGE GOVERNMENTAL INTEREST IN ARRESTING THIS WOMAN FOR CITIZEN SAFETY. 3. EXTREME CONCERNS WITH MDC'S PROCEDURES.

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☒ POLICY ☐ POLICY VIOLATION (IAR) ☐ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	CITY LEGAL WILL EXAMINE THE POLICY AND PROCEDURES OF MDC'S INTAKE REGARDING CONCERNS SURROUNDING ADMINISTRATIVE

	PROCEDURES ON BOOKING AND MDC'S RIGHT TO REFUSE PRISONERS.
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	CITY ATTORNEY CARLOS PACHECO
DEADLINE: (P78e)	OCTOBER 18, 2021

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE FOR THE REFERRAL? ☐ YES ☒ NO ☐ IAR	REFERRAL INFORMATION
TYPE OF REFERRAL(S): (P78e)	☐ POLICY ☐ POLICY VIOLATION (IAR) ☒ TRAINING ☐ SUPERVISION ☐ EQUIPMENT ☐ TACTICS ☐ SUCCESS (IAR)
REFERRAL(S): (P78e)	REFERRAL FOR TRAINING FOR DEPARTMENT PERSONNEL TO ENSURE THEY DO NOT ASSIST IN MEDICAL PROCEDURES WHEN THE HOSPITAL DRAWS AN INDIVIDUAL'S BLOOD AND TO HAVE CLEAR DELINEATION BETWEEN CRIMINAL MATTERS, ADMINISTRATIVE AND/OR MEDICAL PROCEDURES.
EMPLOYEE RESPONSIBLE FOR RESPONDING TO REFERRAL(S): (P78e)	COMMANDER RENAE MCDERMOTT
DEADLINE: (P78e)	NOVEMBER 15, 2021

CASE # 21-0011959 B TYPE: LEVEL 2 (P78)	DATE OF INCIDENT: FEBRUARY 13, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1708 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME		

	☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☐ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☐ YES ☒ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. NONE.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?

MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NONE.

Next FRB Meeting: September 23, 2021

Signed: _____
Harold Medina, Chief of Police

Force Review Board

CHIEF'S REPORT
(P78F)

NOVEMBER 4, 2021 | **TIME: 0831 TO 0928 HOURS** | **APD HEADQUARTERS - CHIEF'S CONFERENCE ROOM (VIA TELECONFERENCE)**

FRB CHAIR (P78)	DCOP JJ Griego (Management Services and Support Bureau)
VOTING MEMBERS (P78)	DCOP JJ Griego (Management Services and Support Bureau) Interim DCOP Joshua Brown (Field Services Bureau) Commander James Collins (Field Services – Foothills)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (City Legal) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD) Julie Jaramillo (COD)
REPRESENTATIVES	Commander Terysa Bowie (SOD) A/ Commander Richard Evans (IAFD) – via teleconference Sergeant [redacted] (CIU) – via teleconference Commander Renae McDermott (Training Academy) – via teleconference Sergeant [redacted] (SOD/CNT) Policy Manager Patricia Serna (Policy and Procedure) – via teleconference
OBSERVERS (P78b)	Detective [redacted] (IAFD/Presenter) Superintendent Sylvester Stanley (Police Reform) – via teleconference Interim DCOP Cori Lowe (COD) – via teleconference Commander Scott Norris (FSB – Valley) Deputy Commander Ben Bourgeois (IAFD) – via teleconference A/ Commander [redacted] (COD) – via teleconference Lieutenant [redacted] (SOD) – via teleconference Sergeant [redacted] (IAFD) – via teleconference [redacted] (IAFD) – via teleconference Dr. Jessica Henjy (Training Academy) – via teleconference Christine Bodo (Compliance Bureau) – via teleconference Carlos Pacheco (City Attorney) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Darryl Neier (EFIT)
PREVIOUS MINUTES	October 28, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)

CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS
20-0037585	9/16/2021	Referral for training for department personnel to ensure they do not assist in medical	Commander Renae McDermott	A Department Special Order was created to address the referral.	Closed.

		procedures when the hospital draws an individual's blood and to have a clear delineation between criminal matters, administrative, and/or medical procedures.			

CASE #: 21-0080777	DATE OF INCIDENT: OCTOBER 10, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0628 HOURS CALL TO TACTICAL: 0711 HOURS SWAT ACTIVATION: 0950 HOURS
TYPE: SOD (P78)			

CASE PRESENTER	SERGEANT [redacted]
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION
INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☒ YES ☐ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE	☒ YES ☐ NO

COMPLETION OF THE INVESTIGATION? (P78a)	
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. AS THE SOD OFFICER'S OBRD IS PANNING, AN UNATTENDED WEAPON IS OBSERVED. IS THIS CONSIDERED PROBLEMATIC OR COMMON PRACTICE DURING A TACTICAL ACTIVATION? A. COMMON FOR RIFLE OR LESS LETHAL TO BE REMOVED FROM PERSONNEL DURING AN ACTIVATION WHEN THEY ARE APPROACHING TO DETAIN AND/OR ARREST AN INDIVIDUAL BUT CONSIDERED SECURED WHEN THERE ARE THAT MANY SOD PERSONNEL AROUND.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NOT PRESENT.

CASE #: 21-0082293 TYPE: SOD (P78)	DATE OF INCIDENT: OCTOBER 15, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 0730 HOURS CALL TO TACTICAL: 0730 HOURS SWAT ACTIVATION: 1201 HOURS
CASE PRESENTER	SERGEANT [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☐ NO ☒ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☐ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☒ NOT AN IAFD PRESENTATION		

INJURIES SUSTAINED	☐ YES ☒ NO
DAMAGE TO PROPERTY	☐ YES ☒ NO
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☒ YES ☐ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. WERE THE INDIVIDUALS COOPERATIVE WHEN THEY EXITED? A. ONE WAS UPSET CAUSING A DISTURBANCE. B. WHEN OFFICERS WALKED THE INDIVIDUALS AWAY FROM THE DANGER ZONE, ONE OF THE MALES CONTINUED TO BE CONFRONTATIONAL. 2. WHAT WAS THE ISSUE WITH THE DELAY FOR BRIEFING OF CNT? A. THEY WERE NOT PRESENT FOR INITIAL BRIEFING; HOWEVER, THERE WAS A SECOND BRIEFING HELD AT 1000, WHICH THEY WERE PRESENT. B. THERE WAS CONFUSION WITH THE ON CALL CNT SUPERVISOR KNOWING THEY WERE ON CALL FOR THE WEEK. I. CONCERNS WERE IMMEDIATELY HANDLED. 3. WHAT IS THE CNT SUPERVISOR ROTATION? A. WEEK TO WEEK WEDNESDAY TO WEDNESDAY. 4. HOW FAR IN ADVANCE DOES THE ON CALL COME OUT? A. MONTHS IN ADVANCE.

	5. THE PURPOSE OF THE WARRANT WAS TO LOOK FOR VICTIM'S CELL PHONE. THE OFFICERS DID NOT KNOW WHERE IT WAS WITHIN THE HOUSE SO ANY OF THE INDIVIDUALS EXITING COULD HAVE HAD IT CORRECT? A. CORRECT. 6. ACCOLADES TO SOD ENSURING A SECOND BRIEFING WAS HELD FOR CNT SINCE THEY WERE NOT PRESENT FOR INITIAL BRIEFING, TO ENSURE ALL PERSONNEL HAD PROPER KNOWLEDGE OF INCIDENT. 7. ACCOLADES TO SOD WHEN THEY WERE CALLING EVERYONE OUT, THEY REMAINED PROFESSIONAL AND NOT HANDCUFFING INDIVIDUALS WHO DO NOT NEED TO BE HANDCUFFED.
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:

(P78e):	POLICY	TACTICS	EQUIPMENT	TRAINING	SUPERVISION	SUCCESSES
	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?	☐ YES ☒ NO
PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)	N/A
SOP TITLE OF VIOLATION	N/A
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?
MAJORITY VOTE	☐ YES ☒ NO ☐ NOT A TACTICAL ACTIVATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)

MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☐ YES ☐ NO ☒ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NOT PRESENT.

CASE # 21-0015116 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: FEBRUARY 25, 2021	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1616 HOURS
CASE PRESENTER	DETECTIVE [redacted]		
DID THE LEAD DETECTIVE PRESENT THE CASE? (P78b)	☐ YES ☒ NO ☐ NOT APPLICABLE		
WHY DID THE LEAD INVESTIGATOR NOT PRESENT THE CASE?	☐ LEAD INVESTIGATOR NO LONGER IN UNIT ☐ LEAD INVESTIGATOR NOT AVAILABLE TO PRESENT ☐ LEAD INVESTIGATOR WAS CASE PRESENTER ☒ FRB DETECTIVE PRESENTER AND LEAD INVESTIGATOR PRESENT AS SME ☐ FRB DETECTIVE PRESENTER AND INVESTIGATIVE CHAIN UNAVAILABLE ☐ NOT AN IAFD PRESENTATION		
INJURIES SUSTAINED	☒ YES ☐ NO		
DAMAGE TO PROPERTY	☐ YES ☒ NO		
DID EACH VOTING MEMBER OF THE FORCE REVIEW BOARD REVIEW THE MATERIAL PRIOR TO THE MEETING? (IN THE EVENT A VOTING MEMBER DID NOT REVIEW THE MATERIAL, THEY WILL BE INELIGIBLE TO VOTE ON THE CASE. THIS WILL RESULT IN THE BELOW QUESTION, "DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE," TO BE ANSWERED "YES".)	FIELD SERVICES DEPUTY CHIEF REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT ADMINISTRATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT INVESTIGATIVE DEPUTY CHIEF REPRESENTATIVE ☐ YES ☐ NO ☒ NOT PRESENT TRAINING ACADEMY REPRESENTATIVE		

	☐ YES ☐ NO ☒ NOT PRESENT FIELD SERVICES COMMANDER REPRESENTATIVE ☒ YES ☐ NO ☐ NOT PRESENT
DID THE FRB REVIEW THE CASE WITHIN 30 DAYS OF THE COMPLETION OF THE INVESTIGATION? (P78a)	☒ YES ☐ NO
DID THE BOARD GENERATE A REFERRAL REQUESTING ADDITIONAL INVESTIGATION TO IMPROVE THE FORCE INVESTIGATION FINDINGS? (P78c)	☐ YES ☒ NO
DISCUSSION	☒ YES ☐ NO
DISCUSSION TOPICS	1. HOW DID THIS CALL TRANSPIRE? IT SEEMED LIKE LOSS PREVENTION WAS TAKING LEAD ON THE CONTACT, ALTHOUGH THEY WERE BEING CONFRONTATIONAL. HOW DID THE OFFICER BECOME INVOLVED? A. THE OFFICER WAS WORKING CHIEF'S OVERTIME AT LOWES; HOWEVER, THEY HAVE DISCRETION WHETHER OR NOT TO ARREST. B. LOSS PREVENTION IS BOTH THE VICTIM AND WITNESS. C. LOSS PREVENTION ASKED THE OFFICER TO STANDBY WHILE TRYING TO RECOVER PROPERTY; HOWEVER, THE OFFICER STILL HAS DISCRETION ON THE ARREST. D. AGREED LOSS PREVENTION WAS CONFRONTATIONAL WITH THE INDIVIDUAL. E. THE OFFICER HOWEVER DID NOT LET IT AFFECT HOW SHE TREATED THE INDIVIDUAL AND STILL DE-ESCALATED FOR OVER 6 MINUTES. 2. WAS THE SIZE DISPARITY BETWEEN THE OFFICER AND THE INDIVIDUAL TAKEN INTO CONSIDERATION WHEN EVALUATING THE USE OF FORCE? A. YES AND THE USE OF FORCE WAS FOUND TO BE IN POLICY. 3. HOW IS IT DETERMINED AN INDIVIDUAL IS PULLING AWAY VERSUS A USE OF FORCE? A. THIS SAME DISCUSSION OCCURRED WITH IAFD ON THIS INCIDENT. I. WAS THE FORCE USED LOW-LEVEL CONTROL TACTICS WHERE THE OFFICER IS TRYING TO STOP THE INDIVIDUAL FROM RUNNING AWAY OR CONSIDERED USING FORCE TO PREVENT THE INDIVIDUAL RUNNING AWAY? B. AT THE TIME DETERMINED IF IT WAS QUESTIONABLE AS TO WHETHER FORCE WAS USED AND AN INJURY OCCURRED, IAFD

<table>
<tr><td colspan="3"></td><td colspan="4">DETERMINED TO IDENTIFY IT AS FORCE TO ENSURE IT WOULD BE INVESTIGATED PROPERLY.
C. ULTIMATELY, EMPTY HAND CONTROL USED WHILE THE INDIVIDUAL WAS IN HANDCUFFS. THIS IS A LEVEL TWO USE OF FORCE. ADDITIONALLY, THE INDIVIDUAL COMPLAINED OF A STRAINED SHOULDER INJURY, CAUSING IT TO BE IDENTIFIED AS A LEVEL 3 USE OF FORCE.
4. INVESTIGATION INDICATED ONE OFFICER STAYED ON SCENE LONGER THAN NECESSARY. DID THIS OFFICER HAVE ANY ROLE IN ASSISTING?
A. NO, ONLY ONE OFFICER WHO STAYED TO ASSISTED THE INVOLVED OFFICER WITH TRANSPORT THE INDIVIDUAL.
B. THE INVESTIGATION DETERMINED IT WAS UNNECESSARY FOR THE OFFICER TO STAY ON SCENE AND IS GOING TO BE ADDRESSED IN AN UPCOMING NEWSLETTER.
5. THERE WAS A RECENT DISCUSSION WITH THE AREA COMMANDERS WHO HEARD OF THIS TREND AND HAVE INSTRUCTED ON SCENE SERGEANTS TO RELEASE UNITS ONCE THEY ARE NO LONGER NEEDED TO GET THEM AVAILABLE TO TAKE CALLS FOR SERVICE.</td></tr>
<tr><td colspan="3">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td colspan="4">DID THE FRB, BY A MAJORITY VOTE, IDENTIFY CONCERNS, DEFICIENCIES, OR SUCCESSES NOT IDENTIFIED BY THE CASE PRESENTER FOR:</td></tr>
<tr><td>(P78e):</td><td>POLICY</td><td>TACTICS</td><td>EQUIPMENT</td><td>TRAINING</td><td>SUPERVISION</td><td>SUCCESSES</td></tr>
<tr><td></td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td><td>☐ YES ☒ NO</td></tr>
<tr><td colspan="3">WAS A POLICY VIOLATION IDENTIFIED BY THE BOARD?</td><td colspan="4">☐ YES ☒ NO</td></tr>
<tr><td colspan="3">PERSONNEL RESPONSIBLE FOR ENTERING THE INTERNAL AFFAIRS REQUEST (IAR)</td><td colspan="4">N/A</td></tr>
<tr><td colspan="3">SOP TITLE OF VIOLATION</td><td colspan="4">N/A</td></tr>
<tr><td colspan="3">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td colspan="4">FOR TACTICAL ACTIVATIONS ONLY: WAS THE TACTICAL ACTIVATION IN ACCORDANCE WITH THE DEPARTMENT'S SPECIALIZED RESPONSE PROTOCOLS?</td></tr>
<tr><td colspan="3">MAJORITY VOTE</td><td colspan="4">☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION</td></tr>
<tr><td colspan="3">DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE?
☐ YES ☒ NO</td><td colspan="4">FOR TACTICAL ACTIVATIONS ONLY: ARE THERE ANY OTHER CONCERNS, DEFICIENCIES, OR SUCCESSES RELATED TO THE UNITS THAT REQUESTED TACTICAL SUPPORT NOT IDENTIFIED BY THE CASE PRESENTER?</td></tr>
<tr><td colspan="3">MAJORITY VOTE</td><td colspan="4">☐ YES ☐ NO ☒ NOT A TACTICAL ACTIVATION</td></tr>
</table>

DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, VOTE THAT THE IAFD INVESTIGATION WAS THOROUGH AND COMPLETE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE UOF IS CONSISTENT WITH DEPARTMENT POLICY? (P78d)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION
DID ANY MEMBER IN ATTENDANCE FAIL TO VOTE? ☐ YES ☒ NO	FOR IAFD INVESTIGATIONS ONLY: DID THE FRB, BY A MAJORITY VOTE, DETERMINE THAT THE IAFD INVESTIGATOR'S FINDINGS ARE SUPPORTED BY THE PREPONDERANCE OF EVIDENCE? (P78a)
MAJORITY VOTE	☒ YES ☐ NO ☐ NOT AN IAFD INVESTIGATION

DID THE CPOA EXECUTIVE DIRECTOR HAVE THE OPPORTUNITY TO ASK QUESTIONS OR MAKE A STATEMENT TO THE PRESENTER? ☒ YES ☐ NO	
DISCUSSION TOPICS	1. NOT PRESENT.

Next FRB Meeting: November 12, 2021

Signed: Harold Medina

Harold Medina, Chief of Police