Force Review Board

CHIEF'S REPORT
(P78F)

OCTOBER 7, 2021 | TIME: 1004 TO 1035 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 Arturo Sanchez (Field Services – Northwest)
NON-VOTING MEMBERS (P78)	Judge Rod Kennedy (City Legal) – via teleconference Edward Harness (CPOA Director) – via teleconference Lieutenant [redacted] (FRB Admin Personnel/IAFD)
REPRESENTATIVES	Commander Terysa Bowie (SOD) A/ Commander Richard Evans (IAFD) – via teleconference Lieutenant [redacted] (CIU) – via teleconference A/ Lieutenant [redacted] (Training Academy) – via teleconference Patricia Serna (Policy and Procedure) – via teleconference Detective [redacted] (IAFD/Presenter) DCOP Eric Garcia (Police Reform) – via teleconference Interim DCOP Cori Lowe (COD) – via teleconference A/ Commander Jason Sanchez (COD) – via teleconference Deputy Commander Ben Bourgeois (IAFD) – via teleconference
OBSERVERS (P78b)	Sergeant [redacted] (TDY COD) – via teleconference Sergeant [redacted] (IAFD/FRB) Dr. Jessica Henjy (Training Academy) – via teleconference Carlos Pacheco (City Legal) – via teleconference Elizabeth Martinez (USDOJ) – via teleconference Patrick Kent (IMT) – via teleconference Darriell Bone (EFIT) – via teleconference
PREVIOUS MINUTES	September 30, 2021
UNFINISHED BUSINESS	• None

REFERRAL RESPONSE(S)

CASE NUMBER	MEETING DATE	REFERRAL	REFERRAL PARTY	ACTION TAKEN	STATUS
19-0044654	5/7/2020	The Training Academy will develop a module on Miranda training, which will be provided via PowerDMS.	Commander Renae McDermott	Dr. Hejny provided an update on the progress of the training, requesting a 1-2 month extension due to the explained pending steps.	Update die November 8, 2021

CASE # 21-0009559 TYPE: LEVEL 3 (P78)	DATE OF INCIDENT: FEBRUARY 4, 202	LOCATION: [redacted]	TIMES: DISPATCH / ON SITE: 1806 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. POWERPOINT STATES, "VIOLATIONS WERE IDENTIFIED." A. MISTAKE ON POWERPOINT. 1. SHOULD STATE, "NO VIOLATIONS WERE IDENTIFIED."		

	2. WERE ANY OF THE OFFICERS ECIT? A. NEITHER WERE. 3. REASON FOR MENTAL HEALTH HOLD WAS FOR THE INDIVIDUAL HITTING HIS HEAD AND TRYING TO JUMP OUT OF WINDOW. HE ALSO MADE STATEMENTS OF SELF-HARM, ADVISING HE TRIED TO COMMIT SUICIDE IN THE PAST; HOWEVER, HE WOULD NOT PROVIDE THE TIMEFRAME OF WHEN HE ATTEMPTED SUICIDE CORRECT? A. CORRECT. 4. WHAT WAS THE TRAINING REFERRAL FOR OFFICER [redacted]? A. THE IAFD DETECTIVE FELT OFFICER [redacted] CIT SKILLS WERE LACKING. SHE WAS ONLY GIVING WARNINGS AND WAS NOT PROVIDING EMPATHETIC STATEMENTS. 5. IT WAS DETERMINED NOT TO BE A POLICY VIOLATION? A. CORRECT BECAUSE OFFICER #2 WAS USING DE-ESCALATION TECHNIQUES AND THE OFFICERS WERE WORKING AS A TEAM. OFFICER #1 WAS PROVIDING WARNINGS AND OFFICER #2 WAS DEESCALATING. 6. WERE THE INDIVIDUAL'S RUG BURNS CONSIDERED AN INJURY? IF SO, WHY WAS THE USE OF FORCE NOT DETERMINED TO BE A HIGHER LEVEL OF FORCE? IF NOT, WHY NOT? HOW IS IT DETERMINED WHAT IS AN ACTUAL INJURY? A. DEFICIENCY FOR POLICY THERE IS NO DEFINITION OF WHAT AN INJURY IS IT MAKES IT DEBATABLE AS TO WHETHER OR NOT IT IS AN INJURY. 7. IT IS IMPORTANT TO MAKE THIS DETERMINATION SO THERE IS NO INTERPRETATION OF WHAT AN INJURY IS FOR EACH PERSON. SHOULD BE IF AN INJURY CAN BE SEEN, IT IS AN INJURY AND CLASSIFIED APPROPRIATELY. THE INVESTIGATION WILL DETERMINE HOW THE INJURY OCCURRED SO IT IS INVESTIGATED PROPERLY. 8. CALL SAYS THE DAD WAS HOLDING THEM DOWN SO IT IS UNKNOWN WHERE THE INJURY CAME FROM. A. CORRECT, IT WAS NEVER CLARIFIED. 9. THE INDIVIDUAL WAS A THREAT TO HIMSELF. WAS THIS TAKEN INTO CONSIDERATION FOR THE OFFICER FOR TAKING THE INDIVIDUAL INTO CUSTODY? A. YES, IT WAS IDENTIFIED FOR BOTH THREAT TO HIMSELF AND THE OFFICERS. SO VALID REASON TO DETAIN.
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:

(P73e)	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. IN POLICY.

Next FRB Meeting: October 14, 2021

Signed: _____
Harold Medina, Chief of Police