



Police Review Board

ACTION MINUTES

Thursday, March 28, 2019

4:30 pm-Private Briefing
Anaheim City Hall – 7th Floor Conference Room
200 S. Anaheim Blvd, Anaheim

6:00 pm- Public Meeting
Anaheim West Tower-Gordon Hoyt Conference Room
201 S. Anaheim Blvd., Anaheim

Chairperson: Phillip Wolfgramm - *absent*

Vice Chairperson: Ryan Wagner

Board Members Present: Randall Brown, Diana VanKirk, Tim Webb and León Cisneros

Board Members Absent: Phillip Wolfgramm and Karin Celosse

Staff Members Present: Greg Garcia, Julian Harvey, Dustin Ciscel

OIR Group Members Present: Mike Gennaco, Steve Connelly

- **Call to Order – 6:00 p.m.**

Vice Chairperson Ryan Wagner called the meeting to order at 6:10 p.m.

Vice Chairperson Wagner stated the board welcomes comments and questions. He encouraged the members of the public who wish to speak to fill out a speaker card located at the back of the room. Though it is not required to fill out a speaker card in order to speak, those who fill out a card will be recognized first and more importantly it will help the board follow up with them if they have questions or concerns that cannot be addressed at the meeting.

- **Approval of Minutes**

MOTION: Board Member Tim Webb offered a motion, seconded by Board Member Randall Brown and MOTION CARRIED (Vote: 5-0; Absent: Board Members Phillip Wolfgramm and Karin Celosse) that the Police Review Board does hereby approve the minutes from the Police Review Board meeting held on February 28, 2019 as presented.

- **Status Update**

Vice Chairperson Wagner stated in their Closed Session meeting the Board reviewed the MIRT from March 15, 2019.

- **Public Comments**

Public Comments on any agenda items or subject matter within the scope of the Police Review Board. Please note: Individual audience participation is three minutes per speaker.

Vice Chairperson Wagner clarified a few things about the public comment period. The board's role is to monitor the Department's review process, including for deadly force incidents, and to make recommendations about policy and procedure. However, the board does not do their own investigations, and they do not have authority to discipline officers.

If a member of the public is registering a specific allegation of misconduct, then the board can help facilitate that by making sure it comes to the attention of the right people. In addition, the board and the City Manager's Office will follow up on what happens, and get back to them. However, the Department will conduct the investigation and decide the disciplinary outcomes or other resolutions.

Once the meeting is over, the board will keep track of the individual issues that the public brings to their attention. They will give the Department a chance to review, and then they will give the board a status update during the next closed session that comes before each public meeting. It might be to tell the board that an investigation is underway but not complete, that it is something they already looked at, or that they have completed a review and made findings.

The board is limited in what they can share about the details of specific cases, but OIR Group has access to those materials, and they report to them about their impressions of the process and concerns they may have.

After the board gets a private briefing, they will share what they can about the status of any pending complaints or inquiries during the public portion of the meeting.

Vice Chairperson Wagner opened the public comment period.

William Fitzgerald, H.O.M.E. (Homeowners for Maintaining our Environment), spoke about the number of people that have been killed by Anaheim Police Officers in the last five years and the reasons why, in his opinion. He also spoke about the court records that were submitted at the February PRB meeting. He gave the Board copies of an Orange County Register article that talk about the Orange County Fire Authority services in 24 of the 34 Orange County cities at significant cost savings.

Arthur Castillo spoke about the issues with traffic and people running red lights and jaywalking. He is concerned with the Pauline issue behind the houses. His main goal is the safety for kids and finding opportunities for kids that do not have access to Boys and Girls Club and the YMCA.

Brian Kaye spoke about a meeting he had with a Fullerton City Council member and the differences in the actions the Fullerton Police Department takes in comparison to Anaheim. Brian also spoke about his findings on research he conducted regarding school shootings.

- **SB 1421 Follow Up- Presentation by Anaheim Police Department**

Deputy Chief Julian Harvey gave an update on Senate Bill 1421. The Anaheim Police Department is currently processing requests that have been received pursuant to this law. The Anaheim Police Department is attempting to recoup the cost associated with the redaction of the audio and video, consistent with the current state law. The vast majority of the requests received are retroactive to dates prior to January 1, 2019 when this law went into effect. This is unsettled law and the Attorney General of the State of California put out a statement that until that law is resolved, the records that are retroactive to the date in question not be released. Anaheim is following the Attorney General's opinion and that is consistent with what other agencies are doing.

Michael Gennaco reported almost 200 agencies throughout California are releasing records and materials that are responsive to the new law. Deputy Chief Harvey is correct that the Attorney General who also oversees and supervises an employee's law enforcement officers has opined that he is not going to release records from CalState DOJ until the law is more settled, but other agencies are and continue to release many materials. Of those 200 agencies, they are not charging the applicant for the work and redaction and all that.

Greg Garcia advised this is still a policy decision that is making its way through the organization. As was said, they are 3 months into the law and in his opinion it is still in its infancy and there are still legal issues outstanding. He does not know what percentage of the 200 agencies Michael Gennaco referenced are in California, but there is certainly probably more agencies like Anaheim who are taking a cautious approach working through legal issues, working through the cost issues and trying to find the best way to respond in a responsible manner.

- **De-escalation Techniques- Presentation by Anaheim Police Department**

Police Sergeant Ciscel with the Anaheim Police Training Unit gave a presentation regarding de-escalation techniques.

The full presentation is available at <http://www.anaheim.net/PRB>.

- **Board Comments**

None

- **Adjournment**

There being no further business, Vice Chair Wagner adjourned the meeting to Thursday, April 25, 2019 at the Gordon Hoyt Conference Room on the 2nd Floor of the Anaheim West Tower at 6:00 p.m.