

# Fresno Police Department Chief's Advisory Board Minutes

March 26, 2009

Present: Doug Broten, Roz Clark, David Cowin, Morgan Doizaki, James Evans, Paula Farris, Harry Gill, Judy Holm, Jesse McDonald, Carol Mills, Kelly Nelum, Jim Poptanich, Rebeca Rangel, Luke Raughley, Enrique Reade, Don Weaver (for Peter Summers)

Absent: Kamal Abu-Shamsieh, Tom Gentile, Pamela Kallsen, Brian King, Edward Moreno, Lorraine Person, Margarita Rocha, Mui Mindy Vuong

Guests: Chief Jerry Dyer, Sergeant Timothy Hahn, Officer Martin van Overbeek

Call to Order: The meeting, held in the City Hall Annex Training Room, was called to order at 5:43 pm.

## Minutes:

Minutes from January 29, 2009 were approved without correction

## Opening Remarks:

None

## Agenda Items:

### Office of Independent Review

**Chief Dyer:** Glad this issue is behind us and has been approved. His belief that most if not all large departments will move to some form of independent oversight in the future. It was his desire that this be accomplished in Fresno as a result of a collaborative effort and not a mandated program. (I.e. As a result of a federally mandated consent decree.) The next step in the process should be the forming of a committee to proceed with the hiring process. The committee will consist of the City Manager, Mayor, Chief of Police, and an FPOA representative. The Office of Independent Review will consist of the auditor, a community outreach assistant, and a staff assistant.

**Doizaki:** Where is the money coming from?

**Chief Dyer:** It is unknown at this point where the money is coming from and that is not the Chief's main concern.

**Clark:** Congratulated the Chief on the passing of the Office of Independent Review proposal. She stated her community contacts trust the police department and are more concerned there is some oversight of the Office of Independent Review and the associated costs.

**Poptanich:** Are there enough IA investigations to keep the IPA busy?

**Chief Dyer:** Of the approximate 160 cases received each year, about 80 are generated internally and the remaining are generated from the public. He went on to provide examples of the types of incidents that would be reviewed by the auditor.

**Farris:** What were the events that lead to the quick passing of the proposal?

**Chief Dyer:** Three events lead to the passing of the proposal this time:

1. Alan Autry (former mayor) raised the initial awareness regarding the issue and need for an IPA;
2. Mayor Swearingen immediately started work on a new IPA proposal once taking office; and

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3. Recent events including the investigation into the Narcotics Unit and the video taped incident.

**Reade:** Believes the passing of the proposal is a good thing which will help to protect the Chief. Stated he supports Chief Dyer and found him to be of genuine character as he has watched him in various venues over the past few years.

**Chief Dyer:** He is thankful he has not had to compromise himself one time as Chief and understands that to be difficult in the face of criticism and the recent video-taped incident.

**Evans:** Believes the personality of the person selected, along with their background is important for understanding police procedures.

**Gill:** Was initially opposed to the idea of an independent auditor. Will it reduce liability or insurance?

**Chief Dyer:** Initially thought the Office of Independent Review should be under the City Attorney's office but was advised of the conflict of interest and liability for doing this.

**Rangel:** Stated the CCCJC has been working for the last 10 years to have an IPA established.

**Chief Dyer:** City attorney always concerned about liability to the City and release of information following a critical incident. Under the current proposal the City Manager or his designee can have access to department files, thus allowing the auditor to be able to review appropriate files. It is unknown at this point if this will increase or decrease liability. Demographic data and use of force data has proven beneficial to the department despite concerns of increased liability with the gathering of this data.

**Clark:** How often will the IPA report to the City Manager?

**Chief Dyer:** Every six months for the first two years and will report annually thereafter.

### Oakland PD Officers Killed in the Line-of-Duty

**Chief Dyer:** Gave an overview of the events that lead to the death of the four Oakland PD officers. At this time there is a high level of animosity against the officers as a result of the recent BART shooting.

**Nelum:** NAACP has been very involved in trying to bridge the gap between the community & police. Added that crime is rampant there and the unrest is beyond words. Public view is, "It's us against them, like we have nothing left to lose."

**Chief Dyer:** Crime is rampant and a lot goes unreported. Officers have in effect implemented "de-policing" due to fear of complaints. This ends up in officers doing as little as possible with no pro-activity. Using a 5-pronged approach, pro-activity by our officers is what lowers crime rates in Fresno the most. Currently we have six sergeants assigned to IA, compared to 35 sergeants assigned to IA in Oakland.

**Evans:** De-policing, is it official policy or unwritten?

**Chief Dyer:** It is unofficial. I do not want our officers to begin de-policing if they fear IPA oversight.

**Sgt Hahn:** Friends of mine who work in Oakland have told me that they only handle calls for service and then return to the station, bypassing any proactive calls.

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**Nelum:** Oakland PD officers, CHP, and the Sheriff's Department have to respond to calls together for oversight and another level of protection. Family of the BART shooting victim has been trying to mediate with the community despite their loss.

## ROUND TABLE:

**Rangel:** Discussed cultural sensitivity training for law enforcement officers and the possibility of bringing the presenter to Fresno to train officers locally.

**Chief Dyer:** Discussed how crime, community sentiment, & politics are cyclical which results in issues going back and forth from one extreme to the other. It is his desire to focus on crime reduction without sacrificing community relations. As a result he would like to hold a series of community meetings over the next four months to review issues/concerns.

**Rangel:** Mentioned setting up community meetings, the first to be on April 14, and it will focus on the Hmong communities concerns.

**Chief Dyer:** Will start the community meetings in the districts, starting with SW district first. This will be done to refocus on community needs and gauge the perception of the police.

**Mills:** Voiced concerns over an apparent increase in traffic cites in school zones for items that were previously un-ticketed violations. Is wondering if more tickets written to generate revenue or as a result of school complaints.

**Reade:** Asked what can happen if someone refuses to sit on curb when stopped, can they be arrested?

**Sgt Hahn:** Explained duty to comply with officers lawful request when detained during an investigative stop.

General discussion over ticketing practices ensued relating to the use of radar guns to measure speed, along with the accuracy and technology currently used by Fresno PD.

**Farris:** Request for future agenda item relating to the drug related violence in Mexico and bordering US towns, origination of guns being smuggled to Mexico, and how this affects Fresno.

**Sgt Hahn:** Will look into possible future presentation by the DEA and ATF.

**Doizaki:** When did the district boundaries change?

**Chief Dyer:** January 1, 2009 as a result of higher calls-for-service in certain areas, necessitating the need for additional officers to be shifted to areas in need.

**Holm:** Any truth to an email going around about motorists being able to dial \*77 to check if an actual officer is making a traffic stop on the caller when they are getting pulled over, to ease any concerns over a police imposter trying to rape them?

**Sgt Hahn:** Advised this was false, and any such rumors can usually be verified at snopes.com. Female motorists who are concerned over the identity of an officer pulling them over may proceed to a well-lit area, obeying all laws. Once they stop, they can explain the reason for not pulling over immediately and they will not be ticketed for failing to pull over.

**Clark:** Expressed concern over motorists speeding in school zones especially at Hoover & McLane.

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**Weaver:** More radar signs have been purchased for use throughout the City. The main problem FUSD is having is the double-parked cars in front of schools and kids running out between the cars and getting hit. Work is being done on painting curbs and getting these areas adjusted.

Closing Remarks:

None

Adjourn:

Meeting adjourned at 7:10 p.m.

Next Meeting:

May 28, 2009