

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: POMONA POLICE OVERSIGHT COMMISSION
ERIC VASQUEZ, CHAIR

SUBJECT: POMONA POLICE OVERSIGHT COMMISSION 1ST ANNUAL REPORT

The Police Oversight Commission was established as per Pomona City Ordinance 4303 to increase accountability of and public confidence in the Pomona Police Department, provide an independent inspector general to assist in reviewing police complaint processes and provide a forum to review and evaluate and make recommendations about police and public safety. The following is its first Annual Report for your review.

The first order of business was to elect officers and to agree to a meeting schedule. The Commission elected Eric Vasquez to serve as Chair and Brian Brooks, Vice Chair. The Commission agreed to meet monthly. In the first three months of its meetings, the Commission acknowledged there was a need for training. The Commissioners received general administrative training (Robert's Rules of Order, the Brown Act) and the California Public Records Act. The Commission also met with Micheal Gennaco, of the OIR Group, who would serve as Inspector General.

The OIR Group provided training to the Commission on constitutional rights, civil liberties, due process and procedural rights.

The Commission requested Police Chief Ellis review the citizen's complaint process. A web search shows 'complaint forms are available at all police facilities'. Concerns were raised about an individual having to present, in person, a complaint about a police officer at a police station. However, the PPD website does make available an on-line complaint form but community members have raised concerns with the form requesting drivers license or identification numbers. The Commission is of the opinion that complainants may not have the required documentation and questions the necessity of requesting this specific information.

The Pomona Police Department was requested to provide monthly reports that outline community engagement events, number of open/closed and pending disposition of professional standards/personnel investigations and monthly and year-to-date crime statistics. These reports are now provided and will be a part of the regular agenda items for discussion.

The Commission agreed on the importance of a review of the Police Department's policy manual to better understand and discuss the current practices with department representatives present in a public setting. Each Commissioner was asked to review a section and provide an overview for discussion. The sections and assignments were:

- 203 (Vasquez) Training
- 300 (Schmidt) Use of Force
- 304 (Brooks) Officer Involved Shooting
- 307 (Gibani) Officer Response to Calls
- 311 (Sheffield) Temporary Custody of Juveniles
- 315 (Thompson) Public Alerts
- 431 (Mestas) Homeless Persons

At a series of meetings that followed, sections were reviewed and several of the sections raised more questions than others. The following comments or suggestions were made:

- Training - A request was made to the department for clarification on roles and responsibilities of the Training Committee was requested, frequency of training.
- Officer Involved Shooting - This section covers comprehensive procedures but led again to the involved shooting of February 3, 2020 and remains a topic for additional discussion since information regarding this event remains limited.
- Homeless Persons - This section was discussed and members agreed that individuals experiencing homelessness was a sensitive issue ranging from substance abuse, mental illness, and general misfortune. The Police Department's task force was commended for their response to a recent call for assistance wherein unhoused members were causing unsafe conditions at a site.

The Police Oversight Commission will continue to review sections of the manual for discussion at its meetings. The Commission believes that the PPD should have in place policies and practices intended to control officer conduct and maximize the potential for officers to act in a manner that is consistent with the expectations of the Department and the community. We appreciate the Police Chief Ellis' spirit of cooperation and participation in our meetings.

While we feel we've started well, in addition to continuing review of the department's manual, we also have several outstanding items. They are:

Outstanding from the Pomona Police Department

Officer Involved Shooting

The February 3, 2022 Officer Involved Shooting has been of great concern to this Commission as well as the public. We've requested updates on this incident on several occasions and were told the matter was still under investigation. It has been over 15 months since this incident. As the oversight entity, we remain committed to help assure transparency and accountability. It is also important that the public is confident that proper department procedures were followed and in particular if there was or should be body-worn camera video. We are also concerned about the public's perceived perception of the department's delay in releasing information.

Pomona Police Department Citizens Academy

Three slots were offered to the Commission by the PPD to attend the Department's Citizens Academy. This has not come to fruition.

Citizens' Complaint Process

The Pomona Police Department website features a Personnel Complaint Procedure located on its home page under the heading 'resources'. The Commission agrees the submission process should be improved to make the on-line form submission more user friendly. In addition, the on-line form is only available in English. A Spanish version is not available for on-line submission but rather must be printed and submitted either in person or by mail. The City of Pomona is nearly 72% hispanic and as such, an on-line form should be available to submit in Spanish.

Outstanding from the City

Live Streaming

A request was made to the City Clerk from the Commission of the feasibility of live streaming and archiving the Police Oversight Commission Meetings. The City appears to have the capability at this time to live stream meetings that are held in the Council chambers but has not concluded how or if they can fulfill this request. It is our understanding that is an item the City is working on.

Agendas

The Commission agendas should be available in Spanish.

SUMMARY

Overall, we are proud of our first year and look forward to continuing. We believe we've only scratched the surface to review policies, procedures and practices, all while

maintaining unbiased opinions. This Commission is committed to improve transparency, increase accountability and improve the public's confidence in the Pomona Police Department.

Respectfully submitted,

Eric Vasquez , Chair