



City Council

# AGENDA REPORT

<b>DATE:</b>	May 20, 2025
<b>TO:</b>	Mayor Martinez and Members of the City Council
<b>FROM:</b>	Councilmember Soheila Bana Councilmember Jamelia Brown (co-sponsor)
<b>Subject:</b>	Retain an Independent Legal Expert to Investigate Allegations of Ethical Breaches and Bias in the Community Police Review Commission (CPRC)
<b>FINANCIAL IMPACT:</b>	To be determined based on proposals solicited from independent legal experts experienced in police oversight, administrative ethics, and quasi-judicial bodies.
<b>PREVIOUS COUNCIL ACTION:</b>	Ordinance No.15-84 N.S. -Chapter 3.54 of the Richmond Municipal Code
<b>STATEMENT OF THE ISSUE:</b>	To investigate the allegations and ethical concerns raised by Jerry Threet, former Confidential Investigative and Appeals Officer (CIAO) of the Community Police Review Commission (CPRC).
<b>RECOMMENDED ACTION:</b>	Direct City Staff to hire an independent third-party legal expert to: 1. Investigate the allegations and ethical concerns raised by Jerry Threet, former Confidential Investigative and Appeals Officer (CIAO) of the CPRC, in his resignation letter dated September 10, 2024; and 2. Determine whether the CPRC has engaged in conduct that reflects bias, or a failure to meet its semi-judicial obligations—particularly as they pertain to due process protections and adherence to objective investigative standards.

	<p>Until the findings of the third-party legal expert are finalized and submitted to the City Council, the CPRC may continue its work but shall be advised to refrain from adjudicating any cases involving police officers. In addition, the CPRC, as an advisory commission, shall not bring forward any recommendations, findings, or policy proposals to the City Council during this period - Councilmember Soheila Bana (510-672-3490)/Councilmember Jamelia Brown (510-412-2050).</p>
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## DISCUSSION:

In September 2024, Jerry Threet submitted his resignation from his position as Confidential Investigative Officer (CIAO) of the Community Police Re CPRC, citing serious concerns about the commission's ethical and procedural integrity. In his resignation letter (attached), Mr. Threet states that recent trends in CPRC conduct have eroded his confidence in its ability to function lawfully, fairly, or credibly.

The letter includes several troubling assertions:

"There has been a steady erosion in adherence to evidence-based, objective evaluation of investigations of complaints... Sometimes, evidence is completely ignored, even when it is crucial to the questions at issue in the investigation."

"Commissioners have reached a sustained finding of misconduct... in a case where any objective view of the investigative evidence would lead to a finding of 'exonerated' or 'not sustained.'"

"Commissioners often first open the files of investigative evidence a couple of hours prior to the closed session... There sometimes is little to no effort by commissioners to watch all relevant body worn camera video footage..."

"I no longer believe the commission can be relied upon to reach a valid finding... based on an objective, thorough, and unbiased view of the totality of the investigative evidence."

"Doing so would require that I support a body that does not adhere to the NACOLE Code of Ethics."

The Community Police Review Commission (CPRC) holds quasi-judicial responsibilities that affect the reputations, rights, and employment of sworn officers. The issues raised in Mr. Threet's letter cast doubt on the commission's ability to operate in a fair and unbiased manner. Given the serious implications, it is critical that a neutral third-party

with legal and investigative expertise review the CPRC's recent conduct and decision-making practices.

The goals of this investigation would be to:

- Identify whether any misconduct, bias, or bad faith influenced CPRC findings
- Recommend corrective actions, including additional training, restructuring, or revision of policies
- Restore public and institutional trust in the City's civilian oversight mechanisms

The National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics establishes ethical standards and principles. These principles emphasize independence, impartiality, transparency, competence, confidentiality, and integrity in civilian oversight. Members and agencies that subscribe to NACOLE's code are expected to conduct investigations and reviews in a manner that is objective, evidence-based, and respectful of the rights of both complainants and law enforcement personnel.

The CPRC may continue its work but shall be advised to refrain from adjudicating any cases involving police officers, until the findings of the third-party legal expert are finalized and submitted to the City Council. In addition, the CPRC, as an advisory commission, shall not bring forward any recommendations, findings, or policy proposals to the City Council during this period.

#### **DOCUMENTS ATTACHED:**

Attachment 1 – Resignation Letter from Jerry Threet, CIAO – September 10, 2024