



City Attorney's Office

AGENDA REPORT

DATE:	May 27, 2025
TO:	Mayor Martinez and Members of the City Council
FROM:	Dave Aleshire, City Attorney
Subject:	Retention of Interim Investigator for the Community Police Review Commission ("CPRC")
FINANCIAL IMPACT:	The fiscal impact for the contract is \$50,000 and will be offset by salary savings incurred by the Confidential Investigative and Appeals Officer vacancy. (Professional Services 400201). Such investigative services were included in the CPRC 2024-2025 budget and will be budgeted in the Fiscal Year 2025-2026.
PREVIOUS COUNCIL ACTION:	November 11, 2024
STATEMENT OF THE ISSUE:	The Community Police Review Commission's (CPRC) Confidential Investigative Officer resigned in September 2024. Nine complaints remained to be investigated at the time of his resignation. Since then, an additional 17 complaints have been filed. The CPRC needs an interim investigator while the City continues its process of recruiting and hiring a permanent investigator.
RECOMMENDED ACTION:	APPROVE a professional services contract with Bill Whalen and Associates to conduct confidential investigations for the Community Police Review Commission for a term of May 28, 2025, through January 30, 2026 with a contract amount of \$50,000 – Community Police Review Commission (Dave Aleshire 510-620-5439).

DISCUSSION:

One of the major functions of the Community Police Review Commission (“CPRC”) is to receive and investigate complaints filed with the CPRC for alleged police misconduct involving serious bodily injury, unreasonable force, discrimination, sexual harassment, and/or sexual assault by an on-duty Richmond Police Officer or Officers, as further defined in Richmond Municipal Code Section 3.54.070.

Historically, the CPRC has contracted for investigative services from firms or individuals qualified to undertake such investigative responsibility. Investigative services are funded from the CPRC’s annual budget.

In September of 2024, the City’s Confidential Investigative Appeals Officer resigned, and on November 11, 2024, the City Council directed staff to retain a temporary investigator to conduct investigations received by the Community Police Review Commission. At that time, 9 complaints had been filed with the CPRC that had not yet been investigated. Since that time, 17 new complaints have been filed, with a total backlog of 26 complaints yet to be investigated.

City staff, with the assistance of CPRC’s attorney, Floy Andrews, conducted a Request for Scope of Work and received three responses from (1) Municipal Resource Group, (2) Bill Whalen & Associates, and (3) Jonathan Dugas. The Community Police Review Commission Ad Hoc Committee reviewed the submitted scopes of work and resumes, ranked the firms, and referred the top candidate to the City Council for their consideration. Bill Whalen and Associates was identified as a qualified firm that is available to provide investigative services temporarily until a permanent investigator is hired.

As a retired Chief of Police, Bill Whalen has extensive investigation experience. In addition, he held numerous other roles such as Public Information Officer, Emergency Manager, SWAT Commander, Internal Affairs Investigator/Supervisor, Detective Supervisor, Use of Force Instructor, Detective, and Field Training Officer, among many others. He brings learned experience and investigation expertise and is credentialed by the Workplace Investigative Association. Mr. Whalen’s scope of work will involve review of the backlog of complaints, prioritization of the cases, and commencement of the investigations with the goal of reducing the backlog in preparation for the permanent placement.

The City Attorney's Office is seeking Council approval of the professional services contract with Bill Whalen and Associates on behalf of the Community Police Review Commission to provide temporary investigative services while the City conducts the recruitment for the permanent position.

DOCUMENTS ATTACHED:

Attachment 1 – Contract – Bill Whalen and Associates

Attachment 2 – November 11, 2024, Agenda Staff Report Approve Interim Investigator for CPRC