



# AGENDA REPORT

<b>DATE:</b>	August 19, 2025
<b>TO:</b>	Mayor Martinez and Members of the City Council
<b>FROM:</b>	Dave Aleshire, City Attorney Floy Andrews, Counsel for CPRC
<b>Subject:</b>	Amendments to Richmond Municipal Code Chapter 3.54 to add training component
<b>FINANCIAL IMPACT:</b>	Training for Commissioners will be funded from the CPRC's budget and will cost approximately \$15,000 per year, until a permanent investigator is hired. Thereafter the permanent investigator will provide training. Account string 01121011-400201
<b>PREVIOUS COUNCIL ACTION:</b>	None.
<b>STATEMENT OF THE ISSUE:</b>	Richmond's Community Police Review Commission is an independent civilian oversight body focused on the Richmond Police Department. Proper training is essential to ensure all Commissioners have the necessary knowledge to make well-informed, fair, equitable, and unbiased decisions when reviewing complaints from members of the community or police officer actions. Requiring robust training will foster trust within the community and the Richmond Police Department.
<b>RECOMMENDED ACTION:</b>	ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 3.54 entitled "Community Police Review Commission" by adding Section 3.54.110 to establish a training program for commissioners of the Community Police Review Commission – City Attorney's Office (Dave Aleshire 510-620-6509). <b>This item was continued from the July 1, 2025, meeting.</b>

## DISCUSSION:

The Richmond Community Police Review Commission (“CPRC”) was established in 1984, then known simply as the Police Review Commission. Its purpose was, and still is, “to advise the City Council, City Manager and Chief of Police on all matters pertaining to the administration of the Richmond Police Department.” In 1985 the City amended its Municipal Code to appoint a Police Commission Investigator to “conduct investigations for citizen complaints alleging misconduct by Richmond Police Officers.”<sup>1</sup> The Richmond CPRC has now been conducting investigations of citizen complaints for over 40 years.

After first discussing Commissioner training in the fall of 2024, CPRC Commissioners expended substantial time researching the practices of other police oversight entities, both in the Bay Area region and throughout the state to understand how other jurisdictions exercise civilian oversight of their local policing agencies. That effort revealed that many agencies require newly appointed Commissioners to participate in essential training upon joining the Commission, and that some require annual refresher training for sitting Commissioners to ensure effective police oversight. To ensure the CPRC has the capacity to do so, the body must be equipped with the tools to conduct thorough and impartial reviews of policing activity in the City and a fundamental knowledge of applicable standards. Training on matters such as: appropriate investigative review procedures; fundamentals of evidence and due process; recognizing bias and implicit bias; Constitutional Rights and Civil Liberties; de-escalation tactics, the Public Safety Officer Procedural Bill of Rights, and Richmond Police Department’s policies, practices and procedures, and the history of the CPRC and civilian oversight, generally, is essential.

The CPRC unanimously voted in April of this year to request that the City Council amend the Commission’s enabling ordinance, Chapter 3.54 of the Richmond Municipal Code, to require that newly appointed Commissioners receive essential training within their first six months’ of appointment, and that sitting Commissioners receive annual refresher trainings, and other specialized trainings as needed.

### **National Association for Civilian Oversight of Law Enforcement**

The National Association for Civilian Oversight of Law Enforcement (“NACOLE”) was established in 1995. It is a national organization “dedicated to promoting greater accountability through the establishment or improvement of citizen oversight agencies.”

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<sup>1</sup> This past November former Richmond Councilmember, James McMillan, was laid to rest. He served on the City Council for over a decade from 1983 through 1995. As a Richmond Councilmember, he played a crucial role in establishing the Police Commission, and led efforts in department-wide reform. He was known for “combating racism and police misconduct.”

Training is a core component of its expertise and offerings, especially for new members. “Providing new members with the information they need to perform effectively is a critical step in the development of a strong board or commission.”<sup>2</sup>

NACOLE advises that new commissioners receive training on the following topics:

- civilian oversight including an historical account of the establishment of their oversight agency and its evolution
- the commission’s establishing ordinance, as well as a review of the variety of models of civilian oversight
- laws governing public records and public meetings, as well as confidentiality requirements
- state and local laws that affect officers’ rights and privacy
- case law on stops and detentions, searches and seizures and the rights of an arrestee
- steps in the criminal justice process including arrest, booking, arraignment, bail, hearings, and trial
- police practices and procedures, including patrol, rules of conduct, procedures for detention, arrest, booking, transport, and provision of medical care
- use of force guidelines including defensive tactics, takedown and pain compliance maneuvers, handcuffing techniques, baton use, use of less lethal and restraint devices, and use of firearms
- procedures for the investigation and review of shootings and in-custody deaths, first amendment activities, and policies for dealing with mentally disturbed individuals and people under the influence of drugs or alcohol<sup>3</sup>

NACOLE advises that commissioners should become “familiar with the history, culture, and concerns of the communities served by the law enforcement agency, in particular the public’s potential concern with biased based policing and racial profiling.”<sup>4</sup>

Finally, NACOLE suggests that commission members should receive specific training on their oversight agency’s operations and procedures including complaint intake, investigation, mediation and disciplinary procedures; evaluating credibility, reaching findings and due diligence requirements; procedures for hearings and meetings; and developing policy recommendations.<sup>5</sup>

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<sup>2</sup> [https://www.nacole.org/recommended\\_training\\_for\\_board\\_and\\_commission\\_members](https://www.nacole.org/recommended_training_for_board_and_commission_members) (accessed 6/14/25)

<sup>3</sup> Id.

<sup>4</sup> <https://www.nacole.org/faqs> under question “What should the qualifications and training be for oversight practitioners?” (accessed 6/16/25)

<sup>5</sup> Id.

Ride-alongs with members of the local police agency should also be provided to commission members.<sup>6</sup> A complete list of NACOLE's suggested training is included at the end of this report.

### **CPRC Suggested Training Content**

The CPRC considered the following proposed curriculum, which aligns with practices used by other police oversight agencies and reflects NACOLE's standards, and suggested provider(s) in its recommendation to Council that a training requirement be added to the Commission's enabling ordinance:

### **Proposed Curriculum**

<b>Annual Training</b>	<b>Trainer/Consultant/Provider</b>
Standard of Investigation Review	John Alden - Director of IOLERO
Fundamentals of procedure, evidence, and due process; implicit biases	NACOLE
RPD's Policies, Practices, and Procedures on all automatic triggers for review <ul style="list-style-type: none"> <li>- Batons</li> <li>- Canine Uses</li> <li>- Tasers</li> <li>- WRAP Device</li> <li>- Firearms</li> </ul>	Chief of Police or designee
RPD De-escalation Tactics	Chief of Police or designee
Constitutional Rights and Civil Liberties	NACOLE
The Public Safety Officers Procedural Bill of Rights Act	Webinar/ACLU

<b>Specialized Training</b>	<b>Trainer/Consultant/Provider</b>
Understanding Police Union Contracts, Labor Rights	ACLU / Independent Case Work
Best Practices Handcuffing; restraints; detention and arrests of persons	<a href="#">OIR group</a>

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<sup>6</sup> Id. at note 2.

Best Practices Search and Seizure of Persons and Property	OIR Group
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<b>Optional Training</b>	<b>Trainer/Consultant/Provider</b>
Ride Alongs	RPD

### **Examples from other California Cities**

#### City of Anaheim

The Police Review Board of the City of Anaheim’s annual report dated March 2024,<sup>7</sup> states that its members receive training in a range of topics related to “legal standards, administrative procedures, and investigation protocols,” including:

- History of police oversight in Anaheim and civilian oversight’s evolving role
- Fourth Amendment
- Terry v. Ohio (police authority to detain)
- Graham v. Connor (thresholds for police use of force)
- 835a Penal Code (officer authority to use force) 1
- 148a Penal Code (law prohibiting obstructing or resisting officers in the performance of their duties)
- Anaheim Police Department Policies
- Police interaction simulation training

Additionally, various board members have attended the Nacole annual event every year since 2018.<sup>8</sup>

#### City of Berkeley

The City of Berkeley’s enabling ordinance for its Police Accountability Board requires and logs Board member training based on the following:

Board member training; At will Status; Oath of Maintaining Confidentiality.

(a) The Director of Police Accountability shall establish mandatory training requirements for Board members. Within the first six (6) months of appointment, at a minimum, each Board member shall receive forty (40) hours of training on the following:

- (1) Quasi-judicial duties and obligations of the Board;
- (2) Constitutional rights and civil liberties;
- (3) Fundamentals of procedure, evidence and due process;
- (4) The Public Safety Officers Procedural Bill of Rights Act;

<sup>7</sup> <https://www.anaheim.net/DocumentCenter/View/58935/Anaheim-PRB-Fourth-Annual-Report-2024> (p9)

<sup>8</sup> Id. at p10.

- (5) Police Department operations, policies, practices, and procedures; and
- (6) Duties, responsibilities, procedures and requirements associated with all ranks and assignments.

The Director of Police Accountability shall develop training provided to Board members. The Chief of Police and a representative from the Berkeley Police Association shall have input on training provided to Board members and shall have the opportunity to attend all training provided.<sup>9</sup>

#### Los Angeles County

Los Angeles County includes the following in their Sheriff's Civilian Oversight Commission enabling ordinance:

Each commission member must successfully complete a comprehensive training and orientation program within six months of appointment. Failure to complete the training may result in disqualification. The training program shall be robust and cover constitutional policing including such topics as use of force, firearms, custody, mental health issues, juvenile justice and patrol. Each commission member shall actively participate in the ongoing training program.<sup>10</sup>

#### City of Oakland

The CPRC of the City of Oakland publishes an Annual Report. The 2023-2024 report relies on its Director of Special Investigations and Training for training. It indicates that topics of lectures and trainings include:

- Civil rights laws and constitutional protections
- Ethical guidelines and conflict-of-interest policies.
- Confidentiality and data protection protocols

#### City of Santa Ana

The Santa Ana Municipal Code includes the following training requirement for members serving on the Police Oversight Commission:

"No later than ninety (90) days after appointment, each member shall:

1. Receive training in relevant subject matters, including, but not limited to, the Police Department's operations, policies, practices, procedures related to the following: internal affairs investigations; authorized uses of force, including the use of deadly force, control devices, and techniques; uses of conducted energy device; handcuffing and restraints; detention and arrest of persons; search and seizure of persons and property; the department's established focus of de-escalation tactics, vehicle pursuits, and the duties,

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<sup>9</sup> <https://berkeley.municipal.codes/Charter/125> (accessed 6/15/2025)

<sup>10</sup> [https://library.municode.com/ca/los\\_angeles\\_county/codes/code\\_of\\_ordinances?nodeId=TIT3ADCOCO\\_CH3.79SHCIOVCO](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT3ADCOCO_CH3.79SHCIOVCO)

responsibilities, procedures, and requirements associated with all ranks and assignments facilitated by the Independent Oversight Director.

2. All training shall be predominantly obtained from independent, third-party bodies or institutions that have experience with internal affairs of police departments and civilian review investigations and audits.

3. Attend training sessions sponsored by the National Association for Civilian Oversight of Law Enforcement or similar entities, or through presentations provided on topics including, at a minimum, constitutional rights and civil liberties, fundamentals of procedure, evidence, and due process, procedural rights and confidentiality afforded to police officers by California law (including, but not limited to, Government Code Section 3300 et seq., Penal Code Sections 832.7 and 832.8, and Evidence Code Sections 1040-1043), state use of force standards, police union contracts, labor rights, in-person implicit bias training, and best practices for conducting investigations. Members of the Commission, may, but are not required to, participate in a ride-along with the Santa Ana Police Department.<sup>11</sup>

NACOLE's extensive suggested training for new commissioners includes:<sup>12</sup>

**1. Civilian Oversight of Law Enforcement**

1. Civilian Oversight of Law Enforcement
2. Models of Civilian Oversight

**2. Local Oversight Agency**

1. Historical Account Leading to establishment of the oversight agency
2. Charter, Ordinance, Municipal Code establishing oversight agency
3. Community Expectations of Oversight Agency
4. Local Government Expectations of Oversight Agency

**3. Legal Considerations**

1. Public records and public meeting laws
2. Confidentiality requirements
3. State / Local Laws relating to peace officers' personnel actions, rights and privacy
4. Case law concerning stops & detentions, search, seizure and arrest, rights of arrested persons

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<sup>11</sup> [https://library.municode.com/ca/santa\\_ana/codes/code\\_of\\_ordinances?nodeId=PTIITHCO\\_CH2AD\\_ARTIVOFDEBOCO\\_DIV16POOVCO](https://library.municode.com/ca/santa_ana/codes/code_of_ordinances?nodeId=PTIITHCO_CH2AD_ARTIVOFDEBOCO_DIV16POOVCO)  
[https://library.municode.com/ca/santa\\_ana/codes/code\\_of\\_ordinances?nodeId=PTIITHCO\\_CH2AD\\_ARTIVOFDEBOCO\\_DIV16POOVCO](https://library.municode.com/ca/santa_ana/codes/code_of_ordinances?nodeId=PTIITHCO_CH2AD_ARTIVOFDEBOCO_DIV16POOVCO)

<sup>12</sup> Id.

5. Steps in the criminal justice process: arrest, booking, arraignment, bail, hearings, trial

#### **4. Local Law Enforcement Agency**

1. Organization, history, and cultural evolution of the law enforcement agency
  1. Role and responsibilities of patrol, custodial and specialized units
  2. Chain of command and supervisory responsibilities
  3. Written communication system and training procedures
2. Patrol practices and procedures
  1. Duties of patrol officers, sergeants and managers
3. Rules of conduct for officers
4. Agency procedures re: detentions and searches of persons and vehicles
5. Booking, custody and prisoner transport procedures
  1. Medical screening
  2. Handling and processing of prisoner property
6. Juvenile procedures
7. Traffic stop procedures
8. Use of force guidelines and procedures (lethal and non-lethal). For example,
  1. Defensive tactics
  2. Takedown and pain compliance holds and maneuvers
  3. Handcuffing techniques
  4. Baton use
  5. Use electronic control devices, OC spray, and restraint devices
  6. Firearms
9. Investigation and review of shootings and in-custody deaths
10. First amendment activities
11. Training, resources and procedures for dealing with mentally disturbed individuals and individuals under the influence of drugs or alcohol
12. Community and cultural awareness
  1. Understanding the history, culture, and concerns of communities served by the law enforcement agency
13. Community relations and outreach
14. Biased based policing / racial profiling
15. The complaint, investigative and disciplinary processes



16. Mediation of complaints
17. Evaluating credibility and reaching findings
18. Procedures and practices for misconduct investigations, including interviewing and report writing, collection and preservation of evidence, sources of information, and due diligence standards.

## **5. Board Procedures**

1. Intake Procedures
2. Investigative Procedures and Practices
3. Hearings / Meetings
4. Case Review, Presentation, Findings
5. Communications
6. Policy Recommendations

## **6. Ridealongs**

### **DOCUMENTS ATTACHED:**

ATTACHMENT 1 – AMENDMENTS TO RMC 3.54 (PROPOSED)