[MS-0087.009.001.009]

Minutes
Community Relations Board
1340 'E' Street - Conference Room
June 14, 1972
7:00 p.m.

CALL TO ORDER: The meeting was called to order by Mrs. McClure. There was no quorum present so the order of business was changed.

ATTENDANCE: Members in attendance were: Gabriel Arce, Paul Cossette, Luther Crawford, Ruben Dominguez, Ms. Ollie R. Edwards, Juan Gallardo, Erskine Garrette, Doretha Graham, Fred Kunzel, Larry Marshall, Robert McDonald, Reverend George McKinney, Ms. Ethellynn Neal, Joseph Ortega, Phil Saenz, Mike Sgobba, Betty Steinback, Jose Villa and Carrie Wooden.

Staff attending were: Will Hagler, Wesley Whetstone, Curtis Long, Hector Lopez, Andrea Gholston and Connie Fedeli.

Guests included: James R. Poindexter, Jack L. Potasi, Arthur Bowman, Donald Lyles, Annette Wilkins and family, Jesse Wilkins, Gilbert Groff, Jeff Ghelardi and others that did not sign in.

COMMUNICATIONS: Mr. Hagler read a letter from the Grand Jury dated 6-7-72 concerning the Harvey case. It stated that the case had been discussed in detail with the District Attorney (Ed Miller) and that their recommendation is that Mrs. Harvey be permitted to file a complaint against Mrs. Gerdo in the courts. He said that recommendations by the Grand Jury were almost always followed by the District Attorney. Mr. Miller had not contacted staff or the board as of this date.

He then read a letter from Mrs. McClure to Commissioner Sullivan of the California Highway Patrol office in Sacramento sent on 5-26-72 concerning Manual Chavez's complaint against officers of that department. A reply was received on 6-2-72 stating that the case had been forwarded for investigation to the Zone 6 Commander in San Diego and thanking Mrs. McClure for her interest.

A newspaper article dated 5-23-72, appeared in the Union Tribune stating that Chief Hoobler supported his officers in the Tony Jo Silva case and the Adrian Rubio Case. The board had recommended that the two officers involved in the Silva case be dismissed from the force and that beat reassignments and severe reprimands be given to the officers in the Rubio case. Mr. Hagler stated that since formal communication from the Chief had not been received prior to the article being published, it was apparent that he was not going to take any disciplinary action.

Mrs. McClure then read a letter she had sent Chief Hoobler on 5-1-72 regarding the Leonard Mack, Lopez & Laura Hill cases. In response, dated 5-15-72, the Chief stated that the Lopez case would be investigated. He stated that the issue in Leonard Mack's case was the use of the sleeper hold and went on to explain why it is used and that it has no side effects medically if administered properly. He also stated that in the Laura Hill case, the officer in question was legally justified in his actions but was remiss in not explaining why he was there and that he had been given a formal reprimand which he deemed as a suitable punishment. He went on to quote a portion of the City Ordinance regarding the function of the Community Relations Board reminding them that they are not a police review board. Mr. Hagler stated that he had had communications with the Chief since the receipt of the letter and that the Chief feels the board is acting before hearing both side of the story.

Mrs. McClure then read a letter from Phil Isaac, Director of the Legal Aid Society, concerning their recently organized Appellate Defender program. He explained the purpose of the organization and gave examples of how other programs across the nation have been most innovative in their experiments with staff and activities. He stated that he has requested consideration be given to a minimun one-third representation on their board of directors by the socio-economic group from which the clients come to insure programmatic responsibility to the client community.

It was asked if a response was sent to Chief Hoobler regarding his communication of 5-15-72. Mrs. McClure stated "no" that she "had brought it before the board for it's consideration.

Mr. Hagler stated that Mrs. Harvey will go to the District Attorney's office with one member of the staff to file her complaint some time within the next week.

APPROVAL OF AGENDA:

IT WAS MOVED, SECONDED AND CARRIED TO APPROVE THE AGENDA.

APPROVAL OF MINUTES:

Mrs. McClure stated that there were minutes of the meetings of April 12th, May 3rd and May 10th to be approved. She then briefed the board on the contents of said minutes.

MOTION WAS MOVED, SECONDED AND CARRIED TO APPROVE THE ABOVE MENTIONED MINUTES.

DIRECTOR'S REPORT:

Mr. Hagler stated that CRB staff and other community organization members have been patrolling the Mountain View Park the past two Sundays to keep down friction and maintain order. He said that bands, and free food had been obtained and that the co-operation of the Cobras (a local motor-cycle club) and the police department has been solicited. He asked for more volunteers.

He reminded the board that Mr. Woodson, Director of the Honor Camps had made a statement concerning the inadequacies of the camps, promising definite progress within six months, and that the six-month period was almost up. He suggested that the board set up another committee to make a visit within the next month.

Mr. Hagler reported on the CRB Festival held May 12th, at Memorial Recreation Center. He felt that the festival went well and that there was much co-operation on all sides. He did say that there were a few areas that lacked coordination but that those areas would be improved upon should there be another festival.

Mrs. Neal asked about the segregated eating facilities at the Viejas Camp and was told that the camp was in the process of being closed. She also stated that she was disappointed in the festival, that there had not been enough publicity and that there was poor scheduling concerning the workers.

IT WAS MOVED, SECONDED AND CARRIED TO ACCEPT THE DIRECTOR'S REPORT.

There was a discussion of the Honor Camps and it was decided that some of the same people that went on the last trip should go again to compare results. The new committee consists of : Mrs. Carrie Wooden, Mr. Juan Gallardo, Miss Betty Steinback, Mrs. Ethellynn Neal and a staff member.

Mr. Hagler explained the reason there were no stipend checks and stated that they will be available next week.

BUDGET AND TREASURER'S REPORT:

Mr. Whetstone asked that the board make some suggestions for projects to help with the spending of operating funds for the second action year. He said there was an available $10,000 for special programs. He then explained the petty cash fund and budget terms giving a breakdown of expenditures and categories. He stated that he will provide an itemized account of expenditures at the next meeting.

Mr. Jeff Ghelardi reported that there is an Assembly Bill (1883) on the disclosure of records, set for a hearing in Sacramento on Tuesday, June 20th. He said that there is at this time a government section that forbids such disclosure to client's attorneys. He suggested that perhaps the board would like to send someone to testify.

The subject of priorities in relation to monies being spent was brought up. It was stated that staff is making studies on recruit training and in-service training in human and community relations across the nation in relation to police practices and has hired consultants to do the research. Other priorities are, studies of the effect of field interrogation in relation to community relations, beat walking in critical areas and the newly formed task force on family crisis.

MOTION WAS MOVED, SECONDED AND CARRIED TO ACCEPT THE BUDGET AND TREASURER'S REPORT AS WRITTEN WITH AN ADDED ITEMIZED REPORT TO BE GIVEN AT THE NEXT BOARD MEETING.

(CASE: Ms. Annette Wilkins)

Hector Lopez gave a background report of the Wilkins' case. A transcript of Mrs. Wilkins' testimony and her sons' and witnesses follows:

Mike Sgobba informed the board and Mrs. Wilkins that the investigator, Lt. Hotchkiss, had only had the case three days and had not been able to make a complete investigation yet. He stated that he would make a report at the next board meeting. In answer to a question, Mr. Sgobba stated that it is within the authority of the police department to enter private property or grounds to make an arrest.

It was asked of Mrs. Wilkins if the boys that were arrested were the ones that were playing in the street. She replied "no, the one that was in the street, they didn't take him."

Mr. Dominguez stated that he would like to have some recommendations from the board to be given to the City Council and the City Manager in terms of the whole process of investigating cases. He recommended that the board analyze the whole process. Mrs. McClure stated that the staff was already working on this but that it is time consuming and things are steadily moving.

Mr. Marshall pointed out that the board is bound to feel moments of frustration but that the main thing to be kept in mind is not the handling of individual cases per se but the inadequacies of the law and justice system which the board is trying to change, and it's relation to the people in the model neighborhood. He stated that the board should continue dealing with changes that are going to have a lasting effect.

It was asked if the police are required to tell a person why he is being arrested. Mr. Sgobba stated that they certainly should, especially the parents when they arrest juveniles and the parents are present.

Mr. Dominguez suggested that all of the cases that have not had a satisfactory resolution along with those that have, be sumitted in summary form to the City Manager's office and the City Council and let them take some action.

The subject of admonishment of rights to a person being arrested was discussed at length. Mr. Sgobba stated that the only requirement there is on a police officer to tell a person what his rights are is if he intends to use the statements made by that person against him at a later date at a trial. Mr. Kunzel did not agree with Mr. Sgobba and stated that a rule was imposed by the Supreme Court stating that it is good police practice to admonish a person of his rights. At this point there was some bantering on the legal aspects of the subject between Mr. Kunzel and Mr. Sgobba and Mr. Kunzel was persuaded to do some research and report back to the board.

Mr. Cossette asked if the police chief could make a ruling that in all cases where persons are arrested they be admonished of their rights. Mr. Sgobba stated that would be unrealistic because all cases are different. Mr. Cossette stated that this is an area of sensitivity to human beings and that it could be one way of making better relations between the police department and the citizens of the model neighborhood. It was suggested that board members become familiar with the police manual.

Officer Garrette stated that juveniles are handled differently than adults. The cases are either handled at home or at juvenile hall both formally and informally. He said that parents are notified as to what charges their children are being arrested on and could not understand why it was not done in this case.

At this point the boys related what happened, along with the witnesses.
See attached sheet.

The question arose whether there is anything on the books or in the law that compensates one for being arrested falsely and released with no charges. It was stated that they always have recourse to file an action against the officer, a false arrest suit and also a civil rights suit if a person feels that his civil rights have been violated. There is a 100 day statute of limitations and the Legal Aid Society has some type of program for civil actions. It was stated that people who sue the police department or any government agency usually don't prevail in suits of that nature and it is almost futile to file any civil complaint because normally attorneys do not want to handle this type of case. It was also stated that there is a bill that has been introduced concerning bail being refunded to people who have been arrested and released with no charges.

MOTION WAS MOVED AND SECONDED THAT THE CASE BE TABLED UNTIL A FULL REPORT IS OBTAINED FROM THE POLICE DEPT.

On the question: All cases in the future will be completely investigated by both sides before being presented to the board.

It was also stated that there should be a provision made for informal meetings between complainants and the police department to discuss the cases.

MOTION WAS CARRIED.

Mrs. McClure read the names of the members of the nominating committee for the board. They are: Fred Kunzel, Betty Steinback, Joe Ortega, Ethellynn Neal and Paul Cossette. The committee will make recommendations for officers for the coming year.

Paul Francis apologized for his laxity in attending past meetings due to working nights and said that he would be at future meetings.

It was suggested that the board authorize a trip to Sacramento to testify at the hearing regarding Bill AB1883 on June 20th. It was also suggested that staff look into the bill and see if written testimony could be as effective.

Mr. Hagler stated that staff would look into the situation and get together with the chairman to decide whether or not it would be feasible for a member to go.

NEW BUSINESS:

It was suggested that we get the phamplet called "YOU AND THE COMMUNITY" put out by the National Conference of Christians and Jews to educate the kids on how to keep from being arrested and what to do in the event they are arrested.

It was asked if there is an office within the City Manager's office that handles complaints against the police department. Mr. Dominguez stated that there is the City Manager's office, the Citizen's Assistance officer and the Councilmen's offices. He suggested that the board utilize these vehicles to the fullest extent.

Mrs. Neal asked if the admonishment cards were printed in both Spanish and English. Officer Hatcher passed one of them around to those who were interested. It was noted how small the writing is and Mr. Sgobba stated that there is also a larger printed card that can be distributed to the residents of the community.

It was noted that no apology was received by Mr. Rubio and his family and that Mr. Mack had not received his watch from the property department. Mr. Sgobba stated that there was no record of the watch on file. There was a discussion of the fact thata lot of property is never recovered by persons arrested and that it subsequently finds its way into the pockets of the arresting officers.

Mr. Don Lyles stated that there is a special unit in operation at the State Service Center, 4235 National Avenue that works with men on parole. He can be reached at 262-0841 and needs any job leads board members can furnish.

MOTION WAS MOVED, SECONDED AND CARRIED TO ADJOURN.

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