



## Citizen Police Advisory Review Board

### Notes

The Citizen Police Advisory Review Board met on Tuesday, April 17, 2007 at 5:36 p.m. at the Downtown Library, Basement, 101 N. Stone, Tucson, Arizona.

#### 1. Call to Order/Roll Call

Members Present:

Susan Thornton, Vice Chair  
Cindy Schiesel, Chair  
Joaquin Murrieta  
Michael Elsner

Representing:

Mayor  
Ward 4  
Ward 5  
Ward 6

Absent Members:

Ed Ware  
Tom Clark  
Evelyn Alvarez

Ward 1  
Ward 2  
Ward 3

Advisory Members Present:

Jennifer Lopez  
Daniel Knieter

Absent Advisory Members:

Joel Patterson

Ex-Officio Non-Voting Members Present:

Captain Bob Shoun, Tucson Police Department  
Lieutenant Rick Wilson, Tucson Police Department

Others Present:

Deputy Chief Kermit Miller, Tucson Police Department  
Kris Page-Iverson, City Attorney's Office  
Officer Meredith Gierke, Tucson Police Department  
Officer Larry Lopez, Tucson Police Department  
Sergeant Paul Sayre, Tucson Police Department  
Don Manzi, Guest  
Elizabeth Bottka-Smith, Guest  
Gil Gevvin, Guest  
Ron Manzi, Guest  
Suzanne Elefante, Guest  
Beth Tidwell, Recording Secretary, City Clerk's Office  
Stacy Semas, Recording Secretary, City Clerk's Office

**2. Approval of Notes of March 20, 2007**

Motion by Michael Elsner, duly seconded, and carried by a voice vote of 4 to 0 to approve the minutes of March 20, 2007.

**3. Call to the Audience**

Ron Manzi spoke about a drunk driving case and Citizen Police Advisory Review Board's web site.

Elizabeth Bottka-Smith spoke about the development of Citizen Police Advisory Review Board and the relationship the Board had with Tucson Police Department.

Susan Elephante spoke about the comment made to a reporter from the Atlantic Journal by a Board member and her concerns with how the Board was conducting itself.

Gil Gevvin spoke about the concerns regarding the influx of homeless people, gang leaders and graffiti in the Cherry Avenue Neighborhood Association.

**4. Introduction of New Advisory Board Member**

Mr. Patterson, the new Advisory Board Member, was not present for introductions.

**5. Discussion Pertaining to Letter from Chief Miranda to CPARB dated March 12, 2007**

Deputy Chief Kermit Miller said after every Citizen Advisory Review Board meeting he would report to Chief Miranda and explain any concerns he had regarding the Board. He also informed Chief Miranda of everything that happened at the Board meetings. Deputy Chief Miller stated this was what lead to the letter from Chief Miranda. Over the last six months Deputy Chief Miller said some of the incidents that had occurred were going beyond what was legally allowable for the Board. He had concerns about some members having a hidden agenda. Deputy Chief Miller said he had explained this to Chief Miranda as well. He said that Chief Miranda would not allow Tucson Police Department staff to stay at a meeting, if that the meeting was going to violate the Open Meeting Law. Deputy Chief Miller stated if Tucson Police Department staff were to walk out of a meeting, it would mean no disrespect to the Board, staff would be only following orders. Deputy Chief Miller stated that Chief Miranda would like to express his support for the Board and it was important for the Board and Tucson Police Department to cooperate respectfully.

**6. Office of Independent Police Auditor**

A. Outreach Report

There was no report given.

B. Monthly Contacts

There was no report given.

## **7. Tucson Police Department**

### **A. TPD Updates**

Captain Bob Shoun announced that the Response Unit was awarded a Community Service Award by the National Association of Social Workers.

### **B. Office of Internal Affairs**

There was no discussion.

## **8. Random Review of TPD Investigations**

### **1. Case #05-0586**

Chair Schiesel said she was glad to see the reeducation that occurred on all levels.

Motion made by Susan Thornton, duly seconded, to find Case #05-0586 to be a fair and thorough.

Case #05-0586 was found to be a fair and thorough investigation carried by a voice vote of 4 to 0.

### **2. Case #06-0297**

Michael Elsner asked why it took a six-month time period to complete the case.

Sergeant Sayre explained one of the witnesses to the case was also in a group home and she had ran away and was missing for five months.

Motion made by Michael Elsner, duly seconded, to find Case# 06-0297 to be a fair and thorough investigation.

Case # 06-0297 was found to be a fair and thorough investigation carried by a voice vote of 4 to 0

### **3. Case # 06-0685**

Chair Schiesel asked what types of records were created during the mediation process.

Lieutenant Wilson stated that the mediation was confidential. The only paperwork that the department received were the forms given to the Board. The only thing the Tucson Police Department was concerned about was participation and the final outcome.

Chair Schiesel asked Lieutenant Wilson what would the next step be if mediation went badly and there was no agreement.

Lieutenant Wilson explained whatever the outcome was, whether they agreed or not, the process was completed. If the parties do not agree it would be reported as so and it would be closed. Lieutenant Wilson stated when he designed the mediation process he just wanted to encourage dialogue and participation between both parties.

Chair Schiesel asked if mediation fit into the matrix.

Lieutenant Wilson stated it did not fit into the matrix. He said an individual was only allowed two mediation sessions a year. It was subject to approval by the Police Officers Internal Affairs Commander and it was not available for serious misconduct.

The Board thanked TPD very much for bringing a mediation report.

**9. Recess**

By consensus, the Board decided to forego a recess.

**10. Review of Citizen Comments submitted to Mayor and Council in reference to TPD during the past month**

Motion made by Chair Schiesel, duly seconded, to continue this item to the meeting of May 15, 2007 carried by a voice vote of 4 to 0

**11. Discussion of CPARB Procedures and Direction to Meet Its Obligation to the Public as set forth in Tucson City Code, Section 10A-86 et seq., and Formation of a Subcommittee**

Motion made by Michael Elsner, duly seconded, to continue this item to the meeting of May 15, 2007 carried by a voice vote of 4 to 0.

**12. Second Call to the Audience**

Elizabeth Bottka-Smith was glad to see the Board was looking into creating a subcommittee to determine if the Board's needs and powers had changed since it was first created.

Ron Manzi said that he would like to know the status of the Tucson Police Department's Breathalyzer equipment.

**13. Report from the Chair/Announcements**

Chair Schiesel announced that she would like to set up a training day in October.

**14. Future Agenda Items**

Chair Schiesel requested a discussion of what the Board Members would like to be trained on in October.

Chair Schiesel requested Tucson Police Department to give a presentation on Neighborhood Associations.

Chair Schiesel requested the selection of a new Advisory Board Member to be put on the Agenda for the May meeting.

Chair Schiesel requested Tucson Police Department to give an update on their field equipment.

**15. Adjournment** – 6:30 p.m.