



**MINUTES OF THE
POLICE RISK MANGEMENT COMMITTEE MEETING
AUGUST 6, 2015**

MEMBERS PRESENT

John Ruffcorn, City of Auburn
Josh Fitch, City of Colusa
Elden Tamez, City of Colusa
Art Olsen, City of Elk Grove
Tracy Busby, City of Ione
Allen Byers, City of Oroville

Liz Ehrenstrom, City of Oroville
Kyle Sanders, City of Red Bluff
Chad Butler, City of Rocklin
Forrest Richardson, City of Rocklin
Rob Landon, City of Yuba City

GUESTS & CONSULTANTS

Michelle Minnick, Alliant Insurance Services
Mark Wittenberg

Tom Kline, Bickmore Risk Services
Sean Millar, York

A. CALL TO ORDER

The meeting was called to order at 10:06 a.m.

B. APPROVAL OF AGENDA AS POSTED

A motion was made to approve the Agenda as posted.

MOTION: Rob Landon

SECOND: Chad Butler

**MOTION CARRIED
UNANIMOUSLY**

C. PUBLIC COMMENTS

There were no public comments.

D. CONSENT CALENDAR

A motion was made to approve the Consent Calendar as presented.

MOTION: Josh Fitch

SECOND: Chad Butler

**MOTION CARRIED
UNANIMOUSLY**

E. RISK MANAGEMENT

E1. Risk Management Committee Meeting Update

Tom Kline provided a brief review of the items that were discussed at the last Risk Management Committee meeting. He mentioned the legislative bills were reviewed and further updates will be



discussed during the Legislative Update. He also indicated that the PRMC Budget of \$50,000 was approved but indicated that use of funds must be approved by the Executive Committee prior to disbursement.

E2. Body Camera Update

The Committee was asked to share any anecdotal evidence for the VieVu Body Cameras. Chad Butler from Rocklin mentioned it is much easier to do the investigation of complaints now that there is a video to refer back to.

There was an issue with use of a body camera in a hospital as an officer was instructed to turn off the body camera as medical attention could not be recorded as it created a duplicate medical record. Liz Ehrenstrom indicated there is a right to privacy once a person enters the hospital due to HIPPA laws which could explain why the officer was asked to turn off the camera. Tom Kline indicated that he will research the issue of when specifically a body camera can be worn and return with more information.

Rob Landon from Yuba City indicated that the District Attorney is asking for all video related to open cases which are becoming an issue for officers to keep up with the number of requests due to its time consuming nature.

Sean Millar noted there was an allegation made that an officer lured a woman out of a party but the body camera video clearly showed that she was outside the party when he arrived. Sean went on to indicate the body cameras are definitely helping to defend cases.

Forrest Richardson from Rocklin noted that there are issues related to the storage of video as they would like to keep the video for two years to keep in compliance with the two year statute of limitation. Sean Millar noted that the statute of limitations is not strictly 2 years from the date of the incident but rather two years from the date they are charged so he recommended saving the video for three years. Josh Fitch from Colusa indicated their city is using stand-alone two terabytes external hard drives which can be backed up by CD when needed and then wiped to be re-used again.

E3. Legislative Update

Tom Kline from Bickmore Risk Services presented seven Assembly Bills which are currently in the legislature and concern the use of body cameras.

Assembly Bill AB65 – Grants

Assembly Bill 65 establishes the development of a grant program to make funds available to local law enforcement entities to purchase body-worn cameras and related data storage and equipment which Tom Kline noted has been held under submission as a two year bill so there will be no movement at this time.



Assembly Bill AB66 – Policy

Assembly Bill 66 describes the policies and procedures that are required by law to be in place for Police, Law Enforcement Officials, and Peace Officers when using the body cameras. The bill establishes how the body cameras may be used and what uses are prevented. It was highlighted by Tom Kline that this has also been held in submission as a two year bill and so there will be no movement this year but there could be movement in the next year.

Assembly Bill AB 69 – Policy and Procedures

Assembly Bill 69 provides policies and procedures to address the issues related to the downloading and storage of data that is recorded by a body-worn camera by a peace officer. Tom Kline indicated that this bill is still looking positive as there is not a lot of opposition.

Assembly Bill AB1118 – Training

Assembly Bill 1118 addresses training issues and establishes the Procedural Justice Task Force who would provide grant funding to local law enforcement agencies with a procedural justice training program that meet the requirements set forth in AD1118. Tom Kline noted that this bill has been held under submission but for now it is no longer active.

Senate Bill SB175 – Policy

Senate Bill 175 also addresses the policy and procedure regarding where the body cameras should be worn, where the video will be stored and who would have access to the video. Tom Kline indicated that this bill has been recently revised and has been tracked ahead to the Governor's desk for review and appears to be favorable at this time but noted that this bill has not been signed.

Senate Bill SB 227 – Grand Juries: Powers and Duties

Senate Bill 227 if put into effect Tom Kline indicate that this would prohibit a grand jury from inquiring into an offence or misconduct that involves a shooting or use of excessive force by a peace officer that led to the death of a person being detained or arrested by the peace officer. It was noted that this is looking favorable as the last revision was completed March 19, 2015.

Assembly Bill AB 1507 – Police Office Training

Assembly Bill 1507 would require every police chief, county sheriff, or other head of a law enforcement agency to determine if Indian Tribal Lands fall within their jurisdiction and if so would require them to complete a training course which includes proper policies and procedures.

E4. Claims Analysis

The PRMC received a report regarding the nature and type of NCCSIF Police General Liability and Police Liability claims. Tom Kline mentioned that Marcus Beverly put together the Claims Analysis and noted there is a steep drop off in the incurred for Police Liability claims since the FY 2012-2013 which is showing a great trend. It was highlighted that Police Liability Claims are the most frequent and severe types of claims and should continue to be a focus of NCCSIF's Risk Management efforts.



E5. Grant Funding for Fiscal Year 2015/16

Tom Kline reminded the PRMC Committee that the PRMC Budget of \$50,000 was approved but again noted that use of funds must be approved by the Executive Committee prior to disbursement or use. He went on to mention that in stage one of this roll-out the intent was to purchase only body cameras (no money was set aside for data storage) and so the PRMC will need to determine what is the best course of action to reduce claims and reduce potential risks. Tom Kline indicated that if the Committee is interested in purchasing more body cameras a discussion is necessary regarding how much money should be allotted to fund the purchase.

He offered several options:

- 1) Use the \$50,000 to purchase additional body cameras for all member cities
- 2) Use the \$50,000 to purchase additional data storage for video
- 3) Use a combination of the \$50,000 to purchase additional body cameras for those members who would like it and also purchase additional data storage for those who need it
- 4) Additional options could be presented

John Ruffcorn took a brief poll of those members who were present to determine if they were more interested in the purchase of additional body cameras or if they would prefer the purchase of data storage (for the body camera video). The informal poll revealed members were equally interested in both options. Tom Kline indicated that we will follow up with members to obtain information related to the cost of additional data storage which can be compared to the purchase of additional body cameras. Some members indicated that storage of the videos is the most important issue at this time so Alliant and Bickmore were asked to research the cost of additional data storage. John Ruffcorn also noted that last year we were able to purchase 66 cameras (approximately \$775/camera) with the \$50,000 budget.

Liz Ehrenstrom from Oroville mentioned that we have previously discussed dividing the available funds percentage wise so we could offer members the ability to purchase either body cameras or storage. Rob Landon from Yuba City noted that when we are discussing how the money should be allocated Alliant and Bickmore should provide a breakdown for all members to help facilitate an understanding of how the money will be allocated to each member.

Tom Kline also indicated that there will be a survey sent out to all members to help determine what each city is hoping to purchase with their allotted funds and this will be presented as an Action Item to the PRMC at the next meeting for a vote.

E6. Round Table Discussion

Tom Kline reminded the PRMC that at the last meeting there was a discussion regarding the next training topic and members had expressed interest in a Social Media Trainer, Laura Cole from ColeProMedia.com to present information surrounding social media and getting a message out to the public using a coordinated effort to incorporate Facebook, Twitter with Press Releases to



ensure readers have different options available to obtain the information outside of traditional media sources. He also mentioned the next PRMC meeting will be held on November 5, 2015 and a Save the Date email will be sent to all members.

Josh Fitch indicated they are having issues hiring dispatchers and asked if any other members are having issues similar to this-Forrest Richardson from Rocklin agreed they are having the same problems. John Ruffcorn from Auburn indicated that they went through a two year period where they were struggling with the same problem but they have recently hired three new dispatchers and they are working out great.

Art Olsen from Elk Grove inquired about background checks on potential employees and asked the PRMC how other cities go about obtaining background checks and what the cost is for each. Auburn indicated the use a reserve officer who is paid \$600 for all background checks which is traditionally completed within a 60-90 day turnaround time—other members noted this is a great price as others are accustomed to paying anywhere from \$850-\$1,200 for each background check.

F. 21st Century Policing – Lessons Learned: The Case for Change

Mark Wittenberg presented information related to what is happening in policing today and spoke about the threats and challenges police enforcement agencies face internally.

G. ADJOURNMENT

The meeting was adjourned at 1:19 p.m.

NEXT MEETING DATE: November 5, 2015 in Rocklin, CA

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Michelle Pellegrino", is written over the typed name.

Michelle Pellegrino, Secretary

11/05/2015

Date