

# **RICHMOND POLICE COMMISSION**

**Wednesday, September 5, 2007 – 7:00 p.m.  
Community Services Building  
330 - 25<sup>th</sup> Street  
Conference Room 1**

## **MINUTES**

### **I CALL TO ORDER (Roll Call) (Chair Naomi Williams)**

The meeting was called to order at 7:00 p.m. by Chair Naomi Williams

#### **ROLL CALL**

**Present:** Nemy Bautista  
Robert Ham  
Dolores Hembree  
Cochise Potts  
Glenn Stephenson  
Chris Tallerico  
Cora J. Ward  
Naomi Williams  
Don Zingale

**Absent:** None

**Vacancies:** None

**Administrative Staff Present:** Don Casimere, Confidential Investigative & Appeals Officer  
Malia Glover, Administrative Secretary

**Council Liaison:** Harpreet Sandhu

### **II PLEDGE OF ALLEGIANCE**

### **III APPROVAL OF MINUTES – August 1, 2007**

Upon motion by **Commissioner Bautista** and second by **Commissioner Ward** the minutes for the regular meeting of August 1, 2007, were approved as written.

### **IV REPORT BY CHIEF OF POLICE (Chris Magnus or his representative)**

**Chief Magnus** handed out his response to the commission's feedback on the taser policy and thanked them for their suggestions. He reported that the department has moved to its new building. He said that Sgt. Chuck Whitney and Deputy Chief Medina have been the key people in managing this move and have done a terrific job. He also credited the IT

staff for a job well done. There is still work to be done in the new building but it is getting done quickly. When complete, they will invite the Commission to tour the building.

**Commissioner Potts** asked if they were going to change the bus route to the new location. **Chief Magnus** said there already is a bus route that goes down Regatta.

**Commissioner Ham** asked about building security. The Chief said the building is secure. They will be getting a new electronic card swipe system in approximately one week, as well as cameras.

**Commissioner Stephenson** was concerned that the Northeast and East Neighborhoods no longer have a police station to go to and there is no substation in the area. **Chief Magnus** said the neighborhoods still have service. They will continue to have a strong presence in these neighborhoods. He said their goal is to have three substations, one in each geographic area of the city, north, south and central.

**Commissioner Tallerico** asked if the three substations will be open and staffed. The Chief said they will not be opened and staffed around the clock. The goal is to have sufficient volunteer and other staff support them during business hours. They are considering having them open at noon and stay open later in the evening.

**Commissioner Tallerico** wanted to give a public thank you to Off. Avila who re-outfitted the entire baseball team from Shields-Reid Park after they had all of their equipment stolen.

**Chair Williams** introduced the Council Liaison to the Police Commission, **Harpreet Sandhu**. **Mr. Sandhu** said he plans to attend all future Police Commission meetings and he encouraged the Commission to hold a retreat so that they can determine their goals and purview.

**Chair Williams** also introduced Randy Riddle from the City Attorney's office who will be giving the commissioners some training later in the meeting.

#### **V REPORT BY POLICE OFFICER ASSOCIATION REPRESENTATIVE**

**Det. Kevin Martin** invited the commissioners to attend a Public Safety Barbecue put on by the RPOA and the Chamber on September 14, 2007. It will be at the Fire Training Center at Stege and Cutting and will start at 6:00 a.m. It is a fund raiser for the RPOA. The money will be used to create an appropriate memorial for fallen RPD officers in the lobby area of the new building. The cost is \$20.00 per person; \$10.00 for Chamber members.

#### **VI REPORT BY GUARDIANS OF JUSTICE ASSOCIATION REPRESENTATIVE**

No report.

#### **VII REPORT BY LATINO POLICE OFFICER ASSOCIATION REPRESENTATIVE**

No report.

## **VIII PUBLIC FORUM**

No speakers

## **IX REPORT BY CONFIDENTIAL IAO**

**CIAO Don Casimere** reminded the commissioners that the NACOLE Conference will be 9/24 thru 9/28. He attended a community picnic and ceremony at Nevin Park on 8/25, participated on the oral board for the Neighborhood Safety Director position on 8/22, and attended the senior staff meeting on 8/8.

## **X REPORTS OF SUBCOMMITTEES**

### **A. West County Alcohol Policy Working Group (Chair Naomi Williams)**

**Chair Williams** reported that at the last meeting, officers attended from every city but San Pablo. They discussed their goals for this year and they have accomplished two to date.

### **B. Church & Neighborhood Council Outreach Committee (Commissioner Cora Ward)**

**Commissioner Ward** said they have a tentative date for 9/20. She will confirm this date and let the Commission know.

### **C. Reports on Community Events/Training Attended**

#### **Commissioner Stephenson**

- Monitored DUI Stops on San Pablo Ave.
- Attended memorial service for Contra Costa firemen
- Ride-along with Officer Gard

#### **Commission Bautista**

- Attended barbecue for Honolulu Police Department

#### **Commissioner Tallerico**

- Ride-along with Officer Avila
- Attended funeral for CHP officer killed in line of duty
- Participated in oral board for RPD
- Attended Music on the Main

#### **Commissioner Potts**

- Attended 1<sup>st</sup> Annual Tookie Williams Legacy Summit at CC College
- Attended Music on the Main

#### **Commissioner Hembree**

- Attended fund raising event for San Pablo firefighters

**XI EXECUTIVE SESSION: Public Employee Performance and Discipline/Release (Police Officers)**

**A. Discussion and Action Regarding RPC Complaint #01-2007**

Upon motion and second the report and finding of **Unfounded** for one allegation of Unnecessary Force and one allegation of Racially Abusive Treatment were accepted.

The Complainant, Officers and Chief of Police will be notified of the findings in writing.

Recommendation: Upon motion and second, it was decided that the Commission will send a letter to Chief Magnus requesting a review of the RPD policy pertaining to the use of pepper spray and attending to the citizens who the pepper spray was used on.

**B. Discussion Regarding Complaints Received in the Past Month and Past Complaints**

No new complaints received in the past month.

**XII COMMISSIONERS' DUTIES – TRAINING BY CITY ATTORNEY**

**Randy Riddle** of the City Attorney's office gave an overview of the role of individual commissioners in city government. He said the City Council created the Police Commission by ordinance and it gave the Police Commission, as a body, its authority. It gave the body certain powers which are delineated in the Municipal Code.

The following are some of the items that were discussed during the training session:

- Individual commissioners have no authority, as individuals, to represent the Commission or act on behalf of the Commission, unless permission has been granted by the Commission as a whole.
- Individual commissioners should not request or urge matters to be placed on the agenda which are beyond the scope and purpose of the commission.
- Members of the commission should treat members of the public, City staff and each other with respect, fairness and courtesy and act with integrity and loyalty to the City.
- Members of boards and commissions, except in very limited circumstances, cannot discuss any item that is not on the agenda.
- Members of the public are allowed to address boards and commissions and they are aloud to record public meetings.

- The Brown Act almost always requires that boards and commission meet in public session and that decision making occurs in public session.
- Anything discussed in closed session is confidential. Any individual who has been in a closed session and reveals information that is confidential, without the permission of the body as a whole, violates the Brown Act.
- Members of boards and commissions are prohibited from being financially interested in contracts that are made by the board or commission.
- Members of boards and commissions must disqualify themselves from any decision making process if they were involved in the specific incident, if they are related to or know the person involved in the incident, or if they personally witnessed the incident.

### **XIII DISCUSSION ON RIDE-ALONG OBSERVATION FORM**

**Commissioner Bautista** explained that he created the form to improve conditions for commissioners and private citizens who take part in ride-alongs. Dialogue followed. A motion was made by Commissioner Zingale to not use the form. It was seconded by Commissioner Ward. The motion passed with the following vote: Ayes: Chair Williams, Commissioners Ham, Ward, Stephenson, Hembree, Tallerico, Zingale. Noes: Commissioner Bautista. Abstentions: Commissioner Potts.

### **XIV ADJOURNMENT**

Upon motion by **Commissioner Hembree** and second by **Commissioner Ward**, the meeting was adjourned at 9:03 p.m.

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**Don Casimere**  
**Confidential Investigative & Appeals Officer**