

RICHMOND POLICE COMMISSION

**Wednesday, February 4, 2009 – 7:00 p.m.
Community Services Building
330 - 25th Street
Conference Room 1**

MINUTES

I CALL TO ORDER (Roll Call) (Chair Cora Ward)

The meeting was called to order at 7:00 p.m. by Chair Cora Ward

ROLL CALL

Present: Nemy Bautista
Dolores Hembree
Glenn Stephenson
Chris Talerico
Cora J. Ward
Naomi Williams

Absent: Roberto Reyes

Vacancies: Two

Administrative

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

Council Liaison: Not present

City Attorney's

Office Representative: Mary Renfro, Assistant City Attorney – Present

II PLEDGE OF ALLEGIANCE

III APPROVAL OF MINUTES – January 7, 2009

Upon motion by **Commissioner Bautista** and second by **Commissioner Williams** the minutes for the regular meeting of January 7, 2009, were approved as written.

IV COMMENTS BY CITY ATTORNEY'S OFFICE

Assistant CA Mary Renfro reported that on 01/20/09, the council passed a resolution limiting the term of any commissioner whose term has expired and who has not yet been reappointed or replaced to a period of 90 days following the expiration of their term. If at the time the resolution is passed a member's term had already expired, the 90 day period begins 01/21/09 and ends 04/21/09.

V COMMENTS FROM COMMISSIONER TALLERICO REGARDING HIS RESIGNATION FROM THE COMMISSION

Commissioner Tallerico said that he is moving out of the City on 2/13/09, and has submitted his resignation effective 2/13/09. He said that in the past three years, he has learned a lot. He appreciates all the help from the Commissioners and the CIAO's open door policy. He also thanked the members of the RPD that were there for their help in showing him what the police department does in Richmond and why they do what they do. **Commissioner Tallerico** said he, as a commissioner, as well as a citizen of Richmond, is deeply disturbed by the mayor's lack of interest in law enforcement in the City, as well as, the fact that there are members of this Commission now that are ready to continue serving and have not even been given the opportunity to be interviewed for reappointment by the mayor.

VI REPORT BY CHIEF OF POLICE (Chris Magnus or his representative)

A. Briefing on High Speed Pursuit Policy (When is it appropriate for wrong way pursuit on the freeway)

Capt. Allwyn Brown reported on behalf of **Chief Magnus**. **Commissioner Tallerico** said he heard of an officer who engaged in a high speed pursuit, wrong way on Highway 80 at a high rate of speed, chasing a stolen vehicle. His question was, when is it appropriate for an officer to be going the wrong way on a freeway at a high rate of speed when they are just chasing a stolen vehicle. It not only jeopardizes the officer's life but the life of everybody on the freeway. **Capt. Brown** said it depends on judgment and making decisions based on facts. The facts are constantly changing and being updated, especially in the middle of a critical incident or something like a high speed pursuit that's rapidly evolving. He handed out a copy of the RPD Vehicle Pursuit Policy. He said officers weigh the facts and decide if it's necessary to apprehend someone who could pose a greater danger to the public. He said it would have to be a pretty serious crime to apprehend someone on the freeway going the wrong way.

B. Current Topics

Commissioner Hembree asked if RPD still had desk sergeants for each shift. **Capt. Brown** said that job assignment has been recreated and disbursed among all the patrol sergeants.

Commissioner Bautista asked how many officers will retire in 2009. **Capt. Brown** said he is aware of two.

Commissioner Williams asked when new trainees are released from probation. **Capt. Brown** said all new officers go into a field training program that lasts six months. As they progress through the program, they are eventually released to do solo beat patrols on their own. The total probationary period is 15 months: 6 mos. at police academy, 6 mos. field training, 3 mos. solo beat patrol.

VII REPORT BY POLICE OFFICER ASSOCIATION REPRESENTATIVE

Sgt. Andre Hill introduced himself as the President of the RPOA. He said he looks forward to a year of working in a positive direction. He reported that **Off. Hector Esparza** is Vice President. Two new additions to the POA board are **Sgt. Louie Tirona** and **Det. Mike Rood**. **Sgt. Hill** thanked **Commissioner Tallerico** for his commitment to the community, community policing and the police department. He said he will be missed.

VIII REPORT BY GUARDIANS OF JUSTICE ASSOCIATION REPRESENTATIVE

No representative present.

IX REPORT BY LATINO POLICE OFFICER ASSOCIATION REPRESENTATIVE

Off. Hector Esparza thanked **Commissioner Tallerico** for his service to the City including the ride-alongs he did and the friendships he made. He will be missed. The LPOA crab feed will be next month. He will get further information on this event.

X PUBLIC FORUM

Cochise Potts requested that the Commission review the Police Department's report policy.

Ken Nelson from the NAACP said that there is a history in the Police Department of double standards when it comes to law enforcement for the black community and law enforcement for the white community when crimes are committed. He referred to two recent hate crimes in the City. He urged the Commission to conduct a thorough investigation into the most recent hate crime and find out why the report didn't get processed properly.

CIAO Casimere said the Commission does have the ability to review policy and practice and it is charged with improving police-community relationships. He suggested that the Commission ask the Chief to appear at this forum and address the matter.

XI REPORT BY CONFIDENTIAL IAO (Don Casimere)

CIAO Casimere reported that **Councilmember Jeff Ritterman** was named liaison to the Commission. He attended the Nevin Park Grand Opening ceremony.

XII DISCUSSION AND DIRECTION TO STAFF REGARDING INVITATION TO TAKE PART IN RPD'S YEARLY REPORT

Commissioner Williams made a motion that the Commission take no part in RPD's yearly report. The motion was seconded by **Commissioner Bautista**. The motion passed with the following vote: Ayes -5; Noes - 0; Abstentions - 1 (one commissioner absent).

XIII DISCUSSION AND DIRECTION FROM CHAIR REGARDING TOPICS APPROPRIATE UNDER COMMISSIONERS' REPORTS

Commissioner Williams said the Commission should be able to discuss items that might come up at a meeting rather than wait and have them placed on the agenda for the following month. She also said that in the past, the City Attorney did not take part in the Executive Session. **Asst. City Attorney Mary Renfro** said the Ralph M. Brown Act says if you are a body empowered to advise a legislative body (the City Council) then you, yourself, have to follow the rules of a legislative body. The purpose of the Brown Act is to ensure that the public knows in advance what may be discussed; there must be reasonable notice in advance of a meeting of what might happen at that meeting. If there is an urgent matter and action must be taken immediately, it can be put on the agenda with a two thirds vote from the Commission. She said she will have to consult the Brown Act to find out if the City Attorney being present in Executive Session is required.

XIV DISCUSSION AND DIRECTION TO STAFF REGARDING PRESENTING CHIEF MAGNUS WITH IDEAS HEARD AT NACOLE CONFERENCE

CIAO Casimere said that individual commissioners/citizens can talk to the chief and give him any information they acquire at a conference. Commissioners can request to place an item on the agenda for discussion if they feel it is in the best interest of the Police Commission. Next time commissioners attend a conference, it will be placed on the agenda and a report will be given to the Commission.

XV COMMISSIONER'S REPORTS

A. Outreach Committee

No report

B. Reports on Community Events/Training Attended

Commissioner Stephenson

- Ride-along

Commissioner Bautista

- Attended Swearing-In Ceremony of new council members
- Attended Presidential Inauguration
- Attended May Valley NC meeting

Commissioner Williams

- Attended Police Commission Meeting
- Attended GRIP Meeting
- Attended Pullman NC Meeting
- Attended RNCC Meeting
- Attended Swearing In Ceremony of new council members
- Attended Police Line Up
- Attended Presidential Inauguration meeting

- Attended CA Crime Prevention Officer Association Meeting
- Attended WCCUSD meeting
- Attended memorial service for uncle
- Attended MLK event in Hercules
- Attended Presidential Inauguration breakfast at auditorium
- Attended Crime Prevention Executive Board meeting
- Met w/City Manager, Bill Lindsay
- Attended West County Alcohol Policy Working Group meeting
- Attended Chamber of Commerce breakfast
- Attended Re-Opening of Nevin Park
- Attended Richmond Art & Culture event at Salute's
- Attended Richmond City Council meeting

Commissioner Hembree

- Attended Swearing-In Ceremony for new council members

Commissioner Tallerico

- Ride-along with Off. Hauschild

Chair Ward

- Attended Swearing-In Ceremony for new council members
- Attended Nevin Park Re-Opening

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

- A. Discussion Regarding Complaints Received in the Past Month and Past Complaints

No reportable action taken.

XVII ADJOURNMENT

Commissioner Tallerico requested that the meeting be closed in memory of Off. Brad Moody. The meeting was adjourned at 8:03 p.m.

Don Casimere
Confidential Investigative & Appeals Officer