

# **RICHMOND POLICE COMMISSION**

**Wednesday, December 4, 2013 – 7:00 p.m.**  
**Employment & Training Building**  
**330 – 25<sup>th</sup> Street**  
**Conference Room 1**

## **MINUTES**

### **I CALL TO ORDER, ROLL CALL, PLEDGE**

The meeting was called to order at 7:00 p.m. by **Chair Felix Hunziker**

#### **ROLL CALL**

**Present:** Therese Barquet  
Nemy Bautista  
Felix Hunziker  
Alejandro Navarro  
Glenn Stephenson  
Eleanor Thompson  
Yenny Velazquez (arrived 7:10)

**Absent:** Bea Roberson  
Scott Gillespie

**Vacancies:** None

**Administrative Staff:** Terry Simpson, Investigator – Present  
Malia Glover, Executive Secretary I – Present

**Council Liaison:** Jael Myrick, Council Liaison – Present

**City Attorney's Office Representative:** Bruce Soublet, Assistant City Attorney – Absent

### **II APPROVAL OF MINUTES – November 6, 2013**

Upon motion by **Commissioner Bautista** and second by **Commissioner Navarro**, the minutes for the regular meeting of November 6, 2013, were approved as written.

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

A. Report of recent activities, events, incidents, and related matters

No report

- B. Discuss foot patrols in city parks

No report

#### IV POLICE DEPARTMENT POLICY REVIEW

- A. Explore alternatives to towing of recovered vehicles to reduce unnecessary and expensive tow fees

**Capt. Bisa French** stated that in March 2012 they changed their tow policy to allow people that were unlicensed and have never been cited before for their license being suspended, to have someone who is licensed and insured to pick up the vehicle rather than having it towed. If they are cited or stopped after that, then the vehicle will be towed. **Chair Hunziker** said they wanted to have a discussion on ways to minimize the cost associated with stolen and recovered vehicles. He suggested that if a stolen vehicle is spotted that PD give the owner a call. If they can't arrive within 20 minutes the vehicle is then towed. **Capt. French** said if they recover a stolen vehicle, they see where the vehicle is stolen from. Dispatch tries to contact the owner to see if they can pick up the vehicle if it is in working condition. They allow them 20 to 30 minutes to pick the vehicle up. If it will be an extended period of time, they will call for a tow truck because they are liable for that vehicle. **Chair Hunziker** asked if the vehicle could not be picked up right away but is parked safely, could it be left there until the owner arrives. **Capt. French** said it would create a liability for them if it gets damaged or stolen again.

**Commissioner Barquet** inquired about tow and storage fees. **Tim Higaes** said the fee for an average tow is \$185.00 and \$60/day for storage, \$285.00 for medium tow and \$85/day for storage, and \$425.00 for big rig tow, \$85/day for storage. Special equipment charge is \$172.00.

**Commissioner Bautista** asked what the hours were for claiming the car. **Tim Higaes** said the hours are 8:00 a.m. to 5:00 p.m.

**Commissioner Navarro** asked if they could tow the car to city property and charge a lower fee. **Capt. French** said there is no secure place to store the vehicles and there would still be a liability issue.

**Chair Hunziker** asked if the release could be done over the phone or on an on-line application. **Capt. French** said they could run the ideas by the City Attorney's office to see if it is possible, but the vehicle can't be left if it's not in good running condition.

**Commissioner Barquet** asked about a 30-day hold. **Capt. French** said there is a 30-day hold on vehicles in which the driver has a suspended license and was caught driving the vehicle again.

**Commissioner Navarro** asked how many cars get towed monthly. **Capt. French** said she was not prepared to answer that question. **Commissioner Navarro** said they were told that one of the police cars with the license plate readers showed there were 100 cars towed in a month. **Capt. French** said that she could find out.

**Chair Hunziker** asked for a definition of unsafe vehicle. **Capt. French** said they are vehicles that are missing tires, missing windshields, not readily moveable, flat tires, etc. She read the vehicle code pertaining to inoperable vehicles.

**Commissioner Stephenson** said that the relaxing of the towing laws is detrimental to the city. He asked why unlicensed, unregistered and uninsured vehicles are not towed all the time. **Capt. French** said if it's their first offense and have never been cited before, then they are able to call someone to pick up their vehicle. She said they do not tow vehicles at DUI checkpoints.

**Chair Hunziker** said that the tow fees are set by the city council. He said there should be a way to transfer liability and there should be a way of identifying the owner by going through dispatch or a web application.

**Commissioner Navarro** asked if they can get help to pay the fees. **Capt. French** said they can contact their insurance company.

**Tim Higaes** said that in the new tow contract the tow truck drivers had to agree to participate in the Contra Costa County Victim Assistance Program by offering a 15% discount for towing charges to crime victims if they meet certain requirements. If the tow truck has hooked the vehicle up but has not left yet and the vehicle driver or owner returns to the vehicle before the tow truck is in motion, they will charge a drop fee which is one half the cost of the tow fee. He said in six months the contract is coming up again and it would be feasible to discuss making it a lower fee.

B. Continuing discussion regarding Policy #462 (Automated License Plate Readers)

**Chair Hunziker** distributed a list of follow-up questions and answers regarding the LPR's. **Lt. Hill** asked if there were any further questions that he may be able to answer.

**Commissioner Bautista** said there are some cities in the bay area with stationary LPR's and asked what the advantage to this was. **Lt. Hill** said if you put one on a major thoroughfare it would capture all vehicles compared to three vehicles that are only used for a 10 hour shift. **Commissioner Bautista** asked if it would be possible for Richmond to have a stationary LPR. **Lt. Hill** said yes but they would have to weigh whether it would be worth it.

**Commissioner Stephenson** said that Richmond has too many entrances and exits and asked if it would be feasible to have a stationary LPR. **Lt. Hill** said they would have to try it on a trial basis.

**Commissioner Barquet** asked how the LPR's work if an officer gets four hits at one time. **Lt. Hill** said the make, model, license plate and location of the stolen vehicle

would come onto the screen. The officer would then go and find the vehicle of whichever hit came first.

**Jim Hausken** said this is a lot of new technology with the potential for tremendous wrongs. They recommend caution in the issues of how the information is released and how discipline works if someone has misused the information. He is concerned about leaks of information and that it will go way beyond local law enforcement agencies and into the massive data base of the federal government that won't have the same protections that we have locally. He said that this should move forward with a good deal of caution and to plan ahead anticipating situations that could threaten civil liberties.

## V REPORT OF COUNCIL LIAISON JAEL MYRICK

**Councilmember Myrick** reported that last night the council approved an exclusive right to negotiate agreement with a development company that will be doing a project at Terminal 1 in the Pt. Richmond area. It will be a big project and many jobs will be created. The project sales should net about \$10 million for the city. He said they also passed a new e-cigarette regulation which basically brings them in line with current ordinances for regular cigarettes/smoking.

**Commissioner Velazquez** asked if there will be a follow-up retreat for the city council. **Councilmember Myrick** said probably not with the current council. He said there were some good ideas that came out of the retreat that haven't been implemented yet.

**Commissioner Stephenson** asked if he volunteered to be the Police Commissioner liaison or if he was appointed. **Councilmember Myrick** said he was appointed by the mayor. **Commissioner Stephenson** asked if it was a burden to him since he has missed a few meetings. **Councilmember Myrick** said that it's not a burden to him; he'll do a better job in attending the meetings.

**Commissioner Bautista** asked if the ordinance regarding the e-cigarettes was final. **Councilmember Myrick** said it still needs to go through the second and third readings.

**Commissioner Thompson** asked the status of the educational program that he wanted to start when he was first appointed to the council. **Councilmember Myrick** said he has been frustrated that he hasn't been able to get it started sooner. He is looking for other opportunities and needs to figure out the best way to move forward with it.

**Chair Hunziker** asked **Councilmember Myrick** to think about a project that he'd like to work on with the commission that has to do with police department and community outreach. **Councilmember Myrick** said he would.

**Chair Hunziker** also asked him to follow up with the Engineering Department regarding Barrett Avenue/23<sup>rd</sup> Street and whether the city has studied the cross traffic in the neighborhoods prior to the installation of the road diets and if they plan to do any traffic measuring after they have been put in place. **Councilmember Myrick** said he would.

**Commissioner Navarro** asked if Terminal 1 will be doing local hiring. **Councilmember Myrick** said that 30% is basic but they may be able to negotiate more.

## **VI PUBLIC FORUM**

There were no public speakers

## **VII POLICE COMMISSION CONTINUING EDUCATION**

- A. Discussion of planned or proposed educational and training opportunities for members of the Police Commission

**Commissioner Stephenson** reported that he attended the Ceasefire Call-In. He said most of the attendees left with the same attitude that nobody in Richmond cared for them. They said there was no help for them but they were told at the meeting that there was help for them if they wanted it. He said there were 12 to 15 attendees and it lasted about two hours. He said hopefully it will work.

**Commissioner Velazquez** said it was very informative. She thought it was intimidating for the attendees because there were so many officers there also. She feels that they didn't open up enough and said they should consider having it in a different setting.

**Commissioner Barquet** said that when everyone went to another room afterwards, they seemed to be a little more relaxed. She found it to be a tense type of format in the previous room.

**Chair Hunziker** said he thought it was great that they were able to attend the meetings.

## **VIII POLICE COMMISSION OUTREACH**

- A. Discussion of planned or proposed educational and training opportunities for members of the Police Commission.

**Commissioner Stephenson** said that he will be speaking at the Neighborhood Council meetings about the Police Commission. **Chair Hunziker** asked him to let the secretary know a day ahead of time so that the other commissioners could be notified and have an opportunity to join him if they wanted to.

## **IX POLICE-COMMUNITY RELATIONS**

- A. Discussion of planned or proposed outreach projects to strengthen partnerships between the community and the Police Department.

**Commissioner Navarro** said that he would like to have the police associations come to the police commission meetings to create a better relationship with the community. He also said they need to think of ways to reach the community to see how they can help them have a better relationship with the police.

**Commissioner Barquet** said she came across a survey that a city did on a police department that she thinks would be good for high school students to complete. **Chair Hunziker** asked her to e-mail the survey to him.

A citizen asked if the police commission could in some way help to get the library to change their hours for their community room to be shifted Thursday, Friday and Saturday until 8:00 p.m. so that kids can go there after school for tutoring and extracurricular activities. He said he suggested it to the mayor's office but hasn't received a response. **Chair Hunziker** said he would get his information after the meeting and refer him to the library and the council.

**X REPORTS BY:**

- **CHAIRPERSON**
- **COMMISSIONERS**
- **STAFF**

**Chair Hunziker**

- Attended Ceasefire Call-In

**Commissioner Bautista**

- Attended Filipino American of Contra Costa fund raising in Hercules. Raised and donated \$1,000 for typhoon relief Haiyan (Yolanda) to the Philippines (Member board of directors)
- Attended Filipino club in San Francisco (United Pangasinanense of America) fund raising. Raised \$2,500 and 18 boxes of durable goods, clothing and medicines for typhoon Haiyan (Yolanda) in the Philippines (Member boards of directors)
- Ride-along

**Commissioner Barquet**

- Attended Ceasefire Call-In

**Commissioner Stephenson**

- Attended Neighborhood Council meeting
- Attended Ceasefire Call-In
- Met with Tim Higaes about clean up city
- Attended Red Oak Veterans Memorial on Veteran's Day
- Attended Chevron open house
- Attended City Council Meeting

**Commissioner Velazquez**

- Attended Ceasefire Call-In

**Commissioner Thompson**

- Attended City Council Meeting
- Requested that commissioners drop toys off at the Police Commission office for her toy drive

**XI ADJOURNMENT**

The meeting was adjourned at 8:23 p.m.