

**RESOLUTION NO. 3-12**

**RESOLUTION ON RICHMOND POLICE DEPARTMENT AND MUTUAL AID**

**WHEREAS**, the Richmond City Council supports the Constitutionally protected rights of all members of the public, including those involved in the “Occupy” movement, to free speech and peaceable assembly; and

**WHEREAS**, the Richmond City Council expresses strong concern about the treatment of some protestors by certain police officers during several recent “Occupy” protests in other jurisdictions, exemplified by the use of teargas munitions deployment and the harsh, repeated jabbing of batons against protestors who formed a “human chain” by linking their arms together as a form of nonviolent passive resistance; and

**WHEREAS**, the Richmond City Council believes that nonviolent resistance, failure to obey verbal commands, and things like making a “human chain” by linking arms together as a form of protest, typically necessitate a different form of police intervention than protestor actions that include property damage, assaultive behavior, utilizing weapons, and/or engaging in conduct that is physically harmful to others; and

**WHEREAS**, the Richmond City Council acknowledges and appreciates that its own police department has a team of officers who are utilized for civil unrest situations who are well trained, well supervised, and who demonstrate professionalism and good judgment under pressure; and

**WHEREAS**, the Richmond City Council is troubled by the prospect that Richmond Police Department personnel might be requested for certain “Mutual Aid” situations that would cause the City’s police personnel to participate in operations involving other jurisdictions’ law enforcement personnel who utilize force that is excessive, unwarranted, or ineffectual to deal with non-violent protests; and

**WHEREAS**, the Richmond City Council expects that members of its police department are always cognizant of how their individual and group conduct will be scrutinized and therefore must reflect the highest standards of professionalism whether they are deployed in Richmond or another jurisdiction;

**THEREFORE BE IT RESOLVED**, that the Richmond City Council mandates its Chief of Police shall carefully evaluate all requests for Mutual Aid that involve responding to civil unrest situations, taking into consideration such factors as the potential role(s) Richmond Police personnel might be asked to play in dealing with protestors, the use of force being employed by police personnel from various departments in dealing with the incident, and any tactics being used that are inconsistent with RPD’s assessment of “best practices” for deployment. In addition, the City Council empowers its Chief of Police to decline to respond to Mutual Aid requests where tactics being used, or likely to be used, are unsafe, unwise, or unlawful based on the best judgment of the Chief through information available at the time.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on January 17, 2012, by the following vote:

AYES: Councilmembers Beckles, Butt, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin.

NOES: Councilmembers Bates and Booze.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES  

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CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

GAYLE MCLAUGHLIN  
Mayor

Approved as to form:

RANDY RIDDLE  
City Attorney

State of California            }  
County of Contra Costa        : ss.  
City of Richmond            }

I certify that the foregoing is a true copy of Resolution No. 3-12, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on January 17, 2012.

