



**City of Richmond  
Human Rights and  
Human Relations Commission  
MEETING AGENDA**

*Jasmine Jones, Chair  
Joyce Harris, Vice Chair  
Betty Burrus-Wright, Ph.D, Commissioner  
Texanita Bluitt, Commissioner*

*Courtney Cummings, Commissioner  
Carole Johnson, Commissioner  
Crystal Johnson, Ph.D, Commissioner  
Carolyn Wysinger, Commissioner*

Monday, September 22, 2014 at 6:30 pm  
City Council Chambers, Community Services Building  
1<sup>st</sup> Floor, Civic Center Plaza, Richmond, CA 94804

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. AGENDA REVIEW**

At the discretion of the Chair, items on the Agenda may be heard in an order different from that which appears on the Agenda.

**D. MEETING PROCEDURES**

Members of the public attending a Human Rights and Human Relations Commission meeting for the first time are encouraged to read the "Meeting Procedures" information following the Agenda. Anyone who wishes to address the Commission during OPEN FORUM or on a specific item must file a Speaker's Form with staff.

**E. OPEN FORUM #1**

Members of the public are invited to address the Commission on topics that are not on the Agenda. Please note: In order to accommodate all members of the public who wish to speak, including those who are unable to arrive early in the meeting, the Commission will hold a second OPEN FORUM at approximately 8:30 PM. Please file only one OPEN FORUM Speaker's Form with staff, indicating either "OPEN FORUM #1" or "OPEN FORUM #2".

**F. APPROVAL OF MINUTES**

None.

**G. CITY COUNCIL LIAISON REPORT**

The City Council member serving as liaison to the Commission may make a report on City Council actions of interest to the Commission.

**H. COMMISSIONERS' REPORTS**

**I. CHAIR'S REPORT**

**J. STAFF REPORTS**

**K. DISCUSSION ITEMS**

The Commission may take direct action, make recommendations to the City Council or provide direction to staff.

**K.1 COMMITTEE REPORT: CULTURE OF PEACE (25 MINUTES)**

HEAR REPORT FROM THE OFFICE OF NEIGHBORHOOD SAFETY (ONS)

Invited Speaker: Devone Boggan, Director of ONS

*Chairperson Jones, Commissioner Wysinger, and Commissioner Carole Johnson*

**K.2 COLLABORATING AND NETWORKING WITH OTHER HUMAN RELATIONS COMMISSIONS (25 MINUTES)**

HEAR AND DISCUSS RECOMMENDATIONS

Invited Speaker: Ann Noel

*Chairperson Jones*

**K.3 HRHRC RESOLUTIONS FROM 2013 – 2014 (25 MINUTES)**

HEAR UPDATES AND FOLLOW THROUGH ON PASSED HRHRC RESOLUTIONS

Invited Speakers: Stacie Plummer, Stan Fluery, and Vivien Feyer

*Chairperson Jones*

**K.4 First Annual Bay Area Assembly of Human Rights Commissions on 9/29/14 hosted by the Marin County Human Rights Commission (10 MINUTES)**

DISCUSS COMMISSION'S PARTICIPATION

*Chairperson Jones, Commissioner Wysinger and Commissioner Carole Johnson*

**L. REPORTS**

**L.1 UPDATE ON DOCTORS MEDICAL CENTER**

*Commissioner Carole Johnson*

**L.2 COMMITTEE REPORT: EDUCATION AND OUTREACH COMMITTEE**

REPORT ON DEMILITARIZATION OF POLICE

*Commissioner Burrus-Wright and Vice Chair Harris*

**L.3 COMMITTEE REPORT: COMMUNITY AND POLICE RELATIONS**

UPDATE FROM POLICE CHIEF CHRIS MAGNUS ON THE OFFICER-INVOLVED SHOOTING

*Commissioner Carole Johnson*

**M. OPEN FORUM #2 (At approximately 8:30P.M.)**

**N. COMMISSION BUSINESS**

- A. CALL FOR AGENDA ITEMS
- B. FOR THE GOOD OF THE COMMISSION

**O. ADJOURNMENT**

The next regular meeting of the City of Richmond Human Rights and Human Relations Commission is scheduled for **Monday, October 27, 2014 at 6:30 p.m.** in City Council Chambers.

**P. MEETING PROCEDURES**

Speaker Registration

Anyone who wishes to address the Human Rights and Human Relations Commission (HRHRC) on a topic that is not on the Agenda and is relevant to the Commission's purpose may speak once in either of the two OPEN FORUM sessions, but not both. Please file a Speaker Form with staff PRIOR to the announcement of that section of OPEN FORUM.

Persons wishing to speak on a particular Item on the Agenda must file a Speaker's Form with the staff PRIOR to the Commission's consideration of the Item. Once discussion on the Agenda Item begins, only those persons who have previously submitted Speaker's Forms will be permitted to speak on the Item.

Time Limits

Individual public speakers shall have a maximum of two (2) minutes to address the Commission.

If all Agenda Items are not completed by 9:30 pm, the Items remaining shall be continued to the next Regular Meeting, unless the Commission votes to extend the meeting.

Cell Phones

Please silence all cell phones, pagers, and other electronic devices during the meeting.

Persons with disabilities, who require auxiliary aids or services in using City facilities, services or programs, or who would like information on the City's compliance with the Americans with Disabilities Act (ADA) of 1990 may contact (510) 620-6509 for assistance.

# K. 3

## **HRHRC RESOLUTIONS FROM 2013 – 2014**

### **HEAR UPDATES AND FOLLOW THROUGH ON PASSED HRHRC RESOLUTIONS**

Invited Speakers: Stacie Plummer, Stan Fluery, and Vivien Feyer

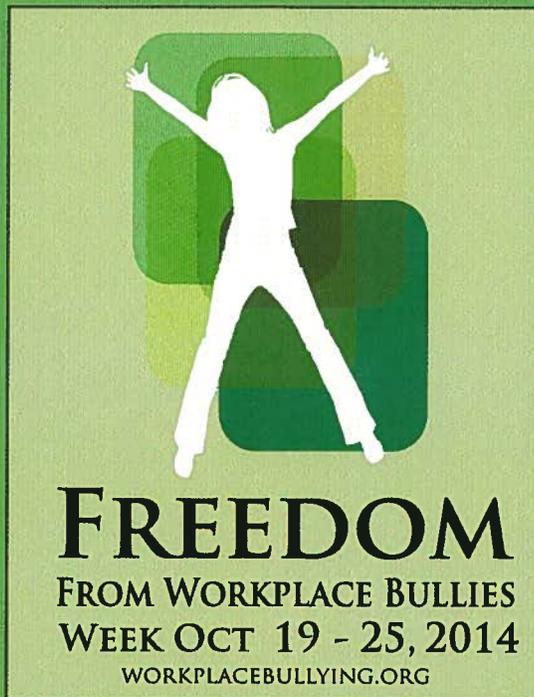
*Chairperson Jones*

#### **Attachments**

- 3.1 – Freedom from Workplace Bullies Week Oct. 19 – 25, 2014
- 3.2 – HRHRC Resolution No. 0313: re Workplace Bullies Week in Oct 2013
- 3.3 – HRHRC Resolution No. 0713: requesting HR to create a healthy workplace
- 3.4 – HRHRC Resolution No. 0113: supporting the Healthy Workplace Bill in the State of California, authored by David. C Yamada
  
- 3.5 – HRHRC Resolution No. 0213: Recommending to create a Whistleblower policy
  
- 3.6 – HRHRC Resolution No. 11131: re General Order 33
  
- 3.7 – HRHRC Resolution No. 0114: re Bullying at SJSU
- 3.8 – Letter from SJSU President to the Special Task Force on Racial Discrimination
  
- 3.9 – HRHRC Resolution: supporting CA State Senate Bill: LIFE (Lifesaving Intelligent Firearms Enforcement) Act

# A Week for Support, Inspiration, Peace & Health

**Freedom from Bullies Week is a chance to break through the shame and silence that shrouds it. No one asks to be targeted. The unwanted assaults harm both physical and psychological health. Families suffer, too.**



**Bullying at work is most like the phenomenon of domestic violence. It is abuse where the abuser is on the payroll. Coworkers and managers notoriously ignore or support it. Employers sustain it because it is not yet illegal in America.**

Here are some daring & bold ways to celebrate personal freedom.

## **Bullied Targets**

- Get a health check up
- Reclaim your dignity, remember you
- Tell coworkers what the bully did
- Spend time surrounded by loved ones

## **Spouses, Partners**

- Give unconditional support
- Be empathic, see & feel the experience
- Make home time a distraction
- Reinforce the target's identity

## **Mental Health Professionals**

- Believe bullied target-clients
- Do not blame client as provocateur
- Recognize power of work environments
- Treat the trauma

## **School Administrators**

- Abusive adults teach abuse to students
- Implement adult anti-bullying program
- Save money. Prevent lawsuits.

## **Co-workers**

- Offer support, don't wait to be asked
- Share your experience with bullying
- Do not side with the bully
- Remain a friend to the target

## **Unions**

- Support abused, bullied members
- Stand against all workplace bullying
- Train members to lead an initiative
- If leaders like bullying, vote them out

## **Employers**

- You can end bullying now. Do it.
- Save money, let go of abusive managers.
- Make employee health a priority
- Recruit with abuse-free workplace

## **State Lawmakers**

- Learn facts about workplace bullying
- Listen to, and represent, people
- Detect lies of business lobbyists
- Sponsor the Healthy Workplace Bill

**RESOLUTION NO. 0313**

**RESOLUTION OF THE HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION  
OF THE CITY OF RICHMOND, CALIFORNIA, RECOMMENDING THE  
PROCLAMATION OF OCTOBER 20 – 26, 2013 AS “FREEDOM FROM WORKPLACE  
BULLIES WEEK”**

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**WHEREAS, the City of Richmond has an interest in promoting the social and economic well-being of its employees and citizens; and**

**WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and**

**WHEREAS, research has documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and**

**WHEREAS, abusive work environments are costly to employers with consequences including reduced productivity, absenteeism, turnover, employee dissatisfaction, and injuries; and**

**WHEREAS, protection from abusive work environments should apply to every worker, and not be limited to legally protected class status based only on race, color, gender, national origin, age, or disability.**

**NOW, THEREFORE, BE IT RESOLVED that the Human Rights and Human Relations Commission of the City of Richmond hereby recommends that the City Council of the City of Richmond proclaim October 20-26, 2013, “Freedom From Workplace Bullies Week”.**

**BE IT FURTHER RESOLVED that the Human Rights and Human Relations Commission of the City of Richmond also commends the California Healthy Workplace Advocates and the Workplace Bullying Institute, which raise awareness of the impacts of, and solutions for, workplace bullying in California and the United States.**

**BE IT FURTHER RESOLVED that the Human Rights and Human Relations Commission encourages citizens to mark this week with special activities and programs to break through the shame and silence enshrouding adult bullying at work.**

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**I hereby certify that the foregoing resolution of the Human Rights and Human Relations Commission of the City of Richmond was duly passed and adopted at a meeting thereof held on September 23, 2013 by the following vote:**

**AYES:** Commissioner Betty Burrus-Wright, Ph.D, Commissioner Carole Johnson, Commissioner Jasmine Jones, Commissioner Demetria Saunders, Commissioner Kathleen Sullivan and Chairperson Vivien Feyer.

**NOES:** None.

**ABSENT:** Commissioner Courtney Cummings, Commissioner Joyce Harris and Vice Chair Rock Brown.

**ABSTENTION:** None.

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**Vivien Feyer  
Chair of the Human Rights and Human  
Relations Commission of the  
City of Richmond**

**A RESOLUTION OF THE HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION OF THE CITY OF RICHMOND REQUESTING THE HUMAN RESOURCES MANAGEMENT DEPARTMENT OF THE CITY OF RICHMOND RECOGNIZE THE DETRIMENTAL IMPACT OF WORKPLACE BULLYING ON CREATING A SAFE AND PRODUCTIVE WORKPLACE FOR ALL CITY OF RICHMOND EMPLOYEES.**

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WHEREAS, Workplace Bullying may be defined as the repeated, health-harming mistreatment of one or more persons (the targets) by one or more perpetrators that takes one or more of the following common forms: verbal abuse; conduct which is threatening, humiliating or intimidating; work interference, sabotage, which prevents work from getting done; withholding resources and information necessary to the job; behind-the-back sabotage and defamation; use of put-downs, insults, and excessively harsh criticism; unreasonably heavy work demands designed to drive someone out of a job; and

WHEREAS, Workplace Bullying is not incivility, simple rudeness, or the routine exercise of acceptable managerial prerogative; when Workplace Bullying becomes routine, the work environment is toxic and quality work and employee engagement are impossible; and

WHEREAS, Workplace Bullying is not conflict between two equally-powered individuals who simply disagree over intellectual ideas; and

WHEREAS, The Workplace Bullying Institute's national scientific surveys (in 2007 and 2010), 35% of the adult Americans (**an estimated 54 million workers**) report being bullied at work; an additional 15% witness it and vicariously are made miserable by it; and

WHEREAS, Workplace Bullying often targets employees whose excellent job performance distinguishes them from colleagues; and

WHEREAS, Workplace Bullying directly impacts not only the emotional well-being and physical health of those targeted, but also the productivity of the entire workforce; and

WHEREAS, Workplace Bullying can inflict health-impairing physical and psychological harm on targeted employees including, but no limited to: stress disorders of all types; clinical depression; high blood pressure; cardiovascular disease; impaired immune systems; symptoms consistent with Post Traumatic Stress Disorder; severe residual effects on family and personal relationships; life-altering decisions about whether to stay in or leave a job; and

WHEREAS, it has been demonstrated that victims of workplace bullying commit suicide at a higher rate; and



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**A RESOLUTION OF THE HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION OF THE CITY OF RICHMOND IN SUPPORT OF THE ENACTMENT OF THE HEALTHY WORKPLACE BILL IN THE STATE OF CALIFORNIA**

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WHEREAS, the City of Richmond has an interest in promoting the social and economic well-being of its citizens, employees and employers; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free work environments; and

WHEREAS, research has documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and

WHEREAS, abusive work environments are costly for employers, with consequences including reduced productivity, absenteeism, turnover, and injuries; and

WHEREAS, protection from abusive work environments should apply to every worker in the state of California, and not be limited to legally protected class status based only on race, color, gender, national origin, age, or disability; and

WHEREAS, the Human Rights and Human Relations Commission of the City of Richmond recognizes that California was the first state to introduce the Healthy Workplace Bill; and

THEREFORE BE IT RESOLVED, that the Human Rights and Human Relations Commission of the City of Richmond, California supports the enactment of the Healthy Workplace Bill, authored by David C. Yamada, JD, in the state of California.

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**A RESOLUTION OF THE HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION OF THE CITY OF RICHMOND RECOMMENDING THAT THE CITY ESTABLISH AND IMPLEMENT A COMPREHENSIVE CITY OF RICHMOND WHISTLEBLOWER POLICY**

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WHEREAS, the City of Richmond has an interest in promoting the social and economic well-being of its citizens, employees and employers; and

WHEREAS, it is important that the City foster and maintain a workplace with a high ethical standard of conduct in all activities and conduct its business in a fair, effective, efficient, and transparent manner; and

WHEREAS, the City must protect its assets and resources from fraudulent, illegal, and dishonest activities by maintaining effective internal controls and by identifying and investigating any possibility of fraud or other improper activities; and

WHEREAS, municipal Whistleblower Policies have been implemented throughout the United States, establishing procedures for city employees and community members to report alleged illegal, fraudulent, and/or improper activity by city employees and assuring that such reports do not result in retaliation; and

WHEREAS, City of Richmond employees have the right to working conditions free from retaliation for expressing their opinions or revealing problems with City operations; and

WHEREAS, the City of Richmond is committed to protecting City employees and applicants for employment from interference with making a protected disclosure or from retaliation for having made a protected disclosure or for having refused an illegal order,

THEREFORE BE IT RESOLVED, that the Human Rights and Human Relations Commission of the City of Richmond hereby recommends that the City establish a Whistleblower Policy, protecting employees from retaliation for disclosing information concerning acts of wrongdoing, misconduct, abuse of authority, malfeasance, illegality, gross waste, mismanagement, substantial and specific danger to public health or safety, or any other activity or behavior ; and

BE IT FURTHER RESOLVED, that the City of Richmond's newly established Whistleblower Policy should be derived from and in accordance with the California Whistleblower Protection Act (Government Code Sections 8547-8547.12); and

BE IT FURTHER RESOLVED, that the Human Rights and Human Relations Commission of the City of Richmond recommends that, within 60 days of the adoption of this resolution, the City of Richmond

34 establish a comprehensive Whistleblower Policy that includes procedures for reporting and protecting  
35 against any harassment and retaliation.

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**RESOLUTION NO. 11.13.1**

**RESOLUTION OF THE HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION OF THE CITY OF RICHMOND, CALIFORNIA, RECOMMENDING THAT THE CITY MANAGER AMEND THE POLICY AGAINST WORKPLACE HARASSMENT (GENERAL ORDER NO. 33) TO PROVIDE A TIMELINE FOR THE INITIATION OF THE VARIOUS STEPS OF AN INVESTIGATION; TO SPECIFY REASONABLE TIME LIMITS FOR INVESTIGATIONS; AND TO NOTIFY ALL PARTIES INVOLVED AT THE CONCLUSION OF AN INVESTIGATION**

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**WHEREAS, the lack of closure and uncertainty surrounding workplace harassment investigations has tangible effects on the mental and emotional well-being, job performance, and physical and mental health of employees; and**

**WHEREAS, the most recent version of the City of Richmond's Policy Against Workplace Harassment General Order No. 33, dated February 1, 2007, fails to mention that the City will contact the complainant within three working days of the City being made aware of a complaint; and**

**WHEREAS, the most recent version of the City of Richmond's Policy Against Workplace Harassment General Order No. 33, dated February 1, 2007, fails to specify any time limits for investigations; and**

**WHEREAS, the most recent version of the City of Richmond's Policy Against Workplace Harassment, General Order No. 33, dated February 1, 2007, fails to specify that all parties be notified when an investigation has been concluded; and**

**WHEREAS, the former version of General Order No. 33 specified that investigations be concluded no later than 15 working days of an initial complaint; and**

**WHEREAS, the former version of General Order No. 33 specified that all parties be notified when an investigation is concluded; and**

**WHEREAS, workplace harassment investigations at the City of Richmond now routinely last far longer than 15 working days; and**

**WHEREAS, the accused are not in all cases notified that an investigation is concluded; and**

**WHEREAS, Richmond's Human Rights and Human Relations Commission has heard concerns over a period of several months from employees and members of the public about this matter; and**

**WHEREAS, the Commission has held several public meetings where this matter was discussed in depth; and**

**WHEREAS, the Commission has provided an opportunity for the City Manager to explain the background of General Order No. 33, and the changes from the former version to the most recent version, and to respond to concerns of the public, and**

**WHEREAS, there is general agreement that it would be of benefit to all to amend City policy to specify time frames for the initiation of each step of an investigation, and**

**WHEREAS, there is general agreement that it would be of benefit to all to amend City policy to specify reasonable time limits for the conclusion of investigations, and**

**WHEREAS, there is general agreement that it would be of benefit to all to amend City policy to specify notification to all parties at the conclusion of an investigation,**

**NOW, THEREFORE, BE IT RESOLVED that the Human Rights and Human Relations Commission recommends that General Order No. 33 be amended by the City**

**Manager to specify (1) that the City will contact the complainant within 3 working days of the Human Resources Department or City Attorney's Office being made aware of a complaint, (2) that the City will set a time frame for the initiation of other steps of an investigation, (3) that the City conclude all investigations in a timely manner, and (4) that the City will notify all participants within three days after an investigation is concluded.**

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**I hereby certify that the foregoing resolution of the Human Rights and Human Relations Commission of the City of Richmond was duly passed and adopted at a meeting thereof held on Monday, November 18, 2013, by the following vote:**

**AYES:** Commissioner Courtney Cummings, Commissioner Betty Burrus-Wright, Commissioner Joyce Harris, Commissioner Jasmine Jones, Commissioner Carole Johnson, Commissioner Kathleen Sullivan, Vice Chair Rock Brown and Chair Vivien Feyer

**NOES:** NONE

**ABSENT:** Commissioner Demetria Saunders

**ABSTENTION:** NONE

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**Vivien Feyer  
Chair of the Human Rights and  
Human Relations Commission of the  
City of Richmond**

RESOLUTION NO. 0114

RESOLUTION OF THE HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION OF THE CITY OF RICHMOND, CALIFORNIA, RECOMMENDING THE CEASE AND DESIST OF CLASSROOM BULLYING AND RACIAL INTIMIDATION AT SAN JOSE STATE UNIVERSITY

WHEREAS, Article 26 of the Universal Declaration of Human Rights states: *"Everyone has the right to an education... education should be directed to the full development of the human personality...It, shall promote understanding, tolerance and friendship among all nations, racial or religious groups..."*

WHEREAS, The definition of Bullying is, but not limited to the following; Unreasonable behavior that generally is persistent, and that demeans, intimidates, one or more individuals. Such conduct can also occur via use of electronic or telephone communications, such as the internet, email, blogs, text messages, or use of cameras and/or recording equipment. Additionally, bullying can involve physical acts and includes, but is not limited to, pushing, shoving, kicking, poking and tripping.

WHEREAS, some examples of bullying are: persistent name calling which is hurtful, insulting, or humiliating; using a person as the butt of a joke, encouraging others to turn against a targeted individual.

WHEREAS, Depicting young African Americans male and others minorities as dangerous or less than human is humiliating and imposes lifelong trauma that jeopardies the right to a safe learning environment.

WHEREAS, safety in a learning environment does not just mean guns or absence thereof. The malicious hateful, behavior that was inflicted upon Donald Williams Jr. may limit his ability to learn in a school environment and impart lasting psychological damage.

THEREFORE BE IT RESOLVED that the City of Richmond Human Rights Human Relation Commission support the work of the Task Force headed by LaDoris Cordell in her edit that "Misbehavior will not be tolerated".

BE IT FURTHER RESOLVED that the Human Rights Human Relation Commission support the recommendation of LaDoris Cordell in calling for: training Advisor to recognize controversial racially offensive symbols; Prerequisite of cross cultural, sexual and bully training for all freshman within the first (3) weeks of school.

WE FUTHER RESOLVE that the Human Rights/Human Relation Commission call for the discipline of students, accused and found with reasonable suspicion of such misbehavior, to take place in less than the present five(5) weeks, with the enforcement of consequences spell out.

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I hereby certify that the foregoing resolution of the Human Rights and Human Relations Commission of the City of Richmond, California, was duly passed and adopted at a meeting, thereof, held on April 28, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

## San Jose State University

# Office of the President

[\(/president/\)](#)

## Toward a More Welcoming Community

### SJSU Responds to Alleged Hate Crimes

May 30, 2014

#### Special Task Force on Racial Discrimination

Dear Campus Community,

I am writing to you today to provide an update on our efforts to ensure a safe, welcoming, inclusive climate for everyone at SJSU.

The [Special Task Force on Racial Discrimination \(/president/diversity-communications/taskforce/index.html\)](#), formed in response to alleged hate crimes on our campus, completed its work in April. Chaired by retired Santa Clara County Superior Court Judge LaDoris Cordell, [the group provided more than 50 recommendations \(/president/diversity-](#)

[communications/Apr22FINAL%20RECOMMENDATIONS%20OF%20SPECIAL%20TASK%20FORCE%20ON%20RACIAL%20DISCRIMINATION%20corrected%20version.pdf\)](#) San Jose State.

Since that time, administrative and Academic Senate leaders have reviewed each recommendation and [created an action plan \(/president/diversity-communications/University%20Action%20Plan%20May%202014.pdf\)](#). Implementation of some recommendations has already begun. I would like to thank the President's Commission on Diversity for taking a lead role in this effort over the past 45 days and for agreeing to serve as the implementation team going forward.

The diversity commission was appointed before the alleged hate crimes occurred, but its mission and composition align well with the task force's work. We will review the commission's roster to ensure the group is prepared to take on this new role. Members will continue to include students, faculty and staff from across campus.

Here is what we will focus on in the coming year:

- Gathering best practices and engaging the university community in plans for an Office of Diversity, Engagement and Inclusive Excellence.
- Ensuring that visible, user-friendly tools are readily available to report hate crimes and inappropriate and bias-based conduct.
- Developing a comprehensive response protocol once incidents are reported.
- Creating a recruitment protocol that ensures diverse applicant pools for faculty positions.
- Developing and implementing training and programming on race, ethnicity and diversity for all campus community members including students who live and work in our residence halls.

The President's Commission on Diversity will meet regularly to track progress toward meeting all of these goals, and will provide regular updates that will be shared with the entire university community. We will publicize the commission's meeting schedule so that anyone interested can offer input in person or in writing.

Sincerely,

Mohammad Qayoumi  
President

#### Archived Messages

Read [archived messages \(/president/diversity-communications/messages/\)](#) from SJSU's president, provost, Associated Student's president, African American student organization leaders and the CSU chancellor.

#### Diversity Studies

[Previous studies \(/president/diversity-communications/studies/\)](#) on campus climate and diversity.

#### SJSU Action Plan

Administrative and Academic Senate leaders have reviewed each recommendation made by the Special Task Force on Racial Discrimination and created an action plan.

#### [READ PLAN \[PDF\]](#)

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CITY OF RICHMOND COMMISSION ON HUMAN RIGHTS AND HUMAN RELATIONS  
RESOLUTION:

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE COMMISSION ON HUMAN RIGHTS AND HUMAN RELATIONS OF THE CITY OF RICHMOND, EXPRESSING ITS SUPPORT OF THE CALIFORNIA STATE SENATE LIFE (LIFESAVING INTELLIGENT FIREARMS ENFORCEMENT) ACT BILLS.

WHEREAS, the Federal government has failed to pass national legislation to strengthen gun control laws, California has the responsibility to protect Californians and the opportunity to lead the nation by passing stricter gun control legislation at the State level;

WHEREAS, crime and violence prevention are two of the City of Richmond's highest priorities. Over the past several years, the Richmond Police Department and community partners have become more and more effective in addressing gang violence and driving down violent crime.

WHEREAS, although Richmond's crime and violence statistics have improved, these numbers are still too high. We need stronger gun control legislation at the State and Federal levels to further reduce gun violence and to protect the community, as the City legally cannot enact firearm regulations (under California law 53071 GC) at the local level;

WHEREAS, the 2013 California Senate LIFE (Lifesaving Intelligent Firearms Enforcement) Act Bills including:

Died in the A. →

**SB 47 (Yee)** Strengthens CA's assault weapons ban by closing the bullet button loophole that allows for easily exchangeable magazines.

Died. A →

**SB 53 (De Leon)** Requires a background check and a permit to purchase ammunition.

Veto by Gov →

**SB 140 (Leno)** Appropriates \$24 million to disarm prohibited persons known to be in possession of firearms. *(signed)*

Passed →

**SB 374 (Steinberg)** Simplifies and strengthens California's assault weapons law by prohibiting future sale of long guns with exchangeable ammunition magazines that enable rapid reload.  
**SB 396 (Hancock)** Bans possession of large capacity (greater than 10 rounds) ammunition magazines.

Veto by Gov. →

Died →  
Waiting on Gov →  
veto by Gov →

**SB 567 (Jackson)** Bans rifled bore shotguns with high capacity revolving ammunition cylinders.

**SB 683 (Block)** Expands the Handgun Safety Certificate program to include all firearms.

**SB 755 (Wolk)** Expands the list of misdemeanor categories that carry a ten year prohibition from firearm possession.

Will further tighten gun control and safety laws in California;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights and Human Relations Commission of the City of Richmond does hereby support the California LIFE (Lifesaving Intelligent Firearms Enforcement) Act Bills in their entirety and encourages the California State Senate Assembly to move swiftly to pass all eight Bills.

I certify that the foregoing resolution was passed and adopted by the Human Rights and Human Relations Commission of the City of Richmond at a regular meeting thereof held on May 20, 2013, by the following vote:

9/18:  
Info/Update received from Sen. Mark DeSaulnier

# K. 4

**First Annual Bay Area Assembly of Human Rights Commissions on 9/29/14 hosted by the Marin County Human Rights Commission**

**DISCUSS COMMISSION'S PARTICIPATION**

*Chairperson Jones, Commissioner Wysinger and Commissioner Carole Johnson*

## **Attachments**

4.1 – Flyer: First Annual Bay Area Assembly of Human Rights Commission

# **First Annual Bay Area Assembly of Human Rights Commissions**

**9/29/14**

**Hosted by the Marin County  
Human Rights Commission**

Please join us in discussion to define how together we may prevent and respond to Human Trafficking and the Assault on Affirmative Action in the Bay Area. We believe that through collaboration we can identify regional strategies that will make each Commission even more powerful and effective than it can be alone.

Beverages & snacks will be provided for your nibbling pleasure.

**Monday, September 29, 2014 12 p.m. - 2:30 p.m.**

**Marin County Civic Center, Room 410B  
3501 Civic Center Drive, San Rafael, CA  
415.473.6189**

**<http://www.evite.com/l/q5zKm6M8zt>**

# L. 1

## **UPDATE ON DOCTORS MEDICAL CENTER**

*Commissioner Carole Johnson*

### **Attachments**

L.1.1 – Update from Maria Del Rosario Sahagun

L.1.2 – Contra Costa Times Article: DMC advocates sue in federal court to halt closure, ambulance diversions by Robert Rogers

## **L. 1 UPDATE ON DOCTORS MEDICAL CENTER**

From Maria Del Rosario Sahagun

September 9 - Here is a link with more info on the recent court hearing in SF:[http://www.contracostatimes.com/west-county-times/ci\\_26324463/doctors-medical-center-advocates-sue-federal-court-halt](http://www.contracostatimes.com/west-county-times/ci_26324463/doctors-medical-center-advocates-sue-federal-court-halt). Unfortunately, the judge denied the injunction.

AB 833 did pass. (thanks to Jael Myrick and Nancy Skinner). We will be getting \$3 million as a result. Unfortunately, not enough to keep the hospital open. We continue to explore different options. I am hopeful that at the 11th hour we will find a solution.

September 12 - Update: Doctors Medical Center currently has money thru December. In addition to that, the \$3 million from the state buys us another 2 months thru the month of February. The admin also announced that they are taking a 10% cut. Finally, the Board is willing to hear and pursue ALL new ideas that may create revenue to sustain us as a full service hospital!!!!

**TOGETHER we can make this happen THIS!!!**

These nuggets of gold have given us time and opened hearts.

We are moving forward. The slow dismemberment of the hospital and/or the threat of potential closure is giving birth to heightened levels of awareness and passion from community members, passion and drive that would have otherwise remained complacent and apathetic to the ugly 'trends' that are bombarding our communities. **WE ALL WANT THE SAME THINGS.** If we are to survive as a humanity we must work together regardless of our differences.

## Doctors Medical Center advocates sue in federal court to halt closure, ambulance diversions

By Robert Rogers  
Contra Costa Times

POSTED: 08/12/2014 04:06:10 PM PDT1 **COMMENT**| UPDATED: ABOUT A MONTH AGO

Doctors Medical Center is seen in San Pablo, Calif. on Wednesday, May 7, 2014. (Kristopher Skinner/Bay Area News Group)

SAN PABLO -- Nurses, doctors, patients and community members sued in federal court Tuesday seeking to stop the possible closure or downsizing of West Contra Costa's only public hospital, which is deep in the red.

A U.S. District Court judge in San Francisco denied a motion for a temporary restraining order to stop ambulance diversions from Doctors Medical Center but set an Aug. 27 court date to hear the case.

"The health and very lives of residents of West Contra Costa County, many of them indigent and suffering from disabilities and disproportionately African-Americans and senior citizens, hang in the balance," according to the motion filed by Oakland attorney Pamela Price.

The mounting uncertainty at the hospital has helped drive away at least 80 workers, more than 10 percent of staff, from the hospital, which last week began diverting some patients with heart attacks and other critical cases to hospitals farther away because of staffing shortfalls.

The suit alleges that reducing services or closing the hospital violates the 14th Amendment to the U.S. Constitution, the Civil Rights Act of 1964 and the Age Discrimination Act of 1975 with regard to seniors because of the disproportionate impact on minorities, seniors and those with disabilities.

### Advertisement

The California Nurses Association and National Nurses United, unions that represent many of the nurses at DMC, said in a news release that the county Board of Supervisors has a "legal and moral obligation to assume operation of DMC and fully integrate it into the existing Contra Costa County health system."

"The initial complaint will seek to stop the diversion of ambulances and particularly ambulances with patients who have serious heart attacks and require the lifesaving measures DMC is capable of (treating) with its procedures," according to the release.

Although federal Judge William Orrick denied the temporary restraining order, he said the matter was urgent and deserved a full hearing, according to CNA/NNU spokeswoman Liz Jacobs.

"This was a partial victory," Jacobs said. "The fight goes on."

DMC is burdened by a patient mix dominated by Medi-Cal and Medicare patients, resulting in low reimbursement rates, and is a district hospital, meaning it is not subsidized by the county. After approving two parcel taxes in the past decade, voters rejected a \$20 million tax measure this year, leaving the hospital with an \$18 million annual deficit.

Dr. William Walker, county health services director, has said an average of 22 emergency ambulances had come to DMC every day, with more than four critical care transports, many of which are heart attacks and strokes. Those patients are now being taken to nearby hospitals.

The suit names Contra Costa County and the West Contra Costa Healthcare District, along with each county supervisor, Walker and Healthcare District Chairman Eric Zell as defendants. Neither Zell nor Walker could be reached immediately for comment.

Advocates say the county should take over the hospital and subsidize it, but county officials say their budget is already stretched too thin.

Contact Robert Rogers at 510-262-2726. Follow him at [Twitter.com/sfbaynewsrogers](https://twitter.com/sfbaynewsrogers).

# L. 2

**COMMITTEE REPORT: EDUCATION AND OUTREACH COMMITTEE  
REPORT ON DEMILITARIZATION OF POLICE**  
*Commissioner Burrus-Wright and Vice Chair Harris*

**Attachments**

L.2.1 – Report on Demilitarization of Police; Meeting on 9/6/2014 attended by Dr. Burrus-Wright

September 8, 2014

Information Report

No action required

Meeting September 06, 2014

GRASSROOT HOUSE 2023 BLAKE ST. BERLELEY

FACILITOR:

George Lippan, Peace and Justice Commission

Attorney Shaid Buttar, of Bill of Rights Commission

TOPIC DISCUSSION:

1. Demilitarization of Police
2. Police Accountability
3. Surveillance
4. Profiling
5. Information gathering of personal data

Notes:

Richmond is view as:

- City to immolate as it relates to:
- police, crime reduction,

- HR/HRC involvement

Attendance : various groups to include three high school young men from Fremont H. (Asian)Bay area Youth Organization for HR.

Suggested Area of Need:

1. Organize Regionally, Rich, Berk, Oak.
  2. Standardize procedure for Police stopping people.(Berk. has this)
  3. Ask for profile of Policeman, example, PTSD, Army, . Ask for valid evaluation of candidates.
  4. Racial Profile policy (Berk. has one)
  5. Need external Affair Police Review Commission
  6. Explore Richmond Mutual Aide Policy.
  7. How far reaching will the military police go: who decides:
  8. Role of Military is capture, kill and???
- ❖ What would bring your community out to talk about surveillance.
  - ❖ It is said, Grassroots involvement sends a powerful message.

A gentle reminder of the June 01, 1920 bombing of Tulsa Oklahoma's Black Wallstreet, an affluent Negro Community. Six Leftover planes from World War 1 were taken from Curtiss Southwest Field and dropped incendiary booms, in addition to shooting people from the (air) planes.

The militarization of police isn't new. (Google, Tulsa bombing for the information).

- ✓ My compassion and Humanity keep me asking the big Rational Question. WHY?
- ✓ Yet! I know that rational thinking and irrational thought **cannot** comprehend each other.
- ✓ How do we change one's Belief and Perception that differentness is a license to destroy?

Submitted by:

Betty Burrus-Wright.PH.D

# L.3

**COMMITTEE REPORT: COMMUNITY AND POLICE RELATIONS**  
**UPDATE FROM POLICE CHIEF CHRIS MAGNUS ON THE OFFICER-INVOLVED SHOOTING**  
*Commissioner Carole Johnson*

**Attachments**

L.3.1 – Update from RPD Chief Magnus on the Office-Involved Shooting (OIS)

## **UPDATE (#2) FROM POLICE CHIEF CHRIS MAGNUS ON THE OFFICER-INVOLVED SHOOTING**

***September 16, 2014***

I want to provide an update regarding the officer-involved shooting (OIS) that occurred over the weekend and provide some general information in response to questions and concerns that have been raised by various people.

Let me start by once again recognizing and fully appreciating that any loss of life is a tragedy. We offer our sincere condolences to the decedent's family, friends, and others affected by his death. No one, least of all the officer involved, takes this lightly. I understand how troubling an incident like this is for everyone involved and I want to reemphasize that the investigation into what happened will be thorough, comprehensive, and fair.

There are actually two distinct investigations taking place. One is conducted by a team of personnel from the Contra Costa District Attorney's Office who work in conjunction with our Homicide Unit investigators. These individuals have been gathering evidence, assuring evidence is properly processed, interviewing witnesses, and interviewing the officer(s) involved. This includes scrutinizing all video footage of the incident, listening to police-radio traffic, sending certain pieces of evidence to the Contra Costa Sheriff's Department Crime Lab for analysis, and attending the autopsy.

The second investigation is internal (within the Richmond Police Department). This investigation is conducted by our Professional Standards Unit (PSU) with the purpose of determining if the department's policies and procedures were followed, if any training issues are identified, and what the department can learn from this incident that might help us in the future.

Although I can't get into the specifics of the current investigation, I can answer some general questions about process and use of force:

**Question: How can the public be confident that investigations into officer-involved shootings (OIS) are fair and comprehensive?**

**Answer:** The Richmond Police Department participates in a county-wide protocol that involves a key oversight role for such investigations by the Contra Costa District Attorney's Office. That office serves as a neutral fact-finder and oversight body following any incident of this kind. Ultimately, the District Attorney's Office will make a determination about the shooting and any follow-up actions that office deems appropriate. In addition, a Coroner's Inquest is conducted for any fatal OIS. An inquest is an entirely separate investigation into the cause of death conducted by the County Office of the Coroner.

**Question: Why does an investigation into an Officer-Involved Shooting take so long?**

**Answer:** It is understandable members of the media and the public want findings related to incidents of this type as quickly as possible. That said, most reasonable people also want the agencies conducting the investigation(s) to be thorough, accurate, and fair. Not only does it take time to interview (and sometimes re-interview) all the parties involved, as well as all the witnesses; it also takes time to gather evidence, have evidence

professionally processed at the Crime Lab, and to evaluate all the information relevant to the case. It is not uncommon sometimes for investigations of this kind to take several months or longer.

**Question: What happens to the officer (or officers) involved in a shooting that results in injuries or death?**

**Answer:** It is standard protocol in virtually all California police agencies for the officers directly involved in an OIS to be placed on paid administrative leave. This does not indicate that any conclusion or findings have been reached. It provides the needed time for the involved officers to be interviewed (which usually involves their union representative or attorney being present--as a right entitled to them by law). It also allows time for fact-finding to occur so the Police Department has a basic understanding of what happened and why. Finally, it provides the opportunity for the officers' due-process rights to be protected, and receive any supportive services they need, including peer support and counseling, following the incident.

**Question: Do RPD officers have body-cams?**

**Answer:** The department has been testing and evaluating different models and types of body-cameras over the past several months. We are now in the process of purchasing the cameras and developing the policies needed to put them into operation. We are planning on implementing the body-cams by early 2015. All patrol officers and a select group of other personnel (such as officers on a SWAT assignment or involved in serving a search warrant) will utilize the body-cams.

**Question: According to news reports and social media, different people claim to have seen different things related to the Officer-Involved Shooting. How can their version of what happened be so different from what the Police Department has reported?**

**Answer:** During any critical incident, different people see or perceive things differently. Sometimes their account of an incident is based on their location, their vantage point, their level of attention, and even their feelings about the parties involved. One of the advantages of video-evidence is that it can help clarify what actually happened, although even video evidence can be misleading or incomplete if it only shows one part of an incident--or shows it from a particular perspective. The job of a good investigator is to evaluate **all** the evidence, assess the credibility of the witnesses, and reach the best possible conclusions. Some people use media interviews or social media to voice their opinions about what happened even if they were not a direct witness to the event. This can cause confusion and lead to rumors based on seriously inaccurate statements. It is not appropriate or reasonable for a police department to try to respond publicly to the many opinions or claims that are made following a critical incident, such as an OIS.

**Question: Why can't officers simply "shoot to injure" someone as opposed to using their firearm in a manner that may result in a suspect's death?**

**Answer:** Officers are sometimes faced with a rapidly occurring set of circumstances that force them to make very difficult, often split-second, decisions. When an officer believes

his or her life, or someone else's life, is in danger, the officer has to decide what level of force is most appropriate to stop the threat. Although the department provides its officers with as many tools and as much training as possible to deal with resistant or dangerous individuals, there is no "one size fits all" approach to stopping a deadly threat. Extremity or "warning" shots may be common on TV or in the movies, but in real-life, they are highly discouraged—if not outright prohibited—by most police departments. The actual precision of anyone firing a gun under highly stressful circumstances, often in poor lighting, at a distance, or while the parties involved are moving, is almost impossible to assure. Officers are taught to shoot using established firearms techniques that will "stop the threat." While no one wants to see a life taken, officers need to be able to protect themselves, as well as others, when lives are in immediate danger. It is appropriate that any such actions be thoroughly investigated and critiqued after the fact by the District Attorney and Coroner, but many times the "critiquing" is done by individuals and groups with limited or no knowledge of what witnesses actually told the police, what the evidence shows, and other relevant information. At the police department, we just have to accept this as inevitable, but we also understand how this misinformation, deliberate or otherwise, can be very confusing to the public.

**Question: Where can I get more information or stay informed about what's going on related to the Richmond Police Department or specifically an OIS?**

**Answer:** The Richmond Police Department uses its Facebook page, its website ([www.richmondpd.net](http://www.richmondpd.net)), and the Chief's Twitter account (@RPDChiefMagnus) to provide information to the community that is as accurate and timely as possible. We also welcome your feedback through these forums, even if it is questioning or critical. We value our relationship with the community and seek to maintain our commitment to transparency and openness.

*Chief Chris Magnus*