

# **RICHMOND POLICE COMMISSION**

**Wednesday, May 2, 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 (arrived at 7:07)  
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

### **II APPROVAL OF MINUTES – April 4, 2007**

Upon motion by **Commissioner Bautista** and second by **Commissioner Ward** the minutes for the regular meeting of April 4, 2007, were approved as written.

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

**Deputy Chief Ritter** reported for Chief Magnus. **D/C Ritter** reported that they will be reinstating checkpoints this month. There will be two in the month of May; one in the northern district and one in the southern district. They've worked out the restrictions that the Court of Appeals placed on them and they are in compliance with State law and City policy. **D/C Ritter** said the new Interim City Attorneys will be working with them on the False Alarm Ordinance and the Code Enforcement Program. They are also ready for the Cinco de Mayo celebration. The parade will start at 9:00 a.m. at 24<sup>th</sup> and Barrett. It will go down 23<sup>rd</sup> Street and end at Maple Hall in San Pablo. At noon they will close down

23<sup>rd</sup> Street for a street fair. San Pablo Police Department, CHP and CCC Sheriff's office will be assisting RPD. All officers are scheduled to work Friday and Saturday.

**Commissioner Hembree** asked where the street closure would start and end. **D/C Ritter** said it will start at Burbeck and end at Rheem.

**Commissioner Tallerico** asked if there was a zero tolerance for alcohol and gang affiliated colors. **D/C Ritter** said yes, they will be monitoring for both.

**Commissioner Bautista** asked where the command station would be and who would be in command. **D/C Ritter** said it will be at 24<sup>th</sup> and Barrett. Capt. Anthony Williams and Lt. Gagan are sharing command.

**Chair Williams** asked if all officers that will be on the streets would have helmets. **D/C Ritter** said the officers on the Mobile Field Force will have helmets. They don't want all officers to wear helmets because it presents a negative image, but they will all have access to helmets if needed.

**Commissioner Potts** said he was in the group that sponsored the Martin Luther King III tour throughout the City of Richmond. He thanked the Police Department for providing officer security. They did an excellent job.

**Commissioner Bautista** asked how many officers are currently on the force and how many are on injury leave. **D/C Ritter** said there are approximately 154 total sworn and approximately 8 – 10 on modified duty due to injuries or temporarily disabled.

**CIAO Casimere** told **D/C Ritter** that two commissioners need orientation but they've had some difficulty in scheduling this. He asked if something can be done to expedite it. **D/C Ritter** said she will check with Lt. Simon.

**Chair Williams** asked what can be done about unlicensed vendors going through the neighborhoods and selling things to children. **D/C Ritter** said she will check with the Code Enforcement Unit but she believes they can only issue citations for selling without a business license. There's not any criminal activity associated with it. **Commissioner Hembree** said the City of Compton recently passed an ordinance prohibiting any street vendors.

**Commissioner Hembree** referred to an article in the West County Times that said untrained police risk losing civil immunity in high-speed chases. She asked if RPD had training for high speed chases and a policy in place. **D/C Ritter** said Richmond has always had both. They have Advanced Officer School every other year as well as training with the driving simulator and they have a very strong policy that covers this. The California Police Chiefs Association and the International Association of Chiefs of Police have put that policy out and Lt. Mike Booker is looking into it to make sure they are in compliance.

**Chair Williams** said she is aware that all sergeants' vehicles have tasers and has heard that all officers will soon have tasers. **D/C Ritter** said the officers assigned to patrol will be outfitted with tasers. They are in the process of ordering them. There will be special training and they will be adopting a Taser Use Policy.

**IV REPORT BY POLICE OFFICER ASSOCIATION REPRESENTATIVE**

No report.

**V REPORT BY GUARDIANS OF JUSTICE ASSOCIATION REPRESENTATIVE**

**Michelle Arriaga** reported that they covered the remaining balance that was due for Gomper's Senior Prom. They participated in the Youth Scholarship event with PAL. The second \$500.00 scholarship was given to a student from Richmond High School. The scholarship given out for the month of May will go to a student from Gomper's. Flyers were distributed for the Reno bus trip on 6/30/07 and the GOJ Christmas Dinner Celebration on 12/01/07.

**Commissioner Bautista** said they should get recognition from the mayor's office for all the good things they do for the community.

**VI REPORT BY LATINO POLICE OFFICER ASSOCIATION REPRESENTATIVE**

No report.

**VII DISCUSS RPD TATOO POLICY**

**Deputy Chief Ritter** said that as tattoo art is becoming more prevalent, they've noticed that some officers are engaging in excessive body art and they realized they didn't have any policy available to address it. **Lt. Ron Berry** did some research and found that as an organization, they can limit what is exposed to the public. They drafted a policy that has been in place at other agencies that basically limits body art to areas that are not exposed to the public. The policy also states that officers cannot have what would be deemed as offensive body art, including racist, sexist, or demeaning types of slogans or material on their bodies.

**Commissioner Tallerico** asked why they couldn't simply state "Tattoos may not be exposed while an officer is on duty." **D/C Ritter** said it involves more than just tattoos. They also researched case law associated with this and they found that agencies that had policies that were too vague and not definitive in nature were deemed to be unconstitutional and violated a person's ability to express themselves.

**Commissioner Tallerico** inquired about section 1045.3.2. He asked if someone has a tattoo in an area that is never exposed, would they have to disclose it. **D/C Ritter** said yes. They wouldn't want to hire anyone that may have a tattoo that is offensive in nature because that person may not be suitable for employment with RPD.

**Commissioner Tallerico** asked why civilian and volunteer personnel were only discouraged from displaying tattoos and everyone else absolutely cannot in 1045.5.3. **D/C Ritter** explained that some of the civilian personnel are not mandated to wear uniforms and they aren't usually in a situation where they will be interacting with the public in a uniformed position.

**Chair Williams** said the policy is a good idea and if further discussion is needed it will be arranged.

**Commissioner Potts** asked if the chief consults with any other members in determining what is offensive and what is not in regards to body art. **D/C Ritter** said the decision will ultimately be made by the Chief but he is working closely with the union and considering their input before making his decision.

**Commissioner Tallerico** thanked Lt. Berry for researching and putting together the reference packet for this policy.

**Phil Mehas** commented on the extensive questioning of this policy by the Police Commission. He hopes to hear more detailed questioning with other policies in the future. He was impressed to see the Police Department requesting input from the Commission and was also impressed with Lt. Berry's research.

The Commission suggested the following changes.

1045.1 should personnel obtain any "**body art including**" tattoos, scarification or branding

1045.3.1 (a) Define the word obscene

1045.3.1 (b) Define prejudicial to good order and discipline

A motion was made by **Commissioner Tallerico**, seconded by **Commissioner Hembree**, that the Police Commission support the policy and send it back to the Police Department with the Commission's suggestions. All were in favor.

**D/C Ritter** said she will add the wording into section 1045.1 and let the City Attorney's office know that the definitions were an area of concern. After the legal review they will bring the formal policy back to the Commission.

## VIII PUBLIC FORUM

**Phil Mehas** suggested that the Commission find out if there is a policy regarding checkpoints and said he would like to see a report on checkpoint statistics. He supports traffic stops but is concerned about racial profiling. **Mr. Mehas** said he attended some of the sessions on Cinco de Mayo and was impressed with the way police were interacting with the organizers. He also suggested getting a copy of the taser policy from the Police Department.

**IX DISCUSS DA'S RESPONSE TO RECORDS REQUEST**

**Commissioner Tallerico** made a motion to send another letter to the DA requesting statistics for the same period for at least 3 other cities so that they can be compared with Richmond. It was seconded by **Commissioner Bautista**. **Commissioner Zingale** made an amended motion to request statistics for all municipalities in the county. The amended motion was accepted. All were in favor.

**X REPORT BY CONFIDENTIAL IAO**

**CIAO Don Casimere** said he had no report.

**XI REPORTS OF SUBCOMMITTEES**

**A. West County Alcohol Policy Working Group**

**Commissioner Williams** said she assisted on a few liquor store investigations. County Health, Alcoholic Beverage Control, Richmond Police Department, and Richmond Fire Department were there to inspect the buildings.

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

**Commissioner Ward** said there will be a presentation to the North-East Neighborhood Council on 5/17/07 at 7:00 in the Senior Center.

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

**Chair Williams**

- Attended CCPOA (Calif. Crime Prevention Officer Assoc.) Meeting
- Attended RNCC Meeting
- Attended GRIP Board Meeting
- Attended Crime Prevention Executive Board Meeting
- Attended Crime Prevention Meeting
- Attended West County Alcohol Policy Working Group Meeting
- Sat in on two court sessions, DUI and domestic violence
- Attended Public Safety Committee Meeting

**Commissioner Hembree**

- Attended Public Safety Committee Meeting

**Commissioner Ham**

- Attended Public Safety Committee Meeting
- Attended 26-hr Conflict Resolution Training put on by Human Development Members
- Ride-Along with Off. Anthony Mikell

**Commissioner Stephenson**

- Attended Sick Leave Policy Review Meeting
- Participated in oral board for RPD

**Commissioner Tallerico**

- Ride-Along with Sgt. Samayoa
- Participated in oral board for RPD
- Attended Citizens' Police Academy
- Attended Youth Scholarship Award Dinner
- Attended Sick Leave Policy Review Meeting

**Commissioner Potts**

- Attended Public Safety Committee Meeting
- Working with group that is sponsoring 2-1/2 day tour for Martin Luther King III. Spent time in North Richmond yesterday. Visited Parchester and Belding Woods today. There will be a town hall meeting tomorrow at the auditorium from 7:00 p.m. to 8:30 p.m.

**Chair Williams** introduced Tom Min, the City Prosecutor who was substituting for Carlos Privat.

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

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

No new complaints received in the past month.

**XIII ADJOURNMENT**

Upon motion by **Commissioner Ward** and second by **Commissioner Potts**, the meeting was adjourned at 8:25 p.m.

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