

# **RICHMOND POLICE COMMISSION**

**Wednesday, February 6, 2008 – 7:00 p.m.**  
**Community Services Building**  
**330 - 25<sup>th</sup> 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  
Robert Ham  
Dolores Hembree  
Cochise Potts  
Roberto Reyes  
Glenn Stephenson  
Chris Tallerico  
Cora J. Ward  
Naomi Williams

**Absent:** Councilmember Harpreet Sandhu  
City Council Liaison

**Vacancies:** None

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

### **II PLEDGE OF ALLEGIANCE**

### **III APPROVAL OF MINUTES – January 2, 2008**

Upon motion by **Commissioner Hembree** and second by **Commissioner Tallerico** the minutes for the regular meeting of January 2, 2008, were approved as written.

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

A. Update on investigation of noose incident at Spot Liquors

**Chief Magnus** said that this is a situation of incredibly poor judgment on the part of the bar management. The noose was not life size and the management was reasonably apologetic. It was communicated to them that, although this is not a crime, it is not acceptable in the community and management agreed to

voluntarily remove it. There is no further involvement on the part of the police department.

**Commissioner Tallerico** stated that he was at Spot Liquors and even though a crime was not committed, he found it unbelievable and that the business should not be allowed to operate in the City.

**Phil Mehas** said that a noose hanging on an American flag cannot be interpreted as anything but a racial comment. He also said that psychological support services for the police should be a regularly funded program throughout the year.

**Mary Renfro** stated that there is a lot of Supreme Court constitutional law on the First Amendment right of free speech and it is probable that a private business, merely hanging a noose in a public place, is not directed at anyone. If it was directed at an individual it could be qualified as hate speech.

B. Other current topics

**Chief Magnus** reported that they received a request from the City Council for CHP deployment, therefore, the CHP is currently working with RPD in Richmond. He said there is State grant money available now that covers gang reduction, prevention, and intervention type activities that is set aside for the Highway Patrol to assist communities that are struggling with gang violence. They will also be assisting with traffic enforcement. **Chief Magnus** said they will be having training for all sergeants next week. They will be reviewing the new job description that Police Executive Research Forum (PERF) put together for RPD. He also reported that the Gang Enforcement Suppression Team is up and running. They have an offer from the Department of Justice to start a Gun Task Force in Richmond which they plan on pursuing. The Chief said he was impressed with the work of the patrol officers in handling some tough circumstances recently. They are working on a process that will provide better follow-up, psychological support services for officers involved in critical incidents. They are starting up a juvenile diversion process in Richmond and he would like to see a curfew ordinance put into place, but he wants community input on this matter. He does not want the curfew ordinance without a diversion program. He would like to see this take place as early as this summer.

**Commissioner Hembree** said that if a curfew was put into place she would like to see the chiefs of West County and the Sheriff's Office work together to devise a curfew plan that would be applied to the whole area, including Richmond, San Pablo, El Sobrante and El Cerrito.

**Commissioner Williams** said they should receive input from citizens before putting the curfew plan into action. She also wanted to know if there was a list of gang signs and/or names that they could have so that they could recognize and

report graffiti. She also asked about the cameras. **Chief Magnus** said the cameras are not yet operable; only the infrastructures are being put into place at this time. The committee will be contacted before the cameras are put into operation. **Commissioner Williams** inquired about keys or ID cards for the commissioners for entering the Police Department building. The Chief said they were working on it.

**Commissioner Bautista** inquired about Senator Perata's proposal to buy back guns in Richmond. **Chief Magnus** said Senator Perata has not contacted RPD about that but there is such a program taking place in Oakland.

**Commissioner Reyes** asked, in regards to the diversion and curfew programs, if there was data to support the necessity of this type of plan in the City. **Chief Magnus** said there is data to support the diversion program. There was a detailed study done on disproportionate minority contact of juveniles in Contra Costa County including Richmond. A diversion program is an important component to getting young people out of the criminal justice system as well as reducing crime.

**Commissioner Reyes** asked who is evaluating the work of the CHP in Richmond and how will they know that the effort was successful. **Chief Magnus** said that the CHP keeps detailed records of their contacts and arrests when they work a detail like this and RPD is willing to share this information with the community.

**Commissioner Ham** asked if having the CHP detailed to Richmond was a grant based operation. **Chief Magnus** said it is a grant that is funded at the State level and is set aside specifically for this purpose.

**Commissioner Ham** asked if they were working with the Office of Neighborhood Safety on the juvenile diversion program. The Chief said yes.

**Commissioner Tallerico** requested a copy of the current patrol assignments. **Chief Magnus** said he will send them to the Commission.

#### **V REPORT BY POLICE OFFICER ASSOCIATION REPRESENTATIVE**

**Off. Esparza** said he will be assisting in putting together the Closed Circuit Television Advisory Committee. He anticipates the first meeting to be later this month. There are two slots reserved for police commissioners. He said he is the Member at Large for the RPOA Executive Board. He is also on the negotiation team with the City.

#### **VI REPORT BY GUARDIANS OF JUSTICE ASSOCIATION REPRESENTATIVE**

No report.

## **VII REPORT BY LATINO POLICE OFFICER ASSOCIATION REPRESENTATIVE**

**Off. Esparza** said he is also Member at Large for the LPOA. Their annual crab feed will be on 3/29/08. He distributed flyers for the event and invited everyone to attend.

## **VIII DISCUSSION AND ACTION REGARDING ADOPTION OF THE NACOLE CODE OF ETHICS**

**CIAO Casimere** explained that NACOLE is asking that its member agencies and Civilian Oversight Agencies to review and adopt this as a professional code of ethics.

After a brief discussion a motion was made by Commissioner Williams and seconded by Commissioner Potts to adopt the NACOLE Code of Ethics. All were in favor.

## **IX PUBLIC FORUM**

**Phil Mehas** announced that on 3/27/08, the ACLU, in cooperation with the City of Richmond, will be putting on a public forum on immigration in the community room at the library. He stated that the ACLU has challenged curfews throughout the State in the past. If a curfew is crafted for the City of Richmond, the ACLU will probably challenge it. **Mr. Mehas** said that since the Commission adopted the NACOLE Code of Ethics it is an active document and someone should be responsible for monitoring it.

## **X REPORT BY CONFIDENTIAL IAO**

**CIAO Don Casimere** welcomed the newest Commissioner, Roberto Reyes. He attended the Public Safety Committee meeting last month and has been attending the Senior Staff meetings on a regular basis. He stated that on 2/19/08, the Finance Director will give an overview of the City's mid-year budget at the Finance Committee meeting of the City Council; the public is welcome to attend. Mr. Casimere reported that he received four citizen contacts in the past month who wanted to file complaints on matters other than the use of force or racially abusive treatment. They were referred to the Professional Standards unit of the Police Department. When citizens contact the Police Commission, they are told that they are welcome to come to the Police Commission meetings. They are also sent a Police Commission brochure.

## **XI REPORTS OF SUBCOMMITTEES**

### **A. West County Alcohol Policy Working Group (Commissioner Naomi Williams)**

**Commissioner Williams** said they hold special meetings every second Monday from 11:00 to 1:00 with John Gioia, the sheriff's department, ABC, the health department, RPD and San Pablo PD. Members of the community are welcome to participate. The address is 1555 – 7<sup>th</sup> Street at the Heritage Senior Building.

Page five

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

No report.

C. Reports on Community Events/Training Attended

**Commissioner Tallerico**

- Ride-along with Off. Moody
- Attended homicide briefing with Sgt. Peixoto's team
- Attended RPD/CHP Task Force briefing
- Spoke at Public Safety Committee meeting

**Chair Ward**

- Attended Public Safety Committee meeting

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

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

**XIII ADJOURNMENT**

Upon motion by **Commissioner Hembree** and second by **Commissioner Bautista**, the meeting was adjourned at 8:17 p.m.

---

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