

RICHMOND POLICE COMMISSION

**Wednesday, October 1, 2008 – 7:00 p.m.
Community Services Building
330 - 25th 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
Dolores Hembree
Cochise Potts
Roberto Reyes
Glenn Stephenson
Chris Tallerico (arrived at 8:30)
Cora J. Ward
Naomi Williams

Absent: None

Vacancies: One

Administrative

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

Council Liaison: Councilmember Harpreet Sandhu – Absent

City Attorney's

Office Representative: Mary Renfro, Assistant City Attorney – Present

II PLEDGE OF ALLEGIANCE

III APPROVAL OF MINUTES – September 3, 2008

Upon motion by **Commissioner Bautista** and second by **Commissioner Williams** the minutes for the regular meeting of September 3, 2008, were approved as written.

IV COMMENTS BY COUNCIL LIAISON HARPREET SANDHU

No report. Not present.

V COMMENTS BY CITY ATTORNEY'S OFFICE

Assistant City Attorney Mary Renfro reminded the Commissioners to turn in their badges.

VI DISCUSSION ON COMMUNITY MEETINGS

Commissioner Bautista made a motion, seconded by **Commissioner Reyes**, to hold the November 5, 2008 regular Police Commission meeting at the Hilltop Mall Community Room. Ayes – 6; Noes – 0; Abstentions – 1; one commissioner absent.

Andres Soto commented that he was happy to see that the Commission was holding meetings in other areas of the community.

VII REPORT BY CHIEF OF POLICE (Chris Magnus or his representative)

A. Driver's License Checkpoints

Chief Magnus handed out RPD's most recent newsletter. He referred to a section in the newsletter that answers several questions related to checkpoints.

Commissioner Bautista asked if RPD could give the Commission advance notice of any checkpoints. **Chief Magnus** said he will notify the Commission.

Commissioner Potts asked if the mayor had been given the statistics regarding ethnicity of the individuals stopped at checkpoints that she requested at the last Public Safety Committee meeting. **Chief Magnus** said the information was given to the mayor and city council. It was a list of registered owners of vehicles that were impounded during the checkpoints.

Commissioner Potts asked what criteria is used for choosing checkpoint locations. The Chief said they do the checkpoints on well traveled roads and rotate the checkpoints between the three geographic districts in the city.

Commissioner Reyes said there have been too many checkpoints on 23rd Street and he believes Latinos are being targeted. **Chief Magnus** said that data does not show that there is any particular street that has had a disproportionate number of checkpoints and he rejects the idea that any ethnic or racial group is being targeted by the checkpoints.

Commissioner Williams said she has observed several checkpoints and there have been no more on 23rd Street than there have been on Cutting. She said that the police are doing their job correctly.

Commissioner Hembree observed the last checkpoint and said she saw no targeting. Everything was running smoothly.

Commissioner Reyes said it was strictly his opinion that there were too many checkpoints on 23rd Street.

Andres Soto said that he reviewed the list that the Chief presented to the mayor and that 69.5% of people that had their cars taken were Latinos. He said it has a disproportionate ethnic and racial application and result. He said the cars are then sold for a profit and it's creating an atmosphere of terror and fear throughout the Latino community.

Phil Mehas said the Chief did a good job explaining the reason for checkpoints at a recent community meeting. He commented on the hit piece by the RPOA and their view of the checkpoints.

B. Current Topics

Chief Magnus reported that they have a new Code Enforcement Manager, Tim Higaes. They recently completed another "One Block at a Time" effort in an area around the Nevin Community Center. They had over 50 volunteers from various city departments including the city manager. They will soon have training for sergeants regarding complaint handling/investigations. They are continuing to use their COMPSTAT process to focus on crime hotspots. There was only one homicide in September and crime, overall, in central Richmond and the Iron Triangle area is at its lowest rate in years.

Commissioner Potts asked if the Commission could get the checkpoint information that was provided to the mayor. The Chief said yes. **Commissioner Potts** asked if RPD was providing any information to shop owners regarding takeover robberies. **Chief Magnus** said they are contacting businesses and giving them robbery prevention tips and other helpful information.

Commissioner Williams asked about monthly taser reports. **Chief Magnus** said they have an extensive review process each time a taser is used. There have been far fewer uses of the taser and he is pleased with the amount of restraint and judgment that officers are using. He said he will provide a report for the Commission.

Commissioner Stephenson asked for an update on curfews. The Chief said there has been work done related to having a diversion program in place for juveniles. He wants to have this program in place before putting a curfew ordinance in place.

Commissioner Reyes asked if anything else had been done about a task force for people that have mental health issues and if they can expect to see work with other agencies related to this issue. **Chief Magnus** said Sgt. Dickerson has been very engaged in collaborative efforts in the West County area and is also putting

together a program that will be part of RPD's Advanced Officer Training related to mental health and crisis intervention efforts by police. He will be reviewing a proposal that was given to him last week and will be making recommendations.

VIII REPORT BY POLICE OFFICER ASSOCIATION REPRESENTATIVE

No representative present.

Andres Soto handed out an RPOA mailer. He said it is causing a great deal of consternation in the Latino community; it is racist in its tone and it makes false allegations. He said it attempts to link drug violence in Mexico with the drug violence in Richmond. He said the Commission needs to investigate the behavior of Commissioner Tallerico.

Phil Mehas said that Commissioner Tallerico is going over the line by being part of the racist hit piece and making statements as a police commissioner. He wanted to know if there were any ethics rules that the Commission follows in such situations.

IX REPORT BY GUARDIANS OF JUSTICE ASSOCIATION REPRESENTATIVE

No representative present.

X REPORT BY LATINO POLICE OFFICER ASSOCIATION REPRESENTATIVE

No representative present.

XI PUBLIC FORUM

Charles T. Smith commented on the RPOA flyer. He said it is racist and it is particularly insulting because there is a police commissioner involved who is currently running for city council. He thinks the commissioner should renounce this as a racist document and state that he wants no part of it. If not, the Police Commission should ask him to give up his position on the Commission.

Phil Mehas said he is very supportive of Chief Magnus because he is willing to go to meetings in the community, knowing that everyone there is against him, and stand up for the principles he believes in.

XII REPORT BY CONFIDENTIAL IAO

CIAO Don Casimere said the daily contact log had been handed out to the commissioners. A copy of the RPOA flyer will be sent to the commissioners.

XIII COMMISSIONER'S REPORTS

A. Outreach Committee

No report

B. Reports on Community Events/Training Attended

Commissioner Reyes

- Attended monthly meeting at Brookside Health Clinic
- Attended county-wide Crime Prevention Committee Meeting

Commissioner Potts

- Attended Public Safety Committee Meeting
- Attended last RPD checkpoint

Commission Hembree

- 9/4/08 – Attended SPPD Promotional Ceremony
- Attended last RPD checkpoint

Commissioner Stephenson

- Ride-along with Off. Evans

Commissioner Bautista

- 9/10/08 – Medicare Senior Plan of Contra Costa
- 9/20/08 – West Contra Costa Emergency Preparedness
- 9/21/08 – El Sobrante Stroll
- 9/24/08 – RPD Line up & 4-hour Ride-along with Off. Murdoch
- 9/26/08 – May Valley Community Meeting
- 9/28/08 – Filipino-American of Contra Costa, Inc. Meeting in Rodeo Ca

Commissioner Williams

- Reported that West County Alcohol Policy Working Group is fighting to restrict Wal-Mart from selling alcohol

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

A. Discussion and Action Regarding RPC Complaint #02-2008

Upon motion and second, the report and findings of Unsubstantiated for the allegation of Unnecessary Force in RPC #02-2008 were accepted.

The Complainant, Officer and Chief of Police will be notified in writing of the findings regarding this complaint

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

There was one new complaint in the past month.

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XV ADJOURNMENT

Upon motion by **Commissioner Reyes** and second by **Commissioner Stephenson**, the meeting was adjourned at 8:45 p.m.

Don Casimere
Confidential Investigative & Appeals Officer