

RICHMOND POLICE COMMISSION

Wednesday, November 6, 2013 – 7:00 p.m.
Employment & Training Building
330 – 25th Street
Conference Room 1

MINUTES

I CALL TO ORDER, ROLL CALL, PLEDGE

The meeting was called to order at 7:00 p.m. by **Chair Felix Hunziker**

ROLL CALL

Present: Therese Barquet
Nemy Bautista
Felix Hunziker
Scott Gillespie
Alejandro Navarro
Bea Roberson
Yenny Velazquez

Absent: Glenn Stephenson
Eleanor Thompson

Vacancies: None

Administrative

Staff: Terry Simpson, Investigator – Present
Malia Glover, Executive Secretary I – Present

Council Liaison: Jael Myrick, Council Liaison – Absent

City Attorney's

Office Representative: Rachel Sommovilla, Assistant City Attorney – Present

II APPROVAL OF MINUTES – October 2, 2013

Upon motion by **Commissioner Roberson** and second by **Commissioner Bautista**, the minutes for the regular meeting of October 2, 2013, were approved as written.

III REPORT OF COUNCIL LIAISON JAEL MYRICK

Not present

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

- A. Report of recent activities, events, incidents, and related matters

Not present

V PUBLIC FORUM

No speakers

VI POLICE COMMISSION CONTINUING EDUCATION

- A. Discussion of planned or proposed educational and training opportunities for members of the Police Commission

Chair Hunziker said that there are two Ceasefire dates, 11/12 and 11/14, at Rubicon, 2500 Bissell Avenue at 6:00 p.m. that commissioners can participate in. **Commissioner Stephenson** has signed up for 11/12. **Commissioners Barquet** and **Velazquez** requested to attend on 11/14.

VII POLICE COMMISSION OUTREACH

- A. Discussion of planned or proposed educational and training opportunities for members of the Police Commission.

There was no discussion on this item.

VIII POLICE-COMMUNITY RELATIONS

- A. Discussion of planned or proposed outreach projects to strengthen partnerships between the community and the Police Department.

Commissioner Navarro said that he would like to have officers staff Belding Woods Park to interact with the public and kids. He would like to see officers stop and walk the park instead of just driving by and talk with the parents and their kids. **Chair Hunziker** said he will ask the Chief to comment on this at the next meeting.

IX POLICE DEPARTMENT POLICY REVIEW

- A. Discussion and action regarding Policy #462 (License Plate Readers)

Chair Hunziker said the policy was discussed at the last meeting and also at the subcommittee meeting with **Capt. Williams, Commissioners Gillespie and Stephenson, Councilmember Jael Myrick, Robert Rogers, Phil Mehas, Jim Hausken** and other members of the public. They came away with the consensus that they would leave the existing license plate reader policy in place with its maximum data retention period of one year so that the police department could study it to see if it allowed them to solve any major crimes by holding onto that data for such a long period. They agreed that in nine months, at the July 2nd Police Commission meeting, they will re-examine the license plate reader policy in detail. They did clarify that

the data retention will be a maximum of one year; the policy now says minimum. The chief has agreed to notify the public of the sharing policy with Contra Costa County Sheriff's Department and the Sacramento County Sheriff's Department. If the sharing policy changes in any way he will notify the public, police commission and city council. They also asked that they clarify their audit procedures. The chief is willing to work with the police commission on this trying to find reasonable balance between the needs of the police department and the public's right to privacy.

Jim Hausken from the ACLU said that this is very dangerous new technology because the data can be used by people without any sort of responsibility. He said that the Constitution is set up to curb power. He said that they would like to see the use of this data minimized. He asked the commission to err on the side of caution.

Phil Mehas thanked the chair for allowing them to be a part of the subcommittee. He said it was a good way of expanding community relations. He said that it was disrespectful that the police department was not here tonight to discuss the policy. He suggested getting specifics on what they will compare in July of next year and have the police department start keeping records of it now.

Commissioner Bautista asked if they could discuss this at the next meeting with personnel from the police department.

Commissioner Gillespie said that the city attorney's office has opined that the government code cited in this policy is inapplicable.

Commissioner Barquet suggested that it would be beneficial if the police department was here to answer their questions.

Commissioner Roberson suggested that the three commissioners that attended the subcommittee meeting may be able to answer the questions because they've studied the policy more thoroughly.

Commissioner Barquet asked when they take the data will it show how many times one license plate in particular shows up within a span of time. **Chair Hunziker** said when the license plate is captured their location is captured. A list can be built of vehicles found in a specific area.

Commissioner Barquet asked if this will be announced to the public, so that if young people are stealing cars, they are made aware of it. **Chair Hunziker** said they've been testing the readers, they've purchased them and they've been deployed for approximately three months. They have been receiving quite a bit of press.

Commissioner Navarro said that he saw a police vehicle with license plate readers parked inside a school parking lot. He said it concerns him because it may be taking pictures of school kids.

Commissioner Velazquez said she has a problem with the cameras taking pictures of families as it takes pictures of license plates.

Commissioner Gillespie said that you would have to get access to a database to look at the images that were taken. He said the camera will take millions of pictures per year. He said the more important issue is the data. If you don't purge it on a regular basis, you can get a clear picture of any one particular car's travel habits.

Phil Mehas said that there are questions that were asked at the subcommittee meeting that Capt. Williams said he would research and come back with the answers.

Commissioner Gillespie made a motion to reagendize and invite the police department to attend at the December police commission meeting. It was seconded by **Commissioner Velazquez**. All were in favor.

X REPORTS BY:

- **CHAIRPERSON**
- **COMMISSIONERS**
- **STAFF**

Chair Hunziker

- Ride-along in ALPR unit
- Chaired subcommittee meeting re: Policy #462

Commissioner Roberson

- Attended Crime Prevention dinner
- Attended CERT drill
- Worked at Health and Safety fair
- Worked at Homefront Festival
- Received an award for being volunteer of year from Richmond Community Foundation
- Worked at PAL golf tournament
- Attended groundbreaking ceremony for Family Justice Center
- Attended Economic Development Commission meeting
- Attended City Council meetings
- Worked at toy program sign up – 1700 families
- Annual Toy Program Christmas breakfast will be on 11/15 at 7:00 a.m. at Marriott

Commissioner Bautista

- Attended Health Fair in San Pablo
- Attended groundbreaking ceremony for Family Justice Center
- Attended one council meeting

Commissioner Navarro

- Attended rebuilding of Belding-Garcia Park

Commissioner Velazquez

- Attended Health Fair

XI CLOSED SESSION

A. Discussion and Action regarding RPC Complaint #02-2012

Upon motion and second, the report for RPC Complaint #01-2012 and findings of **Unsubstantiated** for allegations of unnecessary force and racially abusive treatment were accepted.

Upon motion and second, the report for RPC Complaint #01-2013 was accepted with 5 Ayes, 1 No and 1 Abstention. The findings of **Exonerated** for allegations of excessive/unnecessary force were accepted with 5 Ayes and 2 Abstentions.

The complainant, officers, and chief of police will be notified in writing of the findings regarding these complaints.

XII ADJOURNMENT

The meeting was adjourned at 8:08 p.m.

Felix Hunziker, Chair