

RICHMOND POLICE COMMISSION

**Wednesday, October 1, 2014 – 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 Scott Gillespie**

ROLL CALL

Present: Therese Barquet
Nemy Bautista
Scott Gillespie
Felix Hunziker
Alejandro Navarro
Bea Roberson
Glenn Stephenson

Absent: Yenny Velazquez

Vacancies: One

Administrative Staff:

Terry Simpson, Investigator – Absent
Malia Glover, Executive Secretary I – Present

Council Liaison: Jael Myrick, Council Liaison – Present

City Attorney's

Office Representative: Bruce Soublet, Assistant City Attorney – Absent

II APPROVAL OF MINUTES – September 3, 2014

Upon motion by **Commissioner Bautista** and second by **Commissioner Navarro**, the minutes for the regular meeting of September 3, 2014, were approved as written.

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

A. Report on latest crime statistics and ShotSpotter activity.

D/C Medina handed out crime statistics for August. He will send an e-mail with statistics for September. He said the stats continue to improve.

B. Report of other recent activities, events, incidents, and related matters.

D/C Medina said he attended the public meeting for the city's municipal ID card. He said the police department supports the card because it will allow residents that may not have ID cards to utilize business services throughout the city. He said the most important piece about the ID card is that it is linked to the debit card system with Mastercard support behind it. This will enable them to deposit their checks and to have access to their cash via a debit card. He said it is not a driver's license but it is an acceptable form of identification.

Commissioner Roberson said that everyone should know that **Chief Magnus** was selected, out of all of the chiefs in the U.S., as one of two to go to Missouri to help them with their case in Ferguson. **D/C Medina** said they went to assist them with the review of the shooting incident and to give best practices and suggestions on how to improve relations with the community and how to improve training for their officers and to work on the basis of how to increase the level of trust in the community.

Chair Gillespie asked what Richmond was receiving from the DOJ cops grant. **D/C Medina** said that they didn't receive money but it gives them a direct contact with all the levels of the Department of Justice so that what they need is more readily available to them.

Commissioner Bautista asked what residents will need to apply for the ID card. **D/C Medina** said he believes they will need some form of government ID such as a passport or a card issued by the nation of the resident and a utility bill that shows that they have an address in the city.

Commissioner Bautista asked if students would receive a card. **D/C Medina** said he was not aware of the age limit.

Commissioner Barquet asked where the meeting was held. **D/C Medina** said it was held at Grace Lutheran Church. The administrative office for the cards is on the second floor of the church.

Commissioner Stephenson asked if they were still planning on getting body cameras on January 1st. **D/C Medina** said it was on the council agenda for Tuesday. As soon as it is passed they will be ready to purchase them.

Commissioner Hunziker reminded him that the commission needs to see the policy on the body cameras. **D/C Medina** said they are working on it.

Commissioner Hunziker asked about fees for the ID cards. **D/C Medina** said he heard that the fees for this card are the lowest of any municipal issued ID card. They are following Oakland's model.

Commissioner Barquet asked why they chose a Lutheran Church for the office if it's sponsored by the city. **D/C Medina** said it is supported and sponsored by the city and they chose the church for its central location.

C. Briefing on the roles and responsibilities of the Regulatory Unit

Off. Gus Vegas said that information regarding the Regulatory Unit is on the police department's website. He said there are several components to the unit which include an overseeing of the marijuana collectives, alcohol related issues (stores that sell alcohol), tobacco, tow companies, taxi cabs and massage parlors. The unit consists of one sergeant, two officers, one code enforcement officer and building and health inspectors. They have at least 10-15 different liquor stores that have been problematic with loitering, drinking of alcoholic beverages out in front and sales to minors. During the summer they did approximately 2-3 different inspections per week with the purpose of getting a commitment from the individuals at the stores. They use iPads to have digital copies of all inspections, including photographs, readily available. They've had good success with most of the liquor stores. They've also been monitoring tobacco stores, especially the ones that are close to schools. They are currently working on putting a new contract together with tow companies with new guidelines and requirements.

Commissioner Bautista asked how many yards marijuana dispensaries have to be from a school. **Off. Vegas** said 1,000 feet.

Commissioner Roberson asked if electronic cigarettes can be sold in the city. **Off. Vegas** said that they are not illegal in Richmond. **Councilmember Myrick** said that it's not illegal to buy them but they're treated the same as regular cigarettes.

Commissioner Hunziker said he was pleased to see that they are giving a 48 hour grace period to victims of stolen cars. **Off. Vegas** said it is a work in progress.

Commissioner Hunziker asked how many stolen cars are recovered by police within 48 hours. **Off. Vegas** said he has seen most cars recovered in 2 to 3 days. **Commissioner Hunziker** wanted to know how many are recovered in the first 48 hours because he wants to know how many people will benefit from the regulation change. **Off. Vegas** said he did not know. **Commissioner Roberson** said that if it's 48 hours after the car has been recovered then everyone should benefit from it.

Commissioner Barquet asked if stores are fined if they are found to have any violations. **Off. Vegas** said it depends. There are several different recourses that ABC has. One is to close it down for a set amount of time which does cause monetary loss. They do have fines also.

Commissioner Stephenson asked how soon they would be able to close down the store at 14th and Cutting. **Off. Vegas** said they want to make sure they have a good, strong base before they do anything. They keep complete files on all stores right now to have all bases covered.

Chair Gillespie asked if there was a city ordinance that prohibits tobacco advertising within a certain distance of schools and parks. **Councilmember Myrick** said there is. **Chair Gillespie** asked if they also do decoys for tobacco purchases. **Off. Vegas** said they have but not recently.

Commissioner Stephenson asked when the medical marijuana dispensary will open at Macdonald and San Pablo. **Off. Vegas** said they are dealing with zoning issues now.

Commissioner Stephenson asked about safety inspections on taxi cabs. **Off. Vegas** said they do have inspections on the vehicles.

IV REPORT OF COUNCIL LIAISON JAEL MYRICK

A. Report on recent activities, events, incidents and related matters

Councilmember Myrick reported that he went with city staff and others to Washington DC for a conference on violence prevention. One of the main things they discussed was that everybody was completely amazed about the innovative programs that they have been able to implement in Richmond for public safety. They want to use Richmond's programs as a model for other cities. They also discussed HUD issues. He said they discussed how to educate the public about Measure U at the last council meeting which is a sales tax that will be used to repair roads in the city. They also discussed a social impact bond program to reduce blight by rehabilitating old homes.

Commissioner Barquet asked where the money for the college program for all Richmond high school students is coming from. **Councilmember Myrick** said it is coming from a program called Richmond Promise. They received a contribution of \$35 million from Chevron for 10 years. They also have a commitment from them to help raise additional funds. **Commissioner Roberson** asked if it included private schools. **Councilmember Myrick** said no.

Commissioner Stephenson said that Measure U is saying if people in Richmond want better streets, the residents will have to pay for it. **Councilmember Myrick** said that's the way everything works. If better streets are wanted, it has to be funded. He said it's the public's decision.

Commissioner Bautista asked if the City of Richmond was funding the municipal ID card. **Councilmember Myrick** said he doesn't know the background of the program but he does support it.

B. Report, discussion and action on the joint Celebratory Gunfire Prevention Project

No report

V DISCUSSION ON WHAT ROLE, IF ANY, THE POLICE COMMISSION HAS IN THE EVENT OF AN OFFICER INVOLVED SHOOTING

Chair Gillespie said after the officer involved shooting, he reached out to the chief and offered him the police commission's help with community outreach. **Chair Gillespie** said there is a lot of interest in what role, if any, the police commission has to play in an officer involved shooting. **Commissioner Hunziker** said that he doesn't think it's right for the police commission to have to wait for a complaint to be filed before they can do anything.

According to the City Attorney's office, the commission cannot even request a copy of the DA's investigation to review. He said he thinks that is ridiculous and he is not sure what the solution is. **Chair Gillespie** said he also spoke with the attorney's office and they said there is a county-wide protocol for officer involved shootings and that protocol does not involve this commission. There is an active, ongoing criminal investigation and to insinuate the commission into that is inappropriate and unwarranted. He said that the Richmond Police Department holds a shooting review board which is set by policy that specific people sit in on. He said that may be one way, by recommending to the chief, that someone from the commission could sit in on that review board. He said because it is by policy, the commission has policy input; they could review the policy and then make a recommendation.

Commissioner Roberson said that until the official investigation is completed, the commission cannot do anything. **Chair Gillespie** said that the one way that this commission can be relevant is with policy changes. After the investigation the commission can look at the policy and see what, if anything, can be adjusted.

Commissioner Hunziker asked if the chair could reach out to the complainant to make them aware of the commission and that a complaint must be filed within 45 days of the incident. **Chair Gillespie** said that he would be very hesitant to start soliciting complaints. **Chair Hunziker** said he didn't think it was soliciting; just making people aware that the board exists as an extension of the commission's outreach.

Commissioner Stephenson asked if there was any way the commission could insert themselves into the investigation to make sure there is transparency to talk to the public to give them information. **Chair Gillespie** said that the commission is there to exercise civilian oversight to a limited degree. The commission is limited by its charter to make recommendations only. He said there is an internal shooting review board with specific people on that board. That specificity could include someone from this commission. They would have to look at that through a policy review committee and then make a recommendation to the chief.

Commissioner Barquet said that having someone from the outside to be a part of what's going on inside does speak to more transparency than just police officers.

Chair Gillespie said he thinks there is a place for civilian review of officer involved shootings and the only place he sees that in post review actions that the commission can take on itself, is to make a recommendation to the chief to revise the policy to include someone from the police commission on the shooting review board.

Commissioner Roberson said she would feel very uncomfortable reaching out to a specific person about filing a complaint. There is a difference between putting it out there and trying to get everyone to know that they can file a complaint if they don't like anything that a Richmond police officer does, but going to a person who is a victim and saying, we're here for you, is soliciting; to single out a single person is soliciting. **Commissioner Hunziker** said he's not suggesting that they single out a single person. He said if someone has been gravely injured or killed by the police, then you make sure they're simply aware of this board.

Chair Gillespie asked Bea to comment on the historical background of why the commission does not get involved in these things. **Commissioner Roberson** said the court originally set up the police commission because there were officers known as the Cowboys who liked to dispense their own justice. The court said that there needs to be oversight. But someone who has been gravely injured by the police would have no use for the police commission because they're going to want to get something because their person was killed or injured. The commission can only tell them that they're right and the police were wrong, but they don't go out and solicit specific people.

Chair Gillespie said they can convene a subcommittee for policy review and come back to the commission with specific recommendations at the next meeting.

Commissioner Barquet suggested that they go to the council meetings to let people know who the commission is and what they do.

Chair Gillespie said that they can get a committee together to review the policy in the next few weeks and agendize this for an action item at the next meeting.

VI PUBLIC FORUM

Andres Soto said he's been engaged with a number of organizations that have had staged demonstrations against Chevron's burn on 8/6/2012. They do anniversary marches. They also did a demonstration at the Kinder Morgan crude by rail facility. He said they've had a great relationship with the police department. They work things out in advance and give them their plans. They have their own monitors to regulate their own people's behavior. These have been great models of cooperation. He mentioned the 2002 Cinco de Mayo incident on 23rd Street involving himself, his family and the police. He said they used the Police Commission as a way to let the public know about what had happened to them. He said the limitation within the police commission by charter is the style of review that they are permitted. One thing that hasn't been looked at is that the scope of the review should be expanded to include gender, sexual identity, national origin, language, etc.

VII POLICE COMMISSION OUTREACH

A. Discussion and action regarding outreach at the Home Front Festival

Commissioner Roberson said that the festival will be run by Friends of Recreation at three separate sites, including the Craneway, Lucretia Edwards Park and the Red Oak Victory. It will be on 10/11/14. She added that St. Marks Church at Harbour and Bissell will be having a 2-day festival on 10/4 and 10/5/14 from 10:00 to 7:00.

VIII REPORT ON PROGRESS OF STUDENT SURVEY (Commissioner Barquet)

Commissioner Barquet said that she met with **Commissioner Hunziker** regarding the survey. She asked for any suggestions/comments. She said that it is intended to get youth involved to know more about the police department and to learn directly from the youth to improve their quality of life. It will be distributed at the high schools.

Commissioner Stephenson asked if there was a time frame of when they want to do this. **Commissioner Barquet** said she'd like to have it finalized at the next meeting.

Chair Gillespie said that it will be agendized for final action at the next meeting.

Commissioner Roberson asked what class it will be handed out to. **Commissioner Barquet** asked if it should be for all grades or just seniors. Some of the commissioners suggested all grades. **Commissioner Barquet** said it could be handed out in home rooms.

Commissioner Stephenson said it is an extension of what he started a few years ago when he went to speak at the high schools about the police commission. He said it is a good extension and it will be good to get feedback.

IX REPORTS BY:

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

Commissioner Hunziker

- Attended student survey committee

Commissioner Roberson

- Manned the Crime Prevention Booth at the Iron Triangle Picnic
- Attended City Council meetings
- Attended Crime Prevention meetings

Commissioner Navarro

- Attended a backpack give away

X ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Scott Gillespie, Chair