

RICHMOND POLICE COMMISSION

**Wednesday, March 7, 2007 – 7:00 p.m.
Community Services Building
330 - 25th 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: Robert Ham
Dolores Hembree
Cochise Potts
Chris Tallerico
Naomi Williams
Don Zingale

Absent: Cora J. Ward
Glenn Stephenson

Vacancies: One

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

II APPROVAL OF MINUTES – February 7, 2007

Upon motion by **Commissioner Tallerico** and second by **Commissioner Potts** the minutes for the regular meeting of February 7, 2007, were approved as written.

Chair Williams requested that PAL give their presentation before the Chief's Report.

III BRIEFING ON P.A.L. PROGRAM (Cpl. Larry Lewis)

Cpl. Larry Lewis gave a detailed report on the PAL Program. He said he has been a police officer for 27 years and is now the Executive Director of PAL. He introduced Computer Center Coordinator, Dr. Chand Patel, and Claire Ramirez, an intern who is a computer center volunteer and a Kennedy High School student. They did a power point presentation that described some of PAL's activities and programs such as education, sports, computer classes, field trips, bicycle safety and education, as well as a digital music recording studio and much more. Cpl. Lewis stated the program has been in operation since 1982. It was designed as a crime prevention program to develop better

community relations between police officers and the youth of Richmond. It's grown into a very large program where they operate a Youth Development Center at 22nd and Macdonald. He also gave an update of where they are with their capital campaign project. He said they've run out of space and they started developing a 20,000 sq. ft. gymnasium, but they've been put on hold by the utility companies since December 21, 2006. Cpl. Lewis distributed handouts including an overview of the program, a fact sheet and a brochure describing where they are with their construction projects.

Chair Williams thanked them for their presentation. She suggested getting the information out to the public through the Mayor and KCRT.

Commissioner Potts said he enjoyed the presentation. He asked if they did outreaches to areas such as North Richmond, Parchester and Hilltop for the people that don't have transportation. **Cpl. Lewis** said most of their outreach comes through their police officers; however, they do go out into the community and promote PAL. They only transport kids from the Richmond Village area to PAL on a regular basis at this time.

Commissioner Tallerico said it was an excellent presentation. He made a motion to have the Police Commission send a letter to PG&E and EBMUD to encourage them to work with PAL so that they can complete the project. It was seconded by **Commissioner Potts**. All were in favor.

Commissioner Hembree suggested that PAL call Channel 4 or Channel 7 to do a story regarding their construction project.

Chair Williams introduced Robert Ham, the newest Police Commissioner.

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

A. Briefing on the Hiring and Retention Policy Regarding Recruitment and Selection of Police Officers of Richmond Police Department

Chief Magnus said that **Sgt. Darrell Jones** from RPD's Recruiting Unit will assist him during this presentation. He distributed a handout entitled Richmond Police Officer Candidates Hiring Process. **Chief Magnus** said that even though it is a long, complicated process, their goal is to hire the very best people that they can who also meet the criteria set forth by the State of California and the Peace Officers Standard and Training Board (POST). **Sgt. Jones** described the step-by-step hiring process.

Chair Williams asked what happens if a candidate does not pass the oral board. **Sgt. Jones** said the information goes back to Human Resources (HR) who sends them a rejection notice. **Commissioner Hembree** asked if there were ever any exceptions to that. **Sgt. Jones** said not to his knowledge.

Commissioner Potts asked what the T-score consisted of. **Sgt. Jones** explained that it is an entry level test that candidates take at the beginning of the process. It is a two hour written test with general reading, writing and arithmetic.

Commissioner Zingale asked if the city gave any suggestions on how to prepare for the POST test. **Sgt. Jones** said the POST website has information on how to prepare for the test.

Commissioner Zingale wanted to know how citizens are qualified to judge responses on an oral board. **Sgt. Jones** said that supervisors give lectures and discuss the questions before the oral board begins.

Commissioner Ham asked if the 14 point process listed in the handout was a POST standard or created by the City. **Sgt. Jones** said it is a POST requirement.

Chair Williams asked if laterals are required to take the physical agility test. **Sgt. Jones** said officers coming from other cities must take the physical agility test.

Commissioner Zingale asked if there was a written report made after the oral board, the Chief's interview, and the psychological test. **Sgt. Jones** said there is a written report for the psychological exam and there is a numeric system used for the oral board.

Commissioner Potts asked if there were any exemptions to the lateral candidates taking the physical agility test. **Sgt. Jones** said there are no exemptions.

Commissioner Ham asked if candidate information was shared with other police departments. **Sgt. Jones** said yes.

Chair Williams asked how long a probationary recruit would be kept if they weren't performing up to 100%. **Sgt. Jones** said there is an officer's field training program that evaluates an officer at all times. If at any point they don't successfully complete a phase, they will be evaluated to see if they need to redo the phase or be terminated.

Chief Magnus said that retention issues have to be handled on a case by case basis. The PTO Program lasts a prescribed length of time. If individual recruits have problems at different stages of that program they can be extended depending on their individual needs or performance. He said they look at each individual case and determine how they can help alleviate a poor performance and turn somebody that's having trouble into somebody who is successful; however, there are still standards that need to be met. The PTO program gives them a chance to evaluate and see if this is the right job and the right department for the individual. He said a person can also be removed during the probationary period.

Commissioner Hembree asked if laterals go out with the training officers for the same length of time as the entry level officers. **Sgt. Jones** said their training period could be shortened if they are doing well.

Chair Williams gave a hypothetical example of a trainee who is a good officer with a bad driving record. She asked how much time they would give this officer to improve before letting him go. **Chief Magnus** said they will do everything they can to help somebody be successful but there are also provisions that have to be met. He gave an example using firearms proficiency. Richmond has a higher standard of firearms proficiency than the State. That's important for the City's liability. Officers must be competent in handling a firearm to protect themselves, other officers and the public. The recruits go through an additional 40 hours of firearms training after the academy. **Chief Magnus** said that it is his understanding that they have historically only had one recruit officer who failed the firearms testing that follows the 40 hour training. He said if someone needs additional training even after that point to help them be successful, that's something that he would be committed to. He said there is also a point where they have to say that some people cannot meet the standards and they have to agree that separation from the department is appropriate.

Commissioner Potts asked if the recruits were aware of Richmond's higher firearms standards before going into the academy. **Chief Magnus** said he thinks Richmond's standards are very appropriate for the needs of this community. He also thinks they can do a better job of mentoring, supporting and monitoring the progress of the recruits that they send through an academy.

Commissioner Zingale asked the Chief if he inherited the hiring process. **Chief Magnus** said yes. He said it is slightly above POST requirements. He thinks that they can strengthen different components of this process such as the oral board, the physical agility test and the written assessment. He said they have a great group of people in recruiting and in the PTO program that want people to be successful. He said he appreciates **Sgt. Jenkins** for bringing this issue to the Commission's attention.

Commissioner Tallerico asked if there was anything in place at the remediation level for recruits that don't pass the 40 hour additional training. **Chief Magnus** said it would have to be determined on a case by case basis because the reason why one recruit is struggling in this area could be totally different from another.

Commissioner Zingale asked if the first nine items on the hiring process list had to be completed before someone could get into the Chief's interview. **Chief Magnus** said that is how it should work. He said as they are accelerating their hiring efforts he thinks it is essential to have several safeguards in place to assure that all of these steps are followed and complied with, understanding that there may be certain exceptions that are allowed; as long as they're allowed across the board in an appropriate way, that would be fine.

Commissioner Zingale asked who actually gives the candidate file to the Chief when he/she has completed the first nine items on the list and the candidate is ready to be interviewed. The Chief said that the recruiter ensures that the file is complete. Then the file goes to their lieutenant who is in charge of Administrative Services. Then it could go to a captain or deputy chief for review and finally to him.

Commissioner Potts asked if the Chief has the final determination on who is hired after he completes the interview. **Chief Magnus** said yes.

Chief Magnus distributed a list of RPD Hiring and Retention Demographics and a draft of their recruiting campaign brochure. He gave a briefing on their recruiting campaign.

V REPORT BY POLICE OFFICER ASSOCIATION REPRESENTATIVE

No report.

VI REPORT BY GUARDIANS OF JUSTICE ASSOCIATION REPRESENTATIVE

Sgt. Jenkins reported that the crab feed is still on for March 24, 2007 at 7:00 p.m. with all proceeds going to their scholarship program. **Sgt. Jenkins** wanted to clarify some of the questions that were asked earlier. He said POST is a State agency with the Department of Justice that sets the minimum training standards for all police officers in the state. He said that he sits on a lot of the POST standard setting committees. The set standards are actually state law. The process is very rigid. He said the Guardian membership is up to 66 and growing every day. They are more and more diverse every day; their last 6 members were not African/American.

Commissioner Zingale asked if the scholarship program was for students interested in criminal justice and how the students find out about the program. **Sgt. Jenkins** answered that it was for students that want to achieve and become productive in the community. The program is advertised through the schools.

Commissioner Potts asked if the POST standards were minimum requirements. **Sgt. Jenkins** stated that he has testified in federal and state court as a subject matter expert on police training and use of force. The POST standards are minimum training standards and there is additional training after the academy.

VII REPORT BY LATINO POLICE OFFICER ASSOCIATION REPRESENTATIVE

Det. Sanchez reported that the 4th Annual LPOA Crab Feed is March 10, 2007 at 5:30 at the El Sobrante Boys and Girls Club. Proceeds will go to the scholarship fund. He said they were working with the Latino Business Association Members on 23rd Street in organizing the 23rd Street Cinco de Mayo celebration.

Chief Magnus said there is a meeting tomorrow night to plan Cinco de Mayo activities. He invited the Police Commission to send 1 or 2 representatives to be part of the discussion. It will be at 6:00 p.m. in the City Manager's lobby.

VIII PUBLIC FORUM

No speakers.

Chair Williams introduced Leslie Knight who is the Human Resources Director and Assistant City Manager for the City of Richmond. She thanked her for coming to the meeting.

IX REPORT BY CONFIDENTIAL IAO

CIAO Don Casimere thanked Carlos Privat, the City Attorney assigned to the Police Commission. He has been very helpful to the Commission and its staff. He reported that he attended the State of the City luncheon. He will be out of state for approximately 7 days beginning March 8th and returning on March 15th.

X REPORTS OF SUBCOMMITTEES

A. West County Alcohol Policy Working Group

Commissioner Williams said she is vice chair of this group. They deal in liquor store licensing. They met last month and she was pleased to see **Chief Magnus** there. She asked people to get in touch with this group if they see any liquor stores violating any laws.

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

Chair Williams said that **Commissioner Ward**, the chairperson of this group, was absent tonight. She explained that the Commission gives presentations to churches and Neighborhood Councils to make them aware of what the Commission is all about. She said the Commission would be happy to go to any organization and give a presentation if they are invited to do so.

C. Reports on Community Events/Training Attended

Commissioner Tallerico

- Reported that he attempted to follow-up with the D.A.'s office to receive the statistics on cases not filed for the City of Richmond. His calls have not been returned. He made a motion to send a letter to request the statistics. **Commissioner Hembree** made an amendment to the motion to send a letter to Bob Kochley with a copy to the Richmond D.A.'s office. **Commissioner Zingale** made a second amendment to explain in the letter what steps will be taken if he doesn't respond. **Carlos Privat** said that

Assistant City Manager Leslie Knight suggested that they send a Public Records Request giving them a limited amount of time in which they must respond. **Leslie Knight** said they must respond within 10 days or give you a date when they can respond. She suggested sending copies to the County Administrator and the Board of Supervisors. **Commissioner Tallerico** accepted the first amendment to the motion with a second by **Commissioner Potts**. All were in favor.

- Attended Police Explorer promotions and thanked Off. Harris for the good job he did with the Explorers
- Participated in police officer oral boards
- Went out with Sgt. Souza and the Special Enforcement Team at 4th Street Park
- Ride-along with Off. Moody

Commissioner Potts

- Participated in observing a traffic check point. His role was to make sure there was no targeting of any particular ethnic group. It went very well.
- Ride-along a few weeks ago. He noticed that the police vehicle was not equipped with a GPS system and feels this is a safety issue for the officers.

Commissioner Hembree

- Communications Center tour will be Wednesday, 3/14/07 at 7:00 p.m.

Chair Williams

- Attended 2 City Council Meetings
- Attended GRIP Board Meeting
- Attended Crime Prevention Executive Board Meeting
- Attended RNCC Meeting
- Attended Crime Prevention Meeting
- Attended West County Alcohol Policy Working Group Meeting
- 3 Ride-alongs
- Attended 2 line-ups
- Attended RPD Sick Leave Policy Meeting
- Had jury duty in Superior Court
- Attended Beat 3 Meeting

XI 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 this month.

Page eight

XII ADJOURNMENT

Upon motion by **Commissioner Talerico** and second by **Commissioner Potts**, the meeting was adjourned at 9:04 p.m.

Don Casimere
Confidential Investigative & Appeals Officer