

CITY OF RICHMOND

**Reimagining Public Safety Community Task Force**

Wednesday, November 30, 2022 5:30 PM

<https://zoom.us/j/99598896210?pwd=MEdpUWRjMG02bnI5MXlnb2xrQTloQT09>

This meeting is accessible to people with disabilities\*



**Members:**

- Bischoff, Steve
- Burks, Helene
- Cantú, Marisol
- Chacon, Eddy
- Chacon, Luis
- Gosney, Don
- Joseph, Randy
- Kilian-Lobos, Kristin
- Lee, Armond
- Mangels, Laura
- Njissang, Marcus
- Schlemmer, Joey
- Small, Deborah
- Therriault, Ben
- Walker, Tamisha
- Whitmore, Linda
- Williams, B.K.
- Vacant (4)

**ALL TASK FORCE MEMBERS WILL PARTICIPATE VIA VIDEO OR TELECONFERENCE**

***This meeting is scheduled to adjourn at 7:30 P.M.** The meeting may be extended by a majority vote of the Task Force members.*

- A. Call to Order**
- B. Roll Call**
- C. Agenda Review and Adoption**
- D. Meeting Procedures**
- E. Minutes Approval**
  - 1. APPROVE the minutes of the October 26, 2022 regular meeting of the Reimagining Public Safety Community Task Force
- F. City Staff Reports (Verbal) (Public comment allowed under Public Comments)**
- G. Public Comments**
- H. Presentations, Discussions, & Action Items**

*Following discussion of each item, the Task Force may vote to make recommendations to staff or to the City Council.*

  - 1. REVIEW, DISCUSS, and APPROVE the Task Force working group structure and membership
  - 2. DISCUSS and APPROVE future community forums
  - 3. RECEIVE a presentation from Matrix Consulting regarding the comprehensive study of emergency services in Richmond
  - 4. RECEIVE a presentation from Lieutenant John Lopez regarding the Military Equipment Ordinance
  - 5. RECEIVE a FY 2022-2023 first quarter report regarding allocations for Unhoused Interventions, YouthWorks, Office of Neighborhood Safety, and the Community Crisis Response Program
  - 6. REVIEW feedback on proposed Task Force bylaws and DISCUSS next steps
- I. Action Item Recap**
- J. Adjournment**

**Scheduled Meetings:**

- Report to City Council - Tuesday, December 20, 2022
- General Meeting - Wednesday, January 25, 2023

CITY OF RICHMOND

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**This meeting is accessible to people with disabilities\***

Staff:

LaShonda White (510) 620-6828 [lashonda\\_white@ci.richmond.ca.us](mailto:lashonda_white@ci.richmond.ca.us)

Stephanie Ny (510) 620-6563 [stephanie\\_ny@ci.richmond.ca.us](mailto:stephanie_ny@ci.richmond.ca.us)

Guadalupe Morales (510) 620-6553 [guadalupe\\_morales@ci.richmond.ca.us](mailto:guadalupe_morales@ci.richmond.ca.us)



## MEETING PROCEDURES & INFORMATION

**ALL TASK FORCE MEMBERS WILL PARTICIPATE VIA VIDEO OR TELECONFERENCE**

### **CORONAVIRUS DISEASE (COVID-19) ADVISORY**

Due to the coronavirus (COVID-19) pandemic, Contra Costa County and Governor Gavin Newsom have issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. (See, for example, March 31, 2020 County Order extending the shelter-in-place order until May 3, 2020 and March 19, 2020 statewide shelter-in-place order.) Accordingly, Governor Gavin Newsom has issued executive orders that allow cities to hold public meetings via teleconferencing (Executive Order N-29-20).

Both <https://www.coronavirus.cchealth.org/> and <http://www.ci.richmond.ca.us/3914/Richmond-Coronavirus-Info> provide updated coronavirus information. On April 29, 2020, the Health Officer of Contra Costa County issued a press release to inform the public that regional shelter-in-place orders will be extended through May 31, 2020, as some restrictions are eased.

**DUE TO THE SHELTER IN PLACE ORDERS, and consistent with Executive Order N29-20, this meeting will utilize video/teleconferencing only.**

### **How to participate in Public Comment and/or to speak on an agenda item in the meeting:**

Written comments will only be accepted via email to [recreation@ci.richmond.ca.us](mailto:recreation@ci.richmond.ca.us) by no later than 3 p.m. on the day of the scheduled meeting. The comments will be read at the top of the Public Comment portion of the agenda. Emails MUST contain in the subject line:

1. Public Comments
2. Public Comments agenda item #\_\_ [include the agenda item number].

Emails that do not contain the correct identifying information in the subject line may be overlooked and may not become part of the record. Email received after 3 p.m. will not be read into the record. Email received after 3 p.m. will, however, be posted on-line following the meeting as part of the supplemental materials attached to the meeting minutes.

#### **By Computer, Tablet, or Mobile Device:**

Step 1: Tune in to the videoconference at the following link:

<https://zoom.us/j/99598896210?pwd=MEdpUWRjMG02bnI5MXlnb2xrQTloQT09>

**Webinar ID: 995 9889 6210**

**Passcode: TASKFORCE**

Step 2: To comment by video conference, click on the Participants button at the bottom of your screen and select the **"Raise Your Hand"** button to request to speak when Public Comment is

being announced or as speakers are called upon at the start of each agenda item. Attendees will then have two (2) minutes to click the “**Raise Your Hand**” button at that time. Speakers will be called upon in the order they select the “Raise Your Hand” feature. When called upon, you will be unmuted. Speakers are allowed up to two (2) minutes on public comment and agenda items. After the allotted time, you will then be re-muted.

### **By Telephone:**

#### Step 1:

Or iPhone one-tap :

US: +16699009128,,99598896210# or +12532158782,,99598896210#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 995 9889 6210

Passcode: TASKFORCE

International numbers available: <https://zoom.us/j/99598896210>

Step 2: To comment by phone, you will be prompted to “Raise Your Hand” by pressing “\*(star)9” to request to speak when Public Comment is being announced or as speakers are called upon at the start of each agenda item. Attendees will then have two (2) minutes to click the “**Raise Your Hand**” button at that time. Speakers will be called upon in the order they select the “Raise Your Hand” feature. When called upon, you will be unmuted. Speakers are allowed up to two (2) minute on public comment and agenda items. After the allotted time, you will then be re-muted.  
<https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>

### **Accessibility for Individuals with Disabilities**

Upon request, the City will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be emailed to [bruce\\_soublet@ci.richmond.ca.us](mailto:bruce_soublet@ci.richmond.ca.us) or submitted by phone at (510) 620-6507. Requests will be granted whenever possible and resolved in favor of accessibility.

### **Record of public comments:**

Public comments will be considered a public record, put into the official meeting record. Public comments will be available after the meeting as supplemental materials and will be posted as an attachment to the meeting minutes when the minutes are posted:

<https://www.ci.richmond.ca.us/Archive.aspx?AMID=183>.

**City of Richmond - Reimagining Public Safety Community Task Force**  
Meeting held via Zoom: [https://richmond.granicus.com/ViewPublisher.php?view\\_id=38](https://richmond.granicus.com/ViewPublisher.php?view_id=38)

**MINUTES\***  
**WEDNESDAY, OCTOBER 26, 2022, 5:30 P.M.**

*\*video recording and meeting transcript available*

**A. CALL TO ORDER**

Meeting called to order by Chair Small at 5:34 P.M.

**B. ROLL CALL**

PRESENT: S. Bischoff, H. Burks, M. Cantú, L. Chacon, D. Gosney, K. Kilian-Lobos, A. Lee, L. Mangels, M. Njissang, J. Schlemmer, D. Small, B. Therriault, T. Walker, L. Whitmore, B.K. Williams

ABSENT: E. Chacon, R. Joseph

J. Schlemmer joined the meeting at 5:37 P.M., A. Lee and M. Cantú joined at 5:39 P.M., B. Therriault joined at 6:04 P.M.

STAFF PRESENT: Interim Library and Community Services Director - LaShonda White, Assistant Administrative Analyst - Guadalupe Morales, Associate Administrative Analyst - Stephanie Ny, City Attorney - Alison Flowers, Housing Manager - Jesus Morales, Crime Prevention Specialist - Michelle Milam, Police Chief - Bisa French, Deputy Director of Community Services - Office of Neighborhood Safety - Sam Vaughn

**C. AGENDA REVIEW AND ADOPTION**

The agenda was adopted with Agenda Item H-6 moved up after H-3.

**D. MEETING PROCEDURES**

**E. MINUTES APPROVAL**

**1. APPROVE the minutes of the September 28, 2022 regular meeting of the Reimagining Public Safety Community Task Force**

A motion was made to adopt the September 28, 2022 regular meeting minutes by L. Chacon; seconded by H. Burks; approved by the following vote:

**Ayes:** S. Bischoff, H. Burks, M. Cantú, L. Chacon, D. Gosney, K. Kilian-Lobos, A. Lee, L. Mangels, M. Njissang, D. Small, T. Walker, L. Whitmore

**Noes:**

**Abstentions:** J. Schlemmer, B.K. Williams

**Absent:** E. Chacon, R. Joseph, B. Therriault

**F. CITY STAFF REPORTS (Verbal)**

Staff Liaison LaShonda White encouraged Task Force members to attend a Senior Transportation Informational meeting discussing the Paratransit and rideshare programs hosted by the City of Richmond the following day, October 27 at 10:00 A.M. via Zoom. She also made an announcement regarding a food distribution event hosted by the Food Bank of Contra Costa and Solano that would take place the following day, October 27 from 12:00 PM. to 1:00 P.M. next to City Hall. Lastly, she encouraged the Task Force members and the general public to join a General Plan Update meeting being held Saturday, October 29 from 11:00 A.M. to 2:00 P.M. at the Richmond Recreation Complex.

# City of Richmond - Reimagining Public Safety Community Task Force

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Crime Prevention Special Milam made an announcement about the Richmond Police Department participating in a national effort for Faith in Blue, a collaboration of Police Department connections with faith-based communities. She noted it was a three-day event this past October that included a Blessing of the Badge Ceremony by chaplains, a service day with local churches and bringing meals to the unhoused, and visits to local congregations. She also announced the date for the Richmond Fire and Police Toy Program on December 17 and encouraged everyone to volunteer or donate for the program.

## G. PUBLIC COMMENT

1. Daniel Barth stated that their unhouse interventions contract is nearing its end and highlighted some of the entry level work and encampment services that they provide. He shared about the challenges outside of Rydin Road and Castro Street and the need to engage the most problematic situations with people.
2. Marisol Cantu wanted to bring to the Task Force's attention about a large fight within Contra Costa County regarding youth justice. She noted that the Office of Probation has put a resolution to close the Orin Allen Youth Rehabilitation Facility. She hopes that the youth would not be placed in the hall, which is more restrictive and that the justice institutions would have more options. She also noted that African American, Native American, and Latino are incarcerated at five, three, and 1.7 times the rate of white youth. There is an agenda item for this topic at the Board of Supervisors meeting next week.

## H. PRESENTATIONS, DISCUSSIONS, & ACTION ITEMS

### H-1. RECEIVE an update from the City Attorney's Office on Public Records Act requests

Alison Flowers made this report. She noted that there were three different Public Records Act Requests (PRAs) in the past year and a half, one made in June 2021 that was closed out in July 2021, and two in August 2021 that were also closed out, all handled by former City Attorney Bruce Soublet and subsequently by the City Attorney's Office staff that produced eight sets of documents. In April 2022, there were three PRAs that reiterated those of August. One has closed and two are still in progress. She further elaborated on confusion regarding compliance to the PRA. Discussion ensued.

#### Public Comment

There were no public speakers.

### H-3. DISCUSS and CONFIRM meeting dates for the months of November and December due to the major holiday season

(THIS AGENDA ITEM WAS MOVED AFTER H-1)

Chair Small presented this item and noted the regular Task Force meetings in November and December land near major holidays, on November 23 right before Thanksgiving and December 28, after Christmas and before New Year's Day. She requested that the Task Force discuss and confirm the holiday scheduling. She suggested the Task Force meeting on Wednesday, November 30, 2022. Discussion ensued.

A motion was made to cancel the regular meeting of the Task Force on November 23, 2022 and instead schedule a special meeting of the Task Force on Wednesday, November 30, 2022 by D. Gosney; seconded by L. Chacon; approved by the following vote:

**Ayes:** S. Bischoff, H. Burks, M. Cantú, L. Chacon, D. Gosney, K. Kilian-Lobos, A. Lee, M. Njissang, D. Small, B. Therriault, T. Walker, L. Whitmore, B.K. Williams

**Noes:** J. Schlemmer

**Abstentions:** L. Mangels

**Absent:** E. Chacon, R. Joseph

A second motion was made to cancel the regular meeting of the Task Force on December 28, 2022 and meet on January 25, 2022 by D. Gosney; seconded by J. Schlemmer; approved by the following vote:

# City of Richmond - Reimagining Public Safety Community Task Force

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**Ayes:** S. Bischoff, M. Cantú, L. Chacon, D. Gosney, K. Kilian-Lobos, A. Lee, L. Mangels, M. Njissang, J. Schlemmer, D. Small, B. Therriault, T. Walker, L. Whitmore, B.K. Williams

**Noes:** H. Burks

**Abstentions:**

**Absent:** E. Chacon, R. Joseph

An alternate motion was made to cancel the regular meeting of the Task Force on December 28, 2022 and instead schedule two special meetings of the Task Force on Wednesday, November 9, 2022 and Wednesday, November 30, 2022 by H. Burks; seconded by L. Chacon; the previous motion to cancel the regular meeting of the Task Force on December 28, 2022 and meet on January 25, 2022 was approved by a majority of the Task Force prior to roll call vote on this alternate motion and subsequently was no longer in consideration.

## Public Comment

There were no public speakers.

### **H-2. RECEIVE an update from Matrix Consulting regarding the comprehensive study of emergency services in Richmond**

(THIS AGENDA ITEM WAS MOVED AFTER H-3)

Richard Brady, President of Matrix Consulting, presented this agenda item. He noted that they are still finalizing details for a draft report. Mr. Brady stated that he will have better results of the study for the November 30 meeting. Data is still being analyzed but noted that both the Police and Fire departments are having trouble with staffing and vacant positions. He also noted that they are looking into more holistic concepts in policing as it pertains to recruitment, training, policies, supervision, accountability, community engagement and others. He also stated that the City Manager will have a chance to review the initial report and the Police and Fire departments will review for factual purposes. Discussion ensued.

## Public Comment

There were no public speakers.

### **H-6. RECEIVE an update on the resolution of the Rydin Road encampment, including the status of relocation of former residents**

(THIS AGENDA ITEM WAS DISCUSSED AFTER H-2)

Housing Manager Jesus Morales gave an update on this item. He went over recent Council action items pertaining to the Rydin Road encampment. The Richmond City Council set the sunset date for the encampment on September 30, 2022 on August 1, 2022 and then extended the sunset date to October 21, 2022 for some residents on September 20, 2022. \$1,724 in Flex Funds were disbursed on September 23 and were received by twenty-nine residents each. All residents were moved by October 1 with all vehicles moved and residents moved to alternate housing options. Mr. Morales went over the approach to sunset encampments. Households were relocated to Richmond (three), San Pablo (three), and one household each in Crockett, Martinez, New Mexico, Utah, and a number of other cities and states. He noted they continue to finalize some former residents' transition plans. Discussion ensued.

## Public Comment

1. Ramon Quintana noted that the assessment had 125 questions and the City has a copy of it. He mentioned that 80-85% of the residents were originally Richmond residents.
2. D. Gosney noted that there were nearly eighty vehicles on Rydin Road and not twenty-eight residents and that is why it has taken a long time to transition folks to other places as it has been going on for a long time.
3. L. Chacon noted that D. Gosney was knowledgeable and well-informed about the issues and

# City of Richmond - Reimagining Public Safety Community Task Force

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hoped to see him as part of the solution moving forward.

4. Chair Small noted that the problem of homelessness is not just a Richmond problem but a nationwide problem, affected by poverty and drug addictions that will not be solved in the next few years. She applauded the efforts of the City Council, the Task Force, SOS, Collaborizing, ACCE, and other organizations for supporting these efforts. She noted that no one chooses to be homeless and that we should continue to be compassionate and advocate for better services.

## **H-4. DISCUSS and APPROVE future community forums**

(THIS AGENDA ITEM WAS MOVED AFTER H-6)

Chair Small presented this agenda item. She suggests hosting a community forum on traffic safety, youth employment and training, overdose prevention and harm reduction, and policing policies and practices. She plans on bringing back a more specific recommendation around scheduling for discussion. Discussion ensued and further discussion was tabled for the next meeting.

## **I. ACTION ITEM RECAP**

## **J. ADJOURNMENT**

At 7:29 P.M. during agenda item H-4, a motion was made to extend the meeting by 5 minutes by A. Lee; seconded by L. Chacon; approved by the following vote:

**Ayes:** S. Bischoff, H. Burks, M. Cantú, L. Chacon, K. Kilian-Lobos, A. Lee, L. Mangels, M. Njissang, J. D. Small, B. Therriault, T. Walker, L. Whitmore, B.K. Williams

**Noes:** J. Schlemmer

**Abstentions:** D. Gosney

**Absent:** E. Chacon, R. Joseph

The meeting was adjourned at 7:37 P.M.



**REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE**

**DATE:** November 30, 2022

**TO:** Members of the Reimagining Public Safety Community Task Force

**FROM:** LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

**SUBJECT:** Status of Task Force Working Groups

**STATEMENT OF THE ISSUE:**

The Reimagining Public Safety Community Task Force will discuss working group structure and membership.

**RECOMMENDED ACTION:**

REVIEW, DISCUSS, and APPROVE the Task Force working group structure and membership

**DISCUSSION:**

During the April 13, 2022, special Task Force meeting, a discussion ensued regarding the future structure and membership of working groups; however, there was a desire to continue the discussion and make decisions at the next regular meeting. The results of the discussion, in addition to other factors (i.e. number of members, duration of subcommittee, tasks/focus, etc.), will help the City Attorney’s Office determine if any of the working groups are subject to the Brown Act.

The original working groups were:

- Smart Budget and Resource Allocation - Focused on budgetary and other resource allocation
- Accountability as Safety - Focused on Richmond Police Department staffing, training, and basic processes for departmental accountability
- Health & Safety – Focused on mental and behavioral health, substance abuse, and homelessness with an emphasis on public health-oriented approaches that were alternatives to traditional law enforcement
- Community Based Solutions - Focused on alternatives to policing for common problems (e.g. mutual aid, housing counseling and assistance, immigration issues)
- Implementation – Focused on implementation of the four (4) intervention programs developed by the Task Force and approved by City Council

- Unhoused Interventions
- Community Crisis Response Program (CCRP)
- YouthWORKS
- Office of Neighborhood Safety (ONS)

Based on the discussion and recommendations received during the April 13, 2022, special Task Force meeting, the proposed working group titles, duration, focus, and members are listed below:

- Community Investment (six months) - Accountable for implementation of initiatives involving YouthWorks and the Office of Neighborhood Safety (ONS). Helene Burks has agreed to serve as point person, and other members could include Luis Chacon and Marcus Njissang.
- Police Practices and Accountability (six months) - Accountable for implementing initiatives related to the Richmond Police Department (RPD). Members could include Joey Schlemmer, Linda Whitmore, Ben Therriault, and Deborah Small.
- Health and Safety (six months) - Accountable for managing implementation of the Community Crisis Response Program. Kristin-Killian Lobos has agreed to serve as point person, and other members could include B.K. Williams and Laura Mangels.
- Community Based Solutions (six months) - Accountable for managing implementation of Unhoused Intervention programs. Randy Joseph has agreed to serve as point person, and other members could include Eddy Chacon, Tamisha Torres-Walker and Armond Lee.

Numerous members were not present at the April 13, 2022, special meeting, and therefore, additional people may choose to join proposed groups and the Task Force may engage in further discussion regarding the structure and membership of existing and/or proposed working groups.



**REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE**

**DATE:** November 30, 2022

**TO:** Members of the Reimagining Public Safety Community Task Force

**FROM:** LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

**SUBJECT:** Future Community Forums

**STATEMENT OF THE ISSUE:**

The Reimagining Public Safety Community Task Force will discuss and approve future community forums.

**RECOMMENDED ACTION:**

DISCUSS and APPROVE future community forums

**DISCUSSION:**

The chair requested an agenda item to discuss and approve future community forum topics to keep the community informed about the work of the task force.



**REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE**

**DATE:** November 30, 2022

**TO:** Members of the Reimagining Public Safety Community Task Force

**FROM:** LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

**SUBJECT:** Matrix Consulting Presentation

**STATEMENT OF THE ISSUE:**

The Reimagining Public Safety Community Task Force will receive an update from Matrix Consulting.

**RECOMMENDED ACTION:**

RECEIVE a presentation from Matrix Consulting regarding the comprehensive study of emergency services in Richmond.

**DISCUSSION:**

Matrix Consulting is conducting an emergency services analysis in Richmond. The purpose of the study is to evaluate police and fire workloads and service delivery to maximize efficiency in the use of personnel.

Community input is an essential part of the development of the plan. At the June 22, 2022, regular meeting of the Reimagining Public Safety Task Force, the firm provided a presentation and received input from members of the task force on their experiences with public safety and opinions on service needs. Matrix Consulting will provide a brief update on the status of the study and may return at a future Task Force meeting to present preliminary findings.



**REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE**

**DATE:** November 30, 2022

**TO:** Members of the Reimagining Public Safety Community Task Force

**FROM:** LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

**SUBJECT:** Military Equipment Ordinance

**STATEMENT OF THE ISSUE:**

The Task Force will receive a presentation regarding the Military Equipment Ordinance.

**RECOMMENDED ACTION:**

RECEIVE a presentation from Lieutenant John Lopez regarding the Military Equipment Ordinance

**DISCUSSION:**

A Task Force member requested an agenda item to receive a presentation from Lieutenant Lopez on the Military Equipment Ordinance.

Effective January 1, 2022, Assembly Bill (AB) 481 requires law enforcement agencies to obtain approval of the applicable governing body (City Council), by adoption of a military equipment use policy prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined.

**ATTACHMENTS:**

1. Presentation
2. Richmond Police Department Policy 707 Military Equipment Use Policy
3. First Amendment Assemblies
4. Military Equipment Inventory

# Reimagining Public Safety

## AB 481: Military Equipment Funding, Acquisition and Use Presentation



Lieutenant John Lopez

November 30, 2022



# Overview



- What is Assembly Bill 481
- How AB 481 defines Military Equipment
- The Purpose of the Equipment
- Richmond Police Department's Equipment Inventory
- How does AB 481 affect the City of Richmond
- Questions & Answers



# What is Assembly Bill 481

- On September 30, 2021, Governor Gavin Newsom signed Assembly Bill 481 into law.
- **AB 481 was authored to address the funding, acquisition and use of military equipment.**
- AB 481 is designed to increase community awareness and oversight over the possession and use by local police departments of certain types of equipment that AB 481 labels as “military” equipment.
  - Also requires an annual report to summarize
    - Equipment usage and updates
    - Equipment inventory
    - Community feedback

# AB 481 Requires Initial Approval



- AB 481 requires approval for continued use of items purchased prior to January 1, 2022 and requires an annual report
- Annual report to include:
  - How equipment is being used
  - Maintenance and costs
  - Equipment inventory
  - Community feedback on use

# Military Equipment per AB 481



1. Unmanned aerial or ground vehicles
- ~~2. MRAP vehicles~~
- ~~3. Humvees/Vehicles with breaching~~
- ~~4. Tracked armored vehicles~~
5. Command and control vehicles
- ~~6. Weaponized aircraft, vessels~~
7. Breaching apparatus explosive in nature
- ~~8. Firearms & ammo of .50 caliber or greater~~
9. Assault weapons less than .50 caliber
- ~~10. Any firearm or accessory that is designed to launch explosive~~

~~projectiles~~

11. Divisionary devices & explosive breaching
12. Munitions containing tear gas or OC
- ~~13. Taser Shockwave, microwave weapons, LRADs~~
14. Kinetic energy weapons and munitions (40mm launcher, bean bag shotgun, foam tipped projectiles)
15. Any other equipment as determined by a governing body to require oversight

# The Purpose of the Equipment



While the Richmond Police Department's inventory of "military equipment" is varied, the mere possession of the equipment does not warrant its use for every incident. The Richmond Police Department recognizes that critical incidents are unpredictable and can be very dynamic in nature.

A variety of military equipment options **can greatly assist incident commanders, officers, and specific units in bringing those incidents to a swift resolution in a safe manner.** The use of military equipment is restricted for use only in certain instances and in some cases only by certain units.

# Examples of Weapons Seized in 2022



# RPD's Equipment Inventory



Equipment Category	Item(s)	Funding Source	Prior Council Approval	Use by RPD Since
1	Robot and Unmanned Aircraft	Donation and General Fund	Yes	2016
5	RPD Mobile Command Center (MCC)	General Fund	Yes	2013
7	Breaching Shotgun & Projectiles	General Fund	Yes	2018
9	Rifles, SMGs & Bullets	General Fund	Yes	Prior to 1999
11	Noise flash diversionary device	General Fund	Yes	Prior to 1999
12	Chemical Agents and Impact Munitions	General Fund	Yes	Prior to 1999
14	Kinetic Energy Less Lethal Platforms	General Fund	Yes	Prior to 1999

# RPD's Equipment Inventory

## Category 1 – Robot & Unmanned Aircraft



### Tactical Robot

**Small Unmanned Tracked Robots:** An unmanned tracked robot of any type that is capable of being remotely controlled as well as all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

**Capability:** Small Unmanned Tracked Robots can support first responders in any hazardous incident which would benefit from a ground level perspective. These uses could include barricaded suspects or high-risk tactical operations, disaster response, and use in crawl spaces or confined isolated areas to assist in searches for suspects or evidence.

**Usage:** This equipment is a battery powered, remote operated device equipped with cameras and communication capabilities. This equipment is for (potential) use during high-risk incidents and use is authorized for all members of the department who have been trained in its use. Incidents that may qualify for its use include, but are not limited to, high-risk warrant services, barricaded subjects, and hostage negotiation/rescue operations. **Before entering a structure, particularly in a tactically compromised and dangerous situation, knowledge of a subject's location is very important, and the robot can provide that without placing anyone at risk.** Cameras can also help determine if a subject is armed and if there are other subjects inside that need assistance. Only assigned S.W.A.T. operators who have been trained shall be permitted to operate the small-unmanned tracked robot. Use is established by the S.W.A.T team commander, and or Incident Commander.

**Quantity:** 1



### Unmanned Aircraft Systems

**Description:** An unmanned aircraft of any type that is capable of sustaining directed flight, whether pre-programmed or remotely controlled, and all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

**Capability:** UAS can support first responders in any hazardous incident which would benefit from an aerial perspective. These uses could include search and rescue, barricaded suspects or high-risk tactical operations, disaster response, and video and photographic documentation of crime scenes.

**Usage:** The guidelines for the use of UAS are outlined in RPD PM Section 613 – Any use of a UAS will be in strict accordance with constitutional and privacy rights and FAA regulations. Only authorized operators who have completed the required training shall be permitted to operate the UAS.

**Quantity:** 8



# RPD's Equipment Inventory

## Category 5 – Mobile Command Center



### Mobile Command Vehicle

**Mobile Command Vehicles:** Completely self-contained command posts designed to provide the Incident Commander with a mobile base of operation. Some major incidents engender special management challenges and require an on-site incident command structure to assist senior personnel in addressing the circumstance presented by the incident. The Mobile Command Center is a vital component to the police mission when major emergencies, natural and man-made disasters or special events in the community trigger the mobilization and coordination of significant resources in the field. Its primary use is to facilitate the management and coordination of personnel, communications, and equipment resources at complex incidents.

**Capability:** As a mobile base of operation, these vehicles contain specialized command, control, and communications equipment to assist with this mission.

**Usage:** Mobile Command Vehicles are to be utilized as an Incident Command Post for planned or unplanned events.

**Quantity:** 1



# RPD's Equipment Inventory

## Category 7 – Breaching Shotguns & Projectiles



### Breaching Shotguns and Breaching Ammunition

Breaching Shotguns and Breaching Ammunition: During crisis situations, it may become necessary for a SWAT team to facilitate an entry in to a target location. It is critical the point of entry is breached quickly and as safely as possible. A quick and effective breach is one key to a successful tactical mission. In some instances, a breach initiated by a breaching shotgun loaded with specialized breaching rounds may be required to provide an added degree of safety and tactical advantage in order to accomplish a mission.

Specialized Breaching Rounds, are frangible and are designed break into a powder form upon impact with a solid object (i.e. dead bolt lock, door frame, etc.) The Richmond Police Department possesses a limited inventory of Breaching Shotguns and Breaching Shotgun Ammunition. Breaching Shotguns are to be used exclusively by trained members of the Richmond SWAT Unit.

**Capability:** Breaching shotguns and breaching rounds can be an effective option to defeat fortified doors and locks. This ammunition provides tactical officers rapid entry to locked rooms while minimizing the risk to victims, officers, and suspects.

**Usage:** Circumstances for the use of shotgun breaching shall include, but not limited to:

1. Barricaded suspect and/or hostage situations.
2. High-risk warrant services
3. When the SRT Commander or SWAT Commander deems their use necessary to safely resolve an incident.

**Training requirements:** SWAT Officers that are trained in the use of breaching shotguns must successfully complete a SWAT Breaching course or in-house training from a breaching instructor. Furthermore, SWAT Officers must undergo live fire proficiency training in its application.

**Quantity:** 2 Remington 870 Police Magnum – modified 12 gauge breaching shotgun



# RPD's Equipment Inventory

## Category 9 – Rifles, SMGs, and Bullets



### Patrol Rifles

**Description:** A semi-automatic shoulder-fired long gun that fires a rifle caliber cartridge. The Department-approved AR-15 style (Colt M4) weapon system is designed to fire a .223/5.56 caliber projectile. As stated in RPD PM 432.1 – Purpose and Scope, *“In order to more effectively and accurately address the increasing level of firepower and body armor utilized by criminal suspects, the Richmond Police Department will make Patrol Rifles available to qualified patrol officers as an additional and more immediate tactical resource.”*

**Capability:** The rifle caliber carbine provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Additionally, patrol rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor but are not appropriate for every situation.

**Usage:** The usage guidelines for patrol rifles are outlined in RPD PM 432– Patrol Rifles. As stated in RPD PM 432.6 – Deployment of the Patrol Rifle, *“Officers may deploy the Patrol Rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the Patrol Rifle may include, but are not limited to:*

- a) *Situations where the officer reasonably anticipates an armed encounter*
- b) *When an officer is faced with a situation that may require the delivery of accurate and effective fire at long range*
- c) *Situations where an officer reasonably expects the need to meet or exceed a suspect’s firepower*
- d) *When an officer reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage*
- e) *When an officer reasonably believes that a suspect may be wearing body armor*
- f) *When authorized or requested by a supervisor*
- g) *When needed to euthanize an animal”*

### Quantity:

Colt M4 Carbine 5.56	Quantity: 50	Patrol
Colt M4 / M16 A2E 5.56	Quantity: 13	SWAT ONLY
Colt Commando 5.56	Quantity: 2	SWAT ONLY
DPMS M-160 5.56	Quantity: 5	SWAT ONLY
Colt M16 A2 5.56	Quantity: 2	SWAT ONLY
Colt AR15 Match Target .223	Quantity: 8	(Richmond Honor Guard Presentation)
H&R Arms M14 7.62	Quantity: 1	(Weapon is decommissioned)
H&K SMG 9mm	Quantity: 17	SWAT ONLY



# RPD's Equipment Inventory

## Category 11 – Diversionary Devices



### Diversion Devices (Flash Bangs)

**Description:** Canisters that emit a loud noise and bright light.

**Capability:** Diversionary Devices are capable of releasing large amounts of stored energy in the form of heat, light, pressure, and noise. They are intended to temporarily distract, confuse, and disorient subjects. They can also be used as “attention-getting” devices.

**Usage:** Diversionary Devices are to be used exclusively by SRT members. Diversionary Devices can be used in high risk tactical operations as an attention getting device. They can also be used during high risk warrants, hostage rescue incidents, and some mobile field force incidents to provide an added degree of officer safety by disorienting subjects.

**Training Requirements:** SWAT and TRT operators must successfully complete in-house training from a certified instructor and are subject to ongoing practical application training in the use of the Diversionary Devices. Additionally, SWAT and TRT operators train on safe device deployment in a variety of operational settings annually.





# RPD's Equipment Inventory

## Category 12 – Chemical Agents & Impact Munitions

**Chemical Agents and Chemical Agent Delivery Devices:** Compounds, devices, and delivery systems utilized by the RPD SRT team members. The deployment of chemical agents is a tactical option that may be selected with the goal of protecting life and property and/or restoration of order. It is considered a "use of force" option and consistent with the RPD use of force policy

**Capability:** Depending on the delivery method, chemical agents are capable of being introduced in close proximity or from a distance. Depending on the type of delivery system and/or quantity, chemical agents can be used to saturate individual suspects, violent crowds, or areas of varied size.

**Usage:** Chemical agents may be used for crowd control, crowd dispersal or against barricaded suspects in certain circumstances. Only the Patrol Sergeant, Incident Commander or Crisis Response Unit Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary. When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

**Training Requirements:** Only personnel trained and having shown proficiency in the use of any control device are authorized to carry the device. Proficiency training must be conducted and documented by a Department approved instructor; as set in RPD PM Section 308





# RPD's Equipment Inventory

## Category 14 – Kinetic Energy / Less lethal platforms

### Beanbag Shotguns

**Description:** This is a standard Remington Model 870, 12-gauge shotgun that has been modified with an orange stock and fore-end.

**Capability:** Beanbag shotguns are capable of firing a 12-gauge beanbag round with a maximum effective range of sixty (60) feet.

**Usage:** Beanbag shotguns utilized with beanbag rounds may be deployed to impact subjects demonstrating assaultive behavior or life-threatening behavior, as defined RPD Policy Manual Section 308.8.1

**Training Requirements:** Officers shall not carry or use any less-lethal device unless they have successfully completed Departmental training or approved external training. Officers shall be required to successfully complete annual training and qualification conducted by a certified instructor in order to maintain their authority to deploy less-lethal devices. Any officer who fails to qualify or who fails to successfully complete two or more department sanctioned training/qualification sessions within a calendar year will no longer be authorized to carry the shotgun or less-lethal device without successfully retaking the initial training and qualification.

**Quantity:** 1



### 40mm Launchers

**Description:** A single shot or multi-shot Extended Range Impact Weapon (ERIW) launcher capable for firing a variety of 40mm rounds. The Department also has a limited inventory of 37mm launchers that share the same characteristics as 40mm launchers but are chambered for 37mm munitions. (40mm launchers and 37mm launchers are considered "Projectile Launch Platforms" under AB-481).

**Capability:** 40mm launchers are capable of firing a variety of munitions with a maximum effective range of one hundred twenty (120) feet. 40mm launchers can deliver 40mm munitions in the form of chemical agents, sponge baton rounds, or combined use sponge baton OC chemical agent rounds.

**Usage:** 40mm launchers utilized with less lethal sponge baton rounds are may be deployed to impact subjects demonstrating assaultive behavior or life-threatening behavior. The Richmond Police Department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situations. Only department approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.



# Commitment



Many items deemed to be Military Equipment per AB 481 are in fact already employed by the Richmond Police Department and LEA across the country, in order to specifically reduce risk to community members.

The Richmond Police Department is **committed to using the most up to date tools and equipment to safeguard our community.**

# Questions & Comments

## Contact US:

Richmond Police Department

1701 Regatta Blvd

Richmond, CA 94804

Email: [AB481@richmondpd.net](mailto:AB481@richmondpd.net)

Non-Emergency Phone: 510-233-1214

Records Department: 510-620-6675



## Military Equipment Use Policy

### 707.1 PURPOSE AND SCOPE

This policy is provided to fulfill the obligations set forth in Assembly Bill No. 481 and establish guidelines for the funding, acquisition, use, and reporting requirements of "military equipment" as the term is defined in Government Code §7070. These obligations include but are not limited to seeking approval on specific items deemed by statute to be military equipment and requirements related to compliance, annual reporting, and complaints regarding these items.

#### 707.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

**Governing Body** – The Richmond City Council.

**Military Equipment** – Shall have the same meaning as defined by California Government Code §7070, which includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions (e.g., 40MM launcher, bean bag shotgun, foam-tipped projectiles).

# Richmond Police Department

Richmond PD CA Policy Manual

## *Military Equipment Use Policy*

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- Any other equipment as determined by a governing body or a state agency to require additional oversight.

### **707.2 POLICY**

It is the policy of the Richmond Police Department that members of this department comply with the provisions of Government Code §7071 with respect to military equipment. Violations of this policy by member(s) of the Richmond Police Department will be investigated in accordance with the Department's Personnel Complaints policy.

### **707.3 MILITARY EQUIPMENT COORDINATOR**

The Chief of Police shall designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as a liaison to the City Council for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the City Council.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Richmond Police Department.
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  1. Publicizing the details of the meeting.
  2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police (prior to submission to the City Council) and ensuring the report is made available on the department website.

### **707.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Richmond Police Department, as well as provides legal and procedural rules for use and training requirements.

#### [Military Equipment Inventory](#)

### **707.5 APPROVAL OF THIS POLICY**

The Chief of Police or authorized designee shall obtain approval from the City Council by way of an ordinance approving the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the City Council, a public hearing is held, and the policy is available on the Department's website for at least 30 days prior to any public hearing concerning the military equipment at issue

# Richmond Police Department

Richmond PD CA Policy Manual

## *Military Equipment Use Policy*

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(Government Code §7071). The military equipment policy must be approved by the City Council prior to engaging in any of the following (Government Code §7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

The City Council must be able to make the following findings in approving the Military Equipment Use policy as required by Government Code §7071(d)(1) in order to use military equipment:

- (a) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- (b) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- (c) If purchasing the equipment, the equipment is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- (d) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

### **707.6 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

### **707.7 MILITARY EQUIPMENT ANNUAL REPORT**

Upon approval of this military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the City Council for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment

# Richmond Police Department

Richmond PD CA Policy Manual

## *Military Equipment Use Policy*

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is available for use (Government Code § 7072). In considering the annual report and ordinance annually, the City Council needs to consider whether it can continue to make the findings in California Government Code §7071(d)(1).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

### **707.8 COMMUNITY ENGAGEMENT**

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

### **707.9 COMMUNITY CONCERNS AND COMPLAINTS**

Pursuant to Government Code §7070(d)(7), members of the public may register complaints or concerns or submit questions by any of the following means:

1. Email: AB481@richmondpd.net
2. In-person or mail:
  - Richmond Police Department
  - Attn: AB481 Coordinator
  - 1701 Regatta Boulevard, Richmond, CA 94804

The Department is committed to responding to complaints, concerns, and/or questions received and should respond within ten business days of receiving the correspondence. Any complaints shall be referred to the Community Police Review Commission as the independent oversight body. All instances of non-compliance with the policy will also be reported to the City Council via the annual military equipment report.

### **707.10 MILITARY EQUIPMENT TRAINING**

Military equipment shall only be used after applicable training, including any course required by the Commission on Peace Officer Standards and Training (P.O.S.T.), has been completed unless exigent circumstances exist.

### **707.11 CITY COUNCIL APPROVAL**

Pursuant to California Government Code §7071, the City Council of Richmond approved this Policy pursuant to Ordinance ### on October 4, 2022. The City Attorney and City Council should be notified in writing of any changes to this policy. All amendments to the policy must be reviewed and approved by City Council.

# Richmond Police Department

Richmond PD CA Policy Manual

## *Military Equipment Use Policy*

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### **707.12 COMPLIANCE**

The Department's AB481 Coordinator will ensure that Department members comply with this policy. The AB481 Coordinator will conduct an annual audit with assistance from members of the Office of Professional Accountability. Any violations will be referred to the Office of the Chief of Police and handled in accordance with the Department's Personnel Complaints policy. All instances of non-compliance will be reported to the City Council via the annual military equipment report.

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# First Amendment Assemblies

## 438.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

## 438.2 POLICY

The Richmond Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life, and preventing the destruction of property.

## 438.3 GENERAL CONSIDERATIONS

Individuals or groups present in the public way, such as public facilities, streets, or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of an individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussions with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones, or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

# Richmond Police Department

Richmond PD CA Policy Manual

## *First Amendment Assemblies*

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### 438.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recordings, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders, and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious, or social views of associations, or the activities of any individual, group, association, organization, corporation, business, or partnership unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

### 438.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- The apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets, or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Communications Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until the command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

### 438.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

#### 438.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

# Richmond Police Department

Richmond PD CA Policy Manual

## *First Amendment Assemblies*

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- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity, or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

### 438.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles, and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief, and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.

## *First Amendment Assemblies*

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- (t) Parameters for the use of body-worn cameras and other portable recording devices.

### 438.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance policy).

### 438.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

### 438.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and CEWs should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves, or others or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

## *First Amendment Assemblies*

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Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

### **438.8 USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL**

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in accordance with the following requirements of Penal Code § 13652.

- (a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
- (b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- (c) Individuals are given an objectively reasonable opportunity to disperse and leave the scene.
- (d) An objectively reasonable effort has been made to identify individuals engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of individuals.
- (e) Kinetic energy projectiles and chemical agents are used only with frequency, and intensity, and in a manner that is proportional to the threat and objectively reasonable.
- (f) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
- (g) An objectively reasonable effort has been made to extract individuals in distress.
- (h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
- (i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
- (j) Kinetic energy projectiles or chemical agents shall not be used solely due to any of the following:
  - 1. A violation of an imposed curfew.

# Richmond Police Department

Richmond PD CA Policy Manual

## *First Amendment Assemblies*

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2. A verbal threat.
  3. Noncompliance with a law enforcement directive.
- (k) If the chemical agent to be deployed is tear gas, only an Incident Commander at the scene of the assembly, protest, or demonstration may authorize its use.

### 438.8.1 USE SUMMARY

The Patrol Division Commander or the authorized designee should ensure that a summary of each deployment of kinetic energy projectiles or chemical agents for crowd control purposes is prepared and published on the department website within 60 days of each incident. The time frame may be extended for another 30 days where just cause is demonstrated, but no longer than 90 days from the time of the incident. The summary shall be limited to the information known to the Department at the time of the report and include the information required in Penal Code § 13652.1.

### 438.9 ARRESTS

The Richmond Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking, and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail, and courts (see the Cite and Release policy).

### 438.10 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences, and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations policy).

## *First Amendment Assemblies*

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### 438.10.1 MEDIA ACCESS

If officers close the immediate area surrounding any emergency field command post or any other command post, or establish a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in a protected activity pursuant to the First Amendment, officers shall comply with the requirements of Penal Code § 409.7 relating to media access (i.e., access to closed areas, obtaining information) (Penal Code § 409.7).

### 438.11 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

### 438.12 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, including the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment, and supply records
- (e) Incident, arrest, use of force, injury, and property damage reports
- (f) Photographs, audio/video recordings, Communications Center records/tapes
- (g) Media accounts (print and broadcast media)

#### 438.12.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time, and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts, or circumstances.

# Richmond Police Department

Richmond PD CA Policy Manual

## *First Amendment Assemblies*

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### **438.13 TRAINING**

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.

Officers should also receive periodic training on the standards for the use of kinetic energy projectiles and chemical agents for crowd control purposes as identified in Penal Code § 13652.



# Richmond Police Department

MILITARY EQUIPMENT INVENTORY

## **Background**

Assembly Bill 481 was adopted by the California Legislature and approved by Governor Gavin Newsom in September 2021. It went into effect on January 1, 2022. AB 481 is designed to increase community awareness and oversight over the possession and use by local police departments of certain types of equipment that AB 481 labels as “military” equipment. It requires the City Council to provide both authorization and oversight of the equipment used.

The law, codified in California Government Code sections 7070 through 7075, requires law enforcement agencies to produce a military equipment use policy that identifies and describes: each type of military equipment; its authorized use; fiscal impact; rules/laws that govern use of such equipment; training required; and mechanisms to ensure compliance with the policy. (*See* Gov. Code section 7070(d)). The City Council is required to approve the policy for the Department to continue using this equipment. Additionally, the law requires an annual report and annual review by the governing body for continued use of the equipment. AB 481 requires every local law enforcement agency in California to post its proposed military equipment use policy no later than May 1, 2022. The law also requires at least a 30-day period for public comment on the proposed policy before the governing body discusses the proposed policy in a public meeting.

Police agencies across the state have developed similar policies to comply with this new law. The Department’s proposed policy describes the equipment that has already been in the Department’s possession. The Department does not possess any equipment that is atypical for the region. The City of Richmond possesses fewer types of this equipment than many other Bay Area agencies.

## Definitions

Pursuant to AB-481, the following definitions are applicable **only** to the Department's current military equipment inventory and potential future military equipment acquisitions for operational needs. (For a more detailed list, refer to Government Code section 7070, for "military equipment" as defined within the Assembly Bill.)

"Governing body" means the Richmond City Council and Mayor.

"Military equipment" means the following:

1. Unmanned, remotely piloted, powered aerial or ground vehicles. This definition applies to the Department's inventory of small Unmanned Aircraft Systems (sUAS) and SWAT robots.
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. **(Not applicable to the Richmond Police Department)**
3. High mobility multipurpose wheeled vehicles (HMMWV), 2 ½, ton trucks, five-ton trucks, or wheeled vehicles that have breaching or entry apparatus attached. **(Not applicable to the Richmond Police Department)**
4. Tracked armored vehicles that provide ballistic protection to their occupants **(Not applicable to the Richmond Police Department)**
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units. (Mobile Command Vehicle)
6. Weaponized aircraft, vessels, or vehicles of any kind. **(Not applicable to the Richmond Police Department)**
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram. (Breaching Shotguns)

8. Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition. **(Not applicable to the Richmond Police Department)**
9. Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code 30510 and Penal Code 30515, with exception of standard-issue firearms.
10. Any firearm or firearm accessory that is designed to launch explosive projectiles. **(Not applicable to the Richmond Police Department)**
11. Noise-flash diversionary devices and explosive breaching tools.
12. Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
13. Taser Shockwave, microwave weapons, water cannons, and long range acoustic devices also known as LRADs. **(Not applicable to the Richmond Police Department)**
14. Kinetic energy weapons and munitions to include 40mm launcher, beanbag shotgun, foam-tipped projectiles.
15. Any other equipment as determined by a governing body (Richmond City Council) or a state agency to require additional oversight. **(Not applicable to the Richmond Police Department)**

## **Military Equipment Use Policy**

Military equipment use policy means a publicly released, written document governing the use of military equipment by the Department that addresses, at a minimum, all of the following:

1. A description of each type of military equipment, the quantity sought its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.
2. The purposes and authorized uses for which the Department proposes to use each type of military equipment.
3. The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
4. The legal and procedural rules that govern each authorized use.
5. The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any sworn member is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.
6. The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
7. The procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the Department will ensure that each complaint, concern, or question receives a response in a timely manner.

## **Military Equipment Inventory**

The inventory of military equipment, particularly consumable material (ammunition, diversionary devices, extended range impact munitions, etc.) fluctuates regularly. This is based on a variety of factors including but not limited to operational usage, operational deterioration, training, maintenance, expirations, and replenishment guidelines.

The following are various types, descriptions, and guidelines for usage of military equipment currently employed by the Richmond Police Department:

## TACTICAL ROBOT

**Equipment Type:** Small unmanned tracked robot of any type that is capable of being remotely controlled as well as all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

**Quantity Owned:** One (1)

**Lifespan:** Approximately 5-7 Years

**Equipment Capabilities:** Can support first responders in any hazardous incident, which would benefit from a ground level perspective. These uses could include barricaded suspects or high-risk tactical operations, disasters response, and use in crawl spaces or confined isolated areas to assist in searches for suspects or evidence.

**Manufacturer Product Description:** Small throwable reconnaissance robot designed and manufactured by Recon Robotics, is for use in law enforcement and military applications. The robot can be used by Law Enforcement First Responders, dismounted patrols, special weapons and tactics (SWAT) and other special operations teams.

**Purpose:** Used to remotely gain visual and audio data, open doors, and clear buildings.

**Uses:** This equipment is a battery powered, remote operated device equipped with cameras and communication capabilities. This equipment is for (potential) use during high-risk incidents and use is authorized for all members of the department who have been trained in its use. Incidents that may qualify for its use include, but are not limited to, high-risk warrant services, barricaded subjects, and hostage negotiation/rescue operations. Before entering a structure, particularly in a tactically compromised and dangerous situation, knowledge of a subject's location is very important, and the robot can provide that without placing anyone at risk. Cameras can also help determine if a subject is armed and if there are other subjects inside that need assistance. Only assigned S.W.A.T. operators who have been trained shall be permitted to operate the small-unmanned tracked robot. Use is established by the S.W.A.T team commander, and or Incident Commander. Robots shall not be used as a Use of Force on a person.

**Fiscal Impact:** Initial Cost \$7,500

Annual Maintenance Cost: \$0

**Legal/Procedural Rules Governing Use:** It is the policy of the Richmond Police Department to utilize the robot only for official law enforcement purposes, and in a manner, that respects the privacy of our community, pursuant to State and Federal law.

**Training Required:** S.W.A.T. officers authorized to operate tracked robots are required to successfully complete SWAT Basic school and are subject to practical application training in the use of the robot. Additionally, SWAT Officers regularly train on safe robot deployment in a variety of operational settings.

**Other Notes:** Recon Robotics Recon Scout

## UNMANNED AERIAL SYSTEM (UAS)

**Equipment Type:** An unmanned aircraft of any type that is capable of sustaining directed flight, whether pre-programmed or remotely controlled, and all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

**Quantity Owned:** Eight (8)

**Lifespan:** Approximately 3-5 Years

### Manufacturer Product Description:

DJI INSPIRE – Small Unmanned Aerial System (UAS) is an unmanned aircraft of any type that is capable of sustaining directed flight, whether pre-programmed or remotely controlled, and all of the supporting or attached systems designed for gathering information through imaging, recording or by any other means.

QUANTITY – 1 (One)

INITIAL COST – \$11,000

DJI Matrice 210 – Equipped with both an aerial zoom and thermal camera, first responders can now quickly locate missing people in remote areas and plan the safest approach path.

QUANTITY – 1 (One)

INITIAL COST – \$16,000

DJI Mavic Pro M1P – The Mavic is smaller, lighter, and easier to carry with you thanks to its foldable design. Its new OcuSync transmission system has a longer transmission range and 1080p resolution. Due to its larger size, the Phantom 4 has a higher maximum speed and can withstand stronger winds.

QUANTITY – 1 (One)

INITIAL COST – Donated

DJI Mini 2 – The Mini 2 can resist 29-38kph winds and take off at a max altitude of 4,000 meters, so your footage is stable even when flying along a windy coastline or high above an alpine forest. With a max battery life of 31 minutes, DJI Mini 2 grants more than enough time to compose the perfect shot.

QUANTITY – 2 (Two)

INITIAL COST – \$550 x 2

DJI Mavic Enterprise DUAL – Integrated Radiometric FLIR Thermal Sensor with adjustable parameters for emissivity and reflective surfaces.

QUANTITY – 2 (Two)

INITIAL COST – \$3,338 x 2

DJI Mavic 2 Enterprise ADVANCED – A highly versatile yet compact tool that packs a whole lot of performance upgrades. With high-resolution thermal and visual cameras, the M2EA supports up to 32 times digital zoom and is capable of centimeter-level positioning accuracy with the RTK module.

QUANTITY – 1 (One)

INITIAL COST – \$7,300

**Purpose:** UAS can support first responders in any hazardous incident, which would benefit from an aerial perspective. These uses could include search and rescue, barricaded suspects or high-risk tactical operations, disaster response, and video and photographic documentation of crime scenes.

**Uses:** Only authorized operators who have completed the required training shall be permitted to operate the UAS.

1. All flights will be approved in advance by a lieutenant and in the absence of management personnel; the sergeant will have the authority to approve missions.
2. All flights will be documented on the mission dispatch form designed for the purpose and all flight time shall be accounted for on the form. The reason for the flight and type of mission as specified and the name of the police manager or supervisor approving the mission will also be documented.
3. The manager or supervisor approving any flight missions, UAS operators and observers will consider the protection of individual civil rights and the reasonable expectation of privacy as a key component of any decision made to deploy the UAS. Each UAS operator and observer will ensure that the operation of the UAS is consistent with local, state, and federal laws.
4. The use of the UAS will be limited to the authorized missions described herein. The authorized missions for the RPD UAS are:
  - Post-incident crime scene preservation and documentation
  - Explosive Ordinance Disposal (EOD) missions
  - Response to hazardous materials spills
  - Search and Rescue (SAR) missions defined in California Government Code Section 26614 Public safety and life preservation missions to include barricaded suspects, hostage situations, civil unrest incidents, active shooters, apprehension of armed and dangerous and/or violent fleeing suspects, and high-risk search warrants
  - Disaster response and recovery to include natural or human caused disasters including a full overview of a disaster area for post-incident analysis and documentation
  - Training missions
  - In response to specific requests from local, state, or federal fire authorities for fire response and prevention
  - When there is probable cause to believe that (1) the UAS will record images of a place, thing, condition, or event; and (2) that those images would be relevant to proving that a certain felony had occurred or is occurring, or that a particular person committed or is committing a certain felony and the use of the UAS does not infringe upon the reasonable expectation of privacy
  - Pursuant to a search warrant

## MOBILE COMMAND CENTER

**Equipment Type:** Completely self-contained command posts designed to provide the Incident Commander with a mobile base of operation. Some major incidents engender special management challenges and require an on-site incident command structure to assist senior personnel in addressing the circumstance presented by the incident.

**Quantity Owned:** 1 (One)

**Lifespan:** The EVI Spartan Mobile Command Center was purchased in 2013 and has a 20-year lifespan on chassis and vehicle structure. Upgrades will be needed in time to maintain IT systems.

**Equipment Capabilities:** This vehicle is designed to be a stand-alone mobile command post for large-scale high risk or natural disasters.

**Manufacturer Product Description:** 2012 EVI Spartan is a 40-foot non-armored vehicle used as an Incident Command Post for preplanned events or unplanned high - risk incidents. As a mobile base of operation, these vehicles contain specialized command, control, and communications equipment to assist with various missions.

**Purpose:** The Mobile Command Center is a vital component to the police mission when major emergencies, natural and man-made disasters or special events in the community trigger the mobilization and coordination of significant resources in the field. Its primary use is to facilitate the management and coordination of personnel, communications, and equipment resources at complex incidents.

**Uses:** Instances that require the mobilization and coordination of significant resources in the field. Its primary use is to facilitate the management and coordination of personnel, communications, and equipment resources at complex incidents. It is the policy of the Richmond Police Department to have the Mobile Command Center ready and available for use at any emergency, special operation, special event, or other function requiring the use of an on scene incident command post.

**Fiscal Impact:** Initial Cost \$402,152.52

Annual Maintenance Cost: \$3,000

**Legal/Procedural Rules Governing Use:** It is the policy of the Richmond Police Department to use the mobile command vehicles only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.

**Training Required:** The driver/operator shall receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city. Authorized drivers will possess a valid Class B California Driver license with an airbrake endorsement and complete requisite training on the operation of the MCC and its systems.

## BREACHING SHOTGUN & PROJECTILES

<b>Equipment Type:</b> Remington 870 Breaching Shotgun and TESAR Breaching Rounds	
<b>Quantity Owned:</b> Shotguns - 2 (Two)	<b>Lifespan:</b> 25 years or dependent on operational usage
Breaching Rounds - 300	Approximately 5 Years
<b>Equipment Capabilities:</b> This weapon allows breachers to safely utilize shotgun-breaching rounds in order to destroy deadbolts, locks, and hinges. The standoff that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round.	
<b>Manufacturer Product Description:</b>  Remington 870 Police Magnum – Pump-action shotgun is a rugged 12gauge with a short, tactical 14” barrel backed by a stout 3” chamber.  TESAR 2 Breaching Rounds – Black Cap 2-3/4” 425 Grain Compressed Copper Frangible 12 Ga Shotgun Slug.  TESAR 1 Breaching Rounds – Orange Cap 2-3/4” 275 Grain Compressed Copper Frangible 12 Ga Shotgun Slug.	
<b>Purpose:</b> Shotgun breaching, the use of a breaching shotgun to affect a breach, can be an effective option in SWAT Unit tactics. An effective breach is a design where the least amount of breaching shotgun rounds are used and still accomplishes its goal. An effective shotgun breach can defeat fortified doors and locks.	
<b>Uses:</b> Breaching shotguns shall only be used on a door, gate, or other entry in the following circumstances:  1. Barricaded suspect and/or hostage situations. 2. High-risk warrant services 3. When the SRT Commander or SWAT Commander deems their use necessary to safely resolve an incident.	
<b>Fiscal Impact:</b> Breaching Shotguns - Initial Cost \$550 (Each)	<b>Annual Maintenance Cost:</b> \$100  \$500
Breaching Rounds – Initial Cost \$2,000	
<b>Legal/Procedural Rules Governing Use:</b> It is the policy of the Richmond Police Department to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law.	
<b>Training Required:</b> SWAT Officers that are trained in the use of breaching shotguns must successfully complete a SWAT Breaching course or in-house training from a breaching instructor. Furthermore, SWAT Officers must undergo live fire proficiency training in its application.	

## PATROL RIFLES & AMMUNITION

**Equipment Type:** A semi-automatic shoulder-fired long gun that fires a rifle caliber cartridge. The Department-approved AR-15 style (Colt M4) weapon system is designed to fire a .223/5.56 caliber projectile.

<b>Quantity Owned:</b>	<b>Lifespan:</b>
Rifles - 98 (Ninety-eight) total	15+ Years
.223 Ammunition – 10,000 Rounds	Varies
.308 Ammunition – 2,000 Rounds	Varies

**Equipment Capabilities:**

The rifle caliber carbine provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Additionally, patrol rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor but are not appropriate for every situation.

.223 Ammunition - Operational Range from 0-500 yards

.308 Ammunition - Operational Range from 0-1000 yards

**Manufacturer Product Description:**

COLT M4 Carbine / Patrol Rifle– This carbine provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Colt’s reliability, performance and accuracy provide officers the confidence required to accomplish any mission.  
 QUANTITY: 50  
 INITIAL COST: \$895 each

COLT M4 / M16 A2E / (Exclusive to trained SWAT operators) – The SWAT M4 rifle provides officers the ability to engage hostile suspects at distances generally greater than the effective distance of their handguns. Additionally, rifles offer advantages over handguns, such as increased accuracy potential and the ability to defeat soft body armor but are not appropriate for every situation.  
 QUANTITY: 13  
 INITIAL COST: \$1,025 each

COLT Commando / (Exclusive to trained SWAT operators) – The Colt Commando is a very short variant of the M16A1 assault rifle. The dimensions and shorter effective range make more akin to a sub machine gun than an assault rifle.  
 QUANTITY: 2  
 INITIAL COST: \$1,199 each

DPMS M-160 / (Exclusive to trained SWAT operators) – The DMPS is a very short variant of the M16A1 assault rifle. The dimensions and shorter effective range make more akin to a sub machine gun than an assault rifle.  
 QUANTITY: 5  
 INITIAL COST: \$1,199 each

COLT M16 A2 / (Exclusive to trained SWAT operators) – The Colt M16 A2 is a very short variant of the M16A1 assault rifle. The dimensions and shorter effective range make more akin to a sub machine gun than an assault rifle.

QUANTITY: 2

INITIAL COST: \$1,199 each

COLT AR-15 Match Target Competition Rifle – This rifle is a Colt Match Target (flattop) with 16" heavy barrel with 1 in 9 twist. It has a removable handle so that a scope or optical site can be easily mounted. It comes with match rear sights and regular front site.

QUANTITY: 8

INITIAL COST: \$1,199 each

H&K MP5 (Exclusive to trained SWAT operators) – Tremendously reliable, with maximum safety for the user, easy to handle, modular, extremely accurate and extraordinarily easy to control when firing.

QUANTITY: 17

INITIAL COST: \$965 each

H&R Arms M14 – Weapon is decommissioned

QUANTITY: 1

INITIAL COST: N/A

Gold Dot Soft Point 55 or 62 grain .223 & Federal / Winchester 55 grain FJM .223 - Only ammunition that meet RPD specifications, approved by the Chief of Police, and issued by the Department may be used by officers in their law enforcement responsibilities.

INITIAL COST: \$358 per 1,000 rounds

ANNUAL COST: \$8,000

Federal Tactical Tru 168 grain .308 & Federal Tactical Bonded Tip 168 grain .308 (Exclusive to trained SWAT operators) - Federal Cartridge .308 Win Tactical Bonded Tip 168 Grain Duty Ammunition is made exclusively for law enforcement and achieves accuracy and terminal performance unmatched by any other ammunition. Designed to defeat the toughest barriers with minimal deflection, Tactical Bonded Tip ammo has quickly become the choice for some of the most intense conditions.

INITIAL COST: \$450 per 500 rounds

ANNUAL COST: \$2,000

**Purpose:** In order to more effectively and accurately address the increasing level of firepower and body armor utilized by criminal suspects, the Richmond Police Department (RPD) will make patrol rifles available to qualified patrol officers as an additional and more immediate tactical resource.

**Uses:** Officers may use rifles in the following situations:

- a) When there is an objectively reasonable anticipation of an armed encounter.
- b) When an officer is faced with a situation that may require the delivery of accurate and effective fire at long range.
- c) Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.

- d) When an officer reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage.
- e) When an officer reasonably believes that a suspect may be wearing body armor.
- f) When authorized or requested by a supervisor
- g) When needed to euthanize an animal

<b>Fiscal Impact:</b> Listed above	Annual Maintenance Cost: \$250
<b>Legal/Procedural Rules Governing Use:</b> It is the policy of the Richmond Police Department to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	
<b>Training Required:</b> Officers shall not carry or use the patrol rifle unless they have successfully completed departmental training. This training shall consist of an initial 40-hour patrol rifle user's course and qualification score with a certified patrol rifle instructor. Officers shall thereafter be required to successfully complete quarterly training and qualification conducted by certified patrol rifle instructors.	

## DIVERSION DEVICES

<b>Equipment Type:</b> Canisters that emit a loud noise and bright light	
<b>Quantity Owned:</b> 150 (One hundred-fifty)	<b>Lifespan:</b> 5 Years
<b>Equipment Capabilities:</b> Diversionary Devices are capable of releasing large amounts of stored energy in the form of heat, light, pressure, and noise. They are intended to temporarily distract, confuse, and disorient subjects. They can also be used as “attention-getting” devices. Light Level 6 – 8 million Candelas Light Duration 10 milliseconds.	
<b>Manufacturer Product Description:</b> This compact version of the 8933 Low Roll body is the newest version of the original reusable non-bursting canister that limits movement and rolling once deployed. The compact Distraction Device unit packs all the power of the full size 12-Gram Distraction Device unit.	
<b>Purpose:</b> A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term physiological/psychological sensory deprivation to give officers a tactical advantage.	
<p><b>Uses:</b> Generally, flash/sound diversionary devices may be considered whenever the use of a less lethal diversion would help facilitate entry, enabling arrest and potentially reducing the risk of injury by disorientation of potentially dangerous suspects and/or animals. Diversion devices shall only be used for distraction purposes.</p> <p>Circumstances for the use of flash/sound diversionary devices include:</p> <ol style="list-style-type: none"> <li>1. Barricaded suspect and/or hostage situations.</li> <li>2. High-risk warrant services.</li> <li>3. Disperse potentially violent animals.</li> <li>4. When the SRT Commander or SWAT Commander deems their use necessary to safely resolve an incident.</li> </ol>	
<b>Fiscal Impact:</b> Initial Cost \$6,800 per 120 devices	Annual Maintenance Cost: \$0
<b>Legal/Procedural Rules Governing Use:</b> It is the policy of the Richmond Police Department’s policy to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.	
<p><b>Training Required:</b> Diversionary Device Trainers must successfully complete a Diversionary Device Course that has been approved by the SWAT Commander. Diversionary Device Trainers are responsible for maintaining and updating the SWAT Team's training and qualification as they pertain to the deployment of diversionary devices.</p> <p>Diversionary Device Trainers will attend at least one course related to diversionary devices every three years for updating training and maintenance of their training skills.</p>	

## CHEMICAL AGENTS

<b>Equipment Type:</b> Canisters or projectile rounds containing chemical agents that are released when deployed	
<b>Quantity Owned:</b> 675	<b>Lifespan:</b> 5 Years
<b>Equipment Capabilities:</b> Depending on the delivery method, chemical agents are capable of being introduced in close proximity or from a distance. Depending on the type of delivery system and/or quantity, chemical agents can be used to saturate individual suspects, violent crowds, or areas of varied size.	
<b>Manufacturer Product Description:</b> Examples of chemical agents include CN, CS and OC. Delivery methods include Ferret rounds, blast dispersion rounds/canisters, burning canisters and barricade penetrating rounds.	
Defense Tech SPEDE-HEAT – Pyro Burning CS gas Canister	Quantity: 10
Defense Tech HAN-BALL – Pyro Burning CS gas	Quantity: 20
Defense Tech Flameless Tri-Chamber – Pyro Internal Burn CS gas	Quantity: 10
CTS Indoor 5230B – Pyro Indoor Safe CS gas with dense cardboard to prevent heat/outside flame	Quantity: 25
Defense Tech Aerosol Vapor – Non-Pyro OC gas	Quantity: 25
Defense Tech Maximum Smoke – Pyro high volume white smoke	Quantity: 10
CTS 40mm Liquid Ferret Rounds – Non-Pyro CS gas Launchable Munition with instantons delivery once ruptured	Quantity: 100
Defense Tech 40mm Direct Impact OC – Direct impact OC gas	Quantity: 100
Pepperball – Pepper ball live projectiles .2% PAVA	Quantity: 375
<b>Purpose:</b> Chemical agenda are to be used exclusively by SRT team members. Generally, during high-risk tactical incidents, chemical agents can be used to dislodge a suspect from a stronghold location with the least possible danger to citizens, police and the suspect. Chemical agents can be also used to prevent an armed suspect from accurately firing at citizens and/or officers.	
<b>Uses:</b> Chemical agents may be used for crowd control, crowd dispersal or against barricaded suspects in certain circumstances. Only the Patrol Sergeant, Incident Commander or Crisis Response Unit Commander may authorize the delivery and use of	

tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary. When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in accordance with the following requirements of Penal Code § 13652:

- (a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
- (b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- (c) Individuals are given an objectively reasonable opportunity to disperse and leave the scene.
- (d) An objectively reasonable effort has been made to identify individuals engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of individuals.
- (e) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
- (f) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
- (g) An objectively reasonable effort has been made to extract individuals in distress.
- (h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
- (i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
- (j) Kinetic energy projectiles or chemical agents **shall not** be used solely due to any of the following:
  - 1. A violation of an imposed curfew.
  - 2. A verbal threat.
  - 3. Noncompliance with a law enforcement directive.
- (k) If the chemical agent to be deployed is tear gas, only an Incident Commander at the scene of the assembly, protest, or demonstration may authorize its use.

**Fiscal Impact:** Initial Cost \$5,000

Annual Maintenance Cost: \$3,000

**Legal/Procedural Rules Governing Use:** It is the policy of the Richmond Police Department to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**Training Required:** Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control. Proficiency training must be conducted and documented by a Department approved instructor.

## LESS LETHAL IMPACT DEVICES & KINETIC ENERGY PROJECTILES

**Equipment Type:** Less than lethal tool to launch impact rounds

<b>Quantity Owned:</b>	<b>Lifespan:</b>
Less lethal impact devices: (35) Thirty-five	10 Years and dependent on operational usage
Kinetic energy projectiles: 700	5 Years

**Manufacturer Product Description, Capabilities, Quantity, Cost:**

Remington 870 Bean Bag Shotgun – Beanbag shotguns are capable of firing a 12-gauge beanbag round with a maximum effective range of sixty feet.

QUANTITY: 17

INITIAL COSTS: \$550

Remington 870 Chemical Shotgun (Exclusive to trained SWAT operators) – Beanbag shotguns are capable of firing a 12-gauge beanbag round with a maximum effective range of sixty feet.

QUANTITY: 2

INITIAL COSTS: \$550

Penn Arms 40mm, 6-cylinder Pump Multi-Launcher – Capable of firing a variety of munitions with a maximum effective range of 120 feet. The launchers can deliver munitions in the form of chemical agents, sponge baton rounds, or combined

QUANTITY: 3

INITIAL COSTS: \$1,531 each

Penn Arms 40mm, single-shot launcher – Capable of firing a variety of munitions with a maximum effective range of 120 feet. 40mm launchers can deliver 40mm munitions in the form of chemical agents, sponge baton rounds, or combined

QUANTITY: 7

INITIAL COSTS: \$1,302 each

FN 303 Launcher – The lightweight polymer magazine holds 15 projectiles and offers a clear rear cover to allow the operator to instantly verify both the payload type and the number of projectiles remaining

QUANTITY: 4

INITIAL COSTS: \$1,299 each

Federal Laboratories 37mm – The long range projectile has a 150 yard range (Decommissioned)

QUANTITY: 2

INITIAL COSTS: \$299 each

Defense Tech 40mm Exact Impact Round -

6325 – Safe Range 5 ft – 131 ft; 325 fps

6325-A (Marking) – Safe Range Open 5 Ft – 131 Ft 315 fps

Closed 131 Ft – 230 Ft; 425 fps

QUANTITY: 150

INITIAL COST: \$3,000

Defense Tech 12 gauge Bean Bag – Drag Stabilized round / Safe Range 20 ft – 75 ft, 270 fps, tear shaped bag filled with #9 shot

QUANTITY: 250

INITIAL COST: \$1,000

CTS 12 gauge Bean Bag – Super-sock round / Effective Range up to 75 ft, 270-290 fps, shot filled ballistic fiber

QUANTITY: 300

INITIAL COST: \$1,200

**Purpose:** This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation. Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option. Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely.

**Uses:** The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior. Circumstances appropriate for deployment include:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in accordance with the following requirements of Penal Code § 13652.

- (a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
- (b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- (c) Individuals are given an objectively reasonable opportunity to disperse and leave the scene.
- (d) An objectively reasonable effort has been made to identify individuals engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of individuals.
- (e) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.

- (f) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
- (g) An objectively reasonable effort has been made to extract individuals in distress.
- (h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
- (i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
- (j) Kinetic energy projectiles or chemical agents **shall not** be used solely due to any of the following:
  1. A violation of an imposed curfew.
  2. A verbal threat.
  3. Noncompliance with a law enforcement directive.
- (k) If the chemical agent to be deployed is tear gas, only an Incident Commander at the scene of the assembly, protest, or demonstration may authorize its use.

Less lethal impact devices and kinetic energy projectiles shall not be used in the following circumstances:

- On a person who is under restraint
- Targeted at a person's head, neck or vital organs
- Within 20 feet or a distance that could cause death or serious bodily injury
- On a person only engaged in non-compliance or passive resistance
- On a person who has made credible threats to harm themselves but is not imminently carrying out this threat

<b>Fiscal Impact:</b> Initial cost Listed above	Annual Maintenance Cost: \$0
<b>Legal/Procedural Rules Governing Use:</b> It is the policy of the Richmond Police Department to utilize the less lethal impact devices only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.	
<b>Training Required:</b> Only personnel trained and having shown proficiency in the use of any control device are authorized to carry the device. Proficiency training must be conducted and documented by a Department approved instructor.	



## **REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE**

**DATE:** November 30, 2022

**TO:** Members of the Reimagining Public Safety Community Task Force

**FROM:** LaShonda White, Interim Library and Community Services Director, Task Force Staff Liaison

**SUBJECT:** FY 2022-23 Task Force Budget Update

### **STATEMENT OF THE ISSUE:**

City staff will present a FY 2022-23 first quarter budget update on the Reimagining Public Safety program allocations for July 1, 2022 through September 30, 2022.

### **RECOMMENDED ACTION:**

RECEIVE a FY 2022-2023 first quarter report regarding allocations for Unhoused Interventions, YouthWorks, Office of Neighborhood Safety, and the Community Crisis Response Program

### **DISCUSSION:**

As part of the FY 2022-23 annual budget process, the City Council allocated approximately \$7.1 million in funding from various sources to fund four (4) Task Force recommended proposals/programs: Unhoused Interventions, YouthWorks, Office of Neighborhood Safety, and the Community Crisis Response Program.

Below is a high-level summary of expenditures connected with the four (4) proposals/programs recommended for funding through the Task Force. The information included in the budget report is from July 1, 2022 through September 30, 2022, through MUNIS, the City's financial system.

Brief updates are included in the budget table to provide a high-level explanation of the lower-than-expected actual expenditures. City and/or program staff will be available to answer specific questions regarding programs and service delivery at the meeting.

**REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE  
FY 2022-23 BUDGET (July 1, 2022 - September 30, 2022)**

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>ENCUMBRANCES</u>	<u>REMAINING</u>	<u>UPDATE</u>
<b>YouthWORKS</b>	<b>\$1,980,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$1,980,000</b>	
Department: Community Services Department, Employment & Training Division					YouthWORKS is operating and providing services to youth. Finance staff is processing transfers from the E&T account to the Reimagining Task Force account to accurately show the amount spent through October 2022. This should be completed in the beginning of December 2022.
<b>OFFICE OF NEIGHBORHOOD SAFETY</b>	<b>\$2,333,475</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$2,333,475</b>	
Department: Community Services Department, ONS					ONS recently hired 2 Neighborhood Change Agents and are continuing with the recruitment process to hire additional staff.
<b>UNHOUSED INTERVENTIONS</b>	<b>\$1,800,000</b>	<b>\$ 42,602</b>	<b>\$537,078</b>	<b>\$1,220,320</b>	
Department: Community Development Department					Work is ongoing. An encumbrance of \$359,519 was transferred from the FY 2021-22 budget to the FY 2022-23 budget. That amount is not reflected in the \$1.8 million. This encumbrance was connected to an existing contract.
<b>COMMUNITY CRISIS RESPONSE PROGRAM</b>	<b>\$1,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$1,000,000</b>	
Department: Community Services Department & Fire Department					The City Council approved a \$112,000 contract with Urban Strategies Council and work has commenced. The City has not received an invoice yet for services rendered.
<b>Total - Reimagining FY2022-23</b>	<b>\$7,113,475</b>	<b>\$42,602</b>	<b>\$537,078</b>	<b>\$6,533,795</b>	



**REIMAGINING PUBLIC SAFETY COMMUNITY TASK FORCE**

**DATE:** November 30, 2022

**TO:** Members of the Reimagining Public Safety Community Task Force

**FROM:** LaShonda White, Interim Director of Library and Community Services, Task Force Staff Liaison

**SUBJECT:** Creation of Task Force Bylaws

**STATEMENT OF THE ISSUE:**

The Task Force will discuss and provide feedback on the draft Task Force bylaws.

**RECOMMENDED ACTION:**

REVIEW feedback on proposed Task Force bylaws and DISCUSS next steps

**DISCUSSION:**

The City of Richmond Boards and Commission Handbook ([Handbook](#)) was approved by City Council and contains guidelines and instructions for all City of Richmond Boards and Commission. Members will discuss the potential of creating specific bylaws for the Task Force, which will not be in conflict with information included in the Handbook, but will provide greater clarity where needed.

Chair Small developed draft bylaws for review and consideration by the full Task Force during the March 23, 2022 regular meeting. Task Force members were subsequently provided an opportunity to review and recommend revisions to the draft bylaws prior to the April 27, 2022 regular meeting. The draft bylaws, as well as the feedback received, are being presented for further discussion before revisions are incorporated and submitted to the City Attorney's Office for final review and approval. Final bylaws will be brought back before the Task Force at a subsequent meeting for adoption.

**ATTACHMENTS:**

1. Draft Reimagining Public Safety Community Task Force Bylaws
2. Feedback on Draft Bylaws

**RICHMOND REIMAGINING PUBLIC SAFETY  
COMMUNITY TASK FORCE  
By-Laws**

**ARTICLE I. NAME, PURPOSE, FUNCTION**

- Section 1. *NAME:* The name of this committee shall be the Richmond Reimagining Public Safety Community Task Force (hereinafter “Task Force”).
- Section 2. *PURPOSE:* A joint, community-led task force charged with examining the public safety needs of Richmond residents and communities. Providing recommendations for alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce restorative and transformative justice models, and reduce or eliminate use of fines and incarceration. Develop options to reduce police contacts, stops, arrests, tickets, fines and incarceration and replace these, to the greatest extent possible, with educational, community serving, restorative and other positive programs, policies and systems.
- Section 3. *FUNCTIONS:* The duties of the task force are as follows:
- Conduct comprehensive reviews of existing institutional and community-based public safety and health resources. Identify community safety needs that are not currently being served and provide recommendations for how to add new resources to fill these gaps;
- Conduct listening sessions to ascertain community needs as well as public meetings to discuss community concerns about public safety; gather information and educate the public about existing resources;
- Provide regular reports on action steps and deliverables to all relevant governing bodies.

DRAFT

Evaluate and make recommendations for the implementation of, or improvements to current and proposed programs that impact public safety to the Richmond City Council.

**ARTICLE II. MEMBERSHIP**

- Section 1. *MEMBERSHIP.* The Task Force is comprised of 21 members who represent the Richmond community. The Mayor and City Council members each nominated three individuals to be members of the Task Force for a total of twenty-one, which were subsequently approved by the City Council. Current members shall be listed in the written minutes of each meeting.
- Section 2. *VACANCIES.* It was determined that it is within the charter-appointed duties of the Mayor to nominate candidates for appointment to the task force, as is done for the city's boards and commissions. Mayor Butt has reasserted his right to fill vacancies that may occur with approval of the City Council.
- Section 3. *CHAIR & VICE-CHAIR.* The Task Force will elect a chair and vice-chair from the 21 members. The Chair will work with City Staff to develop Task Force agendas, review minutes and facilitate meetings. In the absence of the Chair, the Vice-Chair will assume these accountabilities. The Task Force will elect a Chair and Vice Chair annually until its termination.
- Section 4. *ATTENDANCE.* Members are required to attend all Task Force regular meetings unless excused by the Chair for good reason. Three unexcused absences are grounds for removal. The list of attendees will be recorded as part of the minutes of each meeting. Any member in violation of the attendance policy shall be sent a letter informing them of their automatic removal.

**ARTICLE III. MEETINGS**

DRAFT

- Section 1. *Quorum.* A quorum of fifty (50) percent plus one of the Task Force twenty-one (21) members must be present at any regular or specially scheduled meeting in order for the Task Force to engage in formal decision-making. A quorum is defined as more than one-half of the total membership, including vacant seats.
- Section 2. *Proceedings.* Task Force meetings shall be open to the public, in full accordance of the Brown Act. Audio recordings will be kept for all meetings and will be posted on the Task Force website in accordance with the Brown Act and will be a public document.
- Section 3. *Parliamentary Procedure.* Rosenberg's Rules of Order, as published by the League of California Cities, shall be the parliamentary rules of order for Task Force meetings.
- Section 4. *Regular Meetings.* Task Force meetings will occur once a month at a time and place to be determined by the Task Force members. The Task Force may hold meetings more frequently if necessary. Any change in the regular meeting schedule shall be announced at least seventy-two (72) hours in advance.
- Section 5. *Order of Business.* Unless changed as determined by a majority vote of the Task Force, the order of business of any Regular meeting shall be as follows:
1. Roll call
  2. Approval of the Minutes
  3. Open Public Comment (for items relevant to the Task Force, but not on the agenda).
  4. Consideration of Task Force Business/Action Items.  
(Public comment specific to each business/action item shall be requested prior to any action being taken on the item.)
  5. New Business (No action if not on agenda.)
  6. Adjournment
- Section 7. *Notice.* Written notice of the time and place of every full Task Force meeting shall be given to members of the Task Force and

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the public at least 72 hours before the time of such meeting, in accordance with the Brown Act.

- Section 8. *Special Meetings.* Special Meetings may be called and scheduled by the Chair or, by seven or more members. The agenda, place and time of such meetings shall be set forth in the meeting notice, at least twenty-four (24) hours before the time of such meeting in accordance with the Brown Act.

**ARTICLE IV. VOTING**

- Section 1. *Voting.* While the Task Force strives to achieve consensus, the affirmative vote of a majority of the members present shall be required for the approval of any matter. Votes will be taken by roll call vote, and detailed in the minutes.

- Section 2. *Absentee Votes.* Absentee votes shall not be permitted.

**ARTICLE V. SUBCOMMITTEES**

- Section 1. *Subcommittee Structure.* The Task Force may create working groups and sub-committees as deemed necessary, by a majority vote of the Task Force.

- Section 2. *Committee Membership.* Membership of working groups and subcommittees shall be made up of members of the Task Force.

- Section 3. *Advisory Committees.* Task Force members may create Advisory Committees to support specific working groups or subcommittees. Advisory committee members may include city staff, organizational stakeholders and such other experts as appropriate and/or necessary. No subcommittee, working group or advisory committee may make decisions or act on behalf of the Task Force, except as authorized.

**ARTICLE VI. TERMINATION**

Section 1. It is anticipated that the Task Force shall complete its mission by the close of FY2024. However, this work is critically important and should be completed with due care and all needed time and attention. In light of that, if at the end of that time, the Task Force has not fully completed its work, the Task Force may by two-thirds vote of the membership add six months to its period of work with approval by City Council.

**ARTICLE VII. NON-PARTISAN/NON-DISCRIMINATORY**

Section 1. The Task Force shall be non-partisan, shall not support any political party or candidate for public office, and shall not take positions on matters of governmental policy or legislation, except for those relevant to its purposes. The Task Force shall not directly or indirectly participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office.

Section 2. The Task Force shall not discriminate on the basis of race, sex, color, national origin, religion, gender, sexual orientation, age, gender identity or disability.

**ARTICLE VIII. AMENDMENTS**

Section 1. These by-laws may be amended at any regular meeting of the Task Force by a two-thirds vote of those members present, providing that a notice of the proposed amendment shall be distributed to all members at least ten days prior to the meeting.

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

**COMMENT:**

Since most of these by-laws are already included in the Brown Act, Rosenberg’s Rules of Order and the City’s Handbook of Committees and Commissions, how necessary is it for the Task Force to establish their own by-laws?

When this draft is discussed, the individual items of concern should be addressed seriatim and not as a group. Each item has its own merits (and flaws).

**ARTICLE I. NAME, PURPOSE, FUNCTION**

Section 1. *NAME:* The name of this committee shall be the Richmond Reimagining Public Safety Community Task Force (hereinafter “Task Force”).

Section 2. *PURPOSE:* A **joint [I-2(a)]**, community-led task force charged with examining the public safety needs of Richmond residents and **communities [I-2(b)]**. Providing recommendations for alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce restorative and transformative justice models, and **reduce or eliminate use of fines and incarceration [I-2(c)] [I-2(e)]**. Develop options to reduce police contacts, stops, arrests, tickets, fines and incarceration and replace these, to the greatest extent possible, with educational, community serving, restorative and other positive programs, policies and systems **[I-2-(d)], [I-2(f)]**

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

**COMMENTS:**

I-2(a) “Joint”? Who is the Task Force partnered with? His reference needs clarification.

I-2(b) What “communities”? This reference needs definition and explanation.

I-2(c) The Task Force’s scope seems to have been expanded beyond what the Council approved when the Task Force was created. The Task Force needs to revisit the very specific language used when the Council created the Task Force. If the Council specifically created the scope of the Task Force, does the Task Force have the authority to expand that scope?

[The specific language of the motion to create the Task Force:

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**MOTION TO CREATE REIMAGINING TASK FORCE**

**06.30.20**

**TRANSCRIPT**

**COUNCILMEMBER JAEL MYRICK**

It was to direct staff to prepare a plan to transition from Richmond’s current community policing model, to a plan conducive to reduce police force and return to Council with a preferred policing model, and a plan for implementation by the end of the fiscal year.

And to create a transition accountability task force of the public, to advise staff during that process. And that that task force would have access to legally allowable

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

data, and to legal questions from the City Attorney's office. And that task force would have standing meetings with the City Manager.

And I was going to say the Police Chief, because originally ... or someone from the Police Department, I should say, and require that that task force ... I won't say it would be convening within two weeks, because it sounds like that's going to be a little more complicated, but they still will have to report back to the Council by September 15th, 2020, and then monthly.

**COUNCILMEMBER EDUARDO MARTINEZ**

Would you accept a friendly amendment of including community groups such as Safe Return Project RYSE Center?

**COUNCILMEMBER Jael Myrick**

Yeah. I was trying to avoid getting specific, but yeah, we could say it includes, but it's not limited to members of the Richmond police ... Community Police Review Commission, Office of Neighborhood Safety, Safe Return Project and the RYSE Center as well as the Police Department.

**COUNCILMEMBER MELVIN WILLIS**

And even the County?

**COUNCILMEMBER Jael Myrick**

Yeah, and even the County.

**COUNCILMEMBER MELVIN WILLIS**

And part of that motion was just allowing the task force to have access to legally available public data, and just general legal consultation. Sorry, I didn't capture that. It was a long one. You're doing good Councilmember Myrick, thank you.

**COUNCILMEMBER Jael Myrick**

It was a long one.

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

**COUNCILMEMBER MELVIN WILLIS**

You're doing good.

**COUNCILMEMBER JAELE MYRICK**

Yeah, so we could accommodate that, that's fine.

**MAYOR TOM BUTT**

Okay. Now, let's call the roll vote please.

**PAM CHRISTIAN**

Vice Mayor Bates?

**VICE MAYOR NAT BATES**

No.

**PAM CHRISTIAN**

Councilmember Choi?

**COUNCILMEMBER BEN CHOI**

Yes.

**PAM CHRISTIAN**

Councilmember Johnson?

**COUNCILMEMBER DEMNLUUS JOHNSON**

Yes.

**PAM CHRISTIAN**

Councilmember Martinez?

**COUNCILMEMBER EDUARDO MARTINEZ**

Yes.

**PAM CHRISTIAN**

Councilmember Myrick?

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

**COUNCILMEMBER JAELE MYRICK**

Yes.

**PAM CHRISTIAN**

Councilmember Willis?

**COUNCILMEMBER MELVIN WILLIS**

Yes.

**PAM CHRISTIAN**

And Mayor Butt?

**MAYOR TOM BUTT**

I'm going to vote, no. And I think the other thing is that I'm going to take up Vice Mayor Bates' advice that I don't think we need two bodies doing this. So, I'm going to disband the ad hoc committee, and let the task force redesign the police department.

**PAM CHRISTIAN**

And the motion passes with Vice Mayor Bates, and Mayor Butt voting no.

-----  
I-2(d) This task force is purely advisory and has no authority to take action on behalf of the City. The Task Force can make recommendations but the language here needs to be specific so there is no confusion or ambiguity as to the authority that the Task Force has.

I-2(e) Isn't it the State that determines what is against the law and what the punishment for breaking those laws will be? Is it the intent of this Task Force to direct the Richmond Police Department about which laws they should not enforce or which persons they should give a pass to? Since sworn police

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

officers take an oath to uphold the laws of California, does the Task Force have the authority to reprioritize which laws should be enforced? Does the Task Force have the authority to direct the judicial system which cases should be heard and the punishments meted out by the courts?

I-2(f) This reads like a list but its written as if the items are sentences. His section should be redrafted so it's either a list of items or the sentences are complete sentences and make sense.

Section 3. *FUNCTIONS:* The duties of the task force are as follows:

Conduct comprehensive reviews of existing institutional and community-based public safety and health resources. Identify community safety needs that are not currently being served and provide recommendations for how to add new resources to fill these gaps; **[I-3(a)]**

**COMMENT:**

I-3(a) Is it the responsibility of the Task Force to find new resources to fund the solutions to the “community needs” or should it be the responsibility of the elected City Council?

Conduct listening sessions to ascertain community needs as well as public meetings to discuss community concerns about public safety; gather information and educate the public about existing resources; **[I-3(b)]**

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

**COMMENT:**

I-3(b) Include language that would require the Task Force to actually listen to members of the community at these “listening sessions”.

Provide regular reports on action steps and deliverables to all relevant governing bodies. [I-3(c)]

**COMMENT:**

I-3(c) Specify what governing bodies other than the City Council that this Task Force reports to.

Evaluate and make recommendations for the implementation of [I-3(d)] public safety to the Richmond City Council.

**COMMENT:**

I-3(d) Remove comma.

**ARTICLE II. MEMBERSHIP**

Section 1. *MEMBERSHIP.* The Task Force is comprised of 21 members who represent the Richmond community. The Mayor [II-1(a)] and City Council members each nominated three individuals to be members of the Task Force for a total of twenty-one, which were subsequently approved by the City

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

Council. [II-1(b)] Current members shall be listed in the written minutes of each meeting. [II-1(c)]

**COMMENTS:**

II-1(a) The Mayor is a member of the City Council so this reference should not make a distinction between the two elected offices.

II-1(b) Amend the second sentence to as follows so it reflects the policy of the Council: “Members of the Task Force are nominated by individual members of the City Council, appointed by the Mayor with the appointments approved by a majority of the Council.”

II-1(c) Maintain a current list of the Task Force members on the Task Force web site as well.

Section 2. *VACANCIES.* It was determined that it is within the charter-appointed duties [II-2(a)] of the Mayor to nominate candidates [II-2(b)] [II-2(c)] for appointment to the task force, as is done for the city’s [II-2(d)] boards and commissions. Mayor Butt has reasserted his right to fill vacancies that may occur with approval of the City Council.

**COMMENTS:**

II-2(a) This language suggests there was a question on who had the authority to appoint members to the Task Force, there

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

was an investigation with a follow-up ruling—which was not the case. Remove this text.

II-2(b) The Mayor appoints people to the Task Force and these appointments must be approved by the Council.

II-2(c) These are not candidates—they are applicants.

II-2(d) In cases like this where the reference is to the City of Richmond as opposed to a generic city, “City” is capitalized.

Section 3. *CHAIR & VICE-CHAIR.* The Task Force will elect a chair and vice-chair from the 21 members. The Chair will work with City Staff to develop Task Force agendas, review minutes and facilitate meetings. In the absence of the Chair, the Vice-Chair will assume these accountabilities. The Task Force will elect a Chair and Vice Chair annually until its termination. **[II-3(a)]**

**COMMENT:**

II-3(a) When will the elections be held?

Section 4. *ATTENDANCE.* Members are required to attend all Task Force regular meetings unless excused by the Chair for good reason. **[II-4(a)]** Three unexcused absences **[II-4(b)]** are grounds for removal. The list of attendees will be recorded as part of the minutes of each meeting. Any member in violation of the attendance policy shall be sent a letter informing them of their automatic removal. **[II-4(c)] [II-4(d)]**

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

**COMMENTS:**

II-4(a) What constitutes an excused/unexcused absence?

II-4(b) Three absences over what period?

II-4(c) A letter should be sent out well in advance of any removal as well as notifying the Task Force member of the removal. The Task Force should find way of keeping people on the Task Force instead of giving the appearance of finding ways to remove them from this Task Force.

II-4(d) Why are Task Force members NOT required to attend special called meetings of the Task Force? Are these special called meets of less importance?

**ARTICLE III. MEETINGS**

Section 1. *Quorum.* A quorum of fifty (50) percent plus one of the Task Force Force's [III-1(a)] twenty-one (21) members must be present at any regular or specially scheduled meeting in order for the Task Force to engage in formal decision-making. A quorum is defined as more than one-half of the total membership, including vacant seats.

**COMMENT:**

III-1(a) Pluralize the word "Force".

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

Section 2. *Proceedings.* Task Force meetings shall be open to the public, in full accordance ~~of~~ with [III-2(a)] the Brown Act. **Audio and Video** [III-2(b)] recordings will be kept for all meetings and will be posted on the Task Force website in accordance with the Brown Act [III-2(c)] and will be a public document.

**COMMENTS:**

III-2(a) Replace “of” with “with:”

III-2(b) Replace “Audio” with “Audio and video”.

III-2(c) Should the reference to The Brown Act be removed? Since the Brown Act was passed in 1953 it does not always keep up with the advancements of technology. Video recordings are the norm today but were not existent in 1953.

Section 3. *Parliamentary Procedure.* Rosenberg's Rules of Order, as published by the League of California Cities, shall be the parliamentary rules of order for Task Force meetings.

Section 4. *Regular Meetings.* Task Force meetings will occur once a month at a time and place to be determined by the Task Force members. **The Task Force may hold meetings more frequently if necessary. Any change in the regular meeting schedule shall be announced at least seventy-two (72) hours in advance. [III-4(a)]**

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

**COMMENT:**

III-4(a) Who has the authority to change the date and time of the meetings?

Section 5. *Order of Business.* Unless changed as determined by a majority vote of the Task Force, the order of business of any Regular meeting shall be as follows:

1. Roll call
2. Approval of the Minutes
3. Open Public Comment (for items relevant to the Task Force, but not on the agenda).
4. Consideration of Task Force Business/Action Items. (Public comment specific to each business/action item shall be requested prior to any action being taken on the item.)
5. New Business (No action if not on agenda.)
6. Adjournment

Section 7. *Notice.* Written notice of the time and place of every full Task Force meeting shall be given to members of the Task Force and the public at least 72 hours before the time of such meeting, in accordance with the Brown Act. **[III-7(a)]**

**COMMENT:**

III-7(a) For more fluid flow, relocate the end of the paragraph to the beginning:

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

“In accordance with the Brown Act, written notice of the time and place of every full Task Force meeting shall be given to members of the Task Force and the public at least 72 hours before the time of such meeting.”

Section 8. *Special Meetings*. **[III-8(a)]** Special Meetings may be called and scheduled by the Chair or, by seven or more members. The agenda, place and time of such meetings shall be set forth in the meeting notice, at least twenty-four (24) hours before the time of such meeting in accordance with the Brown Act. **[III-7(b)]**

**COMMENT:**

III-8(A) What would be the basis of a Special Meeting? Normally a Special meeting is called when there is an item with critical timing involved. What kind of item covered by this Task Force might fall under that category?

III-8(b) When such a small group has the authority to call a special meeting with only 24 hours notice, this is ripe for the small group to hijack the Task Force and act on items possibly without a full representation of the Task Force. This Task Force is far from unanimous on the issues and this item comes across as if it were designed to circumvent the democratic purposes. What kind of emergency would require a Special Meeting with only 24 hours notice?

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

**ARTICLE IV. VOTING**

Section 1. *Voting.* While the Task Force strives to achieve consensus, the affirmative vote of a majority of the members present **[IV-1(a)]** shall be required for the approval of any matter. Votes will be taken by roll call vote, and detailed in the minutes.

**COMMENT:**

IV-1(a) Rosenberg's Rules call for a majority of possible members to approve any action—NOT just those present.

Section 2. *Absentee Votes.* Absentee votes shall not be permitted.

**ARTICLE V. SUBCOMMITTEES**

Section 1. *Subcommittee Structure.* The Task Force may create working groups and sub-committees as deemed necessary, by a majority vote of the Task Force. **[V-1(a)]**

**COMMENT:**

**V-1(a)** For more fluid flow, relocate the end of the paragraph to the beginning:

“By a majority vote of the Task Force the Task Force may create working groups and sub-committees as deemed necessary.”

Section 2. *Committee Membership.* Membership of working groups and subcommittees shall be made up of members of the Task Force.

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

*Advisory Committees.* Task Force members [IV-2(a)] may create Advisory Committees to support specific working groups or subcommittees.

**COMMENTS:**

**V-2(a)** “Task Force members”? Is this ‘two or more’ Task Force members or a ‘majority’ of the Task Force members?

Section 3. Advisory committee members may include city staff, organizational stakeholders and such other experts as appropriate and/or necessary. No subcommittee, working group or advisory committee may make decisions or act on behalf of the Task Force, except as authorized. [V-3(a)]

**COMMENT:**

V-3(a) This sounds like individual Task Force members may be creating a Task Force within a Task Force—adding persons not appointed by the City Council.

**ARTICLE VI. TERMINATION**

Section 1. It is anticipated that the Task Force shall complete its mission by the close of FY2024. However, this work is critically important and should be completed with due care and all needed time and attention. In light of that, if at the end of that time, the Task Force has not fully completed its work, the Task Force may by two-thirds vote of the membership add six

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

months to its period of work with approval by City Council.  
[VI-1(a)]

**COMMENT:**

VI-1(a) **ONLY** the City Council can extend the life of the Task Force. Likewise, the Council may choose, at their convenience, to terminate the Task Force at any time deemed appropriate to their whims.

Suggest the replacement of this entire section with the following text:

“The City Council shall determine when the work of this Task Force has concluded and will have sole authority to either extend the duration of the Task Force or to terminate it’s work.”

**ARTICLE VII. NON-PARTISAN/NON-DISCRIMINATORY**

Section 1. The Task Force shall be non-partisan, shall not support any political party or candidate for public office, and shall not take positions on matters of governmental policy or legislation, except for those relevant to its purposes. The Task Force shall not directly or indirectly participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office.

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

Section 2. The Task Force shall not discriminate on the basis of race, sex, color, national origin, religion, gender, sexual orientation, age, gender identity or disability. **[VII-2(a)]**

**COMMENT:**

VII-2(a) This is meaningless as long as Task Force members feel and act contrary to these words. There have been numerous incidents of comments made that conflict with this section made towards Task Force members as well as staff. Task Force members have walked away from this Task Force because of the lack of civility and attitude towards persons who may have opposing opinions or the gender or color of their skin does not match what the preferences of other Task Force members. [See video of meeting of 02.23.22 where a Task Force member objected to the face of a White Man being seen on the screen.

**ARTICLE VIII. AMENDMENTS**

Section 1. These by-laws may be amended at any regular meeting of the Task Force by a **two-thirds [VIII-1(a)]** vote of those members present, providing that a notice of the proposed amendment shall be distributed to all members at least ten days prior to the meeting.

**COMMENT:**

VIII 1(a) Normal procedure requires only a simple majority. Rosenberg's Rules allows for a supermajority to be required under specific situations but amending the By-Laws is not one

**DRAFT**  
**RICHMOND REIMAGINING PUBLIC SAFETY**  
**COMMUNITY TASK FORCE**  
**By-Laws**  
**(Rev-2)**

**DON GOSNEY COMMENTS**

of them. Getting 14 Task Force members to agree on a By-Law amendment is overly burdensome. This Article should revert to the standard of a simple majority for passage and it should follow the same rules for what constitutes a majority as any other vote as covered by Rosenberg's Rules.