

RICHMOND POLICE COMMISSION

**Wednesday, May 4, 2011 – 7:00 p.m.
Employment & Training Building
330 – 25th Street
Conference Room 1**

MINUTES

I CALL TO ORDER, ROLL CALL, PLEDGE

The meeting was called to order at 7:00 p.m. by Chair Dolores Hembree

ROLL CALL

Present: Therese Barquet
Nemy Bautista
Scott Gillespie
Dolores Hembree
Felix Hunziker
Bea Roberson
Glenn Stephenson
Eleanor Thompson
Cora J. Ward

Absent: None

Vacancies: None

Administrative Staff:

Don Casimere, Confidential Investigative & Appeals Officer – Present
Malia Glover, Executive Secretary I – Present

Council Liaison: Jeff Ritterman, Council Liaison – Present

City Attorney's

Office Representative: Bruce Soublet, Assistant City Attorney – Present

II APPROVAL OF MINUTES – April 6, 2011

Upon motion by **Commissioner Roberson** and second by **Commissioner Ward**, the minutes for the regular meeting of April 6, 2011, were approved as written.

Chair Hembree requested that Item V be moved to Item III

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

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

Chief Magnus distributed four handouts:

1. An article from Contra Costa Times – “San Jose: Auditor’s report says internal cop inquiries lack objectivity”
2. IA Pro information
3. RPD Professional Standards Case Analysis 5/4/10-5/4/11
4. IA Complaint Log

The Chief gave an overview of how complaints are handled in RPD. He said that all sworn personnel can receive complaints. Complaint forms are readily available on the website. They acknowledge all complaints. The IA Unit is fully staffed with 1 lieutenant and 2 sergeants. Complaints of a less serious nature are investigated by first line supervisors who have received special training in how to investigate complaints. IA reports directly to the Chief or Deputy Chief. All complaints are tracked. If a complaint alleges criminal behavior or serious misconduct, the officer is placed on administrative leave. Criminal cases are referred to the DA’s office. All personnel are required to cooperate with the Police Commission investigator. They have a program called IA Pro that tracks complaints and officer conduct. **Capt. Gagan** gave a breakdown of case analysis for the past year.

Councilmember Ritterman asked if they could tell what kind of discipline was given for a complaint that was sustained. **Assistant City Attorney Bruce Soublet** said that the discipline is confidential because it is a personnel issue.

A member of the audience asked if 79 complaints in a calendar year was average. **Chief Magnus** said this number of complaints is consistent with what he would expect for a department this size. They have approximately 200 sworn officers and 100 non-sworn personnel. He said he would be concerned if there were a very small number of complaints.

Councilmember Ritterman asked how they check the possibility of a pattern in the department. **Chief Magnus** said he reviews the reports and if he sees several discourtesy complaints that are coming from a specific shift, then he would look into the matter.

Fredrick Muhammad asked the definition of sustained. **Chief Magnus** said it means the findings in the investigation indicate that the complaint is valid. **Mr. Muhammad** asked, of the 14 cases that were sustained, how could they find out if it was isolated behavior or systemic. **Chief Magnus** said they cannot release that kind of information because of the Police Officers’ Bill of Rights and several other laws that cover this. He said if there was a widespread sense in the community that people are being mistreated or that there is an underlying problem of police misconduct going on, it would come up through a councilmember, or a

member of the Police Commission or Human Relations Commission. The Chief said he and the captains and deputy chief try to be out in the community as much as possible. They work closely with the Office of Neighborhood Safety. He said those 14 cases represent a wide range of behaviors and he feels they are basically isolated.

Asst. City Attorney Bruce Soublet explained that if they see several excessive force lawsuits come through their office, they let the Chief know so that something can be done about it.

CIAO Casimere commented on systemic issues. He said when there are problems that exist that come up by virtue of a complaint but it seems to be wider than just one individual officer, the Police Commission has the authority to recommend to the police chief that particular policies be revised. The Chief then brings that policy back to the Commission for discussion. The policy discussions take place at Police Commission meetings in a public forum. Members of the community have the opportunity to take part in these discussions.

Commissioner Gillespie asked how many commendations were made during this same 12 month period. **Chief Magnus** said that these need to be tracked also. They do letters of commendations and send e-mails out to acknowledge excellent behavior. The Chief reminded everyone about the Public Safety Awards dinner that will be held on 5/13/11.

The Chief reported that violent crime is down 21%. Property crimes are down 13%. Prostitution and related loitering calls for service are down 12%. Man with a gun calls are down 22%. Shots fired calls are down 33%. There have been 5 murders so far this year; that is half of what they had last year to date. He reported that they have two officers that are part of Westnet who took part in Operation Red Reach. They made 35 arrests and seized 35 lbs. of meth, 26 firearms and more than \$86,000. The first reading of the community noise ordinance was passed last night. They had a meeting with the parents of the Explorers in light of the issues with two of the Explorers' leaders. They've replaced the leadership of that program and have new protocols in place.

Chair Hembree requested that the chief give an update on the towing issue at a future Police Commission meeting.

Captain Gagan reported that the Cinco de Mayo events are no longer a public safety issue. The community has taken it over. They have scaled back their police presence at these events because things have been going very well.

IV PRESENTATION BY DEVONE BOGGAN AND/OR HIS REPRESENTATIVE OF OFFICE OF NEIGHBORHOOD SAFETY

Commissioner Bautista thanked the representatives from ONS for coming to the meeting and, for the benefit of the new commissioners; he would like them to explain what they do and their plans for the summer. **Kim Macdonald** and **Sam Vaughn**

introduced themselves as Neighborhood Change Agents. **Ms. Macdonald** said that ONS provides and coordinates targeted intervention services for those who are affected by gun violence, whether they are the perpetrator or victim. Their primary objective is to ensure a greater accessibility to connections in the community and social and economic service opportunities for those who perpetrate gun violence. Their mission is to eliminate gun violence in the City of Richmond. They've had a good year and they hope to keep that going through the summer. **Mr. Vaughn** said they are very aware of crimes that have been committed and who committed these crimes. They try to encourage these individuals and tell them that there is a different way of living life. They are about to start doing intake for their summer program. They will try and assess the needs and the goals of several individuals. They will encourage them and walk them through the process. They are able to do this based on the relationships that the Neighborhood Change Agents have built with these individuals. They look forward to a very good summer.

Commissioner Stephenson asked how many Neighborhood Change Agents there are. **Mr. Vaughn** said there are seven. **Ms. Macdonald** said they target individuals in all the communities. They also work with those who come out of prison with the re-entry program. They try and connect them with resources before they even get out.

Commissioner Hunziker asked them to describe the progression of a successful intervention. **Mr. Vaughn** said it depends on the individual. Their target is to keep people from killing. He said it is a slow process. They have to accept them for who they are. They don't judge them for what they've done in the past. It may take six to eight months; it may take five to ten years.

Commissioner Bautista asked them to explain what Richmond Community Wellness Collaboration (RCWC) is. **Mr. Vaughn** said Devone Boggan was able to get a federally funded grant, CalGRIP (California Gang Reduction, Intervention and Prevention). He said that RCWC is part of a collaboration of organizations that have received money from the City through the CalGRIP grant. They are able to refer the individuals they're working with to any of these organizations for their specific needs.

Commissioner Thompson asked how many young men have changed their lives around since they have been doing this outreach. He said he doesn't have the information for the past three years. From June through December 2010, of the individuals who were involved in the program, they lost one, one went to jail for homicide and 21 stayed engaged.

Ms. Macdonald said they also have a Life Skills for Peace Program for ages 14 - 25 that will be starting soon. They also do a program called Beyond Violence which is a hospital based peer intervention program. One of the Neighborhood Change Agents will go to the hospital when somebody has been shot and do hospital based intervention. They give a lot of support to family members also.

Commissioner Stephenson thanked them and commended them on doing a good job with the little resources they have.

Commissioner Barquet commended them on what they do. She said that by helping these individuals, it's also helping the community to become a little safer.

Commissioner Hunziker said they are doing a good job. He asked how they measure the impact that ONS is having on violent crime. **Mr. Vaughn** said that because of the confidentiality issues, that can't really be measured. **Commissioner Hunziker** asked if there was a way that they could estimate how many shootings that their programs and outreaches have prevented. **Mr. Vaughn** said that he feels like he stops a shooting every day. They try to encourage these individuals and express to them that their life is important; that pain goes away, but consequences from bad decisions will be there forever. He said things like that don't get reported and you can't measure it.

Vivien Feyer said that ONS reports regularly to the Human Rights and Human Relations Commission. She stated that they are aware of the incredible relationships that ONS has with many of the community organizations and that they are impressed with their program.

Commissioner Ward said they are doing a wonderful job.

Commissioner Thompson said that some of the young men that she has recommended for their programs are doing very well.

Chair Hembree thanked them for their presentation and thanked **Commissioner Bautista** for requesting this agenda item.

V COMMENTS BY COUNCIL LIAISON JEFF RITTERMAN

Councilmember Ritterman commented on **Commissioner Hunziker's** question regarding measuring results. He said he thinks there is a better way to keep track of it. He said he thinks they could attract a lot more grant and foundation funding by showing that the money that is invested brings a good return. He reported that tomorrow the Richmond Community Foundation will be doing a summit on children and youth at the Richmond auditorium. **Mr. Ritterman** said that he met with Finance Director Jim Goins today regarding the budget. There is a budget shortfall and their priority is to not lay anybody off. There may be a possibility of work furloughs during the Thanksgiving and Christmas holidays. He said the Lawrence Berkeley Lab will announce next week who made the short list for the second campus. He reported that the City and Chevron are having meetings to see if they can encourage a new project proposal for the hydrogen renewal. He gave an update on Pt. Molate.

Commissioner Stephenson asked if they are rethinking the goal with Chevron on the new plant because they're concerned about pollution from heavy oils. **Councilmember Ritterman** said when they met in Sacramento, Chevron wanted to consider legislative action that would allow them not to have to meet the California Environmental Quality Act. They received a lot of resistance from environmental groups that think that's a bad idea for the state. In that meeting,

they decided not to go that route but to meet weekly and try to get the project moving forward.

Commissioner Bautista asked what the City Council's goal was as far as the Summer Youth Program. **Councilmember Ritterman** said he didn't know. He referred him to Jay Leonhardy from Employment and Training.

Alejandro Navarro asked what the percentage of local hires was at Chevron. **Councilmember Ritterman** said he believed it was at 25% now but he wasn't sure.

VI PUBLIC FORUM

Alejandro Navarro expressed his concerns about an arrest that he witnessed at the Cinco de Mayo Festival. **CIAO Casimere** explained the complaint process to him.

VII DISCUSSION AND ACTION ON RECOMMENDATIONS FROM AD HOC COMMITTEE FOR PROMOTING POSITIVE POLICE-COMMUNITY RELATIONS AND EDUCATING THE COMMUNITY ABOUT THE POLICE COMMISSION (Commissioner Hunziker)

Commissioner Stephenson said that the post card is up on KCRT in English and Spanish. He said they still need to add more information. Cecily will work with **Commissioner Hunziker** and RYSE to do some filming. **Commissioner Ward** said she is waiting for a response from three churches. **Commissioners Hunziker** said he and **Commissioner Gillespie** met to review and consider the source of mistrust between the community and the police department. The conclusion was that it was an incredibly vague and incredibly broad undertaking and they will table it for a future project. He said that the police department is already doing a good job in terms of reaching out into the community and trying to mitigate that mistrust with Crime Prevention and district meetings, etc.

Commissioner Roberson said that post cards were passed out at the Cinco de May Festival. They would also like to purchase a banner for the tables at outreach events. After discussion, **Chair Hembree** asked that **Commissioners Hunziker, Roberson** and **Ward** come up with an idea and e-mail it to the rest of the commission. It will then be discussed at the Police Commission meeting in June.

VIII REPORTS BY:

Commissioner Hunziker

- Attended Cinco de Mayo Festival and worked at PC table

Commissioner Thompson

- Left information regarding Commission at YMCA

Commissioner Stephenson

- Attended State Memorial for Fallen Officers in Sacramento
- Sent cards to officers for Promotions/Swearing-In

Commissioner Stephenson (cont.)

- Attended Cinco de Mayo Festival and worked at PC table
- Attended East Richmond NC
- 2 Ride-Alongs

Commissioner Barquet

- Attended Cinco de Mayo Festival and worked at PC table

Commissioner Bautista

- Attended Swearing-In Ceremony on 4/11/11

Commissioner Roberson

- Attended City Council Meetings
- Attended RNCC Board Meeting
- Taught REACT Class
- Attended Cinco de Mayo Festival and worked at PC table
- Attended Swearing-In Ceremony on 4/11/11

Chair Hembree

- Attended Swearing-In Ceremony on 4/11/11
- Attended Cinco de Mayo Parade

CIAO Casimere

- Submitted Daily Contact Logs for March and April

IX EXECUTIVE SESSION: Public Employee Performance and Discipline/Release (Police Officer)

- A. Discussion Regarding Complaints Received in the Past Month
- B. Discussion and Action Regarding RPC Complaint #02-2011

Upon motion and second, the report for RPC Complaint #02-2011 and findings of **Unsubstantiated** were accepted.

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

X ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

Don Casimere
Confidential Investigative & Appeals Officer