

RICHMOND POLICE COMMISSION

Wednesday, February 7, 2007 – 7:00 p.m.
Community Services Building
330 - 25th Street
Conference Room 1

MINUTES

I CALL TO ORDER (Roll Call) (Chair Naomi Williams)

The meeting was called to order at 7:00 p.m. by Chair Naomi Williams

ROLL CALL

Present: Dolores Hembree
Cochise Potts
Glenn Stephenson
Chris Tallerico
Cora J. Ward
Naomi Williams
Don Zingale

Absent: None

Vacancies: Two

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

II APPROVAL OF MINUTES – January 3, 2007

Upon motion by **Commissioner Tallerico** and second by **Commissioner Potts** the minutes for the regular meeting of January 3, 2007, were approved as written.

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

No report.

IV REPRESENTATIVE FROM D.A.'S OFFICE (How Richmond Cases are Handled)

Bruce Flynn stated he is currently assigned as a felony expediter at the Richmond branch of the District Attorney's Office. He said he assigns cases to individual attorneys after the preliminary hearing. He also handles some of the more serious cases himself. **Chair Williams** stated they would like to know why so many of the cases from Richmond do not get filed. Mr. Flynn said they read all reports and evidence presented by the investigating agency. If they believe they can prove the case for the charges they would

like to charge with proof beyond a reasonable doubt and with competent evidence, then the case would be filed. If not, then they have an ethical obligation not to file the case. That is the standard they use for misdemeanors and felonies; a standard that is used in DA offices countywide and throughout California. Mr. Flynn gave an overview of the filing process and gave examples of why cases may not get filed. **Commissioner Tallerico** read summaries of five reports that described the DA's office allowing suspects to plead out to lesser charges, getting little or no time in jail and multiple probations. He said the departing chairman of the Police Commission stated that the Commissioners should be advocates to find out why this is happening. **Commissioner Zingale** asked if the DA's Office had reports of the courts' success rate of prosecutions compared with other cities in Contra Costa County as well as other counties. If so, he asked if the Police Commission could review the data. Mr. Flynn said that he would check to see if that information was available through their branch offices. **Commissioner Tallerico** will follow up on this information. **Commissioner Hembree** thanked Mr. Flynn for attending the meeting. She asked what happens to cases when he is out of his office for an extended period of time. Mr. Flynn said there is a deputy and a misdemeanor supervisor that work in the office and at times, they will recruit more experienced deputies from other parts of the county to handle the cases. **Chair Williams** thanked Mr. Flynn for coming to the meeting. Mr. Flynn told the commissioners to call him any time if they had any questions.

V REPORT BY POLICE OFFICER ASSOCIATION REPRESENTATIVE

Det. Kevin Martin said they had no report.

Commissioner Potts inquired about ride-alongs on the chopper patrol. **Det. Martin** said ride-alongs are available. Guidelines are set up by the Sheriff's Department as to who can ride and when they can ride. Contact Det. Martin if interested.

VI REPORT BY GUARDIANS OF JUSTICE ASSOCIATION REPRESENTATIVE

Sgt. Jim Jenkins reported that they've had a membership increase from 50 to 59 with four more expected in March. On March 24, 2007, they will have a hot crab feed at the Eagle's Hall with 100% of the proceeds going to their scholarship and donation fund. On June 17, 2007, they will have a Reno bus trip to aid the scholarship fund. He stated that he attended the NAACP Dinner where Lt. Ron Berry was recognized for his community achievement. Additionally, PAL has recognized Off. Eddie Russell as Officer of the Year. Sgt. Jenkins requested that the Commission review the Richmond Police Department's hiring and retention policy because of some recent incidents within the department. The Police Commission decided to place this item on the agenda at a public meeting and ask the Chief to explain what the policy is and then analyze it in open session.

VII REPORT BY LATINO POLICE OFFICER ASSOCIATION REPRESENTATIVE

No report.

VIII PUBLIC FORUM

Phil Mehas said that based on the presentation by the DA's office, one can see how difficult his job is. In order for a more rounded education on the part of the Police Commission, he recommended bringing in a representative from the Public Defender's office and a criminal defense attorney to get a bigger picture of the problems that both sides have. Mr. Mehas said he attended a press conference with the mayor this morning regarding immigration. He distributed flyers and encouraged the commissioners to attend a public forum being put on by the ACLU regarding immigration reform issues. Mr. Mehas said he is curious about the status of the two vacancies on the Police Commission. He also said that he put in a prior request to have the commissioner reports on events and training attended moved before Executive Session, rather than after, so that the public can hear what the commissioners are doing in the community.

IX REPORT BY CONFIDENTIAL IAO

CIAO Don Casimere thanked Bruce Flynn for coming to the meeting and responding to the questions and concerns of the Police Commission. He thanked Mr. Mehas for constantly being here, making sure the Commission is on its job. He also thanked Sgt. Jenkins for bringing the matter of the hiring and retention policy of the Police Department to the Commission's attention. The Commission is here to listen to concerns such as that and act appropriately. Mr. Casimere stated he had the opportunity to attend the swearing-in ceremony of the mayor and council members on January 9th, the City Council Public Safety Committee Meeting on January 18th, and an event that celebrated the future of Richmond on January 24th. He represented the Commission at the NAACP Banquet on February 3rd.

Chair Williams moved Reports on Community Events/Training Attended under item X (C).

X REPORTS OF SUBCOMMITTEES

A. West County Alcohol Policy Working Group

Commissioner Williams said they were in the process of trying to see if Richmond would be interested in placing green limit signs on curbs at liquor stores.

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

Commissioner Ward said she will be meeting with the Executive Board of the Richmond Neighborhood Coordinating Council on 2/26/07.

C. Reports on Community Events/Training Attended

Commissioner Tallerico

- Attended Prayer Breakfast at Hilltop Community Church
- Attended Omega Boys' Club Street Soldiers event at Richmond High School with Off. Harris
- Attended (CCISCO) Contra Costa Interfaith Supporting Community Organization Meeting at St. Mark's Church
- Attended Public Safety Committee Meeting
- Ride-Along with Sgt. Samayoa's group

Commissioner Stephenson

- Will be attending an oral board on 2/17/07
- Working with Commissioner Ward on Neighborhood Council Outreach

Commissioner Ward

- Attended Prayer Breakfast at Hilltop Community Church
- Attended seminar on legislative studies
- Announced church presentation on 2/25/07 at St. Luke's

Commissioner Hembree

- Attended Public Safety Committee Meeting
- Asked Commissioners if Wednesday, 3/14/07, at 7:00 p.m. was a good time to have the presentation at the Communications Center. All Commissioners and CIAO Casimere agreed to attend.

Commissioner Williams

- Attended NAACP Banquet
- Attended 2 Public Safety Committee Meetings
- Attended GRIP's annual breakfast
- Attended Swearing-In Ceremony for Mayor and Council Members
- RNCC Meeting will be 2/12/07 at 7:00 p.m.
- Attended Crime Prevention Meeting

XI EXECUTIVE SESSION: Public Employee Performance and Discipline/Release (Police Officers)

A. Discussion Regarding Complaints Received in the Past Month and Past Complaints

No new complaints this month.

XII REPORTS BY COMMISSIONERS/FOR THE GOOD OF THE COMMISSION

Moved to Item X (C).

Page five

XII ADJOURNMENT

Upon motion by **Commissioner Tallerico** and second by **Commissioner Stephenson**, the meeting was adjourned at 8:45 p.m.

Don Casimere
Confidential Investigative & Appeals Officer