



## City of Richmond

### Meeting Minutes

#### Public Safety Standing Committee

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Tuesday, July 28, 2020

12:00 PM

Council Chamber, 2nd Floor – Virtual Meeting

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#### Committee Members and Staff in Attendance

The Honorable Reva Trammell – Chair  
The Honorable Kim Gray – Vice Chair  
The Honorable Chris Hilbert – Member (*early departure*)  
The Honorable Stephanie Lynch – Alternate Member (*late arrival, early departure*)  
The Honorable Michael Jones – Council Member (*late arrival, early departure*)  
Lawrence Anderson, Council Chief of Staff  
Lisa Braxton, Council Management Analyst  
Meghan Brown, Deputy Council Chief of Staff  
Richard Hill, Assistant City Attorney  
Jamie Isley, Assistant City Clerk  
Candice Reid, City Clerk  
Steven Taylor, Council Policy Analyst  
Dominique Thaxton, Assistant City Clerk  
RJ Warren, Deputy City Clerk

#### Call to Order

Chairwoman Reva Trammell called the meeting to order at 12:08 p.m., and presided.

#### Electronic Meeting Announcement

Assistant City Clerk Jamie Isley, in accordance with Ordinance No. 2020-093, adopted April 9, 2020, announced the meeting would be held through electronic communication means. Assistant City Clerk Isley stated notice of the meeting was provided to the public through a public information advisory issued on July 21, 2020, and through Legistar on the city website in accordance with usual practice. She also stated members of the public were encouraged to provide comments in writing prior to the meeting and all comments received prior to 10:00 a.m., on Tuesday, July 28, 2020, were provided to committee members. Ms. Isley indicated that members of the public who signed up to speak and provide comment would be called to speak at the appropriate time.

#### Citizen Speaker Guidelines

Assistant City Clerk Jamie Isley provided the citizen speaker guidelines.

#### Public Comment Period

There were no public comments.

## Approval of Minutes

There were no amendments or corrections to the meeting minutes of Tuesday, February 25, 2020, and the committee approved the minutes as presented.

## Board Vacancies

Deputy City Clerk RJ Warren reviewed board applications for consideration by the committee.

*Alternate Member Stephanie Lynch joined the meeting at 12:12 p.m.*

*Member Chris Hilbert recommended Dr. A'tasha Christian be appointed to the Capital Area Alcohol Safety Action Program Policy Advisory Board, due to multiple board application submissions from Nathan Joyce and Michael Dickenson.*

**Member Chris Hilbert moved to forward the following appointment application to Council with the recommendation to approve, which was seconded and unanimously approved:**

<u>Board Name</u>	<u>Criteria for Appointment</u>	<u>Applicant Name</u>
Capital Area Alcohol Safety Action Program (ASAP) Policy Advisory Board (4 members appointed by Council)	*  (1 vacancy)	Dr. A'tasha Christian 7 <sup>th</sup> District Employment

*\*Applicants must either reside or work in the city.*

*Member Chris Hilbert suggested the committee recommend James Arnold be reappointed to the Citizen Advisory Commission on Alternatives to Incarceration and that the remaining applicants be considered subsequently.*

**Member Chris Hilbert moved to forward the following reappointment application to Council with the recommendation to approve, which was seconded and unanimously approved:**

<u>Board Name</u>	<u>Criteria for Appointment</u>	<u>Applicant Name</u>
Citizen Advisory Commission on Alternatives to Incarceration (15 members)	At-Large Member*  (4 vacancies)	James Arnold 9 <sup>th</sup> District Resident (reappointment)

*\*Applicants must either reside or work in the city.*

*Alternate Member Stephanie Lynch spoke in favor of appointing David Robinson to the Community Criminal Justice Board and suggested both applicants be recommended for appointment.*

**Member Chris Hilbert moved to forward the following appointment applications to Council with the recommendation to approve, which was seconded and unanimously approved:**

<u>Board Name</u>	<u>Criteria for Appointment</u>	<u>Applicant Name</u>
Community Criminal Justice Board (15 members)	Citizen Representative  (2 vacancies)	Michael Dickenson 1 <sup>st</sup> District Resident David Robinson 5 <sup>th</sup> District Resident

*\*Applicants must either reside or work in the city.*

*Vice Chair Kim Gray requested consideration of applications to the Richmond Ambulance Authority be continued to the September 22, 2020, committee meeting to provide time for board members to review resumes and examine areas of need.*

Member Chris Hilbert moved to continue consideration of the following appointment applications to the Richmond Ambulance Authority to the September 22, 2020, Public Safety Standing Committee meeting, which was seconded and unanimously approved:

Board Name	Criteria for Appointment	Applicant Name
Richmond Ambulance Authority (11 members)	*	Heather Ward 4 <sup>th</sup> District Resident
		Michael Dickenson 1 <sup>st</sup> District Resident
		Nathan Joyce 6 <sup>th</sup> District Resident
		Lovell Davis 4 <sup>th</sup> District Resident
	(2 vacancies)	

*\*Applicants must either reside or work in the city.*

Member Chris Hilbert moved to continue consideration of the following appointment applications to the Citizen Advisory Commission on Alternatives to Incarceration to the September 22, 2020, Public Safety Standing Committee meeting, which was seconded and unanimously approved:

Board Name	Criteria for Appointment	Applicant Name
Citizen Advisory Commission on Alternatives to Incarceration (15 members)	At-Large Member*	Latonya Crosby 5 <sup>th</sup> District Resident
		Nathan Joyce 6 <sup>th</sup> District Resident
		Andre Nious 8 <sup>th</sup> District Resident
		David Robinson 5 <sup>th</sup> District Resident
		Kathryn Ticknor-Robinson 5 <sup>th</sup> District Resident
	(4 vacancies)	

*\*Applicants must either reside or work in the city.*

*A copy of the material provided has been filed.*

### Presentation(s)

There were no presentations.

### Papers for Consideration

**The following resolution was considered:**

#### RES. 2020-R048

To request that the Chief Administrative Officer cause the Department of Police to revise its policies to ban the use of certain non-lethal weapons to control unlawful assemblies.

**Patrons:** Ms. Lynch and Mr. Jones

Citizens were provided an opportunity to offer comments in writing regarding RES. 2020-R048 prior to the Public Safety Standing Committee meeting. All written comments received by the Office of the City Clerk were provided to members of the Council prior to the meeting and are included as an appendix to the July 28, 2020, Public Safety Standing Committee meeting minutes.

*Alternate Member Stephanie Lynch introduced RES. 2020-R048, and informed the committee of data regarding chemical irritants and non-lethal militarized weapons. She further stated that the intent of the proposed resolution is to request the use of certain non-lethal weapons on unlawful assemblies and peaceful protests be banned.*

Councilor Michael Jones joined the meeting at 12:43 p.m.

Police Chief Gerald Smith informed the committee of his desire to train members of the command staff on the use of certain non-lethal weapons. Chief Smith clarified that many of the decision making regarding the use of non-lethal weapons in recent weeks have been at the lower ranks or from those not present on the ground. He further stated that he would like command staff to be present in the field going forward to decision on the use of non-lethal weaponry. Chief Smith requested the committee grant the opportunity for him to develop policy changes for review in lieu of banning non-lethal weapons outright.

**Vice Chair Kim Gray moved to continue RES. 2020-R048 to the next Public Safety Standing Committee meeting, pending a report from Police Chief Smith.**

*Member Chris Hilbert seconded the motion.*

*Chairwoman Reva Trammell allowed members of the public to provide comment regarding RES. 2020-R048, prior to consideration of the motion to continue.*

### **Support**

**Erika Misseri** spoke in support of RES. 2020-R048, and requested the committee consider de-militarizing the police and examine how chemical irritants impact women's health.

**Matthew Schefft, D.O., M.S.H.A., Virginia Commonwealth University pediatric hospitalist and RVA Health Alliance for Social Justice & Equity member**, spoke in support of RES. 2020-R048, and read a letter written by the RVA Health Alliance for Social Justice & Equity, and signed by over 120 healthcare professionals, regarding symptoms caused by chemical irritants, particularly during the COVID-19 pandemic.

**Jimmi Jarvis** spoke in support of RES. 2020-R048, and recounted his and others' experiences regarding the use of tear gas and non-lethal weapons in the city.

**Elizabeth Shaver** spoke in support of RES. 2020-R048, and expressed displeasure with the handling of recent protests and the use of chemical irritants during the COVID-19 pandemic.

**Mera Carle** spoke in support of RES. 2020-R048, and shared a recent experience being tear gassed while assisting persons in medical need, and witnessing persons being hit by a Richmond Police Department (RPD) vehicle.

**Naomi Issac, Virginia Student Power Network organizer**, spoke in support of RES. 2020-R048, and expressed displeasure regarding the use of non-lethal weapons on June 22, 2020, and the lasting effect of chemical irritants and other non-lethal weapons on community members.

**Allan-Charles Chipman** spoke in support of RES. 2020-R048, and informed the committee that the use of chemical irritants is not allowed during war and stated the use should not be allowed against those exercising freedom of speech.

**Beth Almore, Richmond Public Schools music teacher**, spoke in support of RES. 2020-R048, and stated that Richmond students are watching the city's response to the protests and are learning unfortunate lessons from what has transpired.

**Sarah Brunke** spoke in support of RES. 2020-R048, recounted experiences attending the recent protests, and expressed displeasure at the RPD's handling of the situation.

**Casey Mulroy** spoke in support of RES. 2020-R048, stating that issues surrounding the proposed resolution are public safety issues, and requested the committee vote in the affirmative.

Member Chris Hilbert inquired about whether chemical irritants are banned from international warfare and if so, why the chemicals are allowed for domestic use. Member Hilbert also asked about policy violations within the department and whether any disciplinary action would take place. He further inquired about detained members of the press during a recent protest.

Police Chief Smith discussed methods for improved identification of members of the press and stated that the matter of the press being detained is being examined. Chief Smith indicated a preference for police lieutenants to be present on the ground to make decisions during events of civil unrest. He informed the committee that any policy violations will be addressed, and an independent reviewer will look at the entire period of civil unrest to point out areas of concern.

Councilor Michael Jones discussed the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at the 1925 Geneva Convention, and the Chemical Weapons Convention's 1997 decision to allow for the use of tear gas for domestic law enforcement purposes. He further stated that RES. 2020-R048 provides the opportunity to have a conversation about banning the use of chemical irritants on persons in the city. Councilor Jones expressed his belief that it is not prudent to utilize weapons that have been banned for use in war on domestic residents. He requested the committee send the proposed resolution to Council with no recommendation.

Member Hilbert suggested Police Chief Smith consider alternatives to the weapons mentioned in RES. 2020-R048, and that Chief Smith provide additional information regarding the resolution prior to moving forward.

Vice Chair Kim Gray agreed with Member Hilbert's suggestion and stated that continuing the proposed resolution to the next committee meeting would give city administration ample time to thoroughly examine the issue.

It was the consensus of the committee to continue RES. 2020-R048, to the September 22, 2020, Council meeting and to cancel the August 25, 2020, Public Safety Standing Committee meeting.

There were no further comments or discussions and **Vice Chair Kim Gray moved to continue RES. 2020-R048 to the September 22, 2020, Public Safety Standing Committee meeting, which was seconded and unanimously approved.**

Councilor Michael Jones exited the meeting at 1:46 p.m.

Alternate Member Stephanie Lynch exited the meeting at 1:48 p.m.

#### **The following ordinances were considered:**

##### ORD. 2020-167

To amend City Code §§ 10-79, concerning the award of franchises and permits to operators of emergency medical service vehicles, 10-80, concerning the responsibility of authorized providers to respond to the City's centralized dispatch center, and 10-83, concerning the suspension of authorization to operate emergency medical service vehicles, to make modifications to the City's regulations governing the operation of emergency medical service vehicles in the city.

**Patron:** Mayor Stoney

##### ORD. 2020-168

To grant to Med-Trans Corporation a permit for the operation of rotary-wing emergency medical services vehicles in the city to provide non-emergency aeromedical services, upon certain terms and conditions.

**Patron:** Mayor Stoney (By Request)

*Fire Chief Melvin Carter introduced ORD. 2020-167 and ORD. 2020-168, and informed the committee that there is not a current clear process to temporarily suspend a permit holder. Chief Carter further stated that the final review of suspensions would be considered by the Chief Administrative Officer who may extend the review for up to ninety days as outlined in ORD. 2020-167.*

*Vice Chair Kim Gray inquired about the organizational changes for the temporary suspension of franchises.*

*Fire Chief Carter stated that the current authority to suspend or review an Emergency Medical Services permit lies with a non-existent board. He further stated that the previous language references a control board which no longer exists as the first step of the process, and that final review authority was designated to the City Manager. Chief Carter stated that ORD. 2020-167, updates the two-step process to designate authority to the position of Fire Chief and CAO, and excludes Richmond Ambulance Authority.*

**There were no further comments or discussions and Member Kim Gray moved to forward ORD. 2020-167 and ORD. 2020-168 to the September 14, 2020, Council meeting with recommendation to approve, which was seconded and unanimously approved.**

## **Discussion Item**

### **Civil Unrest**

*Police Chief Gerald Smith informed the committee that the Richmond Police Department (RPD) has lost 11 officers, and that costs associated with civil unrest have created a fiscal impact of roughly \$3,600,000 for the Fiscal Year 2020 budget. He further stated that since July 1, 2020, the fiscal impact regarding the civil unrest totaled approximately \$250-275,000 per pay period in overtime costs. Chief Smith predicted that if civil unrest were to continue through December 2020, the RPD could expect a fiscal impact of roughly \$3,300,000. Chief Smith advised that he would follow up with the committee regarding other jurisdictions' costs related to the civil unrest. Chief Smith indicated that the RPD will continue to help facilitate the expression of First Amendment rights and will continue to utilize the RPD conversation team to communicate with protestors. He further discussed rules and regulations regarding parks and protests in city streets.*

*Vice Chair Kim Gray inquired about estimates of property damage, assaults and other reports related to the civil unrest. She further inquired about the Gun-Free School Zone Act of 1990 and its applicability to current civil unrest and local schools.*

*Chief Smith informed the committee that no gun permit violations were uncovered by the RPD at the present time in the area of the Robert E. Lee Memorial, and stated that he would follow up regarding violations of the Gun-Free School Zone Act of 1990.*

*Chairwoman Reva Trammell expressed concern about police presence citywide while officers focus on the areas surrounding Monument Avenue. She also expressed gratitude for the work that the RPD and other public safety officers have done during the civil unrest.*

*Chief Smith stated that officers are eager to positively engage communities citywide as was done prior to the civil unrest.*

*Vice Chair Gray inquired about the number of unanswered calls for service and officer response times. She also inquired about a recent RPD use of force report, why certain incidents were not included in the report and whether video footage regarding uses of force would be released once investigations are complete.*

*Steven Willoughby, Department of Emergency Communications director, was available to answer questions.*

*Chief Smith explained that compared to June of 2019, the RPD has seen a 3% increase in the amount of time it takes for a call to be dispatched, which could be attributed to the civil unrest. He informed the committee that the RPD is reviewing inconsistencies regarding calls for service and the RPD use of force report. He further stated that video footage of use of force incidents would not be withheld following the conclusion of investigations.*

### **Staff Report**

Steve Taylor, Council policy analyst, provided the committee with the July staff report.

*A copy of the report provided has been filed.*

### **Adjournment**

There being no further business before the committee, the meeting adjourned at 2:18 p.m.

**From:** [Allan-Charles Chipman](#)  
**To:** [City Clerk's Office](#)  
**Subject:** Re: Speaking at Public Safety Meeting to Ban Tear Gas  
**Date:** Tuesday, July 28, 2020 10:00:08 AM  
**Attachments:** [Support of Resolution banning tear gas.docx](#)

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Here are my public comments

Allan-Charles Chipman  
Initiatives of Change USA

[REDACTED]  
E: [allan-charles.chipman@iorc.org](mailto:allan-charles.chipman@iorc.org)  
iorc: [www.us.iorc.org](http://www.us.iorc.org) TRHT: [www.greaterRVA.org](http://www.greaterRVA.org)



Initiatives of Change  
United States



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**From:** Allan-Charles Chipman  
**Sent:** Tuesday, July 28, 2020 9:41 AM  
**To:** City Clerk's Office <[CityClerksOffice@richmondgov.com](mailto:CityClerksOffice@richmondgov.com)>  
**Subject:** Speaking at Public Safety Meeting to Ban Tear Gas

Greetings Everyone,

My name is Allan-Charles Chipman.

I live in the 6th district and I am calling to sign up for a public comment to support Stephanie Lynch and Michael Jones' legislation banning tear gas in the public safety meeting today at noon.

Allan-Charles Chipman  
Initiatives of Change USA

[REDACTED]  
E: [allan-charles.chipman@iorc.org](mailto:allan-charles.chipman@iorc.org)  
iorc: [REDACTED] TRHT: [REDACTED]



Initiatives of Change  
United States





**From:** [Charlie Schmidt](#)  
**To:** [City Clerk's Office](#)  
**Subject:** Public Comments for Public Safety Committee meeting today.  
**Date:** Tuesday, July 28, 2020 9:50:05 AM

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To the members of the Public Safety committee meeting:

I am writing to express my **support** for Res. 2020-R048 which requests that the Chief Administrative Officer direct the Police to ban the use of certain non-lethal weapons to control unlawful assemblies.

I am a resident of the 8th District of the City of Richmond.

I have witnessed what these "less lethal" weapons can do. It is a misnomer to label these "less lethal". These weapons of war can cause serious bodily injury and even kill someone when fired by negligent officers. I have witnessed such negligence by RPD officers who have fired such weapons, not into a crowd, but directly at individual protesters.

The Washington Post noted in a recent article that 7 people across the country lost an eye to "less lethal" projectiles in just one day - May 31st. Hundreds have been hurt and permanently maimed by these weapons. In Richmond, the police have fired upon protesters merely for blocking a street or practicing civil disobedience. Our police department is in desperate need of de-escalation training. Many of our officers should be fired for how they have acted towards protesters demanding police accountability. How ironic.

What is the justification for using such weapons? Police have repeatedly espoused that crowds have thrown rocks or water bottles at them. Yet, to my knowledge, no one has been arrested or charged with such crimes. And we have documented cases of the police firing gas and projectiles at peaceful protesters. The fact is, our trust in the police is gone. Officers have lied about the activities of protesters in order to justify violent use of these weapons of war. It is time to ban such extreme and unconstitutional responses to civil unrest.

I hope the committee will support the resolution.

Charlie Schmidt

**From:** [Seema Sked](#)  
**To:** [City Clerk's Office](#)  
**Subject:** Comments for a Public Safety Committee today at noon  
**Date:** Tuesday, July 28, 2020 8:52:02 AM

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**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

My name is Seema Sked and I'm a longtime resident of Richmond. I have several Public Safety concerns I want to address.

I do NOT support the use of tear gas, pepper spray, flash bombs, rubber bullets or any other violent methods by law enforcement in any case. We are exercising our right to free speech and are being attacked for it. We are protesting police brutality, and we are met with increasing police brutality. Don't postpone taking action by reviewing policy, just stop hurting us now.

How much money is spent on these weapons? How much overtime pay are officers getting? Stopping all this leaves a significant amount of money that can be allocated to public services. We all know police don't prevent crime - they show up after it happens. (sometimes)

Have you been subjected to this violence? How often? Did you do something to deserve it? Would you be ok with loved ones being attacked this way?

Chemical weapons are banned in war. Chemical weapons cause abortions, cause respiratory problems - which make people more susceptible to COVID, and have harmful long term effects that we have yet to discover. Rubber bullets cause head injuries, cracked ribs, extreme bruising and other internal injuries. It recently took out a person's eye. Use of these weapons cause lifetime suffering. And let's not forget the damaging psychological effects they cause.

Law enforcement calls us violent when they are the source of this violence. They are trying to silence us with their violence.

Calling more than 3 people a riot, arresting people in public parks, arresting people on sidewalks, chasing people down as they walk away, shooting us in the back, running over protesters, snatching people for no reason - on foot, from porches, from vehicles - all of this is unacceptable and in no way makes us safe. Targeting medics, reporters, legal observers and others that actually try to keep the community safe is vile. Covering up names and badge numbers and turning off body cams are just some ways of avoiding accountability.

I want to know why you never attack white supremacists this way. I want to know why you're not looking for the man who shot his gun several times trying to hurt people. I want to know what are you doing about the man who got to the top of the building with a gun intended to shoot people - at Marcus David Peters Circle (surrounding the soon to be removed Lee statue.) I want to know why it's ok for officers to run over people?

And why do you care more about property than people's lives?

I, like many others, have contacted every representative I can think of and no one is hearing us. I'm tired of people side-stepping the issues and postponing real action. \*\*Furthermore I want a \*direct\* contact number for the Police Chief.\*\* You serve the people and must listen to our concerns directly.

For all these reasons:

- I'm demanding Chief Smith be immediately removed, and that a new police chief be chosen BY THE PEOPLE. I want Carol Adams as police chief because she actually cares about the people of Richmond.
- I'm demanding you drop all charges against all protestors and release them immediately.
- I'm demanding \*all officers\* and other people that have tried to drive vehicles into protestors be charged.
- I'm demanding an end to 'qualified immunity'. All law enforcement officials should be held accountable for their actions.
- I'm demanding the person with weapons that got to the roof of a building adjacent to Marcus David Peters Circle (at the soon to be removed Lee Statue) be charged.
- I'm demanding you immediately defund the police department, and instead have that money be redirected to education, housing, health care, and social services where people will actually be helped. You'll have plenty of funds when you stop buying dangerous weapons to attack us with, and don't need to pay overtime to officers to terrorize us.
- I'm demanding you release the names of all officers under investigation for use of force misconduct. Transparency is of utmost importance.

As elected officials it's your responsibility to follow the will of the people. We will continue to show up. We will not stop until you hear us.

Seema Sked  
[SeemaSked@gmail.com](mailto:SeemaSked@gmail.com)

