



City of Richmond

Meeting Minutes

Public Safety Standing Committee

Tuesday, September 29, 2020

12:00 PM

Council Chamber, 2nd Floor – Virtual Meeting

Committee Members and Staff in Attendance

The Honorable Reva Trammell – Chair
The Honorable Kim Gray – Vice Chair
The Honorable Michael Jones – Council Member *(late arrival)*
The Honorable Stephanie Lynch – Alternate Member *(late arrival)*
The Honorable Ellen Robertson – Council Member *(late arrival)*
Meghan Brown, Deputy Council Chief of Staff
Joyce Davis, Council Policy Analyst
Richard Hill, Senior Assistant City Attorney
Jamie Isley, Assistant City Clerk
Pamela Nichols, Assistant City Clerk
Candice Reid, City Clerk
Steven Taylor, Council Policy Analyst
Dominique J. Thaxton, Assistant City Clerk
RJ Warren, Deputy City Clerk

Absent

The Honorable Chris Hilbert – Committee Member

Call to Order

Chairwoman Reva Trammell called the meeting to order at 12:03 p.m., and presided.

Electronic Meeting Announcement

Assistant City Clerk Jamie Isley, in accordance with Ordinance No. 2020-093, adopted April 9, 2020, as amended by Ordinance No. 2020-183, adopted August 20, 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 September 10, 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, September 29, 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.

Councilor Michael Jones entered the meeting at 12:05 p.m.

Alternate Member Stephanie Lynch entered the meeting at 12:06 p.m.

Public Comment Period

William “Bill” Pantele, on behalf of Richmond Coalition of Police, informed the committee that current police officer and firefighter starting salaries are the lowest regionally, and requested consideration of increases to Richmond Police Department starting salaries, reinstatement of the step pay plan, and restoration of the career development plan.

Approval of Minutes

There were no amendments or corrections to the meeting minutes of Tuesday, July 28, 2020, and the committee approved the minutes as presented.

Board Vacancies

Assistant City Clerk Pamela Nichols reviewed board applications for consideration by the committee.

Vice Chair Kim Gray inquired about the number of meetings the Citizen Advisory Commission on Alternatives to Incarceration has held within the past year.

Vice Chair Kim Gray moved to forward the following appointments and reappointments to Council with the recommendation to approve, which was seconded and approved. Ayes 2, Trammell, Gray.*

*Alternate Member Lynch was not called upon during the vote.

<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* (3 vacancies)	LaTanya Crosby (5th District Resident)
		Andre Nious (8th District Resident)
		Kathryn Ticknor-Robinson (5th District Resident)

*Applicants must either reside or work in the city

Vice Chair Kim Gray informed the committee of a request from the Richmond Ambulance Authority (RAA) for additional time to review RAA applications.

Vice Chair Kim Gray moved to continue consideration of the following appointment applications for the Richmond Ambulance Authority to the October 27, 2020, Public Safety Standing Committee meeting, which was seconded and unanimously approved:

<u>Board Name</u>	<u>Criteria for Appointment</u>	<u>Applicant Name</u>
Richmond Ambulance Authority (11 members)	Applicants must either work or reside in the city (2 vacancies)	Heather Ward (4 th District Resident)
		Michael Dickinson (1 st District Resident)
		Nathan Joyce (6 th District Resident)
		Lovell Davis (4 th District Resident)

*Applicants must either reside or work in the city

Assistant City Clerk Pamela Nichols reviewed the names of applicants and criteria for appointment to the Task Force on the Establishment of a Civilian Review Board.

Vice Chair Kim Gray suggested the committee recommend applicant Oliver Parker Hale for appointment to the youth age 18 or younger vacancy, and recommended John Dixon, Dr. Eli Coston, and John Gerner for the resident vacancies on the Task Force on the Establishment of a Civilian Review Board.

Alternate Member Stephanie Lynch informed the committee of appointment recommendations made by the Richmond Transparency and Accountability Project for Dr. Eli Coston, Keith Turner, Roger Hunt Jr. and Edward Miller.

Alternate Member Stephanie Lynch moved to continue consideration of the appointment applications to the Task Force on the Establishment of a Civilian Review Board to the October 5, 2020, Organizational Development Standing Committee meeting.

City Clerk Candice Reid asked for clarification regarding the motion to forward consideration of the Task Force on the Establishment of a Civilian Review Board to the Organizational Development Standing Committee meeting.

Senior Assistant City Attorney Richard Hill stated that a standing committee cannot refer items to another standing committee for consideration.

Alternate Member Stephanie Lynch moved to forward the following youth appointment application, to Council with the recommendation to approve, and to continue consideration of the resident appointment applications to the Task Force on the Establishment of a Civilian Review Board to the October 27, 2020, Public Safety Standing Committee meeting, which was seconded and unanimously approved:

Board Name	Criteria for Appointment	Applicant Name
Task Force on the Establishment of a Civilian Review Board (9 members)	Residents of the city who possess a broad range of experience with expertise in policy development, legal, racial, and social justice advocacy, criminal justice education, or human resources.	Travis Gunn (7th District Resident)
		Kathryn Mary Kahlson (5th District Resident)
		Angela Fontaine (9th District Resident)
		Charles Schmidt (8th District Resident)
		Dr. Parth Sheth (2nd District Resident)
		Kimberley Young (7th District Resident)
		John Gerner (7th District Resident)
		Monica Ann Kelley (8th District Resident)
		Dr. Erik Nielson (1st District Resident)
		Jewel Gatling (7th District Resident)
		Nidal Mahayni (4th District Resident)
		Dr. Brian S. Maiden (7th District Resident)
		Charlene L. Hinton (3rd District Resident)
		John I. Dixon, III (4th District Resident)
		Dr. Eli Coston (6th District Resident)
		Sylvia Wood (4th District Resident)
		Edward Miller (4th District Resident)

		Gerry Rawlinson (4th District Resident)
		Roger Hunt Jr. (3rd District Resident)
		Keith Anthony Turner (7th District Resident)
		Oliver Parker Hale (4th District Resident)
	(6 vacancies)	
	Youth age 18 or younger*	(1 vacancy)

* Applicants must either reside or work in the city.

A copy of the material provided has been filed.

Presentation(s)

There were no presentations.

Paper 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 committee prior to the meeting and are included as an appendix to the September 29, 2020, Public Safety Standing Committee meeting minutes.

Police Chief Gerald Smith provided the committee with an overview of the Richmond Police Department's (RPD) chemical agent and munitions policy changes. Chief Smith informed the committee that the new policy will be reviewed by an external advisor who will provide recommendations. He highlighted the specifics of the policy to include three dispersal orders prior to use of chemical agents, ample time for persons to leave following dispersal orders, discontinuing the use of chemical agents on non-violent and non-aggressive crowds, utilizing alternatives when members of vulnerable populations are present, providing water for de-contamination and on scene ambulatory services. He further stated that the Chief of Police or a designee will make decisions regarding the use of munitions, and further explained why 2-chlorobenzylidene malononitrile (CS gas) was deemed unethical in war but allowed domestically.

Alternate Member Stephanie Lynch introduced RES. 2020-R048, and expressed concern regarding recent incidents that occurred between protestors and law enforcement at the Richmond City Justice Center. Alternate Member Lynch stated that there are more efficient means of deterring individuals engaging in illegal activity other than with tear gas, and that the city should stop the use of such non-lethal weapons. She inquired how the RPD will determine whether vulnerable populations are present within a crowd or during the night. She further stated that the medical community in Richmond has condemned the use of tear gas due to serious health concerns.

Councilor Ellen Robertson entered the meeting at 12:28 p.m.

Councilor Michael Jones expressed appreciation for the police chief's review of policy changes, but questioned the use of CS gas domestically and within the city. He also expressed concern regarding the negative health outcomes of chemical irritants and rubber bullets. Councilor Jones eschewed violence and vandalism and stated the importance of finding alternative methods for crowd control and protecting First Amendment rights.

Public Hearing

Opposition

Michael Dickinson spoke in opposition of RES. 2020-R048, and stated that non-lethal weapons are critical to crowd control, specifically during unlawful assemblies and other criminal activities.

Debra Kearns, New York City Police Department retired officer, spoke in opposition of RES. 2020-R048, and stated her experiences working with crowd safety and as an undercover officer within crowds and protests. She further stated that non-lethal weapons are often the only option when crowds become out of control.

Cheryl Nici O'Connell, Richmond United for Law Enforcement, spoke in opposition of RES. 2020-R048, and stated that banning non-lethal weapons leaves first responders without the tools necessary to properly control crowds that have become a threat to public safety. She also questioned the objectivity of the vote on RES. 2020-R048, due to Alternate Member Stephanie Lynch being a patron of the proposed resolution.

Vice Chair Kim Gray detailed her experiences during the civil unrest, and highlighted the importance of changes to the RPD's non-lethal weapon policy. She further stated that banning non-lethal weapons leaves law-enforcement without alternative methods to control unruly crowds.

There were no further comments or discussions and **Vice Chair Kim Gray moved to forward RES. 2020-R048 to the October 12, 2020, City Council meeting with the recommendation to strike, which was seconded and approved.** Ayes 2, Gray, Trammell. Noes 1, Lynch.

Chairwoman Reva Trammell thanked Police Chief Gerald Smith for his work with the community and Council during the ongoing civil unrest.

Assistant City Clerk Jamie Isley informed the committee that consideration of the Task Force on the Establishment of a Civilian Review Board should be revisited for clarity regarding the motion voted on earlier in the meeting.

Chairwoman Trammell confirmed that it was the consensus of the committee to forward Oliver Parker Hale's application for the youth vacancy to Council with a recommendation to approve, and to continue consideration of the resident vacancy applicants to the next Public Safety Standing Committee meeting.

Discussion Item(s)

There were no items for discussion.

Staff Report

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

A copy of the report provided has been filed.

Adjournment

There being no further business before the committee, the meeting adjourned at 12:56 p.m.

From: [Matthew Jones](#)
To: [City Clerk's Office](#)
Subject: Non-Lethal Weapons
Date: Tuesday, September 29, 2020 9:23:00 AM

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.

Good Morning City Council,

I am writing to you today, rather than appearing in person, as I realize that time may be limited and I wanted to ensure that my thoughts were provided to you. I am a resident of the Third District and I'm looking forward to the upcoming election. I appreciate the willingness of several members of this body to attend the protests and see for themselves what things are like in the crowd at the demonstrations and to take action to make changes around issues that impact our community regarding police action.

With protests still going on, it is unthinkable to me that this Council has not already acted on the issue of non-lethal weapons. When Chief Smith resigned after several poor decisions were made, I was hopeful that the new Chief would have the capacity to recognize the situation. I was wrong. And this body is wrong for failing to see the irony in protesters asking for police reform, for protesting against police brutality, and continuing to allow police to use weapons that have been banned under Geneva Convention for use in war. Apparently, we shouldn't use tear gas or rubber bullets on our enemies, but reserve them for use on our own citizens.

I was incensed when City Council decided to reconsider this legislation at another time at the request of our new Chief, wanting more time to consider how to use these weapons more effectively. If I used a bat to beat my child, would the courts offer me more time to consider how to use it in a more effective fashion? Which of you, Council Members, would grant me time to reconsider? How many injuries, or even deaths, will need to occur for you to finally take action?

Protests are still happening. One of the reforms we can enact will be to ban the use of these weapons now and encourage the police to find better ways to manage the crowd. Thank you for your time and consideration.

Matthew Jones

