

RESOLUTION NO. 112-14

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA IN SUPPORT OF THE U.S. JUSTICE DEPARTMENT'S CIVIL RIGHTS INVESTIGATION INTO THE POLICING PRACTICES OF THE FERGUSON POLICE DEPARTMENT AND THE SHOOTING OF MICHAEL BROWN BY OFFICER DARREN WILSON.

WHEREAS, on August 9, 2014 an unarmed black teenager, Michael Brown, was shot and killed after a physical confrontation with white police officer Darren Wilson in Ferguson, Missouri. Officer Wilson testified that Mr. Brown reached into his vehicle and fought for the officer's gun, while other witnesses claimed Mr. Brown made no attempts to reach for the officer's weapon and had his hands up when he was shot at least six times. A grand jury in St. Louis County, consisting of nine white and three black members, declined to indict Officer Wilson for the fatal shooting; and,

WHEREAS, the Civil Rights Division is carrying out two ongoing investigations in Ferguson; at this mature stage of inquiry, the investigations will continue to remain thorough and independent of proceedings in Ferguson; and,

WHEREAS, the pattern or practice investigation is looking at whether or not officers of the Ferguson Police Department have engaged in "systemic violations of the constitution and federal law," focusing particularly on the use of force (including deadly force) within the department, stops, searches and arrests, discriminatory policing, and the treatment of detained individuals in Ferguson jails. This investigation will attempt to confer all relevant information, including the Ferguson Police Department's efforts to ensure compliance with Federal law as well as the experiences and views of those within the Ferguson community; and,

WHEREAS, the concurrent inquiry will investigate the specifics and legitimacy of the shooting of Michael Brown and remains independent of the St. Louis County grand jury decision; and,

WHEREAS, in the past 5 fiscal years the Civil Rights Division has opened more than 20 pattern or practice investigations into police departments across the country, two times more than in the preceding 5 fiscal years; and,

WHEREAS, there have been 14 fatal officer-involved shootings in St. Louis County in the last ten years, not including those in Ferguson or other nearby towns; and,

WHEREAS, in 2013 the Ferguson Police Department conducted 5,384 stops and 61 searches, with 86% of the stops and 92% of the searches made on black citizens; conversely, 67% of the town's population is black; and,

WHEREAS, the UCLA's Center for Policing Equity explains, "We don't always know when the disparities in law enforcement are from the actions of law enforcement or if the disparities are picking up on bad things before contact with law enforcement," while *The Atlantic* claims that despite the racial disparity in stops, the police department was more likely to find 'contraband' on white individuals than black, demonstrating evidence for racially skewed policing in Ferguson, and,

WHEREAS, the tragic death of Michael Brown and the resulting community reaction has been felt by communities across the nation and has revealed the distrust between the community and its police force; U.S. Attorney General Eric Holder admits the reality we face today is that what has occurred in Ferguson is not restricted to Ferguson, and he and others at the Department of Justice are committed to bridging the gaps between law enforcement and the community while addressing the necessary national conversation about discriminatory practices within law enforcement, and,

WHEREAS, the Richmond community has demonstrated its outrage at the injustice by peacefully taking to the streets of Richmond, in a demonstration led by the city's RYSE, an organization devoted to creating safe spaces for youth grounded in social justice; and,

WHEREAS, Attorney General Holder has encouraged peaceful demonstrations like RYSE's, reminding us that peaceful, non-violent demonstrations have been the way in which this country has seen progress leading to long-lasting change.

NOW THEREFORE BE IT RESOLVED, the City Council of of Richmond hereby respectfully asks the citizens of Richmond to support the Justice Department's civil rights investigations of the policing and practices in Ferguson, Missouri and to encourage community members and law enforcement officials to come together to bridge the gaps that obstruct progress.

BE IT FURTHER RESOLVED THAT, the City Council of Richmond supports The Demands #Ferguson posted at www.thedemands.org. Demand #1 – Political Accountability for the Death of Michael Brown, Jr., Demand #2 – [Appoint a] Special Prosecutor for All Deadly Force Cases, Demand #3 – Police Held Accountable for Use of Deadly Force, Demand #4 – End Over-policing and the Criminalization of Poverty, Demand #5 – Representative Police Force and Intentional Officer Training, Demand #6 – End Funding for Discriminatory Police Forces, Demand #7 – Truth and Reconciliation Commission on Structural and Systemic Inequalities in Missouri, Demand #8 – [Protect] The Right to Protest, and Demand #9 – Pass the national "End Racial Profiling" Legislation.

I hereby certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on December 16, 2014, by the following vote:

AYES: Councilmembers Bates, Butt, Myrick, Rogers, Vice Mayor Beckles and Mayor McLaughlin.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Boozé.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 112-14**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 16, 2014.