



Police Review Commission (PRC)

**POLICE REVIEW COMMISSION  
REGULAR MEETING  
MINUTES  
(approved)**

**Wednesday, February 24, 2016  
7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIR PEREZVELEZ AT 7:05 P.M.**

Present: Commissioner George Perezvelez (Chair)  
Commissioner Terry Roberts (Vice Chair)  
Commissioner Alison Bernstein (arrived 7:07 p.m.; left 7:15 p.m.)  
Commissioner George Lippman (left 9:00 p.m.)  
Commissioner Michael Sherman  
Commissioner Kad Smith (arrived 7:11 p.m.)  
Commissioner Ayelet Waldman

Absent: Commissioners Ari Yampolsky, Jerry Javier

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Michael Meehan (left 7:55 p.m.), Sgt. Benjamin Cardoza,  
Sgt. Sean Ross

**2. APPROVAL OF AGENDA**

**The agenda was approved by general consent.**

**3. PUBLIC COMMENT**

There were 5 speakers.

**4. APPROVAL OF MINUTES**

**Motion to approve minutes of Regular Meeting of February 10, 2016.**

Moved/Seconded (Roberts/Lippman) **Motion Carried**

Ayes: Lippman, Perezvelez, Roberts, Sherman, and Waldman.

Noes: None Abstain: Smith Absent: Bernstein, Javier, Yampolsky

## **5. CHAIR'S REPORT**

None

## **6. CHIEF OF POLICE'S REPORT**

Chief Meehan reported:

- BPD has been participating in YAP twilight basketball program on Friday evenings. Not just basketball; also talk with the kids. BYA is having a crab feed fundraiser tomorrow night.
- Will present annual crime report to PRC on March 9.
- Entering 2<sup>nd</sup> year of two-year budget cycle; can make adjustments at this point.
- Currently at 170 sworn of 176 authorized positions. Larger shortage in dispatch, where only 28 of 32 positions are filled. 7 officers in field training; 4 recruits starting academy in next few months.
- Thank you for prioritizing your requests to BPD. McKinley Ave. staging returning March 23; Right to Watch G.O. on today's agenda. CPE: analyzing data for several agencies and will have report to BPD in July. Inventory of less-than-lethal munitions coming next week, and G.O. C-1 reports handed to PRC Officer today.

Questions:

- Any budget news? Will go to Council with adjustments in early May. Hired new budget manager, Chuck Gunter.
  - Stop data online: when will that be updated? Think being updated online every 60 days.
  - Dec. 6 [2014] protest follow-up: have you budgeted for equipment and other purchases that were recommended? Not yet.
  - Re implementing recommendations from Dec. 6 review (Agenda Item #8.b.), what about items not going to the G.O. Subcommittee? Okay with doing that in a work session.
  - Re Chief's consideration of PRC's sustained findings in a BOI (Agenda Item #8.c.), how often are PRC's findings considered in discipline? Case-by-case. IA generally completes its investigation in 60 – 120 days; depends on complexity of case. Influence of PRC's work on BPD? Varies, but a sustained finding clearly matters to officers; that's why they are quick to file a Caloca appeal.
- Willing to hold final decision until PRC is done? Done when have all the information; to artificially delay discipline is a conversation you should have with City Attorney and BPA. Do you consider PRC's work making disciplinary decisions? Yes, if done in time. Is PRC's work necessary and integral? Can be helpful.

## **7. PRC OFFICER'S REPORT**

(Heard following Item #8.c.)

- Complaint deadlines report distributed. A Caloca hearing has been set for June 2.
- Reports from BPD under G.O. C-1 will be agendaized for next meeting.

- Link to Implementation Guide from President's Task Force on 21<sup>st</sup> Century Policing was emailed to Commissioners.
- Senate Bill 1286 will be on next agenda.
- Been in discussion with Deputy City Manager about a special meeting re Liberty City and waiting to hear back.

#### **8. OLD BUSINESS (discussion & action)**

- a. Fair & Impartial Policing training for community on April 9, 2016: update and deciding which Commissioners will attend.

**By general consent, Commissioners agreed that Commissioners Roberts, Smith, and Lippman will attend, and the PRC Officer will ask Commissioners Javier and Yampolsky if either is interested.**

- b. Plan for implementation of Council directive regarding PRC and BPD recommendations following BPD response to December 6, 2014 protests.

**By general consent, Commissioners asked that all recommendations that are not being handled in the General Orders Subcommittee be agendized.**

- c. Chief's consideration of sustained allegations in a PRC Board of Inquiry, and relationship to discipline imposed following Internal Affairs investigation of the same incident.  
(Heard following Item #6.)

**By general consent, the Commission requested that the PRC officer ask the City Attorney or his representative attend a PRC meeting to answer their questions about requiring the Chief to wait for PRC's findings before deciding on discipline.**

#### **9. NEW BUSINESS (discussion & action)**

- a. Review of revised General Order W-1 (Right to Watch) proposed by BPD.  
(Heard following Item #8.b.)

Following discussion, Commissioners asked to re-agendize this item for the next meeting.

#### **10. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS (discussion & action)**

- a. Body-Worn and Dash Cameras Subcommittee  
The subcommittee met today; made great progress; and having good collaborative conversations with BPD. Next meeting March 9, 2016, at 5:30 p.m.
- b. General Orders C-64, etc. Subcommittee  
Commissioner Bernstein was elected chair at this subcommittee's first meeting, and made great progress. Next meeting March 2, 2016, at 6:00 p.m.

- c. December 7 & 8 Investigation Subcommittee  
Met today; next meeting March 9, 2016, at 5:30 p.m.
- d. Transgender G.O. Subcommittee  
First meeting to be scheduled; March 9 good but conflict. PRC Officer to check on officer availability before scheduling.

#### **11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached.

#### **12. PUBLIC COMMENT**

There were 3 speakers.

#### **13. ADJOURNMENT**

**The meeting was adjourned at 9:16 p.m. by general consent.**