



Police Review Commission

**POLICE REVIEW COMMISSION SPECIAL MEETING
COMMUNITY FORUM “THE POLICE AND YOU”
MINUTES**

**Rosa Parks Elementary School
Multi Purpose Room
8th and Allston Way
Berkeley, California**

Date: Wed. May 29, 2002

Time: 7:00 p.m.

1. ROLL CALL

Commissioners Present: Clark, DeBose, Gleich, Mapps, Ritchie, Sternberg, Sheen, Sherman, White

Commissioners Absent: DeBose

PRC Staff: Barbara Attard; Najuma Henderson; Maritza Martinez

BPD Staff: Chief Butler, Deputy Chief Meisner, Sgt. Morizono

2. PUBLIC COMMENT—DEFERRED TO NEW BUSINESS PORTION OF MEETING

3. MINUTES OF THE MAY 8, 2002 MEETING

Gleich /Clark (Moved/Seconded) to approve the meeting minutes. Passed unanimously.

4. PRC OFFICER'S REPORT (For Discussion or Action)

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*NOTE: The PRC Offices will be relocating from 2121 McKinley Avenue on 6/19/02

- a) New Filings—3 new cases since last meeting
- b) Boards of Inquiry—Upcoming Boards of Inquiry for 6/6 and 6/13 were discussed.
- c) Reconsideration of Request for Rehearing—PRC Case 1909 Filed by Mr. Wilkerson

Barbara Attard stated that Berkeley Police Association wrote a letter asking for reconsideration, saying that the basis for rehearing does not conform with the PRC Regulations. They asked that the case be reopened only to take testimony of the witness who was not completely questioned and to only look only at the relevant issue.

Mr. Wilkerson spoke on his behalf and objected to reopening the case with less than a full hearing. He discussed that commissioner Gleich had stated at the last meeting that he had already made up his mind and recused himself from the case. Comm. White said that he would not sit through the entire rehearing, but would sit on the amended case. Mr. Wilkerson said that he didn't see how he could have a new Board without the original commissioners and had concerns regarding how new commissioners would become familiar with case. He said that he was advised that standard procedure would be to have an entire rehearing.

Chair Ritchie said that there will be a rehearing of the case, at issue is how it will be done. He said that an entire re-hearing not necessary, and that they need only to redress the issue at hand.

Clark/Sherman (Moved/Seconded) to table issue until next meeting. Passed unanimously.

5. **BPD CHIEF'S REPORT**

Chief Butler introduced himself and police staff: Deputy Chief Meisner, Sgt. Morizono, Ofc. Wellington, Lt. Eric Gustafson, Chief Pittman, Captain Bobby Miller.

He stated that he wanted to discuss community policing and narcotics trafficking, which is a big problem in South and West Berkeley. There is a clear nexus between drugs and violence. BPD is working hard on dealing with these issues through the Special Enforcement Unit (SEU), dealing with street corner drug trafficking and everything that supports it.

He stated that community policing is in effect and is changing: he and other BPD representatives have attended the meeting to listen to concerns and to make things better.

6. **COMMITTEE REPORTS (For Discussion or Action)**--None

7. **OLD BUSINESS (For Discussion or Action)**--None

8. **NEW BUSINESS (For Discussion or Action)**

PUBLIC COMMENT--COMMUNITY FEEDBACK ON POLICE ISSUES

Chair Ritchie introduced Councilmember Margaret Breland. Chair Ritchie stated that the PRC is hosting a series of meetings to get community feedback from Berkeley residents about BPD—what they would like from the Department, what they like and don't like, and ideas for change. The community meetings will be followed by a public forum on community policing later in the year.

The following members of the community spoke:

Karen Hilton – works with Copwatch and coordinates a class through UCB. This semester a number of students observed police actions in southwest Berkeley neighborhoods and saw officers beating people up in the streets, police line-ups, and harassment. They are not seeing this behavior in north Berkeley and the campus area.

Andrea Prichett – works with Copwatch. She discussed incidents at UA Homes in which the Drug Task Force officers broke through doors, tearing up apartments, and flashing guns. She quoted an officer involved in the UA Homes raids as stating that it's hard to keep place nice when officers are looking for a "booger-sized" portion of heroin. Copwatch has heard that groups of young African Americans together are being labeled as gangs. She feels that the SEU should be scrutinized and would like to see a scientific method for analyzing effectiveness of police actions, i.e. reviewing search warrants.

Jim Smith – owns income property in neighborhood. He has worked with BPD to deal with issues in this neighborhood. He has a problem with PRC and Copwatch because he feels that they hamper the officer's work. He submitted a petition signed by hundreds of residents saying that they are pleased by the performance of BPD. Things are much better now than 15 years ago when there were lots of shootings. (He submitted the petition dated July 14, 2001 to the PRC.)

Tim McCloskey – resident. He thanked the police and said that he is upset with the PRC and Copwatch.

Edith Monk Hallber – resident. She said that it is better in the past few weeks on University/San Pablo. She said that she was speaking on behalf of the neighbors as well. She discussed unjust evictions at UA Homes and discussed what she feels is a pattern of neglect from the police department regarding drugs in neighborhood. She would like to see crime prevention and drug patrol without harassment and overreaction by police.

Barbara Allen – head of neighborhood group in another area. She discussed past problems in the neighborhood and feels that they have a great partnership with the police department. She stated that they need more police officers and that there are problems in all parts of Berkeley.

Byron Onisco - He named several officers—Singh, Ross, Hong, Melero, Yuen, Rittenhouse, Torrence, etc who have worked with him in his neighborhood.

Susan Springborg - resident since 1965. She said that the level of crime has increased and mentioned personal accounts of violence. She feels that the police have been supportive but she is concerned about the neighborhood. She would like to support the police to do whatever they can to "deal with the bad guys."

Barbara Gregory – agreed with Ms. Springborg. She stated that drug dealing has escalated since she moved in 1989 and there is increased violence over the last couple of months. She has no problems with the police, but with the increase in drug dealing in the neighborhood.

Stephanie Roeser – She believes that BPD is conscientious but they are too nice due to fear of Copwatch. There are drug dealers on her street everyday. Dealers listen to scanners and disperse when they know a call has been made. She feels that the Berkeley climate is not supportive of the neighbors.

Fred Cosentino – He stated that drug dealing has increased a lot in recent months. He finds the police responsive and cooperative. He believes that many drug dealers don't live in Berkeley. He has never seen incidents of police brutality. He supports more resources for BPD, and feels there is a need for more bicycle

officers.

Sam Herbert – 5-year Berkeley resident. She feels she is spending too much time dealing with crime in the neighborhood. BPD is great and supportive for her. Drug crime is not being prosecuted in Berkeley, and not as a felony. She feels there is no community policing in Berkeley. There isn't enough communication and drug crime is not being reported. Beat cops are doing everything they can, but there are not enough beat officers, which results in inadequate patrol coverage.

S. Haflich – 13-year resident. He stated that all officers he has personally dealt with have been helpful. There is a drug house in his neighborhood, and have kids in the neighborhood are being sucked into the drug culture. BPD gets a lot of calls regarding the drug house. He feels that there are inadequate resources.

Jessie Daublin – She feels that they need stop signs because it is difficult to cross the street, even at lights. There is a need for more enforcement.

Rebecca Falzen – feels that the police need support.

Willie Phillips – resident of west Berkeley and works with the West Berkeley Neighborhood Development Program. He has lived here 47 years. He stated that the problems are complex: Issue of growing up in this area; issue of being a minority here; the issue is beyond police. Only 1% of the City budget is allocated to economic development—and economic problems can lead to drug dealing if youth do not have alternatives. He feels that we need to look at the larger issue. He is concerned about the large number of officers retiring because he is concerned that newer officers won't have experience and won't be sensitive to the community. He feels that sensitivity training is a good idea to assist officers to deal with youth from cultures different from their own.

Chris Cantor – UCB graduate student. He is concerned with police actions against activists and protests. Is there a policy regarding activists? (Directed to Chief Butler). He feels that there is an unnecessary and aggressive attitude by BPD toward protesters. He feels that there's an internal policy regarding activism and would like to see a public statement on this.

Howard Jeter – lived here since WWII. He feels that there is a need for conscientious planning and sees an opportunity to resolve these problems. He feels that there is a need for an ombudsman program. He would like the City to take advantage of the resources at UCB and create a partnership between UCB and business owners in the area. He feels that people in west Berkeley need skills, and feels that they haven't gotten proper training in school to live a constructive life.

Albert Benjamin – 25-year resident. He feels that problems in the neighborhood have grown over the last few months. BPD is doing a good job, but they need the resources and power to do more.

Willie Harold – 45-year resident. She states that there is a drug problem and there are some good police officers, but police won't solve the problem. There is a need for an economic plan. The youth don't have jobs. Calling the police to come all the time won't help. Training is needed and they must be treated like human beings. Putting the youth in jail will not solve the drug problem.

Irene Sazer – brand new resident – 1 month. She stated that she has very small children. She feels that the police are responsive, but she is concerned about the brazenness of the street dealers. Something different is needed than just calling the police because the dealers can check on scanners to see when police coming and disperse.

Kevin Combs – south Berkeley resident. His family has been in Berkeley for 40 years and he is active in neighborhood watch. There are higher expectations for this neighborhood. A young man was killed several weeks ago in his neighborhood and there is serious drug dealing there. Chief Butler and Captain Pittman disbanded a gang near his house. The dealers are coming from out of the area. He wants BPD to end it. Communicating with community institutions like the police is key. He has not seen any police brutality. BPD needs more resources and more communication with the residents.

Kit Robinson – resident since 1985. Agreed with the neighbors who spoke earlier. There has been tremendous improvement over the last 10 years. Things are bad right now, but it's not local kids that are causing the problems.

Ayanna Ayisha – 22-year resident. She is an activist. Family members of hers have experienced police harassment. Neighbors have moved, and new white families have moved in. She was stopped by police for talking to a neighbor because someone called and said she was selling drugs. She feels that gentrification has changed the area. They had neighborhood organizations in the past that helped to deal with in-community dealers. People of color, including herself, have been constantly harassed by the police and it makes youngsters feel unwelcome in their own community. She feels that there should be economic alternatives for the dealers. Money and resources are needed to do economic development. She would like to organize community members to work on this.

Councilmember Breland – She has been in this community since she was 10 yrs old and has had drug addicts in her family. She feels that it's worse at 10th and Allston. She would like neighbors to stop working against one another, and to work together and with BPD. BPD is working with her. She feels that putting the kids in jail isn't working, something productive is needed for them. The community needs help, but this is beyond the scope of just the police department.

Karla James – works with Copwatch. She stated that they are getting lots of complaints of police harassment. She feels that the meeting did not bring in a good demographic cross-section of residents in the area. Those who are harassed didn't feel safe/comfortable coming here and speaking of abuses. She feels that there is a dual-justice system here based on skin-color and income - disparate treatment. She feels that the police have been destructive on purpose when serving search warrants, and to do so is against policy. They are not supposed to trash residences or be vindictive. She feels that many people in the community are afraid of the police.

Rachel Crossman – grew up in Berkeley, but not in west Berkeley. She has observed that the neighborhood is changing from being prominently African-American.

Peggy Williams – She feels that there is a need for training in prison. People get stuck once they get into the prison system. The problem is not in enforcing drug laws, but in where the drugs are coming from.

Siobhan Wilson – resident of UA Homes. She is one of persons raided by BPD. Ofc. Lindenau threatened her with another raid of her room. She states that the police are threatening tenants with raids of dwellings. Tenants live in fear and terror there. BPD officers are doing things they shouldn't be doing—they destroyed her room and her things. She lives in fear that it will happen again. Police come in with no reason and even if they don't find anything, everything is destroyed. The community could be doing better in dealing with issues and talking about what's happening. She feels that BPD is heavy-handed.

Barbara Attard, PRC Officer thanked residents for attending the meeting and gave a brief historical overview

of the PRC process.

Commissioner Sternberg stated that he very much appreciated that residents came to the meeting and he shares their concerns. He explained the perspective of the PRC – an independent, neutral fact- finding body. The PRC is careful not to be advocates for any particular side on reviewing cases or making recommendations. He expressed concerns that some speakers misrepresented the work of the PRC.

Commissioner Sherman stated that the PRC is not an advocacy group. He stated that he very much supports the work of the BPD and knows at the same time that a mechanism is needed to deal with complaints in any organization, including BPD. The PRC was established to deal with complaints in a fair and unbiased manner from a community perspective.

9. COMMUNICATIONS

- Council Items on DEA Arrest of Ed Rosenthal Medical Marijuana Facilities Update (Not discussed)

10. ADIJOURNMENT

Clark/Sherman (Moved/Seconded) to adjourn meeting at approximately 9:30 PM. Passed unanimously.