



Police Review Commission

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

**Trinity United Methodist Church
2362 Bancroft at Dana
Berkeley, California**

**Date: Wed. September 25, 2002
Time: 7:00 p.m.**

1. ROLL CALL: 7:15 PM

Commissioners Present: DeBose, Ritchie, Sanchez-Resnik, Sherman, Sternberg, White (8PM)
Commissioners Absent: Clark (Excused), Mapps, Yang
PRC Staff: Barbara Attard, Najuma Henderson, Annie Chung
BPD Staff: Sgt. Morizono, Captain Hambleton, Captain Miller, Officers
Kusmiss, Scofield, and Rego

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

3. MINUTES OF THE SEPTEMBER 11, 2002 MEETING

Barbara Attard reported that there was an oversight in the minutes and asked that they be amended to include the outcome of the vote on item 4.e. “Passed unanimously.”

Sherman/Sternberg (Moved/Seconded) to approve the meeting minutes. Passed unanimously with DeBose and Sanchez-Resnik abstaining.

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

PRC Officer Barbara Attard welcomed attendees to the Special Meeting.

- a) New Filings—One since last meeting
- b) Boards of Inquiry—Friday October 4, Commissioners Sanchez-Resnik, Clark, and White

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5. BPD CHIEF'S REPORT—DEFERRED TO NEW BUSINESS PORTION OF MEETING
6. COMMITTEE REPORTS (For Discussion or Action)
7. OLD BUSINESS (For Discussion or Action)
8. NEW BUSINESS (For Discussion or Action)

PUBLIC COMMENT-COMMUNITY FEEDBACK ON POLICE ISSUES

- **Introduction by Chair Ritchie**

PRC Chair David Ritchie thanked members of the audience for attending the forum. He stated that the PRC has existed for 30 years and that it serves two main functions: to investigate complaints and conduct hearings; and to review policy issues. The Commission is composed of 9 Commissioners. Chair Ritchie discussed changes in BPD, to include a large turnover of approximately half of the police force in the last six years, and the fact that there is a new Chief of Police, Acting Chief Roy Meisner. Ritchie noted that the aim of the forum is to look for positive and negative feedback about the police department in order to improve it. He mentioned that the PRC is not interested in either gratuitous praise or attacks on the department and requested specific, concrete proposals.

- **Comments from PRC Commissioners**

No comments at this time.

- **Message from Acting Chief Meisner**

Captain Hambleton - Captain Hambleton is currently serving as the Patrol Commander of the Berkeley Police Department. Captain Hambleton stated that he came to the forum tonight representing the Department with the goal of listening to the public. He introduced the other officers present at the forum and stated that their main function is to facilitate communication among business groups, citizens, and the broader community. He noted that Chief Meisner is out of town and unable to be at the meeting. When asked what new changes will be implemented as acting chief, Captain Hambleton stated that the initial main changes are in the internal organization of the Department, at suggestion of the City Manager. He stated the Department has yet to implement many changes, because it still is in the process of undergoing self-examination.

- **Public Comment**

Deborah Buttrey – A homeless person from Telegraph, she resided before in a vehicle at the Berkeley Marina but was criminalized for her circumstance. After her arrest, she was assisted by the Center for Independent Living, a non-profit serving disabled people. Buttrey has lived with an invisible disability for 10-15 years. She noted that she is 51 years old and in need of permanent housing – it took her 2 years to get a Section 8 voucher. She suggested that the PRC hold more community meetings. Although she has been spreading word about the PRC meeting, she stated that people are reluctant to come to speak in fear of retaliation.

Michael Diehl – Representing Copwatch and Building On Self Sufficiency (BOSS), he stated that people are afraid to come to the meetings out of fear of being targeted because of the presence of the police. He asserted that the homeless are still targeted, despite the denials. He stated that the police took many of the possessions of homeless people from People's Park and that many went to the People's Park Advisory Board

Meeting and complained. He also noted other incidents. He stated that a number of individuals sleeping in the 1st Congregational Church were ticketed and fined on August 1st and that there was no justice despite a legal process. On August 19th, while he was sleeping on the sidewalk, a homeless man walking across People's Park was handcuffed. Although he was able to catch the dialogue on film, he missed the handcuffing. He noted that on August 20th, police officers cleared homeless out of various Berkeley churches. On August 29th, another homeless individual was ticketed. He also noted that he was wearing a shirt asserting "the right to sleep;" however this is not a right locally because the shelters are full.

William Bryant – A Berkeley resident for over 50 years, last October Mr. Bryant left home around 4:40 a.m. and arrived on San Pablo and Cedar to go to a newsstand and was surrounded by a large number of police officers. According to Bryant, the officers stated that they were in search of an African-American person 35-40 years old on Hearst; however, Mr. Bryant is over 70 years old and lives on Hopkins. He told the police officers that his house burglar alarm could indicate what time he left his house, however they chose not to verify this. He also noted that police officers came by his house another time. He feels that the police are practicing racial profiling in Berkeley and these examples are just two instances of this practice. Bryant's suggestion was to stop profiling as he believes it is the biggest crime created and caused by the police today. He noted that 40 years ago, the BPD had a reputation as the best police department.

Ron Casimere – A resident of Berkeley, Casimere noted that he is the chairperson of the Alcatraz Avenue neighborhood association. He complimented police officers that have worked with him in his neighborhood, particularly Officer Rittenhouse, and wanted to thank the officers and area-coordinators publicly for responding to the needs of the community in a timely manner. But he also stated that he came to the forum to talk about the problem of: racial profiling. He shared a personal experience that involved his son. While waiting on their porch for a ride to pick him up, his son was approached by police officers at their gate who stated that he looked like someone they were looking for. Although the son tried to tell them that he had been at home – a public meeting had just finished at his house – and told them that his parents were inside if they wanted to talk to them, the police officers handcuffed him anyway, and would not allow the son to express himself. Casimere stated that ten police cars then arrived. He stated that the situation could have been handled less aggressively and in a better fashion. He stated that he is trying to get his neighbors involved in working with the police to resolve issues but is currently facing difficulties in getting young, black males involved, because they fear retaliation. He recommended public outreach programs that would enable youth to be a part of the system rather than make them feel alienated.

Vic Kley – As a resident of the Berkeley hills, he stated that his neighborhood has been experiencing vandalism, a situation that is exacerbated by the lack of streetlights. He suggested putting in a low-light surveillance system, properly managed by the police, in order to bring stability into his neighborhood. He also noted that the current venue for the PRC forum was difficult for the people in his neighborhood to attend because of the dearth of accessible parking.

Chair David Ritchie noted that the last meeting was at Rosa Parks School. The venue of this meeting was selected in order to be accessible to persons who live in other areas of Berkeley.

Bob Allen – As a resident of Whittaker Ave., he has noticed a marked increase in crime in the last sixteen years. He stated that not more than one police officer has been present in his neighborhood and he is looking to the political system for more police coverage in the area. He also expressed his concern with the change in the attitude toward police - an attitude of "Us vs. Them." He feels that in the PRC process complainants are protected, but the police are not. He would like the PRC to help in the dialogue between the community and the police.

Byron Onisko – He thanked Ron Casimere for his dedication, time and effort in community/police interaction. He noted that 2 months ago at the PRC Special Meeting at Rosa Parks School, although the first two people were Copwatch-affiliated, the next 35 to 50 people were of all ethnicities and sexualities and spoke in support of BPD and asked for more policing. He stated that issues in the West and South Berkeley are different. He noted that in South/Central Berkeley, where he currently resides, there is good interaction with officers, citing Sergeants Boga and Murray, and Officers Torrence, and Rittenhouse as being some of the police officers who have gone the “extra mile” to get to know people in the neighborhood. He also stated that until the “Feds” stop the war on drugs, problems will still exist in neighborhoods, with for-profit gangsters continuing to sell dope. He concluded that he supports the BPD.

Barbara Allen – As a Berkeley resident for over 20 years, she represents some neighborhood groups of people who reside in the Berkeley Hills. She noted that although many people from her area wanted to come to the meeting tonight, they had not received notification of it in time. Ms. Allen mentioned that in her neighborhood people support the police, like 80-90% of the participants at the last PRC Special Meeting at Rosa Parks School. Her neighborhood has experienced break-ins and cars have been stolen in the past, but she noted that now the community enjoys a great relationship with the police. She stated that such a relationship could be established simply through better communication and getting information. She stated that the police e-mail alerts sent when problems exist in neighborhoods have been very helpful and that in her neighborhood, people have become mini-police officers themselves, keeping watch on the area. She concluded that the Berkeley community should work with the BPD to get results and concurred that support should be given to them.

Edith Monk Halberg - As a representative of the Berkeley Homeless Commission, Halberg also expressed that the issues are different in Central and South Berkeley. In her community, she informs the homeless people about services but notes that the problem is that sometimes services are not available. She expressed her frustration of finding shelters full and the inability to aid the homeless. She noted that on September 17th at the City Council meeting, the homeless complained about having guns in their faces. She stated that while at Andronico's, a homeless man showed her a \$103 citation for sleeping in Civic Center Park and stated that a year ago, a compassionate ordinance was passed, giving 647-J a low priority. However, Ms. Halberg noted that in the past few years, she has only seen sweeps, citations, and she has found that the removal of the possessions of homeless people without notice by the police has increased.

Tony McNair – A Berkeley High graduate 20 years ago, he thanked the PRC for the good faith shown in holding the forum and being willing to listen to the community. He gave the PRC a copy of the Street Spirit article that covered the 647-J Penal Code issue as well as a copy of the Copwatch newsletter. As a DJ for Berkeley Liberation Radio 104.1 for CopWatch, he has tried to get the community involved with the PRC. He thanked Captain Hambleton for using the words, "look into itself" (made in reference to the self-examination the BPD is undergoing) and he urged the BPD to look hard.

Arthur Glickman - A Berkeley resident, he went out to his car a couple weeks ago around 7 or 9 p.m. only to find that it had been stolen. He said that the beat officer that arrived that night was helpful and polite, but the police officer the next day was not. His wife's car had also been stolen a year ago in the broad daylight and at that time, the police officer noting the incident sounded uninterested in helping them. The stolen car possessed Christmas gifts. Mr. Glickman pointed out that by calling the stores in San Francisco where the items were purchased, it might have been possible to track down the thief who had stolen the car, but the officer did not follow-up, even though it did turn out that the people did attempt to return the Christmas gifts. In both cases, he came away with the feeling that the auto thefts were not a concern of the police. He tried to call the Police Chief twice but received no response. He concluded that police ought to care more about theft.

Julie Reese – A resident of Stuart Street, she noted that the BPD has been very helpful. She noted that in

every group, there are good and bad people, and that it is the bad people who give everyone a bad name. She then cited biblical proverbs.

Michael Commatoes – He stated that he found it difficult to understand the lack of response to the forum. He noted that about 60 people showed up and is concerned at the apparent apathy felt by the Berkeley community.

Charles Smith – A resident of Berkeley for over 50 years, Mr. Smith called himself a “student of bureaucracy”. He asked how people heard about the meeting. One person heard about it through the Contra Costa County Times; the majority via word of mouth. He suggested that the PRC has a problem communicating the meeting days and times with the public. He also noted that paperwork ought to be reduced so that the police can “do what really matters”.

Jeffery Jensen e-mail – An e-mail dated September 25, 2002 from PRC complainant, Mr. Jeffery Jensen was received at the PRC office for input into the public testimony process. It is documented as PRC Communication #4283 in the packet for the October 9, 2002 PRC Regular Meeting.

Commissioner White discussed the history of the PRC.

Commissioner Sherman discussed the role of the PRC and talked about his recent trip to Japan as a delegate brought over to inform the Japanese people about community participation in Berkeley.

Commissioner Sternberg discussed the work of the PRC and stated that the issues discussed at the meeting mirror some of the core issues of society. He mentioned that a recent case established that the “necessity defense” can be used in defense of 647j arrests.

9. COMMUNICATIONS

Barbara Attard discussed the “Faces of Hunger” photography exhibit at the PRC Office and encouraged the forum participants to stop by the office to take a look at it before it changes location.

10. ADJOURNMENT

White/Sanchez-Resnik (Moved/Seconded) to adjourn meeting at approximately 8:40 PM. Passed unanimously.