



Police Review Commission

ACTION MINUTES OF THE POLICE REVIEW COMMISSION REGULAR MEETING

**South Berkeley Senior Center
2939 Ellis Street
Berkeley, California**

**Date: Wed., November 13, 2002
Time: 7:30 p.m.**

1. ROLL CALL: 7:40 PM
Commissioners Present: Clark, Ritchie, Sanchez-Resnik, Sherman, Sternberg, White
Commissioners Absent: DeBose, Mapps, Yang
PRC Staff: Barbara Attard
BPD Staff: Sgt. Morizono, Lt. Aldinger, Capt. Pittman, Sgt. White

2. PUBLIC COMMENT--None

3. MINUTES OF THE OCTOBER 23, 2002 MEETING

Sanchez-Resnik/White (Moved/Seconded) to approve the meeting minutes. Passed unanimously with Clark abstaining.

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

- a) New Filings—Four since last meeting
- b) Boards of Inquiry—Upcoming Boards were scheduled.
- c) Late Filing Request from Wally Ghnaim, PRC Case #1945

Continued to January 8, 2003 meeting to allow complainant Ghnaim's attorney time to provide documentation to show how long she has been handling Mr. Ghnaim's case.

- d) Late Filing Request from Paul Betterton, PRC Case #1950

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Clark/Sanchez-Resnik (Moved/Seconded) to approve considering this an ongoing issue and accept as timely filed. Passed Unanimously.

5. BPD CHIEF'S REPORT

Lt. Aldinger announced that BPD's Turkey Basket assembly gathering would be taking place on Tuesday November 26 and she encouraged commissioners to participate.

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

7. OLD BUSINESS (For Discussion or Action)

a) Council Item—ADA Training for BPD—Review of Draft

Reviewed and accepted by consensus.

b) Planning for December 11 Community Policing Public Forum

Commissioners Sanchez-Resnik, White, and Ritchie agreed to work on the forum.

c) Caloca Update

Barbara Attard announced that the first *Caloca* hearing was scheduled for November 19.

8. NEW BUSINESS (For Discussion or Action)

Police in Schools--Discussion with Members of BPD, Captain Pittman, Sgt. David White; Superintendent of Schools, Michele Lawrence and BUSD staff Thelette Bennett and Gene Nakamura, and John T. Selawsky BUSD Board of Education Director.

Chair Ritchie opened the discussion explaining that the Commission's interest in this issue arose from a complaint and centered around interest in learning what written guidelines exist for school resource officers. He also described personal experiences he has had at Berkeley High School and expressed concerns regarding order and control over students and others walking in the hallways.

Commissioner Sternberg explained concerns that the Commission has had regarding issuing juvenile Miranda warnings stemming from a case at a middle school.

He further discussed concerns about school resource officers (SRO)—

- What is the role of the officer? How are roles decided?
- How are officers chosen? What training is given to SROs?

Superintendent Lawrence stated that there is no official policy. She has been very impressed with the relationship between SROs and administrators at the various schools. She said that if a child were to be questioned by an SRO it would usually be in the presence of an administrator.

Sergeant White stated that there are some written guidelines. Very often the SROs develop somewhat of a mentor relationship with students. The purpose of the SRO program is to rehabilitate,

not incarcerate, students. The SRO program is grant funded and works as a partnership between the schools and BPD.

Captain Pittman stated that procedures at each school can be different, but that there should be a school representative present during questioning. While basic ground rules have been established regarding SROs, they are not specific. He said that if a crime is committed in the presence of an officer, it is not always possible to bring an administrator in to help deal with it.

All of the BPD and BUSD representatives spoke very highly of this program and the excellent working relationship between officers and staff at the schools.

Regarding issues at Berkeley High, Mr. Selawsky stated that there is a 5-pronged approach to dealing with problems at the high school. Although the situation is not perfect at this time, the situation is much improved and programs are in place to deal with many of the problems that Chair Ritchie described.

Superintendent Lawrence stated that they are working toward closing the Berkeley High campus during lunch and there are strategies in place to deal with security issues.

The commission decided to send a letter to BUSD and BPD asking for any written policies regarding SROs. Superintendent Lawrence and Captain Pittman agreed to return to a PRC meeting, possibly in January, to further discuss these issues.

Clark/Sternberg (Moved/Seconded) to recommend a change in BPD General Order J-18 Section 4 (a) (1) to read, "Temporary custody means that the minor is not at liberty to leave." (Delete the words, "the law enforcement facility".)

9. COMMUNICATIONS

Barbara Attard informed the Commission that she would be testifying at hearings convened by the California Speaker of the Assembly, Herb Wesson, regarding police misconduct and oversight issues on 11/25/02 at San Jose State College.

10. ADJOURNMENT

Clark/Sanchez-Resnik (Moved/Seconded) to adjourn meeting at approximately 10:10 PM. Passed unanimously.