



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING ACTION MINUTES

**North Berkeley Senior Center
1901 Hearst Street
Berkeley, California**

**Date: Wed., February 25, 2004
Time: 7:30 p.m.**

- ROLL CALL:** 7:35 PM
Commissioners Present: Chung, Sanchez-Resnik, Sheen, Sherman, Sternberg, Radisch, Ritchie, White
Commissioners Absent: DeBose
PRC Staff: Barbara Attard, Dan Silva
BPD Staff: Sgt. Morizono, Lt. McBride

- PUBLIC COMMENT**

Edith Hallberg, a member of the Homeless Commission, believes that other options than the BPD Canine Proposal should be considered. This issue will come before the Homeless Commission on March 10.

Jane Welford spoke against the BPD Canine proposal; she is concerned that the dogs will be used against homeless people.

Vicente Cruz again spoke against the canine proposal. He believes that because of racial disparities there is risk the dogs will be used inappropriately. There are tensions in the community; his son was shot. He feels that the dogs could heighten tensions.

Jacob Crawford is concerned about the Glennel Givens case and the recent accident in which a young man was killed. He is against the canine proposal and its impact on the minority community.

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Lindsey Waggerman spoke against the police dog proposal. She believes that there will be no accountability for the dogs.

Michael Adcock did some research on training that dogs receive. He believes that the training for “find and bark” is incompatible with locating missing persons because the training dogs receive for explosives is different than the training they receive for drugs. [He cites his source as Protectors Canine Service (James Stewart, Oakland)]

Laura Menard called the PRC Office and said that she represents several community groups who are in favor of the canine proposal. They were upset that the letters that were sent to BPD supporting the proposal were not forwarded to the PRC intact. (Message relayed by Barbara Attard)

3. MINUTES OF THE FEBRUARY 11, 2004 SPECIAL MEETING

Sherman/Radisch (Moved/Seconded) to approve minutes. Passed unanimously with Chung and Ritchie abstaining.

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

a) New Filings—Two since last meeting.

b) Boards of Inquiry—Upcoming boards were discussed.

c) Administrative Closure

Sanchez-Resnik/Sherman (Moved/Seconded) to approve administrative closure recommendation for PRC case #1998 filed by Abdirahman Hassan. Passed unanimously.

5. BPD CHIEF'S REPORT

Lt. McBride reported the impacts of possible budget cuts on BPD.

6. COMMITTEE REPORTS (For Discussion or Action)

Caloca ad hoc Committee—No report

7. OLD BUSINESS (For Discussion or Action)

a) Caloca Update—Upcoming hearings

Barbara Attard discussed upcoming *Caloca* hearings and said that she would be in touch with commissioners who sat on the cases.

b) BPD Canine Program Proposal

Commissioners asked for additional information from BPD regarding the proposed Canine Program and decided to take this up at a later PRC meeting.

Commissioner Ritchie asked whether the asset forfeiture funds could be used to pay for any of the salaries for the officers involved in the canine program. He would only support a program that has a more limited scope, as recommended by Mayor Bates, i.e., 1) Involving dogs that are used solely for finding people, 2) Explicitly prohibiting drug enforcement training, 3) Explicitly prohibiting use during crowd control or for moving/controlling homeless people. He asked whether asset forfeiture funds could be used for salaries of the canine handling officers.

Commissioner Sanchez-Resnik would like to hear more from Protectors Canine Service (James Stewart, Oakland).

Commissioner Sherman stated that if the Canine Proposal is approved, the PRC should present a

resolution with conditions for the program, to include such things as: reporting requirements, and Mayor Bates stipulation that if one of the dogs bit someone inappropriately that he would be before the PRC to have the program discontinued.

Commissioner Radisch asked questions of BPD regarding asset forfeiture funds:

- The asset account balance shows \$307,000 as a balance in the asset forfeiture account. Is this City of Berkeley money or is it county money?
- Is this fund susceptible to being used by any other entity than BPD?
- Is this a “revolving” fund that will be replenished as funds are used?

Commissioner White would like to know what the realistic number of uses of canines might be. He feels that 30 uses per year would make the program very expensive on a per use analysis.

Commissioner Sheen stated that he is leaning against supporting the Canine Proposal. He is concerned about the social implications and would like clarification on the type of dog that is being considered—is there another breed that could be used instead of German shepherds?

Commissioner Chung asked whether finding armed suspects and missing people are compatible uses of the dogs.

Commissioner Sternberg stated that he would vote no on the Canine Proposal regardless of the conditions that are put on the program.

The Commission asked for a written response to the questions/issues raised above and would like to see the Youth Commission and Humane Commission decisions regarding this item.

8. NEW BUSINESS (For Discussion or Action)

a) Election of PRC Chair and Vice Chair

Commissioner Sternberg was elected PRC Chair and Commissioner Sheen was elected PRC Vice Chair. Chair Sternberg thanked Commissioner White for his service during this difficult year, and he thanked Commissioner Sherman for bringing larger global issues to the attention of Commission. Chair White thanked staff for support over the last year. Barbara Attard thanked Chair White for his support over the last year and said that she looked forward to working with Chair Sternberg.

9. COMMUNICATIONS

- Commissioner Sherman suggested that the PRC should have a booth at the Earth Day celebration. He offered to staff the table and asked for brochures.
- Barbara Attard informed the Chair and Vice Chair that there is a mandatory training through the City and reminded Commissioners that their Statement of Economic Interest forms are due.

10. ADJOURNMENT

Sherman/Sanchez-Resnik (Moved/Seconded) to adjourn at approximately 8:40 P.M. Passed unanimously.

The Commission adjourned and held a Commissioner Orientation work session.