



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING

ACTION MINUTES

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

**Date: Wed., Sept. 8, 2004
Time: 7:30 p.m.**

1. ROLL CALL 7:40 p.m.

Commissioners Present: Chung, Sanchez-Resnik, Sheen, Sternberg, Radisch, Ritchie (8:30)

Commissioners Absent: DeBose, Sherman, White

PRC Staff: Barbara Attard

BPD Staff: Sgt. Morizono, Lt. Williams
2. PUBLIC COMMENT
Dr. Hutsinpillar described a situation in which she had an encounter with BPD in 2003.
3. MINUTES OF THE JULY 28, 2004 MEETING
Chung/Sternberg (Moved/Seconded) to approve minutes. Passed unanimously. Sanchez-Resnik and Radisch abstain.
4. PRC OFFICER'S REPORT (For Discussion or Action)
 - a) New Filings – 7 new cases since last meeting
 - b) Boards of Inquiry – Upcoming Boards were discussed
 - c) Request for Hearing – Mediated PRC Case #2009 filed by Aftim Saba
Mr. Saba states that he did not understand that he would lose his right to a hearing in his case if he went to mediation. **Sternberg/Radisch (Moved/Seconded) That this case be reopened as a timely case and that it go to a hearing. Passed unanimously.**

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5. BPD CHIEF'S REPORT

Chief Meisner is retiring in December after 32 years with the city. The 216 mile “Turkey Ride” to Lake Tahoe, a benefit for for a holiday food basket program, kicked off today. This year’s ride involved 29 off duty and retired BPD and UCPD officers.

6. COMMITTEE REPORTS (For Discussion or Action)

Caloca ad hoc Committee

7. OLD BUSINESS (For Discussion or Action)

a) *Caloca* Update—Upcoming hearings were discussed

b) Glennel Givens Officer Involved Shooting Case—Update Report

The subcommittee plans to issue a report in the near future.

c) Tyrone Hughes Death in Custody Case

Barbara Attard reported that she was informed that the BPD homicide report should be out in the near future because the Alameda County Sheriff’s Department has issued the Coroner’s report.

Commissioner Radisch asked whether we would be receiving statements from the officers involved in the case. In the Givens case we received only synopses of statements initially.

d) Subject Officer Testimony at PRC Board of Inquiry Hearings—Invoking 1040 Evidence Code (At the 7/28 Meeting, the Commission asked that this be placed on the agenda for the next meeting and that procedures be discussed for having a commissioner or staff be informed of the need for the confidentiality.)

Barbara Attard explained the underlying issue. Commissioner Radisch stated that in court there is an in-camera hearing in which the judge reviews the issue and makes a ruling. He would like to see some similar hearing for PRC cases. Commissioner Radisch will work on a recommendation.

8. NEW BUSINESS (For Discussion or Action)

a) Informing Complainants of *Caloca* Appeal Process and Right to Appear if Officer Appears

New language has been added to the instruction sheet for filing a PRC complaint to inform complainants of the *Caloca* appeal hearings. Commissioner Ritchie may recommend language informing complaints the *Caloca* hearing is not part of the PRC process it is a procedural review.

b) Search Warrant Service, Review of Findings in PRC Cases 2006 and 2015

The cases were discussed and no action was taken.

9. COMMUNICATIONS

a) Commendations for BPD Officers—Barbara Attard directed commissioners to this item

b) Notice from City Attorney about Commission Endorsements of Candidates and Ballot Measures— Barbara Attard directed commissioners to this item

10. ADJOURNMENT:

Sternberg/Sanchez-Resnik (Moved/Seconded) to adjourn at approximately 9 p.m. Passed unanimously.