



Police Review Commission

## POLICE REVIEW COMMISSION REGULAR MEETING ACTION MINUTES

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

**Date: Wed., January 12, 2005  
Time: 7:30 p.m.**

1. ROLL CALL 7:30 P.M.

Commissioners Present: Chung, Ritchie, Sherman, Smith, White

Commissioners Absent: Kidd, Radisch, Sheen

PRC Staff: Dan Silva

BPD Staff: Sgt. Delaney, Capt. Ahearn

2. PUBLIC COMMENT

**Ritchie/Sherman (Moved/Seconded)** to take Item 8b, out of the scheduled order on the Agenda.

Respectfully, family and numerous friends came to the PRC Meeting to show their support and express their concerns regarding the "Death While in Custody," of the late Tyrone Hughes, Sr. Below are some of their comments:

**Dr. Carol Hughes Willoughby** felt that Mr. Hughes's death was unnecessary and she did not believe that Mr. Hughes would have taken his own life.

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**Barbara Attard** gave an overview of the investigation.

**Mr. Harper** stated that everyone should be treated fairly. When there is reasonable suspicion officers should do a search, but the search of Mr. Hughes was not thorough, his mouth was not searched. It is inconsistent that they did the strip search, but not the mouth search. There seemed to be an assumption that he was on crack and that is what people on crack do. Why was the strip search so important?

**Derrick Hughes**, Mr. Hughes, Sr.'s brother, his police officer friends told him to check into the death. He was told that Mr. Hughes had been wrestling with police officers. Mr. Hughes would like this looked into.

**Doreen Hughes**, Tyrone Hughes sister believes that Mr. Hughes was choked. He used drugs, but did not sell and was not a criminal. Why wasn't he sent to a program?

**Regina Toppman**, Mr. Hughes Sr., was a loving man. She wants some answers and justice.

**Ramone Jackson** was concerned for the Community. When lives are taken there is injustice. He is concerned that Berkeley is becoming like San Francisco or Oakland – officers should be retrained.

**Fred Davis Jackson**, from Richmond – He is concerned because it appears that there is a rise in these types of cases. He wants to support the family and the City...

**Lacrecia Mitchell** does not believe that Mr. Hughes, Sr., swallowed drugs because he would not even swallow pills.

**Anthony Woods** had been with Mr. Hughes, Sr., the night he died. He does not believe that he swallowed drugs.

**Juanita Hughes**, Tyrone's mother – He was a son, father, grandfather, brother, husband, ex-husband and friend to many. She doesn't understand why he was put in jail, but had not had help with his drug problem. She pointed out statements made that indicated that it was obvious that Mr. Hughes was having problems and that medical assistance should have been given sooner. She feels that the involved officers watched her son die.

There should be cameras in safety cells and booking rooms. She has been told that other people have died in the jail. She cited jail violations on pages 135, 136 of the report.

**Tyrone Hughes, Jr.**, played a message from his father. He and his father were trying to get their relationship together. His father taught him music. Since his father died police have been passing by and stopping in front of his house. He is afraid.

He appreciates that the PRC is looking into the case.

**Juanita Hughes'** main issue is that they did not respond when they realized he was in need of medical attention...

**Tyrone Hughes, Jr.**, received an anonymous call alleging that the police choked his father in North Oakland...

**James Willoughby** stated that Mr. Hughes was a Christian.

**Kenneth Clark** believes that the police framed Mr. Hughes.

**Sharon Williams** said that Mr. Hughes loved life. He attempted to keep others from drugs although he used drugs himself.

**Commissioner White** thanked the family and friends for giving insight into Mr. Hughes life. Due to the turnover of several Commissioners, it is necessary to inform the new Commissioners about the case and provide them the opportunity to read the report prior to taking action as a whole.

**Commissioner Ritchie** agreed with Commissioner White.

**Commissioner Chang** thanked the family and friends for their statements.

**Commissioner Sherman** assured the family and friends of Mr. Hughes that the Commission will take further action on this case.

**Commissioner White** assured the group that the PRC takes action on cases as hearings and/or policy issues and will do so in this case.

**Tyrone Hughes' sister** urged the Commission to take her nephew's concerns about retaliation seriously.

**Juanita Hughes** asked why Mr. Hughes would swallow the baggies, but left drugs in his pocket.

3. MINUTES OF THE DECEMBER 15, 2004 MEETING

**Ritchie/Sherman (Moved/Seconded)** to approve the 12/15/04 minutes. **Passed** with Chung, Sherman and White abstaining.

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

a) New Filings – 3 new cases filed since last meeting

b) Boards of Inquiry – Upcoming Boards discussed

c) Administrative Closure of PRC Case #2023 filed by Paul Dennis

**Ritchie/Sherman (Moved/Seconded)** to administratively close case as recommended by staff. **Passed** with Chung abstaining;

- d) Appeal for Acceptance of Late/Timely Filing of PRC Case #2049, filed by Calvin Morris  
Item carried over to 1/26/05, meeting because necessary six (6) Commissioners not in attendance.

5. BPD CHIEF'S REPORT

Lt. Ahearn reported that the hiring process for the chief is underway.

6. COMMITTEE REPORTS (For Discussion or Action)

*Caloca* ad hoc Committee - will reform after new Commissioners come on Board.

7. OLD BUSINESS (For Discussion or Action)

- a) *Caloca* Update—Upcoming hearings were discussed
- b) Glennel Givens Officer Involved Shooting Case—Update  
Commissioner Ritchie stated that the Subcommittee will meet and a draft will be brought forth to the full Commission. Commissioner Sternberg has left the Commission. Commissioner Smith will take his place.
- c) Homeless Policy Complaint—Presentation of Report to the PRC on 1/26  
No Action.

8. NEW BUSINESS (For Discussion or Action)

- a) Redaction of Records—Review of Draft General Order—  
Completion of Policy Case #2005 Filed by Theodore Bolton
- b) Tyrone Hughes Death in Custody Case—Presentation of Report to the PRC  
Item scheduled for Discussion at February 12<sup>th</sup>, meeting.

9. COMMUNICATIONS

**Notice of Office Closure**—The City Council approved extending the Voluntary Time Off Program for an five additional days in fiscal year 2005. These cost-saving measures are necessary to help the City balance its current budget deficit of \$7.4 million.

The five new dates of closure are: Friday, January 14, Thursday, February 10, Friday, March 25, Monday, March 28, Friday, May 27

10. ADJOURNMENT

**Ritchie/Sherman (Moved/Seconded)** to adjourn at approximately 10:20 P.M. **Passed** unanimously.