



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING

ACTION MINUTES

North Berkeley Senior Center
1901 Hearst Street
Berkeley, California

Date: Wed., March 23, 2005
Time: 7:30 p.m.

1. ROLL CALL 7:35 P.M.
Chairperson: Commissioner Sheen
Commissioners Present: Chung, Kidd, Radisch, Ritchie, Sherman, Smith, Wafer and White
Commissioners Absent: None
PRC Staff: Dan Silva
BPD Staff: Lt. Lee and Sgt. Murray
2. PUBLIC COMMENT
None
3. MINUTES OF THE MARCH 9, 2005 MEETING
Commissioner Wafer **Moved** / Kidd **Seconded**, to approve the Minutes. Passed with White, Smith and Sherman abstaining.

POLICE REVIEW COMMISSION NEW OFFICES: 1947 Center St. Third Flr., Berkeley, CA 94704

TEL: 510.981.4950 TDD: 510.981.6903 FAX: 510.981.4955

e-mail: prc@ci.berkeley.ca.us http: // www.ci.berkeley.ca.us/prc/

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

- a) New Filings – Mr. Silva reported that there were no new cases received since the last meeting.
- b) Boards of Inquiry - Mr. Silva reported that the commission held six boards of inquiry in the last month. Mr. Silva reported that he is awaiting a City Attorney decision regarding which Department notification date applies in the Tyrone Hughes Case 2025.
- c) Mr. Silva reported that the City Manager has decided not to recommend reductions to the PRC budget. Additionally the PRC Officer position will be posted for open recruitment.
- d) Late file Petition Case 2061 Bertha Williams
Commissioner Ritchie **Moved** / Smith **Seconded**, to not accept the Late Case #2061 on staff recommendation. Motion **Passed unanimously**.
- e) Administrative Closure Recommendation Case 2049 Calvin Morris
Commissioner Ritchie **Moved** / Sherman **Seconded**, to not accept Administrative Closure Recommendation Case #2061 and to contact the subject officer who is on military leave for an interview and move forward with the investigation of the witness officers. Motion **Passed** with one **No** vote by Commissioner Smith and no abstentions.
- f) Petition For Rehearing Case 2035 Steven De Caprio
Commissioner Ritchie **Moved** / White **Seconded**, to accept the Petition for Rehearing Case #2035 for allegations 1 thru 6 and to affirm the summary dismissal of allegations 7 thru 13. Motion **Passed** with two **No** votes by Chung and Smith and one **abstention** by Wafer.

5. BPD CHIEF'S REPORT

Lt. Lee reported that Chief Hambleton would like to appear before the Commission at their April 27, 2005 meeting. The Chief also informed the Commission that the City Council approved setting aside 2.4 million dollars for the up-grade to the Public Safety Technology System and that the Requests for Proposals will be going out shortly.

6. COMMITTEE REPORTS (For Discussion or Action)

The Commission by consensus established a sub-committee consisting of Commissioners Ritchie, Chung, Sheen and Radisch to meet and work with the department's representatives to review the Berkeley Police Department's Mutual Agreements, Understandings and Policies 2005 publication.

7. OLD BUSINESS (For Discussion or Action)

- a) *Caloca* Update
- b) *Mediation Discussion*

8. NEW BUSINESS (For Discussion or Action)

None

9. COMMUNICATIONS

Commissioners discussed attending the ACLU event in the City of Richmond on June 7, 2005

10. ADJOURNMENT

Commissioner White **Moved**, Sherman **Seconded** to adjourn at approximately 9:35 p.m.
Motion **Passed** unanimously.