



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING

ACTION MINUTES

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

**Date: Wed., May 11, 2005
Time: 7:30 p.m.**

1. ROLL CALL

Chairperson:	Commissioner Sheen
Commissioners Present:	Chung, Kidd, Radisch, Sheen, Sherman, Smith, Wafer, and White
Commissioners Absent:	Ritchie (Excused)
PRC Staff:	Dan Silva
BPD Staff:	Captain S. Fleming and Sergeant A. Murray

2. PUBLIC COMMENT

None

3. MINUTES OF THE APRIL 27, 2005 MEETING

Mr. Silva reported that the minutes of the April 27, 2005, meeting would be presented for approval at the May 25, 2005 meeting.

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

Mr. Silva reported that four complaints have been filed since the Commission's last meeting: Case #2070 (Phillip Goffner); 2071 (Diane Arsanis); 2072 (Khaouira Faulon) and Case #2073 (Q.Z. Japhethiel)

Mr. Silva distributed the roster for the up-coming Boards of Inquiry.

5. BPD CHIEF'S REPORT

Captain Fleming reported that the department was giving up one of their Lieutenant positions. The department is considering hiring a business manager in F/Y 07. Captain Fleming urged the Commissioners to look at the department's web page, noting that she just approved a page on domestic violence.

Captain Fleming reported that Officer Frankel has been promoted to acting sergeant, replacing a sergeant that will be off of work due to illness.

Commissioner White asked for an explanation regarding police activity and traffic cameras around Adeline & MLK and University & 6th Streets.

Captain Fleming reported that the activity at both locations involved the installation of, "Red light enforcement cameras." Captain Fleming reported that the only other location for installation of the cameras would be University & Shattuck Avenue.

Commissioner Radisch expressed concern regarding the issuance of a citation to the registered owner of a vehicle caught on the camera and the presumption of innocence.

Sergeant Murray explained that the photo on the camera must match the official DMV photo on file before a citation is issued.

Commissioner White asked for an explanation regarding a possible high-speed chase through Berkeley recently.

Captain Fleming reported that yesterday, there was a man and a woman on a crime spree in Berkeley. They were involved in a home invasion robbery where they shot the victim. When they left the residence they, "car jacked" two vehicles in their attempt to flee. The department was receiving a number of citizen's calls so officers responded quickly. Officers then spotted the last vehicle that was car jacked and got behind it. Before the officers activated red lights and sirens the suspects crashed in to a parked vehicle and both suspects were taken into custody.

Captain Fleming reported that high-speed chases are only associated with the commission of violent felonies.

Mr. Silva stated that he had been receiving a number of inquires asking if the Berkeley Police Department uses, "Tasers?"

Captain Fleming reported that the Berkeley Police Department does not use, "Tasers" and they are not included in their arsenal.

6. COMMITTEE REPORTS (For Discussion or Action)

Mr. Silva reported that he had spoken with Commissioner Ritchie earlier and he informed Mr. Silva that he would not be able to attend the meeting this evening. Commissioner Ritchie requested that the remainder of the PRC Subcommittee could report on the progress of their work regarding the Berkeley Police Department's Mutual Agreements, Understandings and Policies 2005 Publication.

Commissioner Chung reported on the meeting the Subcommittee had convened with Berkeley Attorney Jim Chanin.

Commissioner Radisch reported on the meeting the Subcommittee had convened with Lieutenant Lee of BPD.

7. OLD BUSINESS (For Discussion or Action)

- a) *Tabled PRC Policy Issues:*
 - Glennel Givens Officer Involved Shooting Case
 - Policy Issues Regarding Treatment of Homeless People
 - Redaction of Records—Review of Draft General Order

8. NEW BUSINESS

The Commission discussed the need for establishing a Subcommittee to review PRC Regulations and possible revisions. The Commission by consensus appointed Commissioners White, Smith and Chung to serve as the Subcommittee and to report back to the full Commission on their work.

9. COMMUNICATIONS
(None attached)

10. ADJOURNMENT

Commissioners Wafer **Moved**, Chung **Seconded** to adjourn at approximately 8 :06 p.m. Motion **Passed** unanimously.