



Police Review Commission

POLICE REVIEW COMMISSION (PRC) ACTION MINUTES

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

**Date: Wed., April 26, 2006
Time: 7:30 p.m.**

1. ROLL CALL

7:45 P.M.

Chairperson:

Kidd (Vice Chairperson)

Commissioners Present:

Herrera, Radisch, Ritchie, Sherman, and White

Commissioners Absent:

Chung & Smith

PRC Staff:

Dan Silva, Acting PRC Officer
Victoria Urbi, Investigator

BPD Staff:

Chief Hambleton, Sergeant Juster

2. PUBLIC COMMENT

The following people spoke to the Commission: Abby Weitzman, Bill Crowley, Andrea Prichett, Jacob Crawford, Andy Kreamer, Owen Sizemore and Joanne Rajas. The various speakers addressed the harassment that Cop Watch workers, face daily on the street from members of BPD. Additional comments were made regarding the BPD Drug Evidence Investigation. *(A complete taped audio copy of the meeting is available upon request)*

The cost for reproducing and mailing minutes is established by administrative regulation of the City Manager.

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3. MINUTES APPROVAL

a) Approval of the March 22, 2006, minutes.

Commissioners Radisch / **Moved** / Herrera **Seconded** for approval of Minutes. Motion **Passed with Commissioner White abstaining.**

The April 12, 2006 minutes to be presented at the PRC meeting of May 10, 2006.

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

a) New Filings: Mr. Silva reported five (5) new cases filed since the last meeting: Case #2109 (Zachary RunningWolf Brown); #2110 (Judith Anderson); #2111 (JoAnn Liotta); #2112 (Jonathan Ford); and #2113 (Lee Lavrov).

b) Mr. Silva reported that the May schedule for Boards of Inquiry would be distributed on May 10, 2006

c) Request for Rehearing of PRC Case #2092 filed by Paul Popa and others (carryover from last meeting on 4-12-06).

Commissioners White / **Moved** / Radisch **Seconded** for approval of the Petition For Rehearing PRC Case #2092; Motion **Passed unanimously.**

d) Recommendation for Administrative Closure, PRC Case #2073 filed by Q.Z. Japhethiel.

Commissioners Sherman / **Moved** / Herrera **Seconded** for approval of the Recommendation for Administrative Closure, PRC Case #2073; Motion **Passed unanimously.**

e) Recommendation for Administrative Closure, PRC Case #2087 filed by Jason Meggs.

Commissioners Sherman / **Moved** / Herrera **Seconded** for approval of the Recommendation for Administrative Closure, PRC Case #2087; Motion **Passed unanimously.**

5. BERKELEY POLICE DEPARTMENT CHIEF'S REPORT

Police Chief Douglas Hamilton's presentation regarding *Drug Evidence Investigation*.

Prior to the Chief's presentation the Chair recognized Commissioner Sherman's request to be heard. Commissioner Sherman read aloud Police Chief Douglas Hambleton's March 14, 2006, letter to P.O.S.T. and the City Managers letter to the PRC dated April 19, 2006.

Memo from Chief Police Douglas Hambleton regarding Draft Regulations for Investigations of First Amendment Activities.

After a brief discussion the Commissioners and Chief agreed that he would meet with the PRC Subcommittee to continue their work towards agreement on the Draft Regulations for Investigations of First Amendment Activities.

Chief Hambleton provided a lengthy presentation regarding *Drug Evidence Investigation*. (A complete taped audio copy of the presentation is available upon request)

Commissioner White asked the Chief if there were any pro-active counseling, available to officers in order to prevent similar situations from happening?

The Chief stated that the department conducts annual physicals where they can identify problem areas. The department has an early warning system on complaint issues, which evaluates both sustained and not sustained complaints.

When the department identifies a problem they can make a referral to Employee Services and or peer counseling.

Commissioners Sherman and Radisch discussed the availability of Proposition #36 as it may or may not relate to Sergeant Kent.

Chief Hambleton spoke to the positive contributions made by Sergeant Kent during his long career with BPD.

Chief Hambleton assured Commissioner Ritchie that as soon as the copies of the investigation are available the Commission would be provided a copy.

Chairperson Kidd recognized (3) members of the audience for statements and or questions and Commissioner Sherman recognized (1) additional member.

Chairperson Kidd complimented the Chief and the department on their handling of a recent hostage situation in Berkeley, which ended peacefully.

6. COMMITTEE REPORTS (For Discussion or Action)

PRC Subcommittee: update regarding the Berkeley Police Department's Mutual Agreements. Understandings and Policies - 2005 Publication.

7. OLD BUSINESS (For Discussion or Action)

None

8. NEW BUSINESS

- BPD Police Academy (Due to the absence of Commissioner Chung these items are carried over till the May10, meeting.)
- Ride-Along

9. COMMUNICATIONS

Attached.

10. ADJOURNMENT

Commissioners White / **Moved** / Herrera **Seconded** to adjourn the meeting. Motion **Passed** **unanimously at 9:45 p.m.**