



## **POLICE REVIEW COMMISSION REGULAR MEETING MINUTES**

**Wednesday, January 24, 2007  
7:00 P.M.**

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

### **1. ROLL CALL BY CHAIRPERSON SHARON KIDD AT 7:08 P.M.**

#### **ROLL CALL AND ATTENDANCE**

**Present:** Chairperson Sharon Ann Kidd  
Vice Chairperson Michael Sherman  
Commissioner Jack Radisch  
Commissioner William White

**Absent:** Commissioner Kamau Edwards  
Commissioner Sherry Smith

**PRC Staff:** Victoria Urbi, PRC Officer  
Stephanie Ahn, UC Intern

**BPD Staff:** Lieutenant Hart

**BPA:** None

### **2. ORDER OF AGENDA**

### **3. PUBLIC COMMENT:**

Cynthia Lee filed complaint #2133, but saw that it was changed to complaint #2134 the next day. She stated that complaint #2134 did not have all the pages of her statement and that pages were redacted.

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

A. Staffing update: The PRC has hired a new investigator, Fred Vides, who starts on January 31, 2007. He has seven years of experience as a paralegal with the City Attorney's Office in Oakland, CA, and he has ten years of investigation experience as a child support investigator



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in San Francisco. The PRC is also trying to hire a part-time office specialist, since one of the administrative support staff works part-time.

- B. Budget update: The PRC will submit its budget proposal in February to the City Manager. During the past 4 years, the Council made tough budget balancing decisions that resulted in reducing the general fund budget by \$20 million, and reducing the City's labor force by almost 10%. The Council's priorities continue to be affordable housing, direct public safety, and economic development. Most departments are required to submit to the City Manager general fund reductions totaling 5% within a two-year fiscal year (2008-2009) budget. The PRC has been saved from the budget cuts. A commissioner's budget workshop may be scheduled soon to provide commissioners and the public with an overview of the current budget climate, and identify specific timelines for input into developing the budget. A budget workshop calendar is available for those who are interested.

Commissioner White stated that he and Commissioner Ritchie lobbied on behalf of the PRC to be saved from budget cuts.

- C. Lawsuit update: There are no new lawsuit updates. Instructions on how to access updates on the lawsuit is available online and is included in the packet. The judge will render her decision on February 13, 2007.
- D. Status of complaints: Since the last meeting, there have been two (2) new complaints. The PRC has thirty-six (36) cases total that are currently being investigated.
- E. Commission vacancies: Commissioner Ritchie resigned, so there are three vacancies that need to be filled by Councilmembers Maio, Worthington and Mayor Bates.
- F. Citizens' Awareness Academy Report: Chairperson Kidd and PRC Officer Urbi attended the Citizens' Awareness Academy where they learned about organizational structure, communication center, internal affairs, jail procedures, and a broad range of what the police department does. The instructors who gave their different perspectives provided a wide diversity of views of the department, and the trainers genuinely seemed to care about the learning of the participants. The challenge to the Commission of the Citizens' Awareness Academy will be the major commitment that it requires (14 sessions); however PRC Officer Urbi highly recommends the program. The National Association of Civilian Oversight recommends 30 hours of structured training and 36 hours of ride alongs per year.

## **5. BERKELEY POLICE DEPARTMENT CHIEF'S REPORT**

Captain Fleming retired two weeks ago. The BPD has several non-sworn and sworn vacancies. The BPD has one lateral officer being sworn in on January 25, 2007 and will start the following Sunday. There are two other lateral officers in the background process. There are 4 recruits graduating from the Contra Costa County Academy on February 16, 2007, and 5 more recruits graduating from the Sacramento Academy in May. The BPD is starting work on its 2-year budget. The City Manager has asked the BPD to cut \$256,000 from year number one and \$171,000 from year number 2.

The BPD is starting to look at the POST recommendations on evidence handling. The Chief wants to meet with the Commission prior to implementing any changes. In regards to the subcommittee

on the investigation of the first amendment activities, that document draft is done. The Commission should contact Captain Gustafson to schedule an appointment to review the draft.

6. **APPROVED DECEMBER 13, 2006 MINUTES**

**M/S/C (Sherman/White) Ayes: Kidd, Sherman, Radisch, White. Noes: None. Abstain: None. Absent: Edwards, Smith**

7. **COMMITTEE REPORTS (For Discussion or Action)**

A. Subcommittee: Draft Regulation for Investigations of First Amendment Activities.

- a. Staff update: The subcommittee will obtain the BPD draft policy and plans to meet with Captain Gustafson. The subcommittee is pending until this draft is obtained for the commissioners.
- b. Discussion: None.

B. Subcommittee: Review of BPD's Evidence Theft Issues.

- a. Staff update: There is a subcommittee meeting on January 27, 2007 at 8 A.M. at the South Berkeley Senior Center. The agenda has been sent out. There is another subcommittee meeting on January 30, 2007.
- b. Discussion: In lieu of Subcommittee Chairperson White, Commissioner Kidd chaired the last subcommittee meeting. In regards to the issue of community members on the subcommittee, it was agreed that Andrea Prichett and one other person would be allowed to serve on the subcommittee. The Subcommittee did not make any permanent decisions, however, without the presence of Subcommittee Chairperson White. Commissioner Kidd also wanted to make the recommendation that staff did not have to attend subcommittee meetings, and that updates be given by the chairpersons of the subcommittees to alleviate pressure off of the staff.

9. **COMMUNICATIONS**

Attached.

10. **ADJOURNMENT**

Meeting was adjourned at 7:34 P.M.

Anyone attending a Police Review Commission meeting is welcome to speak during the Public Comment section and may be invited to speak on agenda items during the course of the meeting. No action or discussion shall be taken on any items not appearing on the posted agenda, except that members of the Commission may briefly respond to statements made or questions posed by members of the public. Any member of the Commission may direct staff to place a matter of business on a future agenda.

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