



Police Review Commission (PRC)

POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES

Wednesday, June 26, 2013
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY CHAIRPERSON SHENOY AT 7:10 P.M.

Present: Chairperson Kiran Shenoy
Vice Chair Ann Rogers
Commissioner Barbara Allen
Commissioner Alison Bernstein
Commissioner Seth Morris
Commissioner George Perezvelez
Commissioner William White

Absent: Commissioner Sherman

PRC Staff: Lucinda Simpson, PRC Officer

BPD Staff: Chief Meehan, Capt. Harris, Sgt. Smith

BPA Staff: Officer Bartalini

2. APPROVAL OF AGENDA

The agenda was approved.

3. PUBLIC COMMENT

None.

4. APPROVAL OF MINUTES

Motion to approve minutes of June 26, 2013

Moved/Seconded (Allen/ Morris) **Motion Carried**

Ayes: Allen, Morris, Perezvelez, Rogers, and Shenoy.

Noes: none

Abstain: Bernstein and White

Absent: Sherman



5. INTRODUCTION OF NEW PRC COMMISSIONER

New Commissioner Alison Bernstein appointed by City Council Member Maxwell Anderson was introduced and welcomed.

6. CHIEF OF POLICE'S REPORT

Budget, staffing, training, and crime updates.

Commissioner White was thanked for his years of service to the Commission. National Night Out is on August 6, 2013. Out of 169 officers, 13 are out on duty-related injuries and other types of leave.

7. NEW BUSINESS (discussion)

Discussion on status of Berkeley Police Department's proposed policy on fair and impartial policing.

The matter was discussed. BPD will work on putting together a presentation for PRC.

8. OLD BUSINESS (discussion and action)

- a. Appointments to Subcommittee on PRC Regulations.

Chair Shenoy appointed himself, Commissioner Bernstein, and Vice Chair Rogers to the new subcommittee. The Chair will be selected at the first meeting tentatively scheduled for July 24, 2013 at 6 p.m.

(Item b.2 was taken before item b.1)

- b.2. PRC Officer's recommendation on policy complaint in item 8. b.1.

The PRC Officer provided a recommendation to reduce the publication period.

- b.1. Consider policy complaint concerning Berkeley Police Department's policy regarding found property (General Order P-65).

The Commissioners discussed the recommendation and the policy complaint. The PRC Officer will inquire with the City Attorney's Office if, in addition to reducing the publication period from one week to 1 day, the Commission can also recommend that the Berkeley Police Department conduct online publication for 1 week.

9. SUBCOMMITTEE REPORTS & RECOMMENDATIONS

- a. Accreditation Subcommittee

The subcommittee completed review of Lexipol policies: 342, 346, and 348.

A work session will be scheduled with the full commission to review approximately 20 pairs of general orders and their accompanying Lexipol policies.

- b. PRC 40th Anniversary Subcommittee

Commissioner White discussed a potential keynote speaker. Next meeting date is to be announced.

- c. Outreach Subcommittee
The next meeting date is to be determined.
- d. Drones Subcommittee (for review of proposed resolution from City Council on drones).
The next meeting will tentatively be scheduled for either July 3rd or July 8th at 6 p.m.
- e. Mutual Aid Pact Subcommittee
Next meeting is tentatively scheduled for July 10, 2013 at 6 p.m.

10. PRC OFFICER'S REPORT

There are 8 open individual complaint cases. 3 cases in mediation. 1 policy complaint.

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached.

Commissioner White announced that he is departing the Police Review Commission after approximately 16 years as a commissioner. Chair Shenoy stated that Commissioner White's experience and perspective have been invaluable.

12. PUBLIC COMMENT

(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on the agenda at this time).

1 person made public comment.

(The Commission went into closed session at 9:15 p.m.)

Closed Session

Pursuant to the Court's order in *Berkeley Police Association v. City of Berkeley, et al.*, Alameda County Superior Court Case No. 2002 057569, the PRC will recess into closed session to discuss and take action on the following matter(s):

13. DISCUSSION AND ACTION ON STAFF'S RECOMMENDATION FOR ADMINISTRATIVE CLOSURE.

Complaint # 2328.

The PRC Officer withdrew the recommendation for administrative closure.

**14. DISCUSSION AND ACTION ON INVESTIGATION OPENED MARCH 27, 2013
PURSUANT TO POLICE REVIEW COMMISSION REGULATIONS II.A.3.
Complaint #2327.**

Motion to continue the investigation opened on March 27, 2013 in case # 2327.

Moved/Seconded (Perezvelez / White) **Motion Carried**

Ayes: Allen, Bernstein, Morris, Perezvelez, Rogers, Shenoy, and White.

Noes: none

Abstain: none

Absent: Sherman

End of Closed Session

15. ANNOUNCEMENT OF VOTE RESULTS FROM CLOSED SESSION

The Chair announced that the staff recommendation to administratively close case # 2328 was withdrawn and the Commission unanimously voted to continue with the investigation in case # 2327.

16. ADJOURNMENT

Motion to adjourn this meeting.

Moved/Seconded (White / Morris) **Motion Carried**

Ayes: Allen, Bernstein, Morris, Perezvelez, Rogers, Shenoy, and White.

Noes: none

Abstain: none

Absent: Sherman

Meeting was adjourned at 10:20 p.m.

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