



Police Review Commission (PRC)

**POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES
(approved)**

**Wednesday, April 27, 2016
7:00 P.M.**

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY VICE-CHAIR ROBERTS AT 7:13 P.M.

Present: Commissioner Terry Roberts (Vice-Chair)
Commissioner Alison Bernstein
Commissioner Jerry Javier (arrived 7:35 p.m.)
Commissioner George Lippman
Commissioner Michael Sherman
Commissioner Kad Smith
Commissioner Ayelet Waldman
Commissioner Ari Yampolsky

Absent: Commissioner George Perezvelez (Chair)

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Michael Meehan (left 7:45 p.m.) Lt. Dan Montgomery, Sgt Benjamin Cardoza, Sgt. Todd Sabins

2. APPROVAL OF AGENDA

The agenda was approved by general consent.

3. PUBLIC COMMENT

There was one speaker.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes of April 13, 2016

Moved/Seconded (Bernstein/Sherman) **Motion Carried**

Ayes: Bernstein, Lippman, Roberts, Sherman, Waldman, and Yampolsky.

Noes: None

Abstain: Smith

Absent: Javier, Perezvelez

5. CHAIR'S REPORT

None.

6. PRC OFFICER'S REPORT

- Update of complaints given.
- PRC Officer and Commissioner Lippman attended last night's City Council Worksession on Update on Police-Community Relations referrals.

7. CHIEF OF POLICE'S REPORT

Budget, staffing, training updates, and other items.

- Last Sunday, the BPD played the FPD in a charity basketball game (and won for the 4th straight year).
- Reminder to sign up for the BPD's Nixle feed. Will be expanding social media presence onto Twitter. You can follow the Chief @BPDChiefMeehan.
- Year-to-date crime figures are mixed: increase in violent crimes, primarily assaults; decrease in property crimes, mostly burglaries.
- Budget: Working on mid-year update. No new money unless new revenue source or give up some other program.
- Meeting regularly with BUSD on violence prevention in schools.
- Bike thefts down 25% this year.
- Staffing: 170 sworn; incl. 3 in academy who graduate in July. Working hard to recruit; over 12 in background and current recruitment open till May 2.
- Would like feedback on April 9 Fair & Impartial Policing summit; Chief usually attends but was sick that day.

Questions:

- Body cams in budget? No, as we are in the 2nd year of a 2-year budget. Have given estimate to Council; year 1 cost est. \$400K; 5 years \$1.4 million. Will be on council's plate. Will seek grants but not many and very competitive.
- Is fact that BPD taking on more responsibility for persons with mental health issues impacting the budget? BPD not taking on more responsibilities, but numbers are way up in past 5 years (nationwide trend). City will soon have 5 more outreach workers to help the homeless get treatment; will be huge help.
- More info on Government Alliance on Race and Equity? Officials from various agencies go through year-long course. Chief is one of 10 people from COB participating. Goal: produce strategy to ensure equity in all gov't systems.
- What are deliverables from CPE agreement? Written report once/year. Stop data posted every 90 days on City's Open Data Portal.
- SFPD has Not on My Watch program – when officers see fellow officers misbehaving; how about BPD? We have policies that require reporting of misconduct, and failure to report is itself misconduct. Reports go to IA and fully investigated. Our officers don't like working around others who don't follow the rules.
- Aggregate data available from IA re number of complaints from PRC and non-PRC; how many per allegation, and disposition of each? Yes. (PRC Officer to email IA the data requested.)

8. OLD BUSINESS (discussion & action)

a. Inventory of less-than-lethal munitions held by BPD.

Lt. Montgomery explained items on the list. No action taken.

9. NEW BUSINESS (discussion & action)

a. Prosecution of Liberty City protesters

Motion that the PRC send a letter to the Council asking for permission to send a letter to the District Attorney stating that the PRC is aware of the prosecution of three defendants for violations of 647(e) arising from the so-called Liberty City encampment. Given the impacted resources in the Alameda County criminal court system and the cost of pursuing such a prosecution, it is the belief of the PRC that this prosecution is not in the interests of justice and the matter should be dismissed.

Moved/Seconded (Bernstein/Lippman) **Motion Carried**

Ayes: Bernstein, Javier, Lippman, Smith, and Yampolsky.

Noes: Roberts, Waldman

Abstain: Sherman

Absent: Perezvelez

b. Commendations of BPD employees July – December 2015

By general consent, the Commissioners singled out the following officers and other BPD staff for special recognition; and asked the PRC Officer to write a letter to the Chief informing him of such and to publish their names in the meeting minutes:

CSO Mia Medlin

Sgt. Cummings (twice)

Ofc. Tinney

Ofc. Keene

Ofc. Pierantoni

Ofc. Ramey

Ofc. Galvan (three times)

Ofc. Crews

Ofc. Libed

Ofc. Hammond

Ofc. Li

Lt. Montgomery

Ofc. Hunt

Ofc. Nash

Ofc. Phelps

Ofc. Shedoudy

PSD R. Johnson

PSD McClain

PSD Lopes

PSD Netz

PSD Cofereros

Ofc. Hammonds

PEO Randle

PEO Cooper

Ofc. Cerletti

Lt. Schofield

Ofc. Kaplan

Ofc. Andersen

Ofc. Ordaz

Ofc. Polliziani

Ofc. Neff

Additionally, several more officers to be identified; last but not least, **Ofc.**

Polliziani, Ofc. Singh, and the **entire Berkeley Police Department** for their “sensitive,” “compassionate,” “professional,” and “extraordinary” work in responding to the balcony collapse that claimed the lives of six Irish students.

c. Progress report to Council on December 2014 recommendations

By general consent, the Commission agreed to empower the Chair to approve a progress report to the Council.

10. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS (discussion & action)

- a. Body-Worn and Dash Cameras Subcommittee
Working to meet Council deadline; must have final Commission decision by May 25. Will agendaize for May 11 meeting.

By general consent, the Commission set a special meeting for May 16, 2016, 7:00 p.m. to consider a proposed Body-worn Camera General Order.

- b. General Orders C-64, etc. Subcommittee
Next meeting date May 3, 2016, 4:30 p.m.
Making good progress. Might have recommendation to full Commission in 6 weeks.
- c. December 7 & 8 Investigation Subcommittee
Next meeting date May 11, 2016, 5:30 p.m. Possible report to full Commission at May 25 meeting.
- d. Transgender G.O. Subcommittee
Draft new General Order will be on May 11 agenda.

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Copies of Commissioner Smith's evaluation of BPD's "Protest 101" were passed out.

12. PUBLIC COMMENT

There were no speakers.

Closed Session

13. VOTE ON RECOMMENDATION FOR ADMINISTRATIVE CLOSURE

Motion to approve Complaint #2392 for administrative closure, based on the staff's recommendation and complainant's desire.

Moved/Seconded (Sherman/Waldman) **Motion Carried**

Ayes: Bernstein, Javier, Lippman, Roberts, Sherman, Smith, Waldman, and Yampolsky.

Noes: None

Abstain: None

Absent: Perezvelez

End of Closed Session

14. ANNOUNCEMENT OF CLOSED SESSION VOTE

The vote to administratively close Complaint #2392 was announced.

15. ADJOURNMENT

By general consent, the meeting was adjourned at 8:48 p.m.