



Police Review Commission (PRC)

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

**Wednesday, March 13, 2019**  
**7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIR PEREZVELEZ AT 7:05 P.M.**

Present: Commissioner George Perezvelez (Chair)  
Commissioner Gwen Allamby (Vice-Chair)  
Commissioner Kitty Calavita  
Commissioner Sahana Matthews (left 8:05 p.m.)  
Commissioner Elisa Mikiten  
Commissioner Andrea Prichett (arrived 7:52 p.m.)  
Commissioner Ismail Ramsey  
Commissioner Terry Roberts

Absent: Commissioner Ari Yampolsky

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Lt. Kevin Reece, Sgt. Daniel Quezada-Garcia (BPA)

**2. APPROVAL OF AGENDA**

**Motion to approve the agenda**

Moved/Seconded (Mikiten/Allamby) **Motion Carried**

Ayes: Allamby, Calavita, Matthews, Mikiten, Perezvelez, Ramsey, Roberts

Noes: None

Abstain: None

Absent: Prichett, Yampolsky

**3. PUBLIC COMMENT**

There were 3 speakers.

**4. APPROVAL OF MINUTES**

(Heard following Item #5.)

**Motion to approve Regular Meeting Minutes of February 27, 2019**

Moved/Seconded (Roberts/Allamby) **Motion Carried**



Lt. Reece answered questions from Commissioners.

## 8. SUBCOMMITTEE REPORTS (discussion & action)

Report of activities and meeting scheduling for all Subcommittees, possible appointment of new members to all Subcommittees, and additional discussion and action as noted for specific Subcommittees:

- a. Prioritizing Safety for Sex Workers Subcommittee. Met right before this meeting and approved language for a recommended policy; to be agendized for future meeting.
- b. Lexipol Policies Subcommittee. Need to schedule next meeting and recruit another member to replace Comm. Yampolsky.
- c. MOU Compendium Subcommittee. Met on March 6 and March 13; Comm. Perezvelez elected Subcommittee Chair; have made recommendations and awaiting questions sent to the Chief. Expect to bring recommendations to full Commission two meetings from now.

## 9. OLD BUSINESS (discussion & action)

- a. Update on SB 1421: responding to Public Records Act requests; status of litigation and other actions statewide.

*PRC Officer gave a report and answered questions from Commissioners. No action.*

- b. Commissioner training

- i) Follow-up to PRC's January 23, 2019 request to PRC Officer regarding nature of training to be presented.

**By consensus, the Commission corrected the prior recommendation of January 10, 2019, to read that BPD, not BPA, do an orientation for commissioners each year.**

- ii) Clarification of Commission's response to City Council's October 2, 2018 referral regarding commissioner training requirements.

**Motion to have the PRC Officer work with the Chair to generate a response to the Commission's referral.**

Moved/Seconded (Calavita, Roberts) **Motion Carried**

Ayes: Allamby, Calavita, Mikiten, Perezvelez, Prichett, Ramsey, Roberts.

Noes: None            Abstain: None            Absent: Matthews, Yampolsky

**10. NEW BUSINESS (discussion & action)**

- a. Lexipol Policies for review and approval.

<b>Lexipol #</b>	<b>G.O. (if any)</b>	<b>Title</b>
<b>501</b>	T-16	Motor Vehicle Collision Investigations
<b>506</b>	T-18	Disabled Vehicles
<b>605</b>		Brady Material Disclosure
<b>702</b>		Vehicle Maintenance
<b>705</b>		Personal Protective Equipment
<b>902</b>		Prison Rape Elimination
<b>1000</b>		Recruitment and Selection
<b>1004</b>		Anti-Retaliation
<b>1005</b>		Reporting of Employee Convictions
<b>1012</b>		Body Armor
<b>1014</b>	P-21	Commendations
<b>1020</b>	P-20	Outside Employment
<b>1024</b>		Police Aides
<b>1025</b>		Nepotism and Conflicting Relationships
<b>1027</b>		Temporary Modified-Duty Assignments
<b>1033</b>	P-17	Employee Absences <b>(No change from G.O.)</b>

**Motion to refer Lexipol policy 605 to the Police Department and the City Attorney’s Office to ask for information regarding why the word “should” in sections 605.3 paragraphs 2 and 3, and 605.4(c)1, appears instead of “shall.”**

Moved/Seconded (Roberts/Calavita)

**Motion withdrawn**

**Motion to: approve Lexipol policies 501, 1012, 1014, 1020, 1024, 1027, 1033; send 506 back to the Subcommittee; and hold 605, 702, 705, 902, 1000, 1004, 1005, 1025 to take a closer look.**

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

Ayes: Allamby, Calavita, Mikiten, Perezvelez, Ramsey, and Roberts.

Noes: None                      Abstain: Prichett      Absent: Matthews, Yampolsky

- b. Whether the “clear and convincing” standard is the appropriate standard to be used in PRC Boards of Inquiry.

**Motion to direct the PRC Officer to ask be updated or advised by the City Manager’s office as to whether or not they are in meet and confer with the BPA regarding the Commission’s prior approval to change its own Regulations to use the “preponderance of the evidence” standard.**

Moved/Seconded (Ramsey/Calavita) **Motion Carried**

Ayes: Allamby, Calavita, Mikiten, Perezvelez, Prichett, Ramsey, Roberts.

Noes: None

Abstain: None

Absent: Matthews, Yampolsky

- c. Present revised confidentiality agreement to be signed by Commissioners and answer any questions.

*Discussion; no action.*

## **11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached

## **12. PUBLIC COMMENT**

There was 1 speaker.

## **13. ADJOURNMENT**

**By general consent, the meeting was adjourned at 9:42 p.m.**