



Police Review Commission (PRC)

POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES
(approved)

Wednesday, March 27, 2019
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY CHAIR PEREZVELEZ AT 7:09 P.M.

Present: Commissioner George Perezvelez (Chair)
Commissioner Gwen Allamby (Vice-Chair)
Commissioner Elisa Mikiten
Commissioner Andrea Prichett
Commissioner Ismail Ramsey
Commissioner Terry Roberts
Commissioner Mary Kay Lacey (*temporary*)

Absent: Commissioners Kitty Calavita, Sahana Matthews, Ari Yampolsky

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood (left 8:55 p.m.), Lt. Dave Lindenau, Sgt. Cesar Melero

2. APPROVAL OF AGENDA

Motion to approve the agenda

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

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

Noes: None Abstain: None Absent: Calavita, Matthews, Yampolsky

3. PUBLIC COMMENT

There was 1 speaker.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes of March 13, 2019

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

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

Noes: None Abstain: Lacey Absent: Calavita, Matthews, Yampolsky

5. CHAIR'S REPORT

No report.

6. PRC OFFICER'S REPORT

-- One new complaint filed since the last meeting, but it involved Oakland police and was therefore rejected.

-- BOI hearing service – list of Commissioners' service for 2018 and 2019 to date was distributed. If cannot get enough commissioners for a BOI, will not make the 120-day disciplinary deadline.

-- NACOLE regional conference kick-off event April 5, 5:30 – 7:30 p.m. at Drexl in Oakland. RSVP to the PRC Officer.

-- Juneteenth will be Sunday, June 16 this year. Think about having a PRC booth; requires commissioners to staff.

7. 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. Lexipol Policies Subcommittee

Chair Perezvelez reported: Met today. Discussing use of "should" v. "shall." Original intent of subcommittee was to see whether any substantive changes are made in the conversion of General Orders to Lexipol. Looking into any substantive changes themselves is a separate inquiry. Will agendaize re-examination of Subcommittee's charge.

The Chair appointed Terry Roberts to this Subcommittee.

b. MOU Compendium Subcommittee

Chair Perezvelez reported: Final questions and language have been sent to Chief; will set a meeting after hearing back from BPD.

8. PRESENTATION OF POLICE DEPARTMENT 2018 ANNUAL CRIME REPORT

-- Chief's report: Currently at 164 sworn. 3 people graduating from field training soon. Academy graduation in May.

-- Domestic violence Detective Bledsoe attended a Comm. on the Status of Women meeting at their invitation to talk about how BPD responds to domestic violence calls.

-- The City Attorney continues to work on SB 1421 responses. Another round of notifications to officers just went out.

-- Recent retirements: Lt. Angela Hawk, Ofc. Rich Marin, Ofc. Victor Martinez.

-- Recruitment: Have retained outside vendor for background investigations. Recruitment team continues to be active; attending various fairs. A graphic he saw

shows applications for public sector jobs nationally has gone down in all categories the past few years, but in law enforcement it is down the most, 63%.

-- Crime report: The Chief presented the 2018 Annual Crime Report and answered questions from Commissioners.

9. OLD BUSINESS (discussion & action)

- a. Whether the “clear and convincing” standard is the appropriate standard to be used in PRC Boards of Inquiry – update from PRC Officer regarding whether meet-and-confer is occurring or has occurred on this issue.

PRC Officer has no update yet; item continued to the next meeting.

10. NEW BUSINESS (discussion & action)

- a. i) Consider recommendation from Prioritizing Safety for Sex Workers Subcommittee to amend Lexipol Policy 318, Victim and Witness Assistance, to protect sex workers from prosecution for certain offenses when such workers are the victim of or witness to sexual assault or other specified violent crimes.

Motion to adopt the proposed amendment to Lexipol Policy 318, as corrected (add the section heading “Prioritizing Safety for Sex Workers,” and change “include” to “including”) by placing the first sentence, with the addition of “Further” at the beginning, into section 318.1; and deleting “Accordingly” from the second sentence, so the first sentence of new section 318.3.2 begins with “Officers . . .”

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

Ayes: Allamby, Mikiten, Perezvelez, Prichett, Ramsey, Roberts, and Lacey.

Noes: None Abstain: None Absent: Calavita, Matthews Yampolsky

- ii) Dissolve Prioritizing Safety for Sex Workers Subcommittee

Motion to dissolve the Prioritizing Safety for Sex Workers Subcommittee.

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

Ayes: Allamby, Matthews, Mikiten, Perezvelez, Prichett, Ramsey, Roberts, and Lacey.

Noes: None Abstain: None Absent: Calavita, Matthews, Yampolsky

- b. Review commendations of BPD personnel July 2018 to January 2019.

Original motion: to accept all commendations as a group.

Moved/Seconded (Mikiten/Perezvelez)

Substitute motion to accept the commendations packet as a whole except for those on pages 14, 27, and 39.

Moved/Seconded (Prichett/Allamby) **Motion Failed**

Ayes: Allamby, Prichett, Ramsey

Noes: Mikiten, Perezvelez, Roberts, and Lacey.

Abstain: None Absent: Calavita, Matthews Yampolsky

Vote on **original motion – Motion Carried**

Ayes: Mikiten, Perezvelez, Roberts, and Lacey.

Noes: Allamby, Ramsey Abstain: Prichett
Matthews, Yampolsky

Absent: Calavita,

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached

12. PUBLIC COMMENT

There was 1 speaker.

Closed Session

13. PETITION FOR REHEARING

Motion to deny the complainant's Petition for Rehearing in Complaint #2446.

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

Ayes: Mikiten, Ramsey, Roberts, and Lacey.

Noes: Allamby Abstain: Perezvelez, Prichett

Absent: Calavita, Matthews, Yampolsky

End of Closed Session

14. ANNOUNCEMENT OF CLOSED SESSION ACTION

The vote taken in closed session to deny the complainant's petition was announced.

15. ADJOURNMENT

By general consent, the meeting was adjourned at 11:00 p.m.