



Police Review Commission (PRC)

POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES
(approved)

Wednesday, April 10, 2019
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY VICE-CHAIR ALLAMBY AT 7:21 P.M.

Present: Commissioner Gwen Allamby (Vice-Chair)
Commissioner Kitty Calavita
Commissioner Sahana Matthews
Commissioner Elisa Mikiten
Commissioner Ismail Ramsey

Absent: Commissioners George Perezvelez (Chair), Andrea Prichett, Terry Roberts, Ari Yampolsky

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood, Lt. Dave Lindenau, Sgt. Cesar Melero

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Mikiten/Ramsey) **Motion Carried**

Ayes: Allamby, Calavita, Matthews, Mikiten, and Ramsey.

Noes: None Abstain: None Absent: Perezvelez, Prichett, Roberts, Yampolsky

3. PUBLIC COMMENT

There were 2 speakers.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes of March 27, 2019

Moved/Second (Mikiten/Calavita) **Motion Carried**

Ayes: Allamby, Calavita, Matthews, Mikiten, and Ramsey.

Noes: None Abstain: None Absent: Perezvelez, Prichett, Roberts, Yampolsky

5. CHAIR'S REPORT

No report.

6. PRC OFFICER'S REPORT

- No new complaints filed since the last meeting.
- Reminder about the NACOLE Regional event on Friday, May 3; flyers have been distributed and more are available to help spread the word.
- BPD reissued Lexipol Policy 318 with changes the PRC recommended at its last meeting.

CHIEF OF POLICE'S REPORT

Chief Greenwood reported:

- Thanks to the Commission for the process on recommending changes to Lexipol Policy 318.
- Currently 163 sworn officers with 4 laterals in background. Recruitment team developed a card with basic info about salary and benefits to hand out to potential applicants. [Cards were distributed at the meeting.] Encourage those you know who might be interested to apply.
- Working on a timetable for revising the Use of Force [UOF] policy. BPD Working group is making revisions per Councilmember Harrison's referral. Will bring a draft to PRC for input.
- Finalizing an immigration policy; will bring that to PRC for input also.
- Preparing for biennial budget process; budget incorporates strategic plan goals, such as UOF and data collection.
- Berkeley High's Law & Social Justice class: 150 students signed up for 60 slots but not enough staff to support expansion. BHS continuing to work on year 2 of the course.
- Body-Worn Cameras: Have viewed BWC footage in 3 Internal Affairs complaints and 2 UOF reports; finding it helpful; makes a huge difference in UOF reviews. Hope PRC gets the same value in Board of Inquiry hearings.
- International Assoc. of Chiefs of Police conference in October; will again invite a PRC member to attend.

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 – Met March 27 and supposed to meet today but Comm. Perezvelez couldn't make it.

- b. MOU Compendium Subcommittee – Waiting for Chief’s response to subcommittee’s questions.

8. 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.

Motion to create a subcommittee to consider the appropriateness of the “clear and convincing” standard of proof and whether it should be changed to the “preponderance of the evidence.”

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

Ayes: Allamby, Calavita, Matthews, Mikiten, and Ramsey.

Noes: None Abstain: None Absent: Perezvelez, Prichett, Roberts, Yampolsky

The Vice-Chair appointed Commissioners Ramsey, Calavita, and Mikiten to the Subcommittee.

9. NEW BUSINESS (discussion & action)

- a. Review, amend, and approve questions to ask of BPD and City Mental Health staff about their response to mental health emergencies.
(Heard following Item #10.c.)

By general consent, the Commission agreed to send the questions developed by former Comm. Rogers in 2014, with the following changes: Add a #11: what are the challenges that the agency faces; eliminate #8 and in its place insert #4 from Comm. Prichett’s handout from today; and add, to #7, what options does BPD have at the scene.

- b. Approve presentation of certificate of appreciation to Ari Yampolsky and empower Chair to work with PRC Officer on wording.

Motion to approve a presentation of certificate of appreciation to Ari Yampolsky and empower Chair to work with PRC Officer on wording.

Moved/Second (Mikiten/Ramsey) **Motion Carried**

Ayes: Allamby, Calavita, Matthews, Mikiten, and Ramsey.

Noes: None Abstain: None Absent: Perezvelez, Prichett, Roberts, Yampolsky

- c. Consider revising the charge of the Lexipol Subcommittee
(Discussed; to be continued at the next meeting.)

10. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached

11. PUBLIC COMMENT

There were 3 speakers.

12. ADJOURNMENT

By general consent, the meeting was adjourned at 8:25 p.m.