



Police Review Commission (PRC)

POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES
(Approved)

March 25, 2015
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

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

Present: Commissioner Benjamin Bartlett
Commissioner George Lippman
Commissioner Michael Sherman
Commissioner Lowell Finley (*temporary assignment*)
Commissioner Bulmaro Vicente (arrived 7:30 p.m.)
Chairperson Alison Bernstein (arrived 7:35 p.m. and presided over the meeting from that time)

Absent: Commissioners Barbara Allen, Karen Kiyo Lowhurst, and Ann Rogers

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Michael Meehan (left 8:30 p.m.), Capt. Andrew Greenwood (left 8:30 p.m.), Sgt. Joseph Okies, Sgt. Benjamin Cardoza

2. APPROVAL OF AGENDA

Vice-Chair Perezvelez asked that the meeting be adjourned in the memory of Officer Michael Johnson; the PRC Officer asked that the Chair's report be moved to later in the agenda and that Item 9.c., regarding body and in-car cameras be removed from the agenda because its inclusion was in error. With those changes, the agenda was **approved** by general consent.

3. PUBLIC COMMENT

No speakers.

4. APPROVAL OF MINUTES

The PRC Officer noted that the approval of the February 25, 2015 special and regular meeting minutes suffered from a procedural problem in that a motion was not made even though a vote was taken. The approval of these minutes will therefore be agendaized for the April 8, 2015 meeting. Commissioner Sherman noted a typographical error in Item 6.

Motion to approve regular meeting of March 11, 2015, with the above changes.

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

Ayes: Bartlett, Finley, Lippman, Perezvelez, and Sherman.

Noes: None Abstain: None Absent: Allen, Bernstein, Lowhurst, Rogers, and Vicente

5. CHAIR'S REPORT

(Moved to after Item #8.) No report.

6. CHIEF OF POLICE'S REPORT

Continuing to see dramatic increases in crime this year. In midst of developing budget. Still at 168 sworn officers. Carol Berry, the BPD's first female patrol officer, recently passed away. The week of April 13 is National Public Safety Dispatchers Week; PRC may want to consider some type of recognition of our dispatchers for the very difficult work they do.

7. PRC OFFICER'S REPORT

A list of active complaints was distributed. The Deputy City Manager and the BPA President are having a meeting March 31 preliminary to the meet-and-confer process regarding the PRC's Regulations for handling complaints. The City's MOU with the Center for Policing Equity for data collection on stops is being negotiated.

8. 2014 CRIME REPORT

Chief Meehan and Capt. Greenwood presented the 2014 crime report and answered questions.

9. OLD BUSINESS (DISCUSSION AND ACTION)

- a. Policy investigation regarding the events of December 6, 7, and 8, 2014, and Council directive for an investigation into the events of December 6, as both are more fully identified in the regular meeting agenda of February 25, 2015: further discussion and action on how to proceed.

By general consent, the Commissioners:

- i. **Asked the PRC Officer to make copies of all documents supplied by the BPD available in electronic form;**
- ii. **Agreed that they would come into the PRC offices before the next regular meeting to view a group of video clips, with a list of things to look for; PRC Officer to divide the videos into logical groupings and write up the list;**

iii. Asked the PRC Officer to discuss with someone in I.T. the posting of a link on the PRC website announcing to the community a request for statements and video about the December protests, and creating a place/method for uploading such video; and to report back at the next meeting;

iv. Asked the PRC Officer to determine the feasibility of taking witness statements and timing of doing so.

b. Continue review of mutual aid practices and policies: further discussion and action.

By general consent, this item was tabled until the next meeting.

c. Use of police in-vehicle cameras and body-worn cameras by BPD: review General Orders of other agencies.

(Removed from agenda; erroneously placed.)

d. How to make the BOI process more responsive to complainants, and civilians generally, in light of City Attorney opinion re Possible Disclosure of BOI Findings Report to Complainants.

Motion to make an advisory recommendation to staff that they release civilian witness statements to complainants.

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

Ayes: Bernstein, Bartlett, Finley, Lippman, Perezvelez, and Vicente.

Noes: None

Abstain: Sherman

Absent: Allen, Lowhurst, Rogers

e. Discuss City Attorney opinion re Disclosure of BPD Internal Affairs' Records to the PRC.

By general consent, this item was tabled to the next meeting.

f. Standing Rules for PRC: review and comment on first draft.

By general consent, the Commission agreed to incorporate language provided by Commissioner Perezvelez and to vote on the next revised draft at the next meeting.

g. Marijuana enforcement report: review report for July – December 2014 and discuss additional information possibly needed.

The Chair asked to agendize for the next meeting whether the Commission wants to make a standing request that the BPD prepare a report similar to the one presented last year, that contextualizes the figures they provide.

- h. Status of implementation of amendments to Regulations for Handling Complaints Against Members of the Police Department.

No action taken in light of PRC Officer's report.

10. SUBCOMMITTEE REPORTS & RECOMMENDATIONS (discussion and action)

- a. Regulations Subcommittee
No report.
- b. Suspicious Activity Reports Subcommittee
Subcommittee has met and its next meeting will be April 13 at 5:45 p.m.
- c. Transgender General Order Subcommittee
Subcommittee has met and needs to schedule meeting date.

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

12. PUBLIC COMMENT

No speakers.

Closed Session

13. VOTE ON RECOMMENDATION FOR ADMINISTRATIVE CLOSURE

Complaint #2371.

Motion to approve above-referenced file for administrative closure.

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

Ayes: Bernstein, Bartlett, Finley, Lippman, Perezvelez, Sherman, and Vicente.

Noes: None Abstain: None Absent: Allen, Lowhurst, Rogers

End of Closed Session

14. ANNOUNCEMENT OF VOTE RESULTS FROM CLOSED SESSION

The passage of the motion to approve the recommendation for administrative closure was announced.

15. ADJOURNMENT

By general consent, the meeting was **adjourned** at 10:00 p.m. in memory of San Jose Police Officer Michael Johnson, who was killed in the line of duty on March 24, 2015.