

POLICE REVIEW COMMISSION

REGULAR MEETING MINUTES

Wednesday, June 12, 2013 7:00 P.M.

South Berkeley Senior Center 2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY CHAIRPERSON SHENOY AT 7 P.M.

Present: Chairperson Kiran Shenoy

Vice Chair Ann Rogers

Commissioner Barbara Allen Commissioner Seth Morris

Commissioner George Perezvelez

Absent: Commissioner Sherman, Commissioner White

PRC Staff: Lucinda Simpson, PRC Officer

BPD Staff: Chief Meehan, Capt. Harris, Sgt. Ross, Sgt. Smith

BPA Staff: Sgt. Stines, Officer Bartalini

2. APPROVAL OF AGENDA

The agenda was approved.

3. PUBLIC COMMENT

One person made public comment.

4. APPROVAL OF MINUTES

Motion to approve minutes of May 22, 2013

Moved/Seconded (Allen/Perezvelez) Motion Carried

Ayes: Allen, Perezvelez, Rogers, and Shenoy.

Noes: none Abstain: Morris Absent: Sherman, White



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5. CHIEF OF POLICE'S REPORT

Budget, staffing, training, and crime updates.

The Chief reported that there is an increase in crime, including both violent and property crimes. Oakland, CA has the highest robbery rate in the United States which impacts crime in Berkeley. The Department is currently staffed with 169 sworn out of 176 authorized positions. The professional staff is currently with 71 out of 80 authorized positions.

6. NEW BUSINESS (discussion and/or action)

a. Discussion on communication from Berkeley Police Association regarding investigation of officers involved in in-custody deaths.

The item was discussed.

b. Vote on Outreach Subcommittee's Recommendation to Participate in the Solano Avenue Stroll on September 8, 2013

Motion to participate in this year's Solano Ave. Stroll and to use PRC funds to pay for a booth.

Moved/Seconded (Allen/Morris) Motion Carried

Ayes: Allen, Morris, Perezvelez, Rogers, and Shenoy.

Noes: none Abstain: none Absent: Sherman, White

c. Possible Formation of Subcommittee to Review all PRC Regulations.

Motion to form a subcommittee to review PRC regulations with priority to be given to a review of the standard of proof as well as other regulations to be submitted by PRC staff with a recommendation for priority of review.

Moved/Seconded (Rogers/Allen) Motion Carried

Ayes: Allen, Perezvelez, Rogers, and Shenoy.

Noes: none Abstain: Morris Absent: Sherman, White

d. Possible Appointments to Subcommittee on PRC Regulations.

This item was carried over to the next meeting by consensus.

7. OLD BUSINESS (discussion and/or action)

Consideration of whether to review BPD policies pertaining to wraps and spit hoods.

By consensus, the PRC Officer will make inquiry to Capt. Harris at Berkeley Police Department as to whether there is a Lexipol policy on spit hoods and whether it could be looked at during a meeting of the Accreditation subcommittee as a possible incorporation into the use of force policy that already exists.

8. SUBCOMMITTEE REPORTS & RECOMMENDATIONS

a. Accreditation Subcommittee

Next meeting is scheduled for June 26, 2013 at 6 p.m.

- b. PRC 40th Anniversary Subcommittee Next meeting is scheduled for June 19, 2013 at 10 a.m.
- c. Outreach Subcommittee

 The next meeting date is to be determined.
- d. Drones Subcommittee (for review of proposed resolution from City Council on drones). The next meeting will tentatively be scheduled for June 26, 2013 at 6 p.m.
- e. Mutual Aid Pact Subcommittee Next meeting is tentatively scheduled for July 10, 2013 at 6 p.m.

9. PRC OFFICER'S REPORT

There are 13 open cases, one of which is a policy complaint. Three cases are in mediation.

10. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS Attached.

11. PUBLIC COMMENT: Limited to items on Closed Session agenda.
None.

(The Commission went into closed session at 8:15 p.m.)

Closed Session

Pursuant to the Court's order in *Berkeley Police Association v. City of Berkeley, et al., Alameda County Superior Court Case No. 2002 057569*, the PRC will recess into closed session to discuss and take action on the following matter(s):

12. CONSIDERATION AND VOTE ON RECOMMENDATION FOR ADMINISTRATIVE CLOSURE – Complaint # 2332.

Motion to approve above-referenced file for administrative closure.

Moved/Seconded (Rogers/Allen) Motion Carried

Ayes: Allen, Morris, Perezvelez, Rogers, and Shenoy.

Noes: none Abstain: none Absent: Sherman, White

13. CONSIDERATION AND VOTE ON RECOMMENDATION FOR ADMINISTRATIVE CLOSURE – Complaint # 2333.

Motion to approve above-referenced file for administrative closure.

Moved/Seconded (Rogers/Allen) Motion Carried

Ayes: Allen, Morris, Rogers, and Shenoy.

Noes: none Abstain: Perezvelez Absent: Sherman, White

14. DISCUSSION OF INVESTIGATION OPENED MARCH 27, 2013 PURSUANT TO POLICE REVIEW COMMISSION REGULATIONS II.A.3., INCLUDING REVIEW OF RELATED REPORT(S). Complaint #2327.

End of Closed Session

15. ANNOUNCEMENT OF VOTE RESULTS FROM CLOSED SESSION

The Chair announced that complaint #s 2332 and 2333 were closed and complaint # 2327 was discussed.

16. ADJOURNMENT

Motion to adjourn this meeting.

Moved/Seconded (Morris/Rogers) **Motion Carried** Ayes: Allen, Morris, Perezvelez, Rogers, and Shenoy.

Noes: none Abstain: none Absent: Sherman, White

Meeting was adjourned at 9:20 p.m.

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