



Police Review Commission (PRC)

POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES
(Approved)

October 8, 2014
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY CHAIR SHERMAN AT 7:06 P.M.

Present: Vice Chair Alison Bernstein
Commissioner Barbara Allen
Commissioner John Cardoza
Commissioner Karen Lowhurst
Commissioner George Perezvelez
Commissioner Oliver Zerrudo

Absent: Commissioner Ann Rogers

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Michael Meehan (left 7:35 p.m.), Sgt. Angela Hawk, Sgt. Joseph Okies

2. APPROVAL OF AGENDA

The agenda was approved by consensus.

3. PUBLIC COMMENT

There were no speakers.

4. APPROVAL OF MINUTES

Motion to approve minutes of Special Meeting of September 23, 2014.

Moved/Seconded (Allen/Bernstein) **Motion Carried**

Ayes: Allen, Bernstein, Cardoza, Lowhurst, Perezvelez, Sherman, and Zerrudo.

Noes: None

Abstain: None

Absent: Rogers

5. CHIEF OF POLICE'S REPORT

The Chief gave a brief update on crime trends and staffing. Regarding the fair and impartial policing policy, he gave a short presentation at the Council Worksession last night; and there will be a 2-day training in November, exact dates to be announced, to which all interested Commissioners are invited. The General Orders are now online, accessible through the BPD's webpage. The Police and Fire Departments are having a Public Safety Open House on October 23 from 11 a.m. to 5 p.m.; all are welcome.

6. OLD BUSINESS (discussion and action)

- a. May 2014 "jaywalking" incident: question to BPD re civilian videotaping of detentions.

The PRC Officer related her conversation with Lt. Dave Reece about Training & Information Bulletin No. 91, the "Right to Watch" policy, and how the BPD's practice is to apply it to videotaping as well. Chief Meehan reiterated the policy of the least possible restrictions on observing police officer conduct as long as safety is not compromised. Commissioners expressed interest in having the training bulletin revised to include videotaping. The Chief said he would work on a revision and bring back to the PRC for review.

- b. Youth outreach/Clean Slate Project.

Commissioner Bernstein reported that she has been working with the Public Defender's Office on a date and venue, but asked that this item be taken off the agenda until she has more information.

7. NEW BUSINESS (discussion and action)

- a. Creation of a BPD Budget Review Subcommittee.

The Commission discussed the scope and purpose of a proposed budget review subcommittee.

Motion to create a Budget Review Subcommittee that would seek an early presentation of the budget by BPD to go over line items, well prior to implementation; and bring back to the full Commission items that seem ripe for discussion as to priorities and allocation of resources.

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

Ayes: Allen, Bernstein, Cardoza, Lowhurst, Perezvelez, Sherman, and Zerrudo.

Noes: None

Abstain: None

Absent: Rogers

Chair Sherman appointed himself and Commissioners Allen, Perezvelez, and Zerrudo to this subcommittee.

- b. Creation of a subcommittee to produce a General Order regarding the treatment of transgendered persons.

Commissioner Perezvelez asked that this item be carried over to the next meeting.

- c. Amendment to Regulations to exempt certain types of cases from mediation. Commissioner Perezvelez explained the rationale behind preventing cases alleging bias-based policing, racial profiling, racial animus, or sexual harassment from proceeding to mediation. This is a shorter list of exemption than BART (based on Los Angeles) or San Francisco uses. **By consensus, the Commission asked the PRC Officer to discuss mediation exceptions with SEEDS, and agreed to take this topic up again at its next meeting.**

8. SUBCOMMITTEE REPORTS & RECOMMENDATIONS (discussion and action)

- a. Wearable Video Cameras Subcommittee
The subcommittee met right before this Commission meeting. The BPD is preparing a report for Council for a December meeting. The Subcommittee has been working on a recommendation to Council for their first meeting in January. The Subcommittee will next meet on October 22.
- b. Regulations Subcommittee
The PRC Officer reported that the City Manager said she has no staff capacity to engage in meet and confer with the BPA over proposed changes to the regulations until January 2015, and is committed to doing so then. There was discussion about the process, and whether the Commission can put into effect regulations that are not subject to the meet-and-confer requirement. **By consensus, the Commission requested that the PRC Officer ask the City Manager if this can be done.**
- c. Fair and Impartial Policing Subcommittee
The PRC Officer distributed the BPD's September 16, 2014 Information Item to Council regarding the status of training, data collection and implementation of the Fair & Impartial Policing Policy. Commissioner Perezvelez said he attended last night's Council Worksession on this and other workforce policies.

9. CHAIR'S REPORT

Chair Sherman reported that he participated in a panel that evaluated 3 responses to a Request for Proposals for a study on the use of Tasers.

10. PRC OFFICER'S REPORT

There are five active complaints; no new complaints filed since the last meeting. Commissioners were asked whether they would like the BPD to do a presentation on its false alarm project, which had been offered some months ago; the consensus was yes. The Commission's letter to the Council regarding its September 10, 2014 recommendations on the 2014 Mutual Aid Pacts was distributed; the matter is on the Council's October 28 agenda.

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

None.

12. PUBLIC COMMENT

There were no speakers.

13. ADJOURNMENT

Motion to adjourn the meeting.

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

Ayes: Allen, Bernstein, Cardoza, Lowhurst, Perezvelez, Sherman, and Zerrudo.

Noes: None Abstain: None Absent: Rogers

The meeting was **adjourned** at 8:45 p.m.