



Police Review Commission (PRC)

**POLICE REVIEW COMMISSION**  
**REGULAR MEETING**  
**MINUTES**

**Wednesday, November 13, 2013**  
7:00 P.M.

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIRPERSON SHENOY AT 7:03 P.M.**

Present: Chairperson Kiran Shenoy  
Vice Chair Ann Rogers  
Commissioner Barbara Allen  
Commissioner Alison Bernstein  
Commissioner John Cardoza  
Commissioner Michael Sherman

Absent: Commissioner George Perezvelez, Commissioner Oliver Zerrudo

PRC Staff: Byron Norris, PRC Investigator

BPD Staff: Captain Cynthia Harris, Lieutenant Randolph Files, Sergeant Katherine Smith,  
Business Manager Lynne Ohlson, and Officer David Bartalini

**2. APPROVAL OF AGENDA**

The agenda was approved by consensus.

**3. PUBLIC COMMENT**

There was one speaker.

**4. APPROVAL OF MINUTES**

**Motion to Approve Minutes of Regular Meeting on October 23, 2013.**

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

Ayes: Bernstein, Rogers, Shenoy, Sherman.

Noes: None

Abstain: Cardoza, Rogers

Absent: Perezvelez, Zerrudo

**5. CHAIR'S REPORT**

Chair Shenoy was invited to participate on an interview panel for the PRC Officer position.



## **6. CHIEF OF POLICE'S REPORT**

### **a. Budget, Staffing, Training, and Crime Updates**

There were no staffing or crime updates. Captain Harris deferred to Agenda Item #6b for budget updates.

### **b. Presentation on Budget Work Plan**

Business Manager Lynne Ohlson presented and discussed the department's close-out general-fund budget for Fiscal Year 2013.

## **7. OLD BUSINESS (For discussion and action)**

Review and Feedback on 2014 Update to the City's Local Hazard Mitigation Plan (LHMP).

By consensus, the Commission took no action.

## **8. SUBCOMMITTEE REPORTS & RECOMMENDATIONS**

### **a. Accreditation Subcommittee**

At Chair Shenoy's direction, the police department's draft policy on Fair and Impartial Policing will be agendaized for discussion and/or action at the commission's December 11<sup>th</sup> meeting.

The next subcommittee meeting is December 11, 2013, at 6 p.m.

### **b. Outreach Subcommittee**

#### **Motion to Dissolve the Outreach Subcommittee**

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

Ayes: Allen, Bernstein, Cardoza, Rogers, Shenoy, Sherman.

Noes: None                      Abstain: None                      Absent: Perezvelez, Zerrudo

### **c. Drone Subcommittee (for review of proposed resolution from City Council on drones)**

Commission's letter with drone recommendations was sent to the City Council. Staff will agendaize item pertaining to commission's participation at planned City Council work session on drones.

A new meeting was not scheduled.

### **d. PRC Regulations Subcommittee**

The next meeting is December 11, 2013, at 5:30 p.m.

## **9. PRC OFFICER'S REPORT**

There are eight active complaints.

## **10. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

PRC staff distributed a revised version of Communication #4160 contained in the 11/13/13 agenda packet to commissioners.

## **11. PUBLIC COMMENT**

None.

**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:

**12. CONSIDERATION AND VOTE ON RECOMMENDATION FOR ADMINISTRATIVE CLOSURE – Complaint #2335.**

**Motion to approve above-referenced file for administrative closure.**

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

Ayes: Allen, Bernstein, Cardoza, Rogers, Shenoy, Sherman.

Noes: None

Abstain: None

Absent: Perezvelez, Zerrudo

**13. CONSIDERATION AND VOTE ON RECOMMENDATION FOR ADMINISTRATIVE CLOSURE – Complaint #2336.**

**Motion to approve above-referenced file for administrative closure.**

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

Ayes: Allen, Bernstein, Cardoza, Rogers, Shenoy, Sherman

Noes: None

Abstain: None

Absent: Perezvelez, Zerrudo

**14. CONSIDERATION AND VOTE ON RECOMMENDATION FOR ADMINISTRATIVE CLOSURE – Complaint #2331.**

**Motion to approve above-referenced file for administrative closure.**

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

Ayes: Allen, Bernstein, Cardoza, Rogers, Shenoy, Sherman

Noes: None

Abstain: None

Absent: Perezvelez, Zerrudo

**15. REVIEW AND DISCUSSION OF RULING FROM CALOCA APPEAL FROM BOARD OF INQUIRY HEARING.**

Complaint #2319.

**End of Closed Session**

**16. ANNOUNCEMENT OF VOTE RESULTS FROM CLOSED SESSION**

**17. ADJOURNMENT**

**Motion to adjourn this meeting.**

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

Ayes: Bernstein, Cardoza, Rogers, Shenoy, Sherman

Noes: None

Abstain: None

Absent: Allen, Perezvelez, Zerrudo

The meeting was adjourned at 8:10 p.m.