

Police Review Commission (PRC)

**POLICE REVIEW COMMISSION**  
**SPECIAL MEETING**  
**AGENDA**

**July 15, 2015**  
**7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. PUBLIC COMMENT**

*(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on the agenda or any matter within the PRC's jurisdiction at this time.)*

**4. CHIEF OF POLICE'S REPORT**

Budget, staffing, training updates, and other items.

**5. 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; and including review of mutual aid practices and policies.

i) Continue review and approval of, or changes to, BPD recommendations in its report of the December 6 & 7, 2014 events.

ii) Review and discuss critical factual findings.

iii) Review proposed changes to general orders.

b. Whether to initiate a policy review based on the policy complaint filed by Carol Denney, and what steps should be taken.

c. Participation in National Night Out (August 4, 2015).

**6. NEW BUSINESS (discussion and action)**

- a. Review certain rules of procedure (including making and amending motions; dividing the question) and Commission practice, and decide whether they should be revised.

**7. CHAIR'S REPORT**

**8. PRC OFFICER'S REPORT**

Status of Complaints; announcements.

**9. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached

**10. PUBLIC COMMENT**

*(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on the agenda at this time.)*

**11. ADJOURNMENT**

**Communications Disclaimer**

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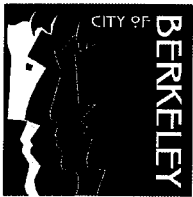
**Communication Access Information (A.R.1.12)**

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

**SB 343 Disclaimer**

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Police Review Commission, located at 1947 Center Street, 3<sup>rd</sup> floor, during regular business hours.

Contact the Police Review Commission at (510) 981-4950 or [prc@cityofberkeley.info](mailto:prc@cityofberkeley.info).



Police Review Commission (PRC)

COMMUNICATION No. 4370

**July 9, 2015**

**To: PRC Commissioners**

**From: Katherine Lee, PRC Officer** *KL*

**Re: Processing Motions and Amendments; Dividing the Question**

This memo addresses various questions that have arisen during recent PRC meetings about proper parliamentary procedure.

### **Underlying authority**

The meeting procedures applicable to the PRC are established in the Commissioners' Manual ("CM"), the PRC's Standing Rules, and Robert's Rules of Order Newly Revised (11<sup>th</sup> ed.) ("RONR"). ("The a-b-c's of Parliamentary Procedure," distributed by the City Clerk, is based on Robert's Rules.) The PRC can adopt any rules not in conflict with the Commissioners' Manual, Robert's Rules, and, of course, any applicable local, state, or federal laws.

### **Processing of motions and amendments**

When a motion is made, seconded, and stated by the Chair, any amendments should be voted on. The "friendly amendment" procedure you have been using is not in strict accord with any of our authorities; however, it has been followed so long that it might be considered adopted as a matter of custom. You should think about whether you want to formally incorporate the procedure into your Standing Rules. The act of withdrawing a motion after debate has begun, without a vote, is also improper. Here is the relevant authority:

"When a motion is made and seconded, it should be stated by the maker of the motion and read by the Chair prior to debate." (CM p. 49; to same effect, RONR p. 37:22.)

*"Until the chair states the question, the maker has the right to modify his motion as he pleases or to withdraw it entirely. After the question has been stated by the chair, the motion becomes the property of the assembly, and then its maker can do neither of these things without the assembly's consent."* (Emphasis in original.) (RONR p. 40:8)

After a motion has been made but before the chair states it, no debate is in order, but any member can, without waiting to be recognized, ask the maker of the motion if he/she will accept a modification . . . The maker can accept or not, or respond by making a different modification. (RONR p. 40:16)

The term “friendly amendment” is often used to describe an amendment offered by someone who is in sympathy with the purposes of the main motion. *“Regardless of whether or not the maker of the main motion “accepts” the amendment, it must be opened to debate and voted on formally (unless adopted by unanimous consent.)”* (Emphasis added.) (RONR p. 162:9)

And, regarding the motion to substitute:

A motion to substitute is one type of a motion to amend. (RONR p. 153:21)

### **Motion to divide the question (sever)**

A motion to sever, or to divide the question (a pending motion), must be voted on, according to Robert’s Rules. The City Council has established its own rule on this procedure. You should decide whether you want to adhere to Robert’s Rules or adopt the Council’s procedure.

“When a motion relating to a single subject contains several parts, each of which is capable of standing as a complete proposition if the others are removed, the parts can be separated to be considered and voted on as if they were distinct questions—by adoption of the motion for Division of a Question (or “to divide the question”).” (RONR, p. 270:30) The motion to divide must be seconded, is not debatable, and requires a majority vote. (RONR, p. 271:33)

City Council Rules of Procedure and Order, Section I, Division of Question:  
“If the question contains two or more propositions, which can be divided, the presiding officer may, and upon request of a member shall, divide the same.”