



Police Review Commission (PRC)

POLICE REVIEW COMMISSION REGULAR MEETING AGENDA

**Wednesday, September 26, 2018
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. APPROVAL OF MINUTES**

Regular Meeting of September 12, 2018

- 5. CHAIR'S REPORT**

- 6. PRC OFFICER'S REPORT**

- a. Status of complaints; other items.
- b. Prioritizing new agenda items (**discussion & action**)

- 7. CHIEF OF POLICE'S REPORT**

Crime, budget, staffing, training updates, and other items.

- 8. SUBCOMMITTEE REPORTS (discussion & action)**

Report of activities and meeting scheduling for all Subcommittees, possible appointment of new members to all Subcommittees, and additional discussion and action as noted for specific Subcommittees:

- a. Homeless Encampment Subcommittee
- b. Prioritizing Safety for Sex Workers Subcommittee

9. OLD BUSINESS (discussion & action)

- a. Consider revised “Guiding Principles” for PRC adoption and other ideas related to addressing BPD staffing shortage.
From: Commissioner Matthews
(To be delivered.)

- b. Review policy on use of body-worn cameras, including sufficiency of provisions on use of associated iPhone.
From: Commissioner Prichett
(To be delivered.)

- c. Issues surrounding the BPD Response to Protests on August 5, 2018:
 - i. Request After-Action report created after the August 5 protests.
 - ii. Examination of issues, including: pre-emptive confiscation of sound truck near Ohlone Park, and other “de-escalation” strategies used.
 - iii. Review policies, including General Order P-29, Sec. 7, related to the release of mugshots and the decision to release this information.
 From: Commissioner Prichett
(See materials attached to September 12, 2018 agenda packet.)

10. NEW BUSINESS (discussion & action)

- a. Lexipol Policies for review and approval:
From: Lexipol Subcommittee
 - I. Lexipol polices changed from General Order (G.O.)

Lexipol #	G.O.	Title
100	A-1	Law Enforcement Authority
103	P-18	Policy Manual
200	D-2, D-6, R-4, U-3	Organizational Structure and Responsibility
201	S-4	Special Orders
202	D-9	Emergency Management Plan
203	T-7	Training Policy
204	E-12	Electronic Mail
302	H-6, T&IB 247	Handcuffing
308	Council Res. 51,408-N.S.	Canines
310	D-5	Domestic Violence
311	S-6	Search and Seizure

II. No change from General Order

Lexipol	G.O.	Title
206	R-37	Retiree Concealed Firearms
401	B-4	Racial or Bias-Based Profiling
414	A-18	Use of Narcan (Naloxone)
508	A-2	Crossing Guard
611	D-1	Licensed Liquor Establishments, Conduct of
706	V-11	Rescue Vehicle
802	P-65, P-66, P-67	Property and Evidence
810	P-33	Computer Voice Stress Examinations
811	P-10	Burial Permits – Emergency
903	T-2	Transportation of Prisoners
1002	P-15	Special and Temporary Duty Assignments, Application and Selection Procedures
1037	C-46	Attendance - Conferences and Meetings

III. “New” – no corresponding General Order

Lexipol #	Title
101	Chief Executive Officer
102	Oath of Office
205	Administrative Communications
309	Officer Response to Calls
334	Anti-Reproductive Rights Crimes Reporting
336	Mandatory School Employee Reporting
345	Native American Graves Protection and Repatriation
416	Emergency Utility Service
417	Aircraft Accidents
419	Obtaining Air Support
1009	Smoking and Tobacco Use
1011	Seat Belts
1017	Meal Periods and Breaks
1018	Lactation Break Policy
1019	Payroll Record Procedures
1023	Personal Appearance Standards
1027	Department Badges

- b. The need for PRC to do outreach and what outreach efforts that the PRC might undertake.
From: Commissioner Matthews
- c. Amendment to Standing Rules to require that a commissioner must be present to be eligible to run for Chairperson or Vice-chairperson
From: Commissioner Allamby
- d. Understanding what laws and policies govern audio recording of traffic stops by BPD Officers.
From: Commissioner Prichett
- e. Consider commendation of Officer Stephanie Cole for her actions during a traffic stop involving a Berkeley Councilmember on July 19, 2018.
From: Commissioner Sherman
- f. Issues surrounding Commissioners' communications using personal devices and accounts being subject to Public Records Act requests, including whether Commissioners may be assigned City email addresses for Commission business.
From: Commissioner Ramsey
(See materials on pp. 95-98 of the Sept. 12, 2018 agenda packet.)
- g. Review requirements surrounding the preparation of After-Action Reports and whether release (or withholding) of such reports or parts thereof are compliant with the Public Records Act.
From: Commissioner Prichett
- h. Responsiveness of BPD management to PRC requests.
From: Commissioner Prichett

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached

12. 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.)

<i>Closed Session</i>

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):

13. REVIEW OF ADMINISTRATIVE LAW JUDGE'S DECISION IN CALOCA APPEAL OF COMPLAINT #2434

End of Closed Session

14. ANNOUNCEMENT OF CLOSED SESSION ACTION

15. ADJOURNMENT

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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 981-6418 (V) or 981-6347 (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, 1st floor, during regular business hours.

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