

**BERKELEY CITY COUNCIL PUBLIC SAFETY COMMITTEE  
SPECIAL MEETING MINUTES**

**Monday, April 18, 2022  
10:30 AM**

Committee Members:

Councilmembers Terry Taplin, Susan Wengraf, and Rashi Kesarwani  
Alternate: Councilmember Sophie Hahn

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE**

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the City Council Public Safety Committee will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL - <https://us02web.zoom.us/j/84938614551>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon on the screen.

To join by phone: Dial **1-669-900-9128 or 1-877-853-5257 (Toll Free)** and Enter Meeting ID: **849 3861 4551**. If you wish to comment during the public comment portion of the agenda, press \*9 and wait to be recognized by the Chair.

Written communications submitted by mail or e-mail to the Public Safety Policy Committee by 5:00 p.m. the Friday before the Committee meeting will be distributed to the members of the Committee in advance of the meeting and retained as part of the official record.

## MINUTES

**Roll Call:** 10:32 a.m.

**Present:** Taplin, Wengraf, Kesarwani

### **Committee Meeting Schedule**

**Action:** M/S/C (Wengraf/Kesarwani) to move the regular scheduled meetings to the third Monday of each month.

**Vote:** All Ayes

**Public Comment on Non-Agenda Matters:** 3 Speakers

### **Minutes for Approval**

*Draft minutes for the Committee's consideration and approval.*

1. **Minutes - March 7, 2022**

**Action:** M/S/C (Wengraf/Taplin) to approve the March 7, 2022 minutes as presented.

**Vote:** All Ayes

### **Committee Action Items**

*The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.*

*Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.*

## Committee Action Items

- 2. Revisions to Section 311.6 Warrantless Searches of Individuals on Supervised Release Search Conditions of the Berkeley Police Department Law Enforcement Services Manual**  
**From: Councilmember Droste (Author), Councilmember Taplin (Co-Sponsor)**  
**Referred: March 7, 2022**  
**Due: September 12, 2022**  
**Recommendation:** Revise Section 311.6 Warrantless Searches of Individuals on Supervised Release Search Conditions of the Berkeley Police Department (BPD) Law Enforcement Services Manual to enable officers of the Berkeley Police Department to conduct detentions and warrantless searches individuals on parole/probation consistent with and supportive of the provisions in the probationer's/parolee's release conditions.  
**Financial Implications:** None  
Contact: Lori Droste, Councilmember, District 8, (510) 981-7180  
**Action:** 5 speakers. Discussion held. M/S/C (Taplin/Wengraf) to send the item with a qualified positive recommendation, as revised by the committee and subject to legal review. Section 311.6 was revised to read:  
In accordance with California law, individuals on probation, parole, Post Release Community Supervision, or other supervised release status may be subject to warrantless search as a condition of their probation. Officers shall only conduct probation or parole searches to further a legitimate law enforcement or rehabilitative purpose. Searches shall not be conducted in an arbitrary, capricious, or harassing fashion. In the conduct of all such detentions and searches, officers shall consciously avoid the application of bias, shall not use such detentions or searches as a means to harass or annoy, and shall not conduct such detentions and searches in a manner that targets or is discriminatory toward any protected class.  
**Vote:** All Ayes
- 3. Adopt an Ordinance Adding Chapter 13.09 to the Berkeley Municipal Code Prohibiting Discriminatory Reports to Law Enforcement**  
**From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)**  
**Referred: June 14, 2021**  
**Due: September 30, 2022**  
**Recommendation:** 1. Adopt an Ordinance Amending Chapter 13.09 to the Berkeley Municipal Code Prohibiting Discriminatory Reports to Law Enforcement.  
2. Refer to the City Manager to report to Council within six months with anonymized data and information regarding discriminatory reports to law enforcement.  
**Financial Implications:** Staff time  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** The item was continued to the next meeting.

## Committee Action Items

### 4. **Parking Enforcement of Existing Parking Code in Fire Zones 2 & 3**

**From: Disaster and Fire Safety Commission**

**Referred: February 22, 2022**

**Due: July 12, 2022**

**Recommendation:** The Disaster and Fire Safety Commission (DFSC) recommends that Council direct the Berkeley Police Department to enforce existing Berkeley Municipal Code in all Fire Zones.

**Financial Implications:** See report

Contact: Keith May, Commission Secretary, (510) 981-3473

Action: 3 speakers. Discussion held. The item was continued to the next meeting.

## Unscheduled Items

*These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.*

- None

## Items for Future Agendas

- None

## Adjournment

Adjourned at 12:34 p.m.

## Communications

*Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or [policycommittee@cityofberkeley.info](mailto:policycommittee@cityofberkeley.info).*