

**Police Review Commission:**  
**Wednesday, February 9, 2000, 7:30 p.m.**  
2939 Ellis Street, South Berkeley Senior Center

**Summary**

I ROLL CALL: 7:40 PM

Commissioners Present: Bennett, Mar, Martynn, Ritchi,  
Sanchez- Resnik, White (8:05 PM), Zellman

Commissioners Absent: DeBose, Ritchie, Taylor

PRC Staff: Barbara Attard

BPD Personnel: Lt. Maloney, Sgt. Ahearn

2. PUBLIC COMMENT—None

3. MINUTES OF THE JANUARY 26,2000 MEETING  
AND PUBLIC FORUM

Sanchez-Resnik/Zellman (Moved/Seconded) to approve the 1/26/00 minutes. Passed unanimously; with Mar abstaining.

4. PRC OFFICER'S REPORT

a) New Filings-One since last meeting.

b) Boards of Inquiry - Boards of Inquiry being held on 2/15, 2/16, 2/29, 3/9, and 3/20 were discussed.

c) Upcoming Commission Secretaries/Commissioner Training by City Clerk - Planned for April 2000.

d) Items in Progress—BHS Item for Upcoming Meeting, Spay/Neuter Ordinance

5. BPD CHIEFS REPORT—None

6. COMMITTEE REPORTS (For Discussion or Action)

--Community Outreach Subcommittee

Commissioner Zellman reported that the Community Outreach Subcommittee convened, with Commissioners Martynn and Sanchez-Resnik in attendance, to discuss some suggestions that Rick Young of CAPR had made at a previous meeting. There will be a follow-up meeting on March 14 at 5 PM.

--Transgender Task Force Recommendation-Council Action From 2/8/00

This item was passed (without funding) at the 2/8/00 Council Meeting and will be considered on 2/22/00 in the mid-year budget review.

--Drug Task Force Update--none7. NEW BUSINESS (For Discussion or Action)a) Oakland Citizen's Police Review Board (CPRB) Appointments

Mar/Martynn (Moved/Seconded) to ask the Berkeley City Council to send the recommended letter (with a suggestion by Commissioner Mar) to Oakland's Mayor Brown urging him to make appointments to the CPRB. Passed unanimously.

b) National Association of Civilian Oversight of Law Enforcement (NACOLE) MEETING

Commissioners Mar, Martynn, and White expressed interest in attending the NACOLE Meeting that will be held in Maui September 26-29. Commissioner Sanchez-Resnik will be backup.

c) BPD Invitation to the PRC to Have a Commissioner Observe the Interview Process of the Barricaded Subject Hostage Negotiation Team

Commissioners Mar and White volunteered to observe.

8. OLD BUSINESS (For Discussion or Action)a) Governor Davis's Veto of SB 78 "Driving While Black Brown" BillPRC Public Hearing Debriefing; Council Consent Item for Feb. 22, 2000

The PRC Public Forum on DWB was discussed. Suggestions for improved outreach to the Asian and Hispanic communities were made. Father Crispin of St. Joseph the Worker Church and Dr. Salvador Murillo of BUSD were suggested as possible liaisons to the Hispanic community.

The PRC Council Item supporting the new DWB bill SB 1389 will come before the Berkeley City Council on February 22.

b) War on Weapons---Update on Research; Council Action Item for Feb 22, 2000

Mar/Martynn (Moved/Seconded) to make a public records request to the head of the California Department of Justice requesting information about guns in Berkeley. Passed unanimously. The request should include the number of people registered to have guns in Berkeley (both the cumulative totals and annual numbers) and their names, the number of guns, and the types of guns registered in Berkeley.

c) PRC/Internal Affairs Statistics

There was a lengthy discussion about concerns that Commissioner Martynn has regarding procedures detailed in BPD General Order P-26----“Personnel Complaint Procedure and Disposition and the Internal Affairs Bureau.” Issues that were discussed were: Possibly extending the period for filing a complaint from 30 to 90 days; ensuring that all complainants are informed of the outcome of the IA investigation, if they are not so informed currently.

For the next meeting it was requested that the following documents be included in the packet for discussion- 1) a flow chart of the PRC and IA processes. 2) CA Penal Code Sections 832.5 and 832.7 3) PRC Ordinance 4) Applicable Charter Sections

d) Proposed Alternate Payment Plan for PRC Commissioners

Commissioner Taylor was not in attendance, this item held over to the meeting of February 23.

9. COMMUNICATIONS

a) Letter from Complainant Garcia, PRC Case #1782

It was pointed out to the Commission that this letter was in the packet.

b) Letter from Mark Vermeulen Regarding UCPD Accountability for the April 14,1999 Demonstration

It was asked that this item be placed on the agenda for the March 8, 2000 PRC Meeting.

10. COMMISSION TO ADJOURN INTO EXECUTIVE SESSION TO DISCUSS LITIGATION

11. ADJOURNMENT

White/Mar (Moved/Seconded) to adjourn at 9:40 PM. Passed unanimously.