



Police Review Commission

ACTION MINUTES OF THE REGULAR MEETING OF THE POLICE REVIEW COMMISSION

North Berkeley Senior Center
1901 Hearst Street
Berkeley, California

Date: Wed. March 22, 2000
Time: 7:30 p.m.

1. ROLL CALL: 7:35 PM
Commissioners Present: Bennett, DeBose, Mar, Martynn, Ritchie (7:45 PM), Sanchez-Resnik, Taylor, White

Commissioners Absent: Zellman (Excused)

PRC Staff: Barbara Attard

BPD Personnel: Sgt. Gordon, Lt. DeLatour, 2 On-duty police officers for approximately one hour

2. PUBLIC COMMENT-None

3. MINUTES OF THE MARCH 8, 2000 MEETING

Bennett/DeBose (Moved/Seconded) to approve the 3/8/00 minutes. Passed with Sanchez-Resnik abstaining.

4. PRC OFFICER'S REPORT

a) New Filings-one since last meeting

b) Boards of Inquiry—Upcoming Boards of Inquiry were discussed:

Wed. 3/29—Case # 1745--Commissioners White, Martynn, Mar

Wed. 4/5—Case #1801—Commissioners Bennett, Sanchez-Resnik, White

Mon. 4/10—Case #1804—Taylor, White

Thurs. 4/13—Case # 1802—Taylor, Zellman, Ritchie



c) Request for Rehearing—PRC Case #1783, Complainant Kaplan (For Discussion or Action)

Issues raised in Mr. Kaplan’s request for rehearing were discussed.

DeBose/Bennett (Moved/Seconded) to deny request for rehearing. Passed unanimously.

d) Commissioner Stipend Requests—First Quarter 2000 stipend requests are due.

e) Pending Projects—Letters regarding PRC Referrals will be completed this week.

5. BPD CHIEF'S REPORT--None

6. COMMITTEE REPORTS (For Discussion or Action)

--Community Outreach Subcommittee

Barbara Attard stated that the Subcommittee is reviewing use of force reporting in response to an inquiry by Rick Young and may be making a recommendation to the Commission.

--Drug Task Force Update

Commissioner Ritchie is working with the task force on a forum on April 29. The program will focus on two issues: 1) Why the war on drugs is more harmful than drugs themselves. 2) Public health issues regarding drugs. Possible/confirmed speakers include: Judge Gray (Orange County), a representative from NORML, Robert Raisch, someone from the ACLU, Alexander Coburn, and Joseph McNamara from the Hoover Institute at Stanford.

7. OLD BUSINESS (For Discussion or Action)

a) New BPD Orders and Regulations--Discussion of changes to General Order R-29 “Field Interviews” and Training and Information Bulletins 114 “Ramey/Steagald Warrant” and 115 “Citizen’s Arrest”

Barbara Attard disseminated Chief Butler’s response to the Commission’s request asking that a member of BPD explain to the Commission changes in the above listed orders and bulletins. (Response included in Communications in 4/12/00 meeting packet.) Chief Butler stated that BPD was unable to respond because the request was too broad and asked that the Commission specify its concerns in writing.

The Commission asked that Barbara Attard send a second request asking specifically that someone explain the changes at the next PRC meeting. Also, the Commission would like to discuss General Order R-29 at the next meeting.

b) Oakland CPRB Council Item—Update

Barbara Attard informed the Commission that the PRC item asking that a letter be sent to Oakland’s

Mayor Brown asking him to fill the vacant seats on the Oakland CPRB was passed by the Council on the Consent Calendar at the 3/14/00 Council Meeting. Mayor Dean asked that the letter be written directly by the PRC.

8. NEW BUSINESS (For Discussion or Action)

a) Possible Development of People's Park

Commissioner Ritchie informed the Commission that he has heard and received confirmation from some Council members that UC may be considering building student housing in Peoples Park. He is concerned because this could cause conflict and demonstrations.

b) Presentation/Workshop by Sgt. Gordon: Control and Pain Compliance Holds Used by BPD

Sergeant Gordon provided a demonstration of control holds and pain compliance techniques utilized by BPD. She explained that control holds are utilized routinely to control and search arrestees. Pain compliance techniques are usually used to force an uncooperative arrestee to comply with officer's orders. The list of techniques demonstrated is included in the 4/12/00 meeting packet.

9. COMMUNICATIONS

The following communications were discussed:

- Flier for Health and Human Services Department Nominations for Outstanding Berkeley Women
- Commissioner White stated that he observed the interview process for the Barricaded Subject Hostage Negotiation Team and found the process to be very informative
- Barbara Attard informed the Commission that Chief Butler responded to the Commission's query regarding notifying complainants of the outcome of an Internal Affairs investigation. The Commission asked that Internal Affairs be placed on the agenda for the next meeting.
- Commissioner White stated that he would like to have regular presentations, perhaps monthly, similar to the presentation at this meeting by Sgt. Gordon, at future PRC meetings. There was consensus that ongoing presentations would be a good thing if the PRC meeting agenda could accommodate them.

10. COMMISSION TO ADJOURN INTO EXECUTIVE SESSION TO DISCUSS LITIGATION

11. ADIJOURNMENT

Taylor/Ritchie (Moved/Seconded) to adjourn at approximately 9:15 PM. Passed unanimously.