



Police Review Commission

**South Berkeley Senior Center
2939 Ellis Street
Berkeley, California**

**Date: Wed. January 10, 2001
Time: 6 p.m. to 7:15 p.m.**

Meeting of the PRC Regulations Revision Task Force

Commissioners Ritchie, Taylor, Schlosberg

The task force began review of the Regulations, there will be additional meetings before a report is brought back to the full Commission.

**ACTION MINUTES OF THE REGULAR MEETING
OF THE
POLICE REVIEW COMMISSION**

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**Date: Wed. January 10, 2001
Time: 7:30 p.m.**

1. ROLL CALL 7:40 p.m.

Commissioners Present: Bennett, Mar, DeBose Ritchie, White, Schlosberg,

Commissioners Absent: Martynn, Sanchez- Resnik, (both excused) Taylor (Leave of Absence)

PRC Staff: Barbara Attard

BPD Personnel : Sgt. Gordon, Lt. Flemming
2. PUBLIC COMMENT--None
3. MINUTES OF THE DECEMBER 13, 2000 MEETING

Ritchie/Schlosberg (Moved/Seconded) to approve the meeting minutes. Passed with Bennett, Mar and DeBose abstaining.

4. PRC OFFICER'S REPORT (For Discussion or Action)

- a) New Filings—Three since the last meeting.
- b) Boards of Inquiry—Upcoming Boards were discussed.
- c) Request for Rehearing PRC Case #1788 filed by Mohammed Mostafavi

Mr. Mostafavi made a presentation of his reasons for requesting a rehearing based upon denial of his request to play an excerpt of the tape from the first part of a bifurcated hearing.

Ritchie/Schlosberg (Moved/Seconded) to grant the rehearing. Did not pass—Ayes, Ritchie, Schlosberg. Noes, White, Debose, Bennett. Abstain, Mar.

- d) Request for Administrative Closure, PRC Case # 1832 Filed by William Griffin

Case was recommended for Administrative Closure based upon longterm disability leave of the named officer.

Ritchie/Bennett (Moved/Seconded) to approve the Administrative Closure. Passed unanimously.

- e) Policy Issue Update:

- PRC Case #1745—Pepper Spray Related Issues—To Council 1/16/01
- PRC Case #1822—Detention Related Issues—To Council 12/13/01

The Commission requested that the City Attorney research the legal history on consensual stops to determine when and how often the law changes on the issues of the policy recommendation.

- PRC Case #'s 1776, 1794, 1796, 1797—Bicycle Issues—To Council 2/13/01
- PRC Case #1821—Removal of Flyers Policy—To Council 2/13/01

5. BPD CHIEF'S REPORT--None

6. COMMITTEE REPORTS (For Discussion or Action)

- a. Recruitment Task Force—Commissioner Mar reported that he has met with Sgt. Gustafson.
- b. Establishment of sub-committee for policy complaint on demonstration issues
Commissioner DeBose will work on this issue.

7. OLD BUSINESS (For Discussion or Action)

- a. BPD Report on Telegraph Avenue Riot

Schlosberg/DeBose (Moved/Seconded) to ask the City council to request full reports on the Telegraph Avenue Riot from BPD and UCPD in the hope that we can evaluate and assess what happened in order to avoid similar problems in the future. Passed unanimously.

Information on any measures that have been taken by the City or BPD or UCPD to circumvent similar problems in the future is also requested.

8. NEW BUSINESS (For Discussion or Action)

- a. Policy Complaint PRC Case #1834 filed by Michael Minasian Regarding Service Animals and the ADA

Held over to 1/24 meeting.

- b. Policy Complaint PRC Case #1837 filed by Mohammed Mostafavi Regarding Towing of Vehicles

Schlosberg/Debose (Moved/Seconded) recommend that no action be taken. Passed unanimously.

Commissioner Mar asked for a copy of the contract with tow agencies and a list of towing contractors.

- c. Policy Complaint PRC Case #1829 filed by Harold Sweet Regarding BPD's Marijuana Enforcement

This item was discussed and no action taken. Commissioner Schlosberg requested that this item be brought back in February and an analysis made of the areas of arrests and arrests in the Telegraph Avenue Area.

9. COMMUNICATIONS

City Wide Commissioner Training March 6, 2000, 7:30 PM

Upcoming Topics for Future Agenda:

Repeat Complainants

Pepper Spray Issues

10. ADJOURNMENT

Ritchie/Schlosberg (Moved/Seconded) to adjourn meeting at approximately 9:20 p.m. Passed unanimously.