



Police Review Commission

ACTION MINUTES OF THE REGULAR MEETING OF THE POLICE REVIEW COMMISSION

South Berkeley Senior Center
2939 Ellis Street
Berkeley, California

Date: Wed. March 14, 2001
Time: 7:30 p.m.

1. ROLL CALL: 7:45 p.m.

Commissioners Present: Bennett, Mar, DeBose, Martynn (partial), Ritchie, Sanchez-Resnik, Schlosberg, White

Commissioners Absent: Taylor (Leave of Absence)

PRC Staff: Barbara Attard

BPD Personnel: Sgt. Gordon, Lt. Agnew, Capt. Pittman

2. PUBLIC COMMENT--None

3. MINUTES OF THE FEBRUARY 28, 2001 MEETING

Bennett/Ritchie (Moved/Seconded) to approve the meeting minutes. Passed with Schlosberg and Sanchez-Resnik abstaining.

4. PRC OFFICER'S REPORT (For Discussion or Action)
 - a) New Filings--None since last meeting.

 - b) Boards of Inquiry



- Determining Conflicts

Commissioners were asked to review investigative packets upon receipt to check for possible conflicts so that a replacement commissioner can be found in time for the board to proceed. At a recent board a commissioner brought up a conflict at the board. The case did go with two commissioners, however not having a full board can cause a board to be rescheduled.

- Findings Due

Commissioners were reminded that it is important to complete findings in a timely manner. In some recent cases findings were delayed and timelines ran on the cases.

- c) Request for Rehearing PRC Case #1838, Filed by Gary Rosenberg

Mr. Rosenberg discussed his case. The issue of allegations being exonerated before the board of inquiry reviewed the evidence in the case was discussed. Barbara Attard asked that commissioners discuss questionable allegations with the investigator or PRC staff before considering removing or otherwise making findings in a case. Allegations are determined based upon the issues in the case and complainants may not always know who is responsible for each issue. It is the responsibility of the investigator to decipher allegations from the statement of the complainant and review of records.

Commissioner Schlosberg brought up to the commission that the PRC Regulations do not allow a Board to exonerate an officer who may not have been involved in the incident, they do allow a dismissal. Chair DeBose pointed out that it was her memory that the charges were being dismissed, not exonerated.

- d) Commissioner Stipend Requests—Need to be completed in full

If commissioners enter hours into the “other” category, the “other” should be briefly described on the sheet.

- e) PRC Case 1813—PRC Initiated Complaint—Arrestees unavailable—direction from PRC

Ritchie/Bennett (Moved/Seconded) to administratively close. Passed with Schlosberg abstaining.

5. BPD CHIEF'S REPORT-None.

6. COMMITTEE REPORTS (For Discussion or Action)

- a. Recruitment Task Force

There was a test for new officers on March 3—44 officers passed the test. There are approximately twenty openings.

- b. Lesbian, Gay, Bisexual and Transgender (LGBT) Update: Upcoming training

Lesbian, Gay, Bisexual and Transgender Training for all BPD officers will start in the next week. Sgt. Gordon urged the Commission to attend the training.

7. OLD BUSINESS (For Discussion or Action)

a. UCPD and BPD Reports on Telegraph Avenue Incident

Captain Pittman discussed the Telegraph Avenue incident, particularly planning that has been done between BPD and UCPD to ensure that similar conflicts do not occur in the future. Highlights of Capt. Pittman's presentation were:

- The incident that occurred may have happened regardless of advance planning because it was a complex situation with three different groups exiting events and co-mingling in a confined area.
- Communications between BPD and UCPD have been greatly improved. The two departments are working much more closely with the effect being more of a "joint effort" to solve problems or potential problems.
- Traffic patterns of persons exiting events have been changed so groups will not commingle.

Schlosberg/Mar (Moved/Seconded) to ask staff to invite BPD back to follow up on the improved communications efforts between BPD and UCPD in approximately 6 months. Passed unanimously.

b. Policy Issue Update:

- PRC Case #1822—Consensual Encounters—Held over to 3/20/01
- PRC Case #'s 1776, 1794, 1796, 1797—Bicycle Issues— Held over to 4/17/01

8. NEW BUSINESS (For Discussion or Action)

a. Election of PRC Officers

Commissioners White and Schlosberg were nominated to the PRC Vice-Chair position, Commissioner Schlosberg was elected.

b. Feedback from Commissioner Training

Commissioner DeBose gave an overview of the training which will be available on videotape.

9. COMMUNICATIONS

Upcoming Airing of PRC 25 Year Anniversary Celebration March 26—BTV Ch. 25

10. ADJOURNMENT

Ritchie/Bennett (Moved/Seconded) to adjourn the meeting at @ 9:10 PM. Passed unanimously.