



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. June 13, 2001
Time: 7:30 p.m.

1. ROLL CALL: 7:40 p.m.

Commissioners Present: DeBose, Farrell, Ritchie, Sanchez-Resnik; Sternberg, Schlosberg; White

Commissioners Absent: Bennett (excused)

PRC Staff: Barbara Attard

BPD Personnel: Sgt. Gordon; Lt. Yuen
2. PUBLIC COMMENT --None
3. MINUTES OF THE MAY 9, 2001 MEETING

Ritchie/Farrell (Moved/Seconded) to approve the meeting minutes. Passed with DeBose, Sanchez-Resnik; Schlosberg; White abstaining.

MINUTES OF THE MAY 23, 2001 MEETING

Ritchie/Sanchez-Resnik (Moved/Seconded) to approve the meeting minutes. Passed with Sternberg abstaining.
4. PRC OFFICER'S REPORT (For Discussion or Action)
 - a) New Filings –Two since last meeting



b) Boards of Inquiry Upcoming Boards of Inquiry were discussed.

- Tuesday 6/26/2001, Complainant Hart/Officer Salas—Commissioners Farrell, Ritchie, Schlosberg
- Friday 7/13/2001, Complainant Psoinos/Officer Katz—Commissioners Sanchez-Resnik, Sherman

5. BPD CHIEF'S REPORT

Sergeant Gordon informed the Commission that BPD has developed an instructional video on “disengagement” and would like to extend to the Commission an invitation to view it at a future meeting. The PRC agreed to schedule a time at a future meeting to view the video.

6. COMMITTEE REPORTS (For Discussion or Action)

Recruitment Update—Commissioner Sanchez-Resnik reported briefly on her meeting with Sgt. Gustafson about BPD recruitment efforts.

7. OLD BUSINESS (For Discussion or Action)

a. Medical Marijuana—No discussion

b. Marijuana Arrests—Policy Issue, PRC Case #1829 Filed by Harold Sweet

There was some discussion of this item. **Schlosberg/Sternberg (Moved/Seconded) to ask BPD for information regarding marijuana arrests, particularly the apparent increase in arrests since 1994-1996.**

8. NEW BUSINESS (For Discussion or Action)

a. Scheduling Commission Workplan Planning Session

The Commission asked Barbara Attard to make a recommendation for a workplan and reschedule the item for a future meeting.

b. State/National DWB Legislation

Pending “Driving While Black/Brown” legislation at the state and national levels were discussed. **Schlosberg/Sherman (Moved/Seconded) to send letter regarding national legislation in addition to the letter regarding state legislation.**

c. BPD Refusal to Participate in Rehearing of Case

Commissioners raised concerns regarding: 1) whether a rehearing should have been approved and, 2) BPD failure to cooperate with the rehearing.

- 1) Regarding approval of the rehearing—commissioners approving the rehearing explained that the rehearing approval was based upon information that the commissioners had at the time and concerns that the request for rehearing had to be handled within strict time constraints that

prohibited postponing the decision to allow time to verify the complainant's assertions that protocols for hearings were not followed.

Commissioners who had heard the case at the original Board of Inquiry expressed concerns that the complainant's assertions were not true and the rehearing should not have been approved.

- 2) Regarding BPD failure to cooperate with the rehearing—Commissioners expressed concerns that the Chief decided not to order the named officer to testify at the rehearing.

Suggestions for remedying the situation were made:

- Revise the PRC regulations to allow flexibility in established deadlines in cases in which more information is needed to make an informed decision.
- Determine how to deal with situations in which BPD fails to cooperate with established regulations.

9. COMMUNICATIONS

- BPD Commendations
- Newspaper Articles Under Separate Cover, No Longer Listed as Communications
- Findings—Cases 1840-1842 and 1844, 1852
- Letter from City Attorney RE: Regulation of Street Events and Block Parties
- Regulations Revision Task Force scheduled for August 8

10. ADJOURNMENT

Ritchie/Sherman Moved/Seconded) to adjourn meeting at approximately 8:55 PM. Passed unanimously.