



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. November 14, 2001
Time: 7:30 p.m.**

1. ROLL CALL 7:40 PM

Commissioners Present: DeBose, Farrell, Ritchie, Gleich, Schlosberg, Sherman, Sternberg, White

Commissioners Absent: None (Mayor Dean's seat is unfilled)

PRC Staff: Barbara Attard

BPD Personnel: Sgt. Morizano, Lt. Agnew
2. PUBLIC COMMENT: None
3. MINUTES OF THE OCTOBER 3, 2001 MEETING

Ritchie/Farrell (Moved/Seconded) to approve the meeting minutes. Passed with Gleich, White, and Schlosberg abstaining.
4. PRC OFFICER'S REPORT (For Discussion or Action)
 - a) New Filings: Four since last meeting
 - b) Boards of Inquiry: Upcoming Boards for Monday 11/26/01, Thursday 11/29/01, and December 3 and 6 were discussed.



c) Homeless Issues—Follow-up From the Homeless Commission

Barbara Attard informed the PRC that the Homeless Commission is planning to incorporate 647j issues into its workplan for next year. At this time they do not want to initiate a joint subcommittee on the subject, but it will keep the PRC informed of its plans.

d) Commissioner Stipend Requests for First Quarter Fiscal Year 2002 Due—July-Sept 2001

Stipend requests are overdue for the first quarter.

5. BPD CHIEF'S REPORT: None.

6. COMMITTEE REPORTS (For Discussion or Action): None.

7. OLD BUSINESS (For Discussion or Action)

a. Discussion of Report from Policy Review of Drug Enforcement Efforts at the UA Homes
Viewing of Search Warrant Video Tapes

Barbara Attard presented the policy report to the PRC and gave an overview of the investigation. The video was shown. Commissioner Sherman discussed “harm reduction.”

Commissioner Ritchie stated that from the information presented he drew conclusions on several points:

- Management issues must be resolved;
- Developing a tenant association is important;
- He questioned the level of police intervention that was brought in and whether this type of enforcement is what is needed;
- The video recordings of the searches revealed that officers did not act within the parameters of general orders and laws governing searches. The entries were problematic—doors were forced open even when officers were offered keys, which is not in compliance with the law. Property was not respected.

Commissioner Schlosberg raised concerns that there was no attempt to meet with the tenants group and not sufficient community interaction or development of a community response. He also raised suggested that there may need to be training on searches.

Karen Baker informed the Commission that she has been evicted. Siobhan Wilson raised her concerns about unfair treatment and perceived retaliation against tenants who have raised issues at UA Homes.

Commissioners Ritchie, Sternberg, and Schlosberg, and possibly Sherman agreed to meet to develop a response for Commission review, possibly at the December PRC Meeting.

b. Follow up on Policy Issues Regarding Jail Medical from PRC Case #1834

Barbara Attard updated the Commission regarding research done to investigate the feasibility of having on-call medical staff to handle non-emergency medical situations at the Berkeley jail. Staff research found that the cost of on-call medical care would be prohibitive. **Ritchie/Schlosberg (Moved/Seconded) to withdraw the policy issue recommending on-call medical services in**

the BPD jail. Passed unanimously.

c. The Authority of the PRC to Write Letters Regarding Legislation and Other Matters

This item was discussed. Commissioner Schlosberg stated that it was not clear as to what action the PRC should take at this time. Commissioner Farrell stated that the PRC enabling legislation states that the PRC can advise the public, one could draw from that that the PRC can take positions on issues. Commissioner Sherman stated that as a former Peace and Justice commissioner he was informed that letters taking a position need to go through the Council, but the PRC may be different. Commissioner Ritchie stated that the PRC is different based on its enabling legislation. Chair DeBose stated that she conferred with her Councilperson who stated that whenever a letter goes out under the City of Berkeley logo it reflects on the Council. In the past when letters have gone out by the PRC they went out under the Chair's signature, and not the full entity of the PRC. Commissioner Schlosberg asked that this item be tabled until there is an item that can be dealt with specifically. Chair DeBose asked that Commissioners speak with their Councilpersons on this issue.

8. NEW BUSINESS (For Discussion or Action)

a. Third Quarter Statistical Overview

Barbara Attard gave an overview of third quarter PRC Statistics.

b. Report from NACOLE Conference

Chair DeBose, Sgt. Morizono, and Barbara Attard discussed the NACOLE Conference. Chair DeBose spoke highly of the conference and urged Commissioners to attend in the future. Sgt. Morizono also stated that he felt it was a worthwhile conference. He said that the conference revealed that Berkeley is ahead of other cities in the development of civilian oversight.

9. COMMUNICATIONS

- Community-Centered Policing: A Force for Change—Report Issued by Policy Link

10. ADIJOURNMENT

Schlosberg/Ritchie (Moved/Seconded) to adjourn the meeting at @ 9:15 PM. Passed unanimously.