



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. December 12, 2001
Time: 7:30 p.m.

1. ROLL CALL 7:35 PM

Commissioners Present: DeBose, Farrell Gleich, Sherman, Schlosberg, Sternberg, White
Commissioners Absent: Ritchie (excused), Mayor Dean's Seat is Unfilled
PRC Staff: Barbara Attard
BPD Personnel: Sgt. Morizono, Lt. deLatour

2. PUBLIC COMMENT

Andrea Prichett of Copwatch spoke about concerns that she had about a Board of Inquiry for a case regarding the 1040 University searches. She felt that the ruling of the Board that she could not pass a note to the complainant was unfair. She also felt that the Board experience was difficult for the complainant, as she was not represented. Ms. Prichett stated that the Commission should ensure that Boards of Inquiry are accessible to complainants who may not be represented and may not be well versed in the law.

Barbara Attard stated that an information sheet can be prepared for both complainants and officers explaining the Board of Inquiry process and offering suggestions for participants to prepare for Boards—including the rules about presenting evidence, questioning witnesses, and making statements.

Commissioner Sternberg suggested that law schools should be contacted in order to establish a pool of law students to represent complainants.

Accessibility of the PRC to complainants without representation will be placed on a future agenda.

Miguel Weber stated that he felt that having several officers in uniform at the Board of Inquiry was overwhelming.

Siobhan Wilson stated that the complainant was at a disadvantage because she did not realize that evidence had to be presented in advance of the hearing.

3. MINUTES OF THE NOVEMBER 28, 2001 MEETING

Gleich/White approve the meeting minutes. Passed unanimously with DeBose and Farrell

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abstaining.

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

- a) New Filings—8 new cases were filed in November and 3 cases were filed in December.
- b) Boards of Inquiry—Possible dates for upcoming Boards of Inquiry were discussed.
- c) Appeal for Late Filing PRC Case #1904, Complainant Chan—Not approved for late filing.
White/Gleich (Moved/Seconded) to deny late filing, passed unanimously with Schlosberg recused.

5. BPD CHIEF'S REPORT—No report.

Commissioners White and Schlosberg asked whether BPD has been asked to participate in any local anti-terrorism efforts and/or questioning of possible terrorist related suspects. Lt. de Latour had no information about this and the PRC was asked to request this information from Chief Butler directly.

6. COMMITTEE REPORTS (For Discussion or Action)

7. OLD BUSINESS (For Discussion or Action)

- a. Discussion of Issues Stemming from Policy Review of Drug Enforcement Efforts at the UA Homes—Continued to Meeting of January 9, 2002

8. NEW BUSINESS (For Discussion or Action)

- a. Policy Recommendation PRC Case #1880 filed by Mr. Francis Many re: Sobriety Checkpoints

Barbara Attard discussed the policy complaint regarding sobriety checkpoints. The complainant was concerned that he observed a sobriety checkpoint that he felt interfered with rush hour traffic on Ashby Street. Lt. Agnew of BPD had been interviewed and he stated that the checkpoints normally start at 8 PM and are often established because of concerns about neighbors about drug dealing or speeding traffic, in addition to discouraging drunk driving. The Commission took no action regarding this policy complaint.

- b. PRC Investigator Recruitment

Barbara Attard stated that the PRC Investigator position has been announced and will be open until December 31. The Human Resources Department is evaluating the salary of the position and to ensure that the salary is in line with investigators in the area.

9. COMMUNICATIONS

10. ADJOURNMENT

DeBose/Sherman (Moved/Seconded) to meeting at approximately 8:45 PM. Passed unanimously.