



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING

ACTION MINUTES

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

**Date: Wed., July 13, 2005
Time: 7:30 p.m.**

1. ROLL CALL 7:37 p.m.

Commissioners Present: Chung, Sherman, Smith, Wafer, White

Commissioners Absent: Kidd, Ritchie, Radisch

PRC Staff: Dan Silva

BPD Staff: Lieutenant Lui

2. PUBLIC COMMENT

Former Commissioner Michael Sheen officially said “goodbye,” to the Commissioners. He explained that he was unaware of the ordinance that conflicted with him being a PRC Commissioner and a paid City employee, and expressed his regrets. He informed the Commission of his position, as the Council aide to Kriss Worthington, which is located at the Civic Center, 5th Floor, and welcomed the Commissioners to visit.

Commissioner Sherman and Smith stated that Michael Sheen could possibly become involved with another Commission.

Commissioner Sherman commented that Councilmember Kriss Worthington has an open seat on the

POLICE REVIEW COMMISSION NEW OFFICES: 1947 Center St. Third Flr., Berkeley, CA 94704

TEL: 510.981.4950 TDD: 510.981.6903 FAX: 510.981.4955

e-mail: prc@ci.berkeley.ca.us http:// www.ci.berkeley.ca.us/prc/

“Peace and Justice Commission,” and that he had spoken with Michael Sheen to possibly consider joining that Commission. Sherman encouraged the Commissioners who believed that Michael Sheen would make an excellent Commissioner for the Peace and Justice to call and leave their supportive messages with Councilmember Worthington.

Acting PRC Officer/Investigator Dan Silva personally and on behalf of the Commission thanked Michael Sheen for his dedication to the Commission. He stated that Michael Sheen is a very quick study; his comments and excellent insight would be missed at the various Boards of Inquiry. Dan wished him the best of luck.

Presentation by Berkeley Mental Health

Upon request, staff will provide a complete taped copy of the presentation.

3. MINUTES OF THE JUNE 8, 2005 MEETING APPROVAL

Smith/Sherman (Moved/Seconded) to approve minutes. Passed unanimously

Commissioner White stated that he was not present for the approval of the May 25, 2005, Minutes and requested that his vote be recorded as **abstained**.

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

- a) New Filings - Four new cases filed since the last meeting.
- b) Board of Inquiry - Boards of Inquiry hearings will not be scheduled for July, pending completion of Reports of Investigation and accordingly hearings will be arranged throughout the month of August.
- c) Brief discussion of the Carol Denney case #2066. An update on the Stephen DeCaprio's case #2035 Board of Inquiry hearing and DeCaprio's pending case #2065.

Commissioner White stated and Vice-Chairperson Chung agreed that no further discussions of pending cases would be appropriate before the actual hearing.

- d) PRC Case #2062 (David Peeler), withdrawn.
- e) Hiring of PRC Officer -- Human Resources received 50 applicants – screened applications last Friday -- interviews will begin within the following weeks.

Vice-Chairperson Commissioner Chung will contact the Director of Human Resources regarding selection of one Commissioner to be on the panel as an interviewer regarding the selection for the PRC officer position.

5. BPD CHIEF'S REPORT

Dan Silva reported that Chief Hambleton plans to attend a September PRC meeting.

Lt. Lui informed the Commission that Chief Hambleton was on vacation and that there were no updates.

6. COMMITTEE REPORTS (For Discussion or Action)

- a.) Commissioner Chung will contact Michael Sheen (former PRC Commissioner) for information concerning a meeting date with Mark Schlosberg of the ACLU and any other pertinent information pertaining to BPD's Mutual Agreements, Understandings and Policies 2005 Publication. The Subcommittee will continue with the following Commissioners: Chung, Ritchie & White.
- b.) Subcommittee Chung, Smith & White are scheduled to meet on Wednesday, July 20, 2005, at 1:00 p.m, to discuss PRC Regulations and possible revisions.

7. OLD BUSINESS (For Discussion or Action)

- a) Dan Silva stated that the Tyrone Hughes, Case #2025, is scheduled for a Board of Inquiry hearing on August 3rd and August 4th, 2005
- b.) Dan Silva stated that he will send out request for interviews to BPD officers and Mr. Morris' son and ex-wife, in regards to Mr. Calvin Morris, Case #2049. Dan Silva reiterated that Chief Hambleton assured him that as soon as Officer E. Wilson returns from active duty that PRC would be notified.
- c.) **Tabled PRC Policy Issues:**
Glennel Givens Officer Involved Shooting Case -- ***Pending***
Policy Issues Regarding Treatment of Homeless People -- ***Pending***
Redaction of Records—Review of Draft General Order -- ***Pending***

8. NEW BUSINESS

None discussed.

9. COMMUNICATIONS

A question regarding Commissioner Attendance Report for the period January 1 through June 30, 2005 -- update regarding last meeting.

10. ADJOURNMENT

Sherman/Wafer (Moved/Seconded) to adjourn at approximately 8:42 p.m. Motion **Passed unanimously.**