



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING

ACTION MINUTES

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

**Date: Wed., September 14, 2005
Time: 7:30 p.m.**

1. **ROLLCALL**

7:38 p.m.

Commissioners Present:

Chung, Radisch, Ritchie, Sherman,
Wafer, Herrera and White

Commissioners Absent:

Kidd and Smith

PRC Staff:

Dan Silva

BPD Staff:

Chief Hambleton and Sergeant Murray

2. **PUBLIC COMMENT**

None

3. **MINUTES OF THE JULY 13, 2005 MEETING APPROVAL**

With (3) abstentions (Radisch, Ritchie and Herrera) the minutes were carried over till the Commission meeting of September 28, 2005 for approval.

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

Mr. Silva reported that there have been: Five (5) new cases filed since the last meeting, Case #2080 (Late file, Roger Marquis); #2081 (Ken Lewis); #2082 (Randolph Kielich); #2083 (Melvin Washington); and #2084 (Joy Newhart).

Commissioner Sherman inquired as to the out come of PRC Case 2055, where the complainant failed to appear for her Board of Inquiry.

Mr. Silva reported that the complainant moved and failed to notify the PRC of her new address. Therefore according to PRC regulations, the case has been summarily dismissed.

- a) Discussion of upcoming Boards of Inquiry.

Mr. Silva circulated the Master Board of Inquiry Schedule and seated a board for Case 2053 on Tuesday September 27, 2005.

- b) Recommendation for Administrative Closure of PRC Case #2072, complainant Khaouira Faulon.

Mr. Silva recommended Administrative Closure of PRC Case #2072, complainant Khaouira Faulon, due to failure, to provide an interview after repeated requests.

Commissioner Sherman Moved /Ritchie Seconded to accept the staff recommendation and Administratively Close PRC Case #2072. The vote was unanimous for closing the case.

- c) Late file – Case #2080, Roger Marquis

Mr. Silva reported that Mr. Marquis was present and that his complaint was filed 179 days late. Mr. Silva submitted the case for the Commissions consideration.

The Commissioners heard from Mr. Marquis as he stated his reasons and explanation for his position. The Commission expressed concern over the lateness of the complaint and wondered whether his concerns would be better served through the Policy Complaint process. Mr. Marquis agreed and stated he would meet with Mr. Silva next week to discuss the process.

Commissioner Ritchie Moved / White Seconded, to not accept the Late Case #2080, Motion: Passed unanimously.

5. BPD CHIEF'S REPORT

Chief Hambleton gave an informative presentation on BPD Pursuits. He expressed his desire to consider the Commissioners thoughts on the subject and presented different scenarios for their consideration.

After his presentations the Commissioners asked the Chief numerous questions and exchanged many thoughts on police pursuits. The Commission was pleased with the Chief's efforts to solicit their thoughts and opinions on the subject and thanked the Chief for his time.

(A complete audio taped copy of the Chief's presentation is available upon request.)

6. COMMITTEE REPORTS (For Discussion or Action)

PRC Subcommittee update regarding the BPD's Mutual Agreements, Understandings and Policies 2005 Publication.

Commissioner Chung gave a brief update as to where the sub-committee was and expressed the need to complete the process.

PRC Subcommittee regarding PRC Regulations and possible revisions .

Commissioner Chung reported that the sub-committee was preparing to submit the revised PRC Regulations to the full Commission on Wednesday September 28, 2005.

7. OLD BUSINESS (For Discussion or Action)

- a.) Update on the status of the Tyrone Hughes Case #2025.

Mr. Silva reported that he was now in receipt of the Board's written findings in the Tyrone Hughes Case and that he would release the findings on September 15, 2005.

- b.) **Tabled PRC Policy Issues:**

- Glennel Givens Officer Involved Shooting Case.
- Policy Issues Regarding Treatment of Homeless People.
- Redaction of Records—Review of Draft General Order.

**8. NEW BUSINESS
Board Elections**

The Commission voted unanimously to elect Commissioner Chung to the Chairperson/ President of the Berkeley Police Review Commission.

The Commission decided to wait until the meeting of Wednesday September 28, 2005, in order to seat the Vice Chair person for the Commission.

**9. COMMUNICATIONS
None**

10. ADJOURNMENT

Commissioner Sherman Moved / Wafer Seconded, to adjourn Motion: Passed unanimously.