



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING ACTION MINUTES

**North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, California**

**Date: Wed., September 28, 2005
Time: 7:30 p.m.**

1. **ROLLCALL**

7:43 p.m.

Commissioners Present: Chung, Herrera, Kidd, Radisch, Ritchie, Sherman,
Smith, Wafer and White

Commissioners Absent: None

PRC Staff: Dan Silva

BPD Staff: Sgt. Delaney and Lt. Williams

2. **PUBLIC COMMENT**

Mr. Nikrooz Niknahad, a 12-year resident of the City of Berkeley, commented regarding his treatment by the Berkeley Police Department and their disregard of certain requests when searching his residence.

3. **MINUTES OF THE JULY 13 AND SEPTEMBER 14, 2005 MEETING APPROVAL**

White/Wafer (**Moved/Seconded**) to approve **7-13-05 Minutes. Pass Unanimously**
Radisch/Herrera/Ritchie/Kidd - **Abstained**
Wafer/Sherman (**Moved/Seconded**) to approve **9-14-05 Minutes. Pass unanimously**
Kidd/Smith - **Abstained**

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

- a) Dan Silva reported that he met with Deputy City Manager, Lisa Caronna, Wednesday, September 28, 2005, regarding the closed session meeting and that she is willing to meet with representatives of the Commission to discuss the process with the City Manager.
- b) Dan Silva reported that there have been five (5) new cases filed since the last meeting, Case #2085 (Jacob Bolden); #2086 (Clarence Sayles); #2087 (Jason Meggs); #2088 (Nikrooz Niknahad); and #2089 (Erica Smith).
- c) Upcoming Boards of Inquiry were discussed.
- d) Dan Silva gave an explanation concerning the Board of Inquiry cancellation of Case #2053, (Complainant Richard Berkeley) and the future scheduling of this case.

Commissioner Sherman requested placement of an item on the Agenda for discussion at the next PRC Meeting: The City of Berkeley, Alcohol Beverage and Control Boards Sting Policies, regarding Mom & Pop and liquor stores.

Dan Silva confirmed that he would contact Chief Hambleton regarding this matter.

5. BPD CHIEF'S REPORT

Lt. Williams reported that Chief Hambleton thanked the Commission for their input regarding the BPD Pursuit Policy and will consult with the Commission if there are any policy changes.

Request for proposals for the new CAD/R&S Fire and Record System will be open October 6, 2005. The Berkeley Police, Fire and Informational Technology Departments will begin evaluating these proposals.

Christopher Hollis has been arrested in Meleia Willis-Starbuck's homicide.

6. COMMITTEE REPORTS (For Discussion or Action)

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

Commissioner Chairperson Chung reported that she will be contacting Mark Schlosberg, Thursday, September 29th, and accordingly she will update the Subcommittee on a meeting time.

PRC Subcommittee regarding PRC Regulations and possible revisions:

Color copies of the PRC Regulations with the revisions highlighted in red were passed out to each Commissioner for discussion.

The Subcommittee Commissioners Chung, Smith and White, explained the revisions accordingly.

There was lengthy discussion and two minor changes approved.

Ritchie/Kidd (**Moved/Seconded**) to adopt the Regulations and *revisions* as proposed by the Subcommittee and amended by the full board. **Passed Unanimously**

(A complete audio taped copy of this discussion is available upon request.)

The revised PRC Regulations will be provided to the Department and BPA in order to comply with the provisions of “Meet and Confer.” After all parties have met and conferred regarding the proposed changes the Regulations will be brought back before the full Commission with a request for implementation.

7. OLD BUSINESS (For Discussion or Action)

None

a.) **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**

The Commission voted unanimously to elect Commissioner Kidd as the Vice-Chairperson of the Berkeley Police Review Commission.

9. **COMMUNICATIONS**

Dan Silva stated that the Commission should consider inviting the City Attorney’s representative back for an update on the CALOCA process.

Commissioner Chung commented that the Commissioners would continue to review the CALOCA process and will consider his suggestion in the future.

10. **ADIJOURNMENT**

Ritchie/Sherman (**Moved/Seconded**) to adjourn at approximately 8:40 p.m.
Motion Passed unanimously.