



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING MINUTES

Wednesday, July 23, 2008
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

**1. CALL TO ORDER BY CHAIR WILLIAM WHITE AT 7:00 p.m.
ROLL CALL AND ATTENDANCE**

Present: Chairperson William White
Vice Chair Sharon Kidd
Commissioner Jonathan Huang
Commissioner Sherry Smith

Absent: Commissioner Kamau Edwards
Commissioner George Perezvelez
Commissioner Michael Sherman

PRC Staff: Victoria Urbi, PRC Officer

BPD Staff: Lt. Reece, Sgt. J. Wilson

2. ORDER OF AGENDA
No changes.

3. PUBLIC COMMENT:
None.

4. APPROVAL OF MINUTES

A. Regular Meeting: July 9, 2008

Motion to approve minutes. M/S/C (Smith/Kidd) Motion carried.

Ayes: Huang, Kidd, Smith and White Noes: None. Abstain: None.

Absent: Edwards, Perezvelez, Sherman.

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

A. Status of complaints: 75. Ms. Urbi reported that at the last PRC meeting, the Commission voted to approve a letter to Complainants advising them that their case will be proposed for closure at the next meeting because of Government Code 3304, which states that the investigation of a peace officer must be completed within a year. PRC staff is in the process of reviewing approximately 40 cases that fell within this category to determine if there are any tolling exceptions, such as whether the complaint involves criminal prosecution,

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multiple officers or if the complainant filed a lawsuit against the City. These exceptions would extend the one-year deadline. If a case has expired and there are no tolling exceptions, staff will send the complainants letters and recommend the case for closure at then next Commission meeting on September 10, 2008.

B. Hearing update: There are no hearings scheduled, since staff is reviewing the older cases to determine tolling exceptions.

C. Comments: The Commission has no meetings or hearings in August. PRC staff will participate in National Night Out on August 5, 2008 to support the national campaign on community public safety and the Berkeley Police Department. City staff, police officers and the Fire Department will visit neighborhood block parties to organize against crime and for emergency preparedness.

6. BERKELEY POLICE DEPARTMENT CHIEF'S REPORT

No report from the Chief, who was on vacation.

Comm. Smith asked about the helicopters flying around the tree sitters and the whether that was related to the recent court ruling. Lt. Reece stated that BPD does not have jurisdiction over that area and they are not a part of the helicopter monitoring that area.

Comm. Kidd asked about car vandalism in the South Berkeley area and who would be the watch commander. Lt. Reece is the Watch Commander on Sundays through Wednesdays from 4:00pm-2:00am. He could possibly get more patrol in that area, but the best person to contact is the area coordinator, Officer Amber Phillips.

7. COMMITTEE REPORTS (For Discussion or Action)

A. Criminal Intelligence Subcommittee: Ms. Urbi handed out an updated BPD's Criminal Intelligence Policy. Changes to the policy were made based on the Subcommittee's recommendations. The Subcommittee will need to review this draft and vote on it. Comm. Huang suggested the Subcommittee meet thirty minutes before the next Commission meeting.

B. Crowd Control Policies Subcommittee: Next meeting was scheduled on September 8, but Ms. Urbi asked Subcommittee members if they could meet on September 15 to which they agreed. Thus, next meeting is on September 15. Subcommittee is still working on the draft policy, which BPD is working to revise the entire policy.

8. COMMUNICATIONS

Comm. Smith asked about the letter to State Senator Romero. Ms. Urbi stated that it would be ready at the next meeting. She also commented that staff should send letter to Chris Morray-Jones thanking him and the Boalt law students for all their work in assisting PRC complainants. If our hearings change to open hearings, we will reconnect with them.

9. PUBLIC COMMENT: Limited to item 10.

None.

Closed Session

The Police Review Commission recessed into closed session to discuss and take action on the following items:

10. RECOMMENDATION ADMINISTRATIVE CLOSURE

A. Case No. 2176 – Complainant Richard Link

Motion to close Case 2176. M/S/C (Huang/Smith) Motion carried.

Ayes: Huang, Kidd, Smith and White Noes: None. Abstain: None.

Absent: Edwards, Perezvelez, Sherman.

B. Case No. 2190 – Complainant Jeny Rodriguez

Motion to close Case 2190. M/S/C (Huang/Smith) Motion carried.

Ayes: Huang, Kidd, Smith and White Noes: None. Abstain: None.

Absent: Edwards, Perezvelez, Sherman.

11. ADJOURNMENT

Meeting was adjourned at 7:20 p.m.