

Police Review Commission (PRC) Individual Complaint Process

The PRC is comprised of nine Berkeley residents appointed by the City Council and Mayor to make recommendations on Berkeley Police Department (BPD) policies and procedures. The PRC also investigates civilian complaints of misconduct against BPD officers.

Filing a Complaint

- Persons who believe that a BPD officer acted in violation of law or BPD policy against them may file a complaint with the PRC. Complaint forms and regulations are available at the PRC website: www.ci.berkeley.ca.us/prc/
- Complaints must be filed within 90 days of the incident. Complaints may be accepted as a late file between 91 and 180 days of the incident, subject to the Commission's approval. (Persons with pending criminal charges related to the incident may delay filing a PRC complaint until their criminal case has been resolved; these persons should consult an attorney before filing.)
- A complaint must allege facts that, if true, would establish that misconduct occurred. Complaints that do not allege such facts or are frivolous or retaliatory will be closed.

Complaint Resolution Options

- A complaint may be resolved through mediation, if both the complainant and the subject officer agree. PRC staff will provide information about mediation.
- If a complainant declines mediation, PRC staff will conduct an investigation of the complaint. In investigations, staff will conduct oral, recorded interviews with the complainant, subject officer, witnesses, and collect other relevant evidence.
- Upon completion of its investigation, staff will schedule a Board of Inquiry (BOI) Hearing (or recommend the complaint for closure, if warranted).

Board of Inquiry (BOI)

A BOI is a panel of three members of the PRC, charged with conducting an administrative hearing of the complaint to determine its merit. The BOI hears testimony from the complainant, the subject officer, witnesses, and reviews evidence collected in the investigation. The complainant and the subject officer may appear with a representative, but one is not required. Upon the conclusion of the hearing, the Commissioners issue findings to the City Manager and the Chief of Police. These findings become a part of the City's files and, if rendered within 120 days of the incident, may subject the officer to discipline.

For more information about this process, contact the PRC Office at (510) 981-4950 or email prc@cityofberkeley.info.