



Police Review Commission (PRC)

**POLICE REVIEW COMMISSION**  
**REGULAR MEETING**  
**MINUTES**  
*(approved)*

**Wednesday, May 25, 2016**  
**7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIR PEREZVELEZ AT 7:09 P.M.**

Present: Commissioner George Perezvelez (Chair)  
Commissioner Terry Roberts (Vice Chair)  
Commissioner Alison Bernstein  
Commissioner George Lippman  
Commissioner Ayelet Waldman  
Commissioner Ari Yampolsky (arrived 7:13 p.m.)  
Commissioner Christina Murphy (*temporary appointment*)

Absent: Commissioners Jerry Javier, Michael Sherman, Kad Smith

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Michael Meehan (left 8:10 p.m.) Lt. Dan Montgomery, Lt. Dave Reece, Sgt. Ben Cardoza, Sgt. Joseph Okies (left 9:30 p.m.), Sgt. Sean Ross

**2. APPROVAL OF AGENDA**

**The agenda was approved by general consent**

**3. PUBLIC COMMENT**

There were six speakers.

**4. APPROVAL OF MINUTES**

**Motion to approve the regular meeting minutes of May 11, 2016**

Moved/Seconded (Roberts/Bernstein)

**Friendly amendment: Under item 6, before the sentence “No action taken” add the sentence, “No Liberty City participants were present.”**

Moved by Waldman; accepted by Roberts and Bernstein

**Motion, as amended, Carried**

Ayes: Bernstein, Lippman, Murphy, Perezvelez, Roberts, Waldman, and Yampolsky.

Noes: None

Abstain: None

Absent: Javier, Sherman, Smith

**5. CHIEF OF POLICE'S REPORT**

Chief Meehan did not have a regular report to give today; instead, responded to public remarks regarding a recent DUI checkpoint set up by BPD.

-- The Chief offered to make a presentation on how DUI checkpoints are done; they are based on state law.

-- Will direct officers to make sure that whenever traffic safety vests are worn (which go over the uniform) their badge is visible.

-- There was an error in the Nixle alert; not 3 impounds, as stated, but 3 tows, one of which was an impound. Policy allows tow/impound for "higher tier" offenses: 1) suspended or revoked license, or 2) someone who is required to have an interlock device doesn't have one. Other 2 tows were drunk driving. Lower tier; no impound.

-- A DMV study of a 23-year period showed unlicensed drivers in Calif. are 3 times more likely to cause a fatal crash; also vehicle impounds effective at reducing crashes among suspended or revoked drivers, so don't think the policy is based on anything arbitrary.

-- Everyone who wanted to get items from their car before it was towed was allowed to do so. One driver chose not to.

-- State law doesn't allow discretion re whom to pull over; there must be a system, e.g., every 5<sup>th</sup> car, or every car. At this particular checkpoint, every car pulled over. Quick assessment for signs of impairment and driver's license. Number pulled out of car and put on sidewalk: just 3 the arrests -- 2 for DUI and 1 for drug possession.

Questions/remarks:

-- Comm. Lippman: Divergent stories troubling; would like to agendize for policy review.

-- Comm. Bernstein: While we wait for the CPE report, can BPD do something to address the difference in outcomes bt. stops of African Americans and Caucasians?

Chief: Question is, what can be done improve the "hit rate"? Cannot tell people to stop or not based on race. Don't really have the answers today. Can't look at just one causal factor; don't think it's that simple.

-- Comm. Lippman: How do you decide where to establish the checkpoint? Chief: Checkpoint sites are chosen based on where DUI arrests and collisions occur.

**6. CHAIR'S REPORT**

Temporary appointee Christina Murphy introduced herself.

**7. PRC OFFICER'S REPORT**

-- A complaint deadlines report was distributed.

-- The document showing PRC's prioritization of requests to BPD was updated following the May 11 meeting and is found in this week's packet.

## **8. NEW BUSINESS (discussion & action)**

- a. Proposed new General Order: Body-Worn Cameras

*Discussion on the proposed draft began, and is continued to the next RPC meeting.*

- b. Scope of work of December 7 & 8 Investigation Subcommittee

*Commission Bernstein handed out a draft letter and location map, and asked Commissioners to think about what suggested questions don't need to be asked.*

- c. Staffing of PRC table at Berkeley Juneteenth Celebration (June 19, 2016)

*Commissioner Perezvelez volunteered to staff this table and Commissioner Lippman said he might be available. The PRC Officer will send an email reminder to everyone.*

- d. Formation of Mutual Aid Subcommittee

*PRC Officer clarified that this subcommittee will review Mutual Aid Agreements. Chair asked Commissioners who are interested in serving to let the PRC Officer know.*

## **9. SUBCOMMITTEE ACTIVATION, REPORTS, AND RECOMMENDATIONS (DISCUSSION & ACTION)**

- a. Fair & Impartial Subcommittee and Media Credentialing Subcommittee  
Decide whether to schedule meetings for these subcommittees.

*Commissioner Lippman will try to schedule a meeting of the Fair & Impartial Subcommittee.*

- b. General Orders C-64, etc. Subcommittee

*Commissioner Waldman resigned from the Subcommittee.  
Next meeting scheduled for June 1, 2016 at 4:30 p.m.*

## **10. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached.

## **11. PUBLIC COMMENT**

There was one speaker.

## **12. ADJOURNMENT**

**The meeting was adjourned by general consent at 10:00 p.m.**