

WHO WE ARE

The Berkeley Police Review Commission (PRC) was created by Berkeley voters in 1973 "...to provide for community participation in setting and reviewing Police Department policies, practices and procedures and to provide a means for prompt, impartial and fair investigation of complaints brought by individuals against the Berkeley Police Department." (Ordinance 4644-NS §1, 1973). The nine-member Commission is appointed by members of the City Council and the Mayor.

WHO CAN FILE AN INDIVIDUAL COMPLAINT?

Any person directly affected by alleged Berkeley police misconduct may file an individual complaint. You **do not** need to be a Berkeley resident or a U.S. citizen to file a complaint.

TYPES OF INDIVIDUAL COMPLAINTS

- Improper Arrest, Search, Seizure, or Stop
- Improper or Inadequate Investigation
- Improper Detention Procedure
- Improper Police Procedures
- Excessive Force
- Discrimination
- Harassment
- Discourtesy

SHOULD I FILE A COMPLAINT WITH THE PRC?

The PRC is staffed by civilians. All complaints will receive a fair and objective investigation. Filing a complaint with the PRC may help increase police awareness of sensitive issues.

HOW DO I FILE A COMPLAINT?

- **In Person:** You may file your complaint in person at our office at 1947 Center Street, 1st Floor, Berkeley, between 8:30 a.m. and 5:30 pm.
- **By Mail:** Upon request, the PRC will mail you a complaint form. Call (510) 981-4950.
- **Online:** You can download a complaint form on the PRC website. Visit www.cityofberkeley.info/prc
- All complaints must be in writing and signed. If you are unable to write your complaint for any reason, PRC staff will assist you in completing the form.
- Individual complaints must be filed within 90 days of the incident. Complaints may be accepted as a late file between 91-180 days of the incident, subject to the Commission's approval. (Persons with pending criminal charges related to the incident should contact the PRC Office before filing.)

Important information

It is helpful to have as much information as possible about the incident. Important facts include:

- Time, date and location of the incident
- Names and badge numbers of officers
- Names and phone numbers of witnesses
- Any documents such as photographs, citations, hospital records, etc.

MEDIATION - AN ALTERNATIVE

In most cases, you may choose mediation instead of an investigation and hearing. If you and the officer(s) agree to mediation, you will both meet with a mediator and attempt to arrive at a mutually agreeable resolution of the complaint.

WHAT HAPPENS AFTER I FILE AN INDIVIDUAL COMPLAINT?

- PRC staff will interview you and ascertain the specific allegations in the complaint.
- PRC staff will notify the Chief of Police and each officer who is a subject of the complaint that a complaint has been filed.
- PRC staff will interview the subject officer(s) and any witnesses, collect other relevant evidence, and write a report.
- A Board of Inquiry hearing may be scheduled.

BOARDS OF INQUIRY (BOI) - THE HEARING PROCESS

- BOIs are composed of three Commissioners.
- The BOI hears testimony from the complainant, subject officer(s), and any witnesses in a closed session.

WHAT IS THE RESULT OF A HEARING?

After the hearing, the BOI makes findings on the allegations. All findings are confidential; they are sent to the complainant, the officer(s), the City Manager, and the Chief of Police. The City Manager and the Chief of Police may consider the PRC's findings when they make decisions about discipline.

WHO CAN FILE A POLICY COMPLAINT?

- Any member of the community who has a concern about police procedure(s) or practice(s) may file a policy complaint.
- Policy complaints are presented to the full Commission at a regularly scheduled meeting; the policy complaint-filer will be notified of the date and time of the meeting.
- If 50 or more Berkeley residents file a petition concerning a policy matter, the Commission will hold a special hearing to address the issue.

PRC COMMUNITY OUTREACH

The PRC wants to make sure that the community is informed about what we do and how to effectively utilize the PRC process. Please contact us if you are interested in receiving outreach materials or would like to arrange for a presentation at a neighborhood or other community meeting or forum.

HOW TO CONTACT US

City of Berkeley
Police Review Commission
1947 Center Street, 1st Floor
Berkeley • CA • 94704
(510) 981-4950
(510) 981-6903 (TDD)
(510) 981-4955 (FAX)

Web: www.cityofberkeley.info/prc/
E-mail: prc@cityofberkeley.info

PRC meetings are open to the public and everyone is welcome.

The PRC holds regular meetings at 7:00 p.m. on the 2nd & 4th Wednesday of every month, except August, unless otherwise posted.



The PRC meets at:
South Berkeley Senior Center
2939 Ellis Street (@ Ashby),
unless otherwise posted

Please contact the PRC Office for information regarding upcoming Commission meetings.

THE BERKELEY POLICE REVIEW COMMISSION



AN INDEPENDENT
CIVILIAN OVERSIGHT
AGENCY

INFORMATIONAL
BROCHURE
COMPLAINT PROCESS