



Police Review Commission (PRC)

A handwritten signature in black ink, appearing to read "Katherine J. Lee", is located in the upper right corner of the page.

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

**Wednesday, December 13, 2017  
7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIR LIPPMAN AT 7:10 P.M.**

Present: Commissioner George Lippman (Chair)  
Commissioner Gwen Allamby (Vice-Chair)  
Commissioner Andrea Prichett  
Commissioner Terry Roberts  
Commissioner Michael Sherman  
Commissioner Elliot Halpern (temporary)

Absent: Commissioner Clarence Ford, Sahana Matthews, George Perezvelez, Ari Yampolsky

PRC Staff: Katherine J. Lee, PRC Officer; PRC Investigator Byron Norris (left 9:00 p.m.)

BPD Staff: Chief Andy Greenwood and Lt. Joe Okies (left 9:00 p.m.); Lt. Angela Hawk, Sgt. Rashawn Cummings, and Sgt. Sean Ross (BPA) (left 9:40 p.m.)

**2. APPROVAL OF AGENDA**

**With the following changes: to accept public comment on the Mutual Aid Pacts, Item #8.e., just before consideration of the item; move Item #9, Body-Worn Camera Presentation to after Item #7; and postpone Item #10.b. and #14; the agenda was approved by general consent.**

**3. PUBLIC COMMENT**

There were 10 speakers.

**4. APPROVAL OF MINUTES**

**Motion to approve Regular Meeting Minutes of November 15, 2017**

Moved/Seconded (Allamby/Roberts) **Motion Carried**  
Ayes: Allamby, Lippman, Prichett, Roberts, and Sherman.  
Noes: None Abstain: Halpern  
Absent: Ford, Matthews, Perezvelez, Yampolsky

**5. CHAIR'S REPORT**

- Surveillance Ordinance will be before Council on Jan. 23, 2018; postponed from Dec. 5 as the City Manager asked for more time.
- PRC's Fair Impartial Policing Report will be on Council's Jan. 23, 2018 agenda as Information Item.
- We should make sure to get to Item #11.a., change to Standing Rules tonight.
- The PRC's recommendation on the Pepper Spray policy is on the Council's agenda for Dec. 19.

**6. PRC OFFICER'S REPORT**

- a. -- Complaint deadlines report was distributed and discussed.
- A fillable complaint form (PDF) is now on the PRC's website.
- List of pending agenda items was read, including Lexipol polices from BPD and Council referral on Dept. of Defense sec. 1033 program.
- b. Approve PRC Regular Meeting schedule for 2018.

**Motion to adopted the proposed PRC Regular Meeting schedule for 2018**

Moved/Seconded (Roberts/Allamby) **Motion Carried**

Ayes: Allamby, Lippman, Prichett, Roberts, Sherman, and Halpern  
Noes: None Abstain: None  
Absent: Ford, Matthews, Perezvelez, Yampolsky

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

Chief Greenwood reported:

- Staffing - now a critical shortage; currently 160 sworn officers. Will have to shut down some units such as bike patrol.
- Just came from Downtown Berkeley Association / Chamber holiday event where Jeremy Lathrop was honored as officer of the year.
- Toys for Tots drive this Saturday. Contributions accepted at [GoFundMe.com/BPA-holiday-toy-drive](http://GoFundMe.com/BPA-holiday-toy-drive)
- Attended meeting hosted by ACLU with police chiefs from Richmond and El Cerrito.
- Have done body-worn camera training over the past couple of weeks.

The Chief answered questions from Commissioners.

**8. SUBCOMMITTEE REPORTS (discussion & action)**

Report of activities and meeting scheduling for all Subcommittees, possible appointment of new members to all Subcommittees, and additional discussion and action as noted for specific Subcommittees:

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

- b. Homeless Encampment Subcommittee
- c. June 20, 2017 Subcommittee (Review of BPD Response at City Council meeting) – next meeting Monday, Dec. 18, 1:30 p.m., at 1947 Center St.
- d. Fair & Impartial Policing Subcommittee  
-- Dissolve Subcommittee

*(Items 8.a. through 8.d. postponed to the next meeting.)*

- e. Mutual Aid Pacts Subcommittee  
*(Heard following Item #9)*

- i.) Discuss and approve subcommittee recommendations

**Motion to accept proposed recommendation regarding ICE on lines 1-23 of p. 19 of the packet.**

Moved/Seconded (Sherman/Prichett) **Motion Carried**

Ayes: Lippman, Prichett, Sherman, and Halpern.

Noes: None                      Abstain: Allamby, Roberts

Absent: Ford, Matthews, Perezvelez, Yampolsky

**Motion to approve proposed recommendation on UASI/Urban Shield (p. 20, lines 45-52 of the packet).**

Moved/Seconded (Prichett/Sherman) **Motion Carried**

Ayes: Lippman, Prichett, Sherman, and Halpern

Noes: Allamby, Roberts              Abstain: None

Absent: Ford, Matthews, Perezvelez, Yampolsky

*(Remainder of recommendations continued to the next meeting.)*

- ii) Discuss observations of PRC Commissioners who attended Urban Shield exercise Sept. 8 or 9.

*(Incorporated into discussion of 8.e.i.)*

- iii.) Dissolve subcommittee or consider renaming.

*(Item postponed to the next meeting.)*

## **9. SPECIAL PRESENTATION BY CHIEF OF POLICE**

*(Followed Item #7)*

Chief Greenwood and Lt. Okies presented a PowerPoint and passed around body-worn cameras to explain how the cameras will operate and how footage is stored.

## **10. OLD BUSINESS (discussion & action)**

- a Review and consider next steps regarding City Council's October 31, 2017 action revising the reporting requirements in General Order U-2, Use of Force.  
*(Item postponed to the next meeting.)*

- b. Proposal to create a new subcommittee to identify where more civilian authority and oversight over the police department is warranted, with the goal of recommending changes to or a restructuring of the Police Review Commission. *(Item postponed to the next meeting.)*
- c. Proposal for BPD Accountability Plan, including professional development/training of BPD officers, department budget, etc. *(Item postponed to the next meeting.)*

**11. NEW BUSINESS (discussion & action)**

- a. Suspension of Standing Rules regarding timing of election of chair and vice-chair. *(Heard following Item #8.a.)*

**Motion to suspend the Standing Rules and hold the 2018 election of the Chairperson on January 24<sup>th</sup>.**

Moved/Seconded (Lippman/Sherman)

*(The second was later withdrawn; discussion to be continued at the next meeting).*

- b. Review specially equipped panel van use policy. *(Item postponed to the next meeting.)*
- c. Consider whether to accept Policy Complaint #2433 and, if accepted, what steps to take. *(Item postponed to the next meeting.)*

**12. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached.

**13. PUBLIC COMMENT**

There were 3 speakers.

**Closed Session**

Pursuant to the Court's order in *Berkeley Police Association v. City of Berkeley, et al.*, Alameda County Superior Court Case No. 2002 057569, the PRC will recess into closed session to discuss and take action on the following matter(s):

**14. PETITION FOR REHEARING IN COMPLAINT #2422**

*(Item postponed to the next meeting.)*

**15. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE IN COMPLAINT #2431 FOR FAILURE TO STATE A PRIMA FACIE CASE**

**By general consent, the recommendation to administratively close Complaint #2431 was approved.**

**16. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE IN COMPLAINT #2435  
BECAUSE IT IS FRIVOLOUS**

*(Discussed; to be continued to the next meeting.)*

*End of Closed Session*

**17. ANNOUNCEMENT OF CLOSED SESSION ACTIONS**

The vote on Item #15, to approve the recommendation for administrative closure in Complaint #2431, was announced.

**18. ADJOURNMENT**

By general consent, the meeting was adjourned at 10:05 p.m.

