



Police Review Commission (PRC)

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

**Wednesday, February 14, 2018**  
**7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

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

Present: Commissioner Sahana Matthews (Chair)  
Commissioner George Lippman (Vice-Chair)  
Commissioner Gwen Allamby  
Commissioner Andrea Prichett  
Commissioner Terry Roberts  
Commissioner Michael Sherman  
Commissioner Ari Yampolsky

Absent: Commissioners Clarence Ford, George Perezvelez

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood (left 8:00 p.m.), Lt. Angela Hawk, Sgt. Rashawn Cummings, Sgt. Sean Ross (BPA)

**2. APPROVAL OF AGENDA**

**By general consent the Commissioners approved the agenda, including Commissioner Prichett's request to consider Item #9.e. after #9.a.**

**3. PUBLIC COMMENT**

There were 4 speakers.

**4. APPROVAL OF MINUTES**

Motion to approve Regular Meeting Minutes of January 24, 2018

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

Ayes: Allamby, Lippman, Matthews, Prichett, Roberts, Sherman, and Yampolsky.

Noes: None      Abstain: None      Absent: Ford, Perezvelez

## 5. CHAIR'S REPORT

The Chair asked Commissioners to make sure they've read the agenda packet in advance. She will try to give everyone a chance to speak on an item. If a Commissioner has a lengthy amendment, send to the PRC Officer for distribution before the meeting.

George Lippman reported that the Mayor has presented a rewrite of the Surveillance Ordinance, and the item has been put over to the March 13 Council meeting.

## 6. PRC OFFICER'S REPORT

-- One new complaint filed since the last meeting. BOI scheduled for next week.

-- A copy of the Mayor's proposed Surveillance Ordinance is in the agenda packet.

-- The Commission's letter and request re the June 20, 2017 incident was sent to the Chief and City Manager on Jan. 31 and is in the packet.

-- Handed out two memos from the Chief: 1) Numbers re CIT-trained officers; and 2) Cell phones and applications to be used with the body-worn cameras.

-- Explained results of the prioritization survey in the packet.

## 7. CHIEF OF POLICE'S REPORT

Chief Greenwood reported:

-- Dealing with wave of laptop crimes. Have made several arrests.

-- Down 24 officers; currently at 157; including 4 in academy, 3 in FTO, and 10 off on injury and leave. Been doing interviews; hope to fill 5 slots for March academy. Just concluded a recruitment period; 180 made the cut. Aiming for 3 recruitments a year; always accept laterals.

-- Third session on Principled Policing training coming up.

Chief Greenwood answered questions from Commissioners.

## 8. SUBCOMMITTEE REPORTS (DISCUSSION AND 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. PRC Officer sent Doodle poll but no responses; will re-send.

b. Homeless Encampment Subcommittee. Were waiting to meet until got updated from policy from Council subcommittee. However, in light of most recent raid may not wait.

c. Mutual Aid Pacts Subcommittee

i) Discuss and approve recommendation from subcommittee member:  
Law Enforcement Mutual Aid Plan

**Motion to adopt the proposed recommendation regarding the Law Enforcement Mutual Aid Plan with a direction to BPD to modify General Order M-2, "Mutual Aid Agreements with Law Enforcement Agencies," and to send the background information as well.**

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

Ayes: Allamby, Lippman, Matthews, Prichett, Roberts, Sherman, and Yampolsky.

Noes: None                      Abstain: None                      Absent: Ford, Perezvelez

- ii) Dissolve subcommittee or consider renaming  
*(Item postponed to the next meeting.)*

**9. OLD BUSINESS (DISCUSSION & ACTION)**

- a. Review and consider next steps, including establishing a subcommittee, regarding City Council's November 14 action on broader or longer-term changes to PRC structure and authority.  
*(Discussion to be continued at the next meeting.)*

- b. Review specially equipped panel van use policy.  
*(Heard following Item #9.e.)*

**Motion to support the draft policy regarding the use of the specially equipped panel van by the Berkeley Police Department, except that the PRC wishes to remove the following sentences (at the top of p. 2): "The vehicle may be called to a declared unlawful assembly when persons are engaged in criminal behavior that presents an objective risk of injury or death. The Specially Equipped Panel Van may be staged at pre-designated locations away from protest sites to allow for timely response."**

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

Ayes: Lippman, Matthews, Prichett, Sherman, and Yampolsky.

Noes: Roberts                      Abstain: Allamby                      Absent: Ford, Perezvelez

- c. Consider whether to accept Policy Complaint #2433 and, if accepted, what steps to take.  
*(Item postponed to the next meeting.)*
- d. Decide how to address City Council referral regarding City's enrollment in the Department of Defense 1033 Program.  
*(Item postponed to the next meeting.)*
- e. Proposal for BPD Accountability Plan, including professional development/training of BPD officers, department budget, and audits.  
*(Heard following Item #9.a.)*

**Motion that the Commission send a letter to the City Manager, with a copy to the City Council, expressing its desire that the City develop a good governance accountability plan for the Berkeley Police Department that would start with goals enumerated in #1, 2, 3, 4, and 6, and that the City**

**Manager engage with the PRC in determining the extent to which these goals already exist; and, to extent that they do not, to create them.**

Moved/Seconded (Yampolsky/Roberts)

**Friendly amendment by Prichett:**

**That we include #5, but revise to say that “BPD will work with” (instead of “BPD will hire”) a full time data analyst.**

**Motion, as amended, Carried**

Ayes: Allamby, Lippman, Matthews, Prichett, Roberts, Sherman, and Yampolsky.

Noes: None                      Abstain: None                      Absent: Ford, Perezvelez

*(Discussion re performance audit to be continued at the next meeting.)*

- f. 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.)*
- g. Establish subcommittee to review and make recommendations on Lexipol policies from BPD. *(Item postponed to the next meeting.)*
- h. Commendations of BPD personnel:
  - i) Establish process for review and communication back to BPD.
  - ii) Review commendations of BPD personnel for January to August 2017 and direct PRC Officer to communicate to BPD *(Item postponed to the next meeting.)*

**10. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached.

**11. PUBLIC COMMENT**

There was 1 speaker.

**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):

**12. CONSIDER WHETHER TO ACCEPT LATE-FILED COMPLAINT #2417**

**Motion to accept late-filed Complaint #2417.**

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

Ayes: Allamby, Lippman, Matthews, Prichett, Roberts, Sherman, and Yampolsky.

Noes: None                      Abstain: None                      Absent: Ford, Perezvelez

**13. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE IN COMPLAINT #2424**

**Motion to approve Complaint #2424 for administrative closure.**

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

Ayes: Allamby, Lippman, Matthews, Prichett, Roberts, Sherman, and Yampolsky.

Noes: None          Abstain: None          Absent: Ford, Perezvelez

**14. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE IN COMPLAINT #2430**

**Motion to approve Complaint #2430 for administrative closure.**

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

Ayes: Allamby, Lippman, Matthews, Prichett, Roberts, Sherman, and Yampolsky.

Noes: None          Abstain: None          Absent: Ford, Perezvelez

**15. STATUS REPORT IN COMPLAINT #2432**

The PRC Officer reported on the status of the investigation in Complaint #2432. No action taken.

***End of Closed Session***

**16. ANNOUNCEMENT OF CLOSED SESSION ACTIONS**

The votes to approve the late filing of Complaint #2417 and to administratively close Complaint #2424 and #2432 were announced.

**17. ADJOURNMENT**

**By general consent, the meeting was adjourned at 10:00 p.m.**