



Police Review Commission (PRC)

POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES
(approved)

Wednesday, April 11, 2018
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY CHAIR MATTHEWS AT 7:08 P.M.

Present: Commissioner Sahana Matthews (Chair)
Commissioner George Lippman (Vice-Chair)
Commissioner Gwen Allamby
Commissioner George Perezvelez
Commissioner Andrea Prichett (left 9:18 p.m.)
Commissioner Terry Roberts
Commissioner Michael Sherman

Absent: Commissioner Ari Yampolsky

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood, Sgt. Ben Cardoza

2. APPROVAL OF AGENDA

With revisions to move Item #9.e. to after Item #9.b., and to combine Item #10.a. with Item #9.a., the Commission approved the agenda by general consent.

3. PUBLIC COMMENT

There were 3 speakers.

4. APPROVAL OF MINUTES

The Commission approved the minutes of the March 28, 2018 meeting, incorporating the addendum to the minutes handed out at the meeting, by general consent.

5. CHAIR'S REPORT

-- The Chief invited her to attend a CPE conference in Washington, D.C. in May.

-- Thanks to everyone working on subcommittees right now.

6. PRC OFFICER'S REPORT

- a. -- The PRC enabling ordinance was passed by the voters on April 17, 1973, so next Tuesday marks the 45th anniversary.
 - Complaint update: No new cases filed last week. Board of Inquiry held last week. Next BOI April 30. Haven't heard back from policy complainant. A Caloca appeal was filed on a sustained finding. One mediation pending.
 - Regulations were revised and sent to Commissioners separately from packet; please bring to meetings. Only change is to the summary dismissal process.
 - Commission Reform Subcommittee aiming to have draft Charter amendment for full Commission consideration at April 25 meeting; may have to clear rest of agenda. CPE still on for presentation at May 9 meeting.
- b. Prioritizing new agenda items (discussion & action)
(No discussion.)

7. CHIEF OF POLICE'S REPORT

Crime, budget, staffing, training updates, and other items.

- At 160 sworn; soon to be 155 due to 2 retirements (Lt. Rateaver and Capt. Hart) and 3 going to other agencies (1 to Vacaville and 2 to San Jose). Rico Rolleri promoted to Capt.; will replace Capt. Hart in heading Professional Standards Div. Been interviewing applicants for Capt., Lt. and Sgt. promotions.
 - 6 officers in training (3 each in field training and academy); 10 out on injury or other leave, so down to below 140. Planning for staffing patrol for summer; anticipate using OT. 8 investigations positions open.
 - Body worn cameras: Sacramento incident raised issues about officers muting cameras. Want to address in BPD policy to make sure it's rock solid and supported before implementing BWCs.
- 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 – to be scheduled.
- b. Homeless Encampment Subcommittee – Waiting for Council Ad Hoc Subcommittee to issue its draft policy, and for Homeless Commission to possibly appoint additional members to its Homeless Encampment Subcommittee.
- c. Commission Reform Subcommittee – Have been working hard, meeting 2 – 2.5 hours per meeting, twice a week. Plan to present a draft for full Commission to consider on April 25.

9. OLD BUSINESS (discussion & action)

- a. Ways to address BPD staffing shortage.
(Considered with Item #10.a., "Guiding Principles" for the PRC.)

Motion to adopt the Guiding Principles.

Moved/Seconded (Matthews/Prichett)

By general consent the Commission agreed to postpone this item to the next meeting.

- b. Establish subcommittee or other means to review and make recommendations on Lexipol policies from BPD.

Motion to establish a subcommittee to review and make recommendations on Lexipol policies.

Moved/Seconded (Perezvelez/Allamby)

Substitute motion: That the Commissioners have a chance to look at the Lexipol policies and compare them to existing policies, determine how significant the changes are, and then choose a course of action based on what is found out.

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

Ayes: Allamby, Lippman, Prichett, and Sherman.

Noes: Perezvelez, Roberts Abstain: Matthews Absent: Yampolsky

- c. Process for requesting information from BPD.

(Heard following Item #9.c.)

Motion to handle requests as follows: The PRC Officer will keep track of individual requests made during a meeting, and return those requests for discussion, prioritization and action in a standing agenda item at the following meeting.

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

Ayes: Allamby, Lippman, Matthews, Perezvelez, Roberts, and Sherman.

Noes: None Abstain: None Absent: Prichett, Yampolsky

- d. Assess BPD's After-Action reporting and response to Public Records Act Request.

(Item postponed to the next meeting.)

- e. Review of General Order C-45, Police Chaplain Program

(Heard following Item #9.b.)

Motion to object to establishment of chaplain program and encourage the Chief to find other ways to provide emotional support to officers.

Moved (Prichett) **Motion failed for lack of second.**

- f. Outreach:

- i) Consider whether to have a table publicizing the PRC at the Berkeley Juneteenth Festival on Sunday, June 17, 2017.

- ii) Discuss other ways to inform all segments of the Berkeley community about the work of the PRC.
(Both outreach items postponed to the next meeting.)
- g. Inquiry into BPD's handling of rape test kits; request for policy review of department's policies and procedures regarding the kits.
(Discussed; no action taken.)

10. NEW BUSINESS (discussion & action)

- a. Consider adoption of "guiding principles" for the Police Review Commission.
(Heard in conjunction with Item #9.a.)

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

- Comm. Roberts announced that Victoria Legg will be a temporary substitute commissioner for him during his absence for the next two meetings.
- Comm. Lippman reminded all that the PRC's report on fair and impartial policing is on the Council's April 24 agenda.
- Comm. Perezvelez announced that the BART Board of Directors will be considering the last proposed changes to its police oversight board tomorrow.

12. PUBLIC COMMENT

There was 1 speaker.

13. ADJOURNMENT

By general consent, the meeting was adjourned at 9:38 p.m.