



Police Review Commission (PRC)

POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES
(approved)

Wednesday, June 26, 2019
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY CHAIR PEREZVELEZ AT 7:06 P.M.

Present: Commissioner George Perezvelez (Chair)
Commissioner Gwen Allamby (Vice-Chair)
Commissioner Kitty Calavita
Commissioner LaMonte Earnest
Commissioner Sahana Matthews (left 9:48 p.m.)
Commissioner Elisa Mikiten
Commissioner Ismail Ramsey (arrived 7:46 p.m.)
Commissioner Terry Roberts (left 9:48 p.m.)

Absent: None

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood, Lt. Dave Lindenau, Sgt. Cesar Melero

2. APPROVAL OF AGENDA

Motion to approve the agenda with the addition of public comment before Item #9.a.

Moved/Second (Allamby/Mikiten) **Motion Carried**

Ayes: Allamby, Calavita, Earnest, Matthews, Mikiten, Perezvelez, and Roberts.

Noes: None

Abstain: None

Absent: Ramsey

3. PUBLIC COMMENT

There were 3 speakers.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes Draft of June 12, 2019

Moved/Second (Mikiten/Allamby) **Motion Carried**

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. Lexipol Policies Subcommittee – Chair Perezvelez said they met June 12 & June 18. Next meeting July 10 at 5:30 p.m.
- b. MOU Compendium Subcommittee – still waiting for answers from Chief.
- c. Standard of Proof Subcommittee. Chair Ramsey - Waiting for results of meet and confer.
- d. Probation & Parole Questioning Subcommittee – Chair Calavita gave an update from the June 10 & June 18 meetings; very productive. Lt. Montgomery attended last meeting and very helpful. Next meeting July 11 at 11:00 a.m.

9. OLD BUSINESS (discussion & action)

- a. Consider and approve Lexipol Policy #302, Handcuffing and Restraints, and communicate the PRC's recommendation on the use of spit hoods/spit masks to the City Council.

Public comment: 0 speakers

Motion to approve Policy 302 with amendments to Section 302.10: 1) change “when” to “while” in the second paragraph, and 2) adopt the Chief’s proposed language regarding trauma to the end of the first paragraph; recommend that the City Council direct the City Manager and Chief to return with a plan to gather more data on the BPD’s use of spit hoods and further review other potential alternatives to spit hoods.

Moved/Second (Roberts/Ramsey)

Friendly Amendment: That the Council and City Manager review the use of spit hoods on juveniles.

Moved by Perezvelez; Accepted by Roberts and Ramsey

Substitute motion to recommend approval of the Policy 302 with the following recommendations: 1) In the second paragraph of Section 302.10, change the word “when” to “while” [so the sentence begins, “Spit hoods may be placed upon person in custody while the officer reasonable believes” etc.]; 2) that the PRC endorses the BPD’s commitment to crisis intervention training and de-escalation strategies; 3) that the Chief propose data collection measures for the PRC’s consideration, including the types of circumstances hoods are used under; 4) that the BPD utilize other available methods of restraint when possible, such as placing a person in a vehicle; 5) the use of spit hoods with minors shall be restricted by Policy 302.7.

Moved/Second (Mikiten/Ramsey)

Friendly amendment that 5) should read: “the use of spit hoods on pre-adolescent children is prohibited.”

Moved by Calavita; Accepted by Mikiten and Ramsey

Friendly amendment to add, at the end of 2): “and promotes the use of CIT officers in the application of spit hoods when practical.”

Moved by Matthews; Accepted by Mikiten and Ramsey

Substitute motion, as amended, Carried

Ayes: Matthews, Mikiten, Perezvelez, Ramsey, and Roberts.

Noes: Calavita, Earnest Abstain: Allamby Absent: None

- b. Lexipol Policies for review and approval.

Lexipol #	G.O.	Title
316	M-01	Missing Persons
321	P-26	Standards of Conduct
325	C-62	Subpoenas and Court Appearances
418	Council Res. 51,408-N.S.	Obtaining Air Support

Motion to approve Lexipol Policies 316, 321, 325, and 418

Moved/Second (Ramsey/Perezvelez) **Motion Carried**

Ayes: Allamby, Calavita, Earnest, Mikiten, Perezvelez, and Ramsey

Noes: None Abstain: None Absent: Matthews, Roberts

- c. Consider recommending to the City Council that it endorse Senate Bill 233, prohibiting the arrest of a person for certain sex crimes if that person is reporting sexual assault, human trafficking, or other violent crimes.
(Item postponed to the next meeting.)
- d. Report from Commissioner Mikiten on the Mental Health Commission meeting of May 23, 2019, and possible joint request to the City Council for increased funding for the mobile crisis unit or other mental health services.
(Item postponed to the next meeting.)
- e. Consider establishing a subcommittee to review the BPD’s Use of Force policy.
(Item postponed to the next meeting.)
- f. Lexipol Policies for review and approval (from March 13, 2019 PRC meeting.)

Lexipol #	G.O. (if any)	Title
605		Brady Material Disclosure
702		Vehicle Maintenance
705		Personal Protective Equipment
902		Prison Rape Elimination

1000		Recruitment and Selection
1004		Anti-Retaliation
1005		Reporting of Employee Convictions
1025		Nepotism and Conflicting Relationships

(Item postponed to the next meeting.)

10. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached

11. PUBLIC COMMENT

There were 2 speakers.

12. ADJOURNMENT

By general consent, the meeting was adjourned at 9:53 p.m.