POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES
(approved)

Wednesday, September 4, 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 Michael Chang
Commissioner LaMonte Earnest
Commissioner Juliet Leftwich
Commissioner Elisa Mikiten
Commissioner Nathan Mizell
Commissioner Ismail Ramsey

Absent: None.

PRC Staff: Katherine J. Lee, PRC Officer


2. APPROVAL OF AGENDA

The agenda was approved by general consent.

3. PUBLIC COMMENT

There were 3 speakers.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes of July 24, 2019

Moved/Seconded (Mikiten/Allamby) Motion Carried

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

Noes: None

Abstain: Leftwich, Mizell

Absent: None
5. **CHAIR’S REPORT**
   -- Attended National Night Out.

6. **PRC OFFICER’S REPORT**
   -- New Commissioners Leftwich (appointed by Councilmember Wengraf) and Mizell (appointed by Councilmember Robinson) were introduced and said a few words about themselves.
   -- One new complaint filed since last meeting; complainant chose to mediate.
   -- PRC’s 2019 – 2020 Work Plan is in the City Council’s Sept. 10, 2019 agenda packet as an information item, and also in today’s PRC agenda packet.
   -- PRC Officer has renewed PRC’s request to the Chief for comment on draft report of the June 20, 2017 Subcommittee [Review of BPD Response at City Council meeting] now that related litigation has concluded.

7. **CHIEF OF POLICE’S REPORT**
   Capt. Rolleri reported on behalf of Chief Greenwood:
   -- Staffing has been trending up slowly. Currently 169 out of an authorized 181 sworn officers. 8 officers in 3 academies. 6 in field training; 2 to graduate soon. 2 new laterals to be sworn in Sept. 16, and a recruit graduating that day.
   -- With increased staffing, will be able to staff shorthanded units, like traffic collisions, and bike officers.
   -- Dispatch is down 4 positions.
   Capt. Rolleri 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. Lexipol Policies Subcommittee – Chair Perezvelez provided updates from the Aug. 7 and Sept. 4 meetings. He appointed Comm. Mikiten to this subcommittee.
   b. Probation & Parole Questioning Subcommittee – Chair Calavita provided updates from the Aug. 14 and Sept. 3 meetings. Next meeting October 8.
   c. MOU Compendium Subcommittee – waiting on Chief’s answers.
   e. Use of Force Subcommittee – PRC Chair Perezvelez appointed Comms. Leftwich, Chang, and himself to this subcommittee.
9. OLD BUSINESS (discussion & action)
   a. Review and approve the following Surveillance Use Policies and related reports
      and policies under Surveillance Technology Use & Community Safety
      Ordinance.
         i. 1301 – Global Positioning System (GPS) Tracking Devices (Use Policy) and
             Appendix A (Acquisition Report), as revised following July 24, 2019 meeting.
             (Item postponed to the next meeting.)
         ii. 1302 – Automated License Plate Readers (ALPRs) (Use Policy), Appendix A
              (Acquisition Report), and 422, ALPR Policy.

      Motion to approve for submission to the City Council for its review and
      discussion Lexipol Policy 422 with a letter expressing the following two
      caveats: 1) There was concern among some commissioners that the
      ALPR was acquired for the purpose of parking enforcement and that
      this policy represents an expansion of that function. If this is not what
      the City Council had in mind, then this policy should be modified
      accordingly; and 2) Section 422.4(c) does not adequately define what
      constitutes a crime scene.
      Moved/Seconded (Perezvelez/Mikiten)

      Friendly amendment: and to remind the Council that they will see actual
      use of this technology under the reporting policy in place in the
      Surveillance Ordinance.
      Moved by Mikiten; Accepted by Perezvelez

      Motion, as amended, carried:
      Ayes: Calavita, Chang, Leftwich, Mikiten, Perezvelez, and Ramsey.
      Noes: Earnest, Mizell
      Abstain: Allamby
      Absent: None

   b. Policy Complaint #2455: Decide whether to accept policy complaint based on
      additional information received and, if accepted, determine how to proceed.

      Motion to not accept Policy Complaint #2455.
      Moved/Seconded (Allamby/Mikiten)  Motion Carried
      Ayes: Allamby, Calavita, Chang, Earnest, Leftwich, Mikiten, Mizell,
      Perezvelez, and Ramsey.
      Noes:  None
      Abstain:  None
      Absent: None

10. NEW BUSINESS (discussion & action)
   a. Approve issuing a certificate of appreciation for former Commissioner Terry
      Roberts; and discuss criteria for such certificates.
      From: PRC Officer

      By general consent, the Commission agreed to present former
      Commissioner Terry Roberts with a Certificate of Appreciation, and
      empowered the Chair and the PRC Officer to prepare it.
Motion to establish the following criteria for issuing certificates of appreciation to former commissioners: 1) It shall be agendized for a full vote before the Commission; 2) It should be presented while the commissioner is still on the Commission, is possible; and 3) It shall be given to a commissioner who has served on the PRC at least 3 years. Moved/Seconded (Mikiten/Calavita) **Motion Carried**  
Ayes: Allamby, Calavita, Chang, Earnest, Leftwich, Mikiten, Perezvelez, and Ramsey.  
Noes: None  
Abstain: Mizell  
Absent: None

b. Lexipol Policies for review and approval.  
From: Lexipol Subcommittee

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<th>G.O. (if any)</th>
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<td>Foreign Diplomatic and Consular Representatives</td>
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*(Item postponed to the next meeting.)*

11. ATTACHMENTS & COMMUNICATIONS

Attached.

12. PUBLIC COMMENT

There was 1 speaker.

**Closed Session**

13. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE IN COMPLAINT #2456

Motion to administratively close Complaint #2456.  
Moved/Seconded (Allamby/Mikiten) **Motion Carried**  
Ayes: Allamby, Calavita, Chang, Earnest, Leftwich, Mikiten, Perezvelez, and Ramsey.  
Noes: None  
Abstain: Mizell  
Absent: None
14. REVIEW OF ADMINISTRATIVE LAW JUDGE’S DECISION IN CALOCA APPEAL OF COMPLAINT #2446  
(Discussed; no action taken.)

End of Closed Session

15. ANNOUNCEMENT OF CLOSED SESSION ACTION

The Commission’s vote to not accept Complaint #2456 was announced.

16. ADJOURNMENT

Motion to adjourn the meeting.  
Moved/Seconded (Allamby/Mikiten)  Motion Carried  
Ayes:  Allamby, Calavita, Chang, Earnest, Leftwich, Mikiten, Mizell, Perezvelez, and Ramsey.  
Noes:  None  Abstain:  None  Absent:  None  

The meeting was adjourned at 10:05 p.m.