



Police Review Commission (PRC)

**POLICE REVIEW COMMISSION
REGULAR MEETING
MINUTES**

**Wednesday, November 13, 2019
7:00 P.M.**

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY CHAIR PEREZVELEZ AT 7:07 P.M.

Present: Commissioner George Perezvelez (Chair)
Commissioner Gwen Allamby (Vice-Chair)
Commissioner Kitty Calavita
Commissioner Michael Chang
Commissioner Juliet Leftwich
Commissioner Elisa Mikiten
Commissioner Ismail Ramsey

Absent: Commissioners LaMonte Earnest, Nathan Mizell

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood, Lt. Dave Lindenau, Lt. Dan Montgomery, Sgt. Cesar Melero, Sgt. Spencer Fomby, Sgt. Sam Speelman (BPA)

2. APPROVAL OF AGENDA

By general consent, the Commission approved the agenda with one revision, to hear Item #10.a. following Item #7.

3. PUBLIC COMMENT

There were 2 speakers.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes Draft of October 23, 2019.

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

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

Noes: None

Abstain: None

Absent: Earnest, Mizell

5. CHAIR'S REPORT

Chair Perezvelez reported on his trip to the IACP (International Assoc. of Chiefs of Police) conference; he attended 18 panels in 3-1/2 days.

6. PRC OFFICER'S REPORT

The PRC Officer and Chair Perezvelez reported on the Council's discussion the previous night on the first Surveillance Technology Report presented, covering policies on ALPRs, Body-Worn Cameras, and GPS trackers that the PRC had reviewed. No action taken; Council will likely take up again at its Dec. 3 meeting.

The PRC Officer reported:

- One new complaint filed last week; only one other complaint pending.
- Last regular meeting of the year is Dec. 11, at which time the Commission will approve its 2020 regular meeting schedule.

7. CHIEF OF POLICE'S REPORT

Chief Greenwood reported:

- Currently 170 sworn officers. 2 laterals started last week; 5 officers have completed training. 1 officer graduating academy Friday; 3 more in Dec. and 3 in Feb. More laterals undergoing background checks.
- Promotions process underway for lieutenants and sergeants. For each candidate he reviews 5 years of personnel records and conducts a one-on-one interview; time-consuming but highly worthwhile.
- At IACP conference, one of the best panels was on officer wellness. Themes this year: awareness of officer suicide; mindfulness/meditation, and connecting that to de-escalation – use time and distance. At a town hall, the Chief shared his perceptions of the face recognition ban in Berkeley; important for law enforcement to have a clear idea of how the technology works and where data is stored.
- At Council last night, Councilmember Harrison submitted a revised item to modify Policy 422 on ALPRs to delete their use for patrol operations due to concern, which PRC had raised, about it being overly broad. Allowed uses: 1) Parking/scofflaw enforcement; 2) criminal investigation; 3) canvassing (need to flesh out meaning). Council had no comments re GPS trackers. Many questions about the body-worn camera policy; Chief wary about changes being proposed from the dais when the policy resulted from a lengthy process that included outside attorneys, PRC and the BPA. Appreciate the PRC completing its input on the Surveillance technologies at its last meeting.

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:

(Heard following Item #10.a.)

- a. Lexipol Policies Subcommittee – Chair Perezvelez reported that the Subcommittee met Oct. 9, Oct. 23, and Nov. 13; continuing to work their way through the dozens of Lexipol Policies.
- b. MOU Compendium Subcommittee – waiting for Chief’s answers.
- c. Standard of Proof Subcommittee – awaiting outcome of meet-and-confer.
- d. Use of Force Subcommittee – awaiting revised policy from BPD.

9. OLD BUSINESS (discussion & action)

- a. Proposed amendment to PRC Regulations regarding handling of informal complaints.

(Item postponed to the next meeting.)

- b. Lexipol Policies for review and approval.

Lexipol #	G.O. (if any)	Title
349	F-06	Tactical Rifle Operator
410	I-16	Mental Illness Commitments
411	C-10	Cite and Release Policy
419	F-03	Field Training Officer Program

Motion to accept Policies 349 and 419, and return 410 and 411 to the Subcommittee.

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

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

Noes: None

Abstain: None

Absent: Earnest, Mizell

10. NEW BUSINESS (discussion & action)

(Heard following Item #7.)

- a. Consider recommendation to revise the Berkeley Police Department’s policies regarding: 1) Questioning detainees about their probation or parole status; and 2) Conducting searches of detainees are on probation or parole.

Presentations made by Comm. Calavita, Probation & Parole Searches Subcommittee Chair; Sgt. Joe Turner, Oakland Police Dept.; BPD Lt. Dan Montgomery; Marcus Dawal, Assistant Chief Probation Officer, Alameda Co. Probation Dept.

Public comment: 5 speakers.

Discussion; no action taken – to be continued at the next meeting.

- b. Commendations of Berkeley Police Dept. personnel:
 - i. Consider revising how the PRC reviews and acts on commendations.
 - ii. Review commendations for January through June 2019.

(Item postponed to the next meeting.)

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached.

12. PUBLIC COMMENT

There were no speakers.

13. ADJOURNMENT

Motion to adjourn the meeting.

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

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

Noes: None

Abstain: None

Absent: Earnest, Mizell

The meeting was adjourned at 9:50 p.m.