



Police Review Commission (PRC)

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

**Wednesday, January 22, 2020
7:00 P.M.**

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY CHAIR PEREZVELEZ AT 7:05 P.M.

Present: Commissioner George Perezvelez (Chair)
Commissioner Gwen Allamby (Vice-Chair)
Commissioner Kitty Calavita
Commissioner Juliet Leftwich
Commissioner Elisa Mikiten
Commissioner Nathan Mizell

Absent: Commissioners Michael Chang and Ismail Ramsey

PRC Staff: Byron Norris, PRC Investigator

BPD Staff: Lt. Dave Lindenau; Sgt. Cesar Melero

2. APPROVAL OF AGENDA

Motion to approve Regular Meeting Agenda of January 22, 2020

Moved/Seconded (Allamby/Calavita) **Motion Carried Unanimously**

Ayes: Allamby, Calavita, Leftwich, Mikiten, Mizell, Perezvelez

Noes: Abstain: Absent: Chang, Ramsey

3. PUBLIC COMMENT

There were 4 speakers.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes of January 8, 2020

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

Ayes: Allamby, Calavita, Leftwich, Mikiten, Mizell.

Noes: Abstain: Perezvelez Absent: Chang, Ramsey

5. CHAIR'S REPORT

There was no report.

6. PRC OFFICER'S REPORT

Status of complaints, other items.

- No new complaints filed since the commission last met.

7. CHIEF OF POLICE'S REPORT

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

- There was no report.

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 -- has completed 65% of its policy reviews; next meeting to be scheduled.
- b. MOU Compendium Subcommittee -- completed all MOU reviews, except one with UCPD; next meeting may be scheduled for Feb 5.
- c. Standard of Proof Subcommittee -- awaiting outcome of meet-and-confer between City and police union to determine necessity of meeting.
- d. Use of Force Subcommittee -- first meeting to be scheduled.

9. OLD BUSINESS (DISCUSSION & ACTION)

a. Commendations of Berkeley Police Department personnel:

- i. Review revised proposal for how the PRC reviews and acts on commendations.

Motion to approve proposed amendment to PRC Standing Rules regarding commendations for BPD personnel [as reflected on page 13 of the agenda packet].

Moved/Seconded (Calavita/Mikiten) **Motion Carried Unanimously**

Ayes: Allamby, Calavita, Leftwich, Mikiten, Mizell, Perezvelez

Noes: Abstain: Absent: Chang, Ramsey

- ii. Review commendations for January through June 2019.
(See pp. 25 – 75 of Nov. 13, 2019 packet.)

By general consent, this matter was continued to the next meeting.

10. NEW BUSINESS (DISCUSSION & ACTION)

a. Lexipol Policies for review and approval:

Lexipol #	G.O. (if any)	Title
202	D-09	Emergency Operations Plan
301	R-03, U-01	Officer Involved Shooting/Injury Review Board
337	D-21	Biological Samples
408	B-03	Response to Bomb Calls
421	R-29	Contacts and Temporary Detentions

(See separate packet.)

Motion to approve Policy 202 with recommendation to the Police Chief to specify the local ordinance referenced in Section 202.2

Moved/Seconded (Calavita/Allamby) **Motion Carried Unanimously**

Ayes: Allamby, Calavita, Leftwich, Mikiten, Mizell, Perezvelez

Noes: Abstain: Absent: Chang, Ramsey

Policy 301. By general consent, commissioners returned the policy to the Lexipol Subcommittee and BPD to review terminology inconsistencies and typographical issues.

Policy 337. By general consent, commissioners returned the policy to the Lexipol Subcommittee and BPD to review the following: the use of “will” instead of “shall” in section 337.5, line 3, and the use of “should” instead of “shall” in section 337.5.2, lines 2 and 3.

Motion to approve Policy 408.

Moved/Seconded (Calavita/Leftwich) **Motion Carried Unanimously**

Ayes: Allamby, Calavita, Leftwich, Mikiten, Mizell, Perezvelez.

Noes: Abstain: Absent: Chang, Ramsey

Motion to approve Policy 421.

Moved/Seconded (Calavita/Ramsey) **Motion Carried Unanimously**

Ayes: Allamby, Calavita, Leftwich, Mikiten, Mizell, Perezvelez

Noes: Abstain: Absent: Chang, Ramsey

b. Election of Commission Chairperson and Vice-Chairperson for 2020.

Election of Chair

Nomination of Commission Allamby (Mikiten/Calavita)

Nomination of Commission Calavita (Perezvelez/Mikiten)

Commissioner Allamby declined the nomination.

Commissioner Calavita was elected chair by unanimous consent.

Election of Vice-Chair
Nomination of Commission Mizell (Allamby/Calavita)
Commissioner Mizell was elected vice- chair by unanimous consent.

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached.

12. PUBLIC COMMENT

There were three public speakers.

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):

13. PRESENTATION FOR ADMINISTRATIVE CLOSURE IN CASE #2468

Motion to approve administrative closure in Complaint #2468

Moved/Seconded (Allamby/Mikiten) **Motion Carried Unanimously**

Ayes: Allamby, Calavita, Leftwich, Mikiten, Mizell, Perezvelez

Noes: Abstain: Absent: Chang, Ramsey

End of Closed Session

14. ANNOUNCEMENT OF CLOSED SESSION ACTION

The Commission's vote in Complaint #2468 was announced.

15. ADJOURNMENT

Motion to adjourn Regular Meeting of Jan.22, 2020

Moved/Seconded (Allamby/Mikiten) **Motion Carried Unanimously**

Ayes: Allamby, Calavita, Leftwich, Mikiten, Mizell, Perezvelez

Noes: Abstain: Absent: Chang, Ramsey

The meeting was adjourned at 8:27 p.m.