



Police Review Commission (PRC)

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

**Wednesday, February 26, 2020
7:00 P.M.**

South Berkeley Senior Center
2939 Ellis Street, Berkeley

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

Present: Commissioner Kitty Calavita (Chair)
Commissioner Nathan Mizell (Vice-Chair)
Commissioner Michael Chang
Commissioner Juliet Leftwich
Commissioner Elisa Mikiten
Commissioner George Perezvelez (arrived 8:10 p.m.)
Commissioner Ismail Ramsey (arrived 7:11 p.m.)

Absent: Commissioner Gwen Allamby

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood, Lt. Dave Lindenau, Sgt. Cesar Melero, Ofc. Daniel Morales (BPA)

2. APPROVAL OF AGENDA

Motion to approve the agenda with correction to Item #4, approval of minutes, to refer to the meeting of February 5, not 6.

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

Ayes: Calavita, Chang, Leftwich, Mikiten, Mizell, and Ramsey.

Noes: None Abstain: None Absent: Allamby, Perezvelez

3. PUBLIC COMMENT

There was 1 speaker.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes Draft of February 5, 2020 with a correction to show that Commission Mikiten, not Commissioner Leftwich, arrived at 7:35 p.m.

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

Ayes: Calavita, Chang, Leftwich, Mikiten, Mizell, and Ramsey.

Noes: None

Abstain: None

Absent: Allamby, Perezvelez

5. CHAIR'S REPORT

Chair Calavita reported:

-- Mayor's Workgroup on Fair & Impartial Policing met on Feb. 19, continuing to focus on data collection – search and yield rates. Chair is part of Outreach subgroup. Perhaps PRC could work with that subgroup or pick up where it leaves off. Learned former PRC Outreach Subcommittee produced extensive plan.

-- Surveillance Technology Reports at City Council last night. Consideration of ALPR policy, on which the PRC had weighed in, postponed to April 14 meeting.

-- Calif. Auditor's office issued a report on ALPRs on Jan. 14.

6. PRC OFFICER'S REPORT

The PRC Officer reported:

-- No new complaints filed since the last meeting. First time in staff's memory no pending complaints; perhaps first time in history of PRC.

-- Re Surveillance Tech Reports, last night City Council also postponed consideration of Body-Worn Camera policy, to March 10 meeting.

-- Meet and confer re Charter amendment to reform PRC is concluded. May be scheduled for March 24 Council meeting. Consider special PRC meeting following publication of Council agenda.

7. CHIEF OF POLICE'S REPORT

Chief Greenwood reported:

-- Currently 169 sworn officers; of those, 10 are in training. 3 job offers pending. Another 12 or so potential hires, but also 8-9 potential losses on the horizon due to retirement and injuries. Using overhire strategy of 5 positions, for 181 authorized, to get BPD fully staffed at 176.

-- Chief and 9 others from BPD attended a 3-day class on cultivating compassion. Included 3 dispatchers and several officers with less than 2 years in the dept. Positive response from attendees.

-- Council may hold a special meeting, to allow enough time to consider the Charter amendment to reform the PRC.

-- Re Surveillance Tech Reports, a slight addition to the BWC policy triggered need to meet with BPA. The ALPR policy is under extensive review. Has been claimed that Council didn't know they would be used for anything other than parking & scofflaw enforcement, but research of Council records and reports show otherwise.

-- Future training for BPD includes full day of de-escalation training in Spring, and Fair & Impartial Policing training later in the year. Would like to hold the 8-hour version for officers and the community again.

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 – The Chair appointed Comm. Leftwich to this subcommittee.
- b. Standard of Proof Subcommittee – Still awaiting results of meet-and-confer.
- c. Use of Force Subcommittee – Had first meeting earlier today; Comm. Chang elected chair.

The Chair reminded all that Subcommittees are to produce written notes of each meeting, per the Standing Rules, and submit to the PRC officer.

9. OLD BUSINESS (discussion & action)

- a. Review and approve MOU Compendium agreements.

Motion to approve MOU compendium agreements

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

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

Noes: None Abstain: Mizell Absent: Allamby, Perezvelez

10. NEW BUSINESS (discussion & action)

- a. Disband MOU Compendium Subcommittee

The MOU Compendium Subcommittee was disbanded by general consent.

- b. Whether to open a review of BPD officers' compliance with provisions governing muting of body-worn cameras (BWCs) in Policy 425, governing BWCs.

Discussion; no action taken.

- c. Discuss use of force training opportunity from Chief Greenwood.

Most Commissioners expressed interest. Chief will return with further information.

11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached.

12. PUBLIC COMMENT

There were no 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. REVIEW INFORMAL COMPLAINT

Submitted January 29, 2020.

End of Closed Session

14. ANNOUNCEMENT OF CLOSED SESSION ACTION

The Chair announced the commissioners voted by general consent to send a letter to the person who filed the informal complaint.

15. ADJOURNMENT

By general consent, the meeting was adjourned at 8:30 p.m.