



Police Review Commission (PRC)

DRAFT

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

**Wednesday, March 11, 2020  
7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

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

Present: Commissioner Kitty Calavita (Chair)  
Commissioner Nathan Mizell (Vice-Chair)  
Commissioner Gwen Allamby  
Commissioner Michael Chang  
Commissioner Juliet Leftwich  
Commissioner Elisa Mikiten  
Commissioner George Perezvelez (arrived 7:14 p.m.)

Absent: Commissioner Ismail Ramsey

PRC Staff: Katherine J. Lee, PRC Officer

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

**2. APPROVAL OF AGENDA**

**Motion to approve the agenda.**

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

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

Noes: None Abstain: None Absent: Perezvelez, Ramsey

**3. PUBLIC COMMENT**

There were no speakers.

**4. APPROVAL OF MINUTES**

**Motion to approve regular meeting minutes of February 26, 2020 with a correction to a typographical error on Item #5.**

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

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

Noes: None Abstain: None Absent: Perezvelez, Ramsey

## **5. CHAIR'S REPORT**

Chair Calavita reported:

-- Last week's meeting of the Mayor's Workgroup on Fair & Impartial Policing was postponed because the data to be produced was not yet ready. Will meet next Wednesday.

-- Attended City Council meeting last night with PRC Officer. Council approved Policy 1300, Body Worn Cameras with some changes. PRC not asked to comment; PRC Officer had sent PRC's 3-29-2019 memo regarding suggested changes to BWC policy. Chair would like to agendaize BWC policy for an April PRC meeting.

## **6. PRC OFFICER'S REPORT**

The PRC Officer reported:

-- No new complaints filed since the last meeting, although 3 people have made inquiries about filing.

-- PRC Investigator Norris has completed the task of pulling PRC complaint files that might be responsive to Public Records Act requests for records disclosable under SB 1421.

-- Mr. Norris has started work on the 2019 Annual Report.

-- Re Council's action last night, the BWC policy was reviewed as a requisite step under the Surveillance Ordinance.

-- City is conducting a public restroom survey, and commissioners have been asked to respond.

-- Reminder to all Commissioners to do a ride-along if they haven't yet done so.

-- Council's Agenda & Rules Committee meeting tomorrow afternoon to consider a halt to non-essential commission meetings for commissions with quasi-judicial functions.

## **7. CHIEF OF POLICE'S REPORT**

Lt. Lindenau reported on behalf of Chief Greenwood:

-- Currently 174 sworn officers; includes 14 – 15 in academy and field training.

-- In addition to BWC last night, Council will consider ALPRs under the Surveillance Ordinance.

-- Police reform Charter amendment will be on Council's March 24 agenda, and published tomorrow.

-- Re coronavirus issue, department in training on use of personal protective equipment and planning for how to interact with infected individuals. Best source of information about the coronavirus is the City's website.

**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 – hasn’t met due to backlog.
- b. Standard of Proof Subcommittee – waiting to see Charter amendment.
- c. Use of Force Subcommittee – Chair Chang reported on the March 4 meeting.

**9. OLD BUSINESS (discussion & action)**

- a. Consider holding a Police Review Commissioners’ retreat.

**Motion that the PRC hold a retreat on a Saturday to be determined that is convenient for commissioners, to discuss strategy and big picture items.**  
Moved by Leftwich; then withdrawn.

**10. NEW BUSINESS (discussion & action)**

- a. Possible scheduling of a special meeting to review and comment on a proposed ballot measure to be considered by the City Council, to amend the City Charter to reform civilian oversight of Berkeley police.

**Motion to have a special meeting to hear Deputy City Manager David White’s presentation to the PRC.**

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

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

Noes: None

Abstain: None

Absent: Ramsey

**By general consent, the Commission: asked the PRC Officer to ask Mr. White if he can be available next Wednesday, March 18, for a 7:00 p.m. special meeting; if he cannot, agreed to hold a special meeting on Tuesday, March 17, at 6:00 p.m.; and asked that the PRC Officer and Chair express to Mr. White the PRC’s disappointment and concern that the Commission is being given an inadequate amount of time to review and provide feedback to the Council on the proposed charter amendment.**

- b. Review commendations of BPD employees from July through December 2019.

**By general consent, the Commission agreed to commend the following employees:**

**Ofc. Kacelek for showing compassion in the investigation of a sexual assault case, demonstrating superior handling of a difficult situation [p. 25 of packet].**

**Ofc. Tinney for his extraordinary and exceptionally sensitive handling of a call from a disabled resident [p. 56].**

**Ofc. Cerletti for his superior handling of a response to a mother and her young daughter, who had just experienced a harrowing encounter with a mentally ill man [p. 39].**

**Ofc Belveal for his actions in locating and detaining a drunk driver, showing superior handling of a difficult situation [p. 47].**

**Lt. Hong for serving as a rater in assessing candidates for sergeant in the City of Pleasanton; offering his time and skills to perform this work was above and beyond his typical duties [p. 23].**

**Ofc. Kirkbride for being compassionate and empathic with a sexual assault victim, and staying 2 hours beyond the end of her shift to work on the investigation, showing superior handling of a difficult situation [p. 54].**

**Sgt. Rodrigues for conceiving of, and securing a grant application to fund, “Shop With a Berkeley Cop,” pairing needy children with officers to go Christmas shopping at Target; the initiative she showed went well above and beyond her typical duties [p. 63].**

**Reserve Officers Parker, R. Brown, Louie, Fong, and Richman for extra patrols for Jewish congregations during High Holy Day Services; this assistance to the Jewish community was above and beyond typical duties [p. 41].**

**Members of the department who provided public safety assistance to Sonoma County following the October 2019 wildfires; this work, for which officers volunteered was above and beyond the call of duty [p. 61].**

**Ofc. McDougall, who exceeded his typical duties to secure a special coin for the family of a recently deceased former Berkeley police officer; showed support for morale and community building [p. 58].**

**Motion to commend Ofc. Lomeli for his superior handling of a difficult situation when he executed a traffic stop that resulted in the recovery of weapon used in a prior crime [p. 45].**

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

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

Noes: Mizell

Abstain: None

Absent: Ramsey

c. Lexipol Policies for review and approval:

<b>Lexipol #</b>	<b>G.O. (if any)</b>	<b>Title</b>
431		Medical Aid and Response
434	A-31, A-32	Animal Control

**Motion to send Policy 431 back to the Lexipol Subcommittee.**

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

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

Noes: None

Abstain: None

Absent: Ramsey

**Motion to accept Policy 434.**

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

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

Noes: None

Abstain: None

Absent: Ramsey

**11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached.

**12. PUBLIC COMMENT**

There were no speakers.

**13. ADJOURNMENT**

**By general consent, the meeting was adjourned at 8:55 p.m.**