

**As of 6-20-2020**

**BERKELEY POLICE REVIEW COMMISSION USE OF FORCE POLICY SUBCOMMITTEE**

**6.11.2020 530PM**

Present: George Perezvelez, Michael Chang, Juliet Leftwich, Ismail Ramsey

**Agreement**

Prioritize the review of the following items. Others as time permits. Deadline 6.24.2020

1. Sanctity of Life
2. Purpose and Scope
3. Standard
4. Core Values
5. Use of Force Definitions
6. Use of Force Levels
7. Reporting
8. Discussion of Use of Force Continuum

Guidelines as set by the original Use of Force Policy creation motion with directive for City Council 6.9.2020 resolution on scope to include the 4 outstanding recommendations from the 8 can't wait campaign and NAACP

**Reviewed**

1. Sanctity of Life statement
2. Purpose and Scope
3. Use of Force Standard - seems to be missing from draft policy received

**On Use of Force Standard**

1. Incorporate Minimal Use of Force Language Standard in addition to the "Necessary Standard" per AB 392

1. **Under Definitions - Minimal amount of force necessary** - The lowest level of force within the range of objectively reasonable force that is necessary to effect an arrest or achieve a lawful objective without increasing the risk to others.

2. **Under Purpose and Scope**- Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose. Officers must strive to use the minimal amount of force necessary.

**Next Meeting: 6.15.2020 530PM**

Present: George Perezvelez, Michael Chang, Juliet Leftwich, Ismail Ramsey

**Tasks**

1. Finalize language form reviewed items on 6.11.2020- **Scope, Sanctity and Standard**

**Next Meeting: 6.17.2020 530PM**

Present: George Perezvelez, Michael Chang, Juliet Leftwich, Ismail Ramsey

**Discussed Tasks**

1. Core Values
2. Force Definitions
3. Force Reporting Levels

**Next Meeting: 6.19.2020 500 PM**

Present: George Perezvelez, Michael Chang, Juliet Leftwich, Ismail Ramsey

Possible deadline extension to 6.29.2020. Added meetings on 6.22/6.24 and 6/26

**Completed Tasks**

1. Finalized language and formatting on Core Values,
2. Discussed Force Definitions further
3. Reviewed and expanded language on Chokeholds and Carotid restrain hold
4. Reviewed and expanded language on Duty to intercede

**Next Meeting: 6.22.2020 530 PM**

**Tasks**

1. Force Definitions- Revisit place holder on language concerns by BPD away from binary definitions- Commissioner Ramsey, Chang, Lt. Fomby (active/passive resistor, assailant, combative)
2. Force Reporting Levels

3. Review De-escalation language (should/shall)
4. Review language on internal and external reporting standards
5. Authorization on Deadly Use of Force
6. Review language on shooting moving vehicles, fleeing subject
7. Any other language in the policy that needs to be in line with recommendations to include objectively reasonable standard
8. Finalize all language discrepancies with changes, formatting and presentation to the PRC
9. Ban on “No-Knock” warrants recommendation
10. Discuss Use of Force Continuum vis a vis critical incident decision making process/ ICAT

**Next Meeting: 6.24.2020 500 PM (time to be confirmed)**

1. Spill over for tasks from 6.22.2020
2. Discuss Use of Force Continuum referral vis a vis ICAT- possibly as an Add with additional recommendations to Council (referral issue)
3. Objectively reasonable standard consistency throughout policy
4. All yet to be finalized language and formatting issues to include reference to AB230 and AB392 laws

**Next Meeting: 6.26.2020 (time TBA)**

**Tasks**

1. Spill over for tasks from 6.24.2020
2. Discuss Core Subcommittee Principles on Force: Minimal, Objectively Necessary, Proportional
3. Discuss possible “Strive to Use Minimal Force” language compromise
4. Assign Presentation responsibilities
5. Decide Which materials (orders/policies, studies, letters of support) to include in presentation to PRC and in referral response