



Police Review Commission (PRC)

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

**Wednesday, October 14, 2020
7:00 P.M.**

No physical location; meeting held exclusively through videoconference and teleconference.

**1. CALL TO ORDER (BY LONGEST SERVING COMMISSIONER) & ROLL CALL
AT 7:05 P.M.**

Present: Commissioner Juliet Leftwich
Commissioner Elisa Mikiten
Commissioner George Perezvelez
Commissioner Ismail Ramsey
Commissioner Patrick Sheahan (*temporary*)
Commissioner Leah Wilson (*temporary*)

Absent: Commissioners: Kitty Calavita (Chair), Nathan Mizell (Vice Chair),
Gwen Allamby, Michael Chang.

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood, Capt. Rico Rolleri

2. ELECTION OF TEMPORARY CHAIRPERSON FOR THIS MEETING

Motion to elect George Perezvelez as temporary chairperson for this meeting

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

Ayes: Leftwich, Mikiten, Perezvelez, Ramsey, Sheahan, and Wilson.

Noes: None Abstain: None Absent: Allamby, Calavita, Chang, Mizell

3. APPROVAL OF AGENDA

The agenda was approved by general consent

4. PUBLIC COMMENT

There was 1 speaker.

5. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes Draft of September 23, 2020

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

Ayes: Leftwich, Mikiten, Perezvelez, Ramsey, Sheahan.

Noes: None Abstain: Wilson

Absent: Allamby, Calavita, Chang, Mizell

6. PRC OFFICER'S REPORT

The PRC Officer reported:

-- No new complaints filed since the last meeting. [Erroneous; one new complaint filed.]

-- Commissioner Perezvelez was elected to the NACOLE (National Association for Civilian Oversight of Law Enforcement) Board.

-- Chief Greenwood gave crime report, use of force [UOF] report, and overtime [OT] report to Council last night. Think about having presentation given to PRC.

-- The City received 6 RFPs to do community engagement for the Public Safety Re-imagining project. PRC Officer will be on an interview panel of City staff; Chair Calavita will be on panel of stakeholders.

Comm. Ramsey reported on the Mayor's Working Group on Fair & Impartial Policing:

-- The group continues to meet, and is attempting to reach consensus on how to deal with disparities in stop data. Next meeting is Weds, Oct. 21; will probably meet at least once more after that. In the writing phase and winding down.

Recommendations may have some implications for PRC or new Police Accountability Board, if approved.

7. CHIEF OF POLICE'S REPORT

Chief Greenwood reported:

-- Currently at 165 sworn, but 5 retiring or leaving for other agencies in next couple months. Staffing a major concern.

-- Historically, do yearly crime report for Council, but had been delayed; then was asked to add UOF and OT reports. Presentation very long; perhaps Commissioners could look at the PowerPoint and presentation at Council and Chief can answer questions at PRC meeting.

-- Can track BPD budget and OT discussions, by following Council's Budget Committee meetings. On Oct. 22 will discuss last year's OT budget; on Nov. 12, will present this year's budget.

-- 3 recruits graduated from academy on Monday and begin training this week. 4-1/2 months to become solo officers.

-- Went live with RIPA [Racial Identity and Profiling Act] data reporting software. Sent off-agenda memo to Council about it and forwarded to Ms. Lee. Will be

posted on City's Open Data portal beginning in November; there'll be two sets of stop data, the "legacy" data and the newly collected data. Recording at least 19 points of data for every stop. Can present how software works to PRC

- Started departmental training on new UOF policy.
- Chair Calavita participated in oral panels for captain candidates.

8. SUBCOMMITTEE REPORTS (discussion and 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 – waiting for Controlled Equipment Ordinance discussions to wrap up; perhaps start meeting again in early November.

9. NEW BUSINESS (discussion and action)

- a. Whether the Police Department has a written policy regarding utilization of "no-knock" warrants, and whether to establish a subcommittee to review, revise, or draft such a policy.

Motion to form a subcommittee to study Policy 606, Service of Warrants

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

Ayes: Leftwich, Mikiten, Perezvelez, Ramsey, Sheahan, and Wilson.

Noes: None Abstain: None

Absent: Allamby, Calavita, Chang, Mizell

- b. Policy Complaint #2478: Consider whether to accept the policy complaint regarding fees for towing and storage; if accepted, how to proceed with reviewing the issue.

Motion to postpone this item to the next meeting

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

Ayes: Leftwich, Mikiten, Perezvelez, Ramsey, Sheahan, and Wilson.

Noes: None Abstain: None

Absent: Allamby, Calavita, Chang, Mizell

10. 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:

11. CONSIDER WHETHER TO ACCEPT LATE-FILED COMPLAINT #2476

Motion to deny the Late File for lack of good cause, but with a request that the Police Department provide the complainant with any documentation or report they have related to the subject of her complaint.

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

Ayes: Leftwich, Mikiten, Perezvelez, Ramsey, Sheahan, and Wilson.

Noes: None Abstain: None

Absent: Allamby, Calavita, Chang, Mizell

End of Closed Session

12. ANNOUNCEMENT OF CLOSED SESSION ACTION

The action of the Commission to deny the late file was announced.

13. ADJOURNMENT

By general consent, the meeting was adjourned at 8:37 p.m.