



Police Review Commission (PRC)

DRAFT

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

Wednesday, January 13, 2021, 7:00 P.M.

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

1. CALL TO ORDER & ROLL CALL BY CHAIR CALAVITA AT 7:02 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 Hans Isaac Moore
Commissioner George Perezvelez
Commissioner Ismail Ramsey

Absent: None

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Andy Greenwood, Capt. Rico Rolleri, Lt. Peter Hong,
Supervising Public Safety Dispatcher Valentina Edwards

2. APPROVAL OF AGENDA

By general consent, the agenda, as amended by moving Item #9.d. ahead of Item # 9.c., was approved.

3. PUBLIC COMMENT

There were 6 speakers.

On a question of personal privilege: **Motion to adjourn in memory of Kenneth Jones, founding member of the BART Police Citizen Review Board.**
Moved/second (Perezvelez/Ramsey) **Motion carried by general consent.**

4. APPROVAL OF MINUTES

By general consent: 1) the Special Meeting minutes of December 9, 2020, were approved, as corrected to reflect that: PRC Investigator Byron Norris was present; and the Complainant waived her right to have the matter heard at a Regular Meeting; and 2) the Regular Meeting minutes of December 9, 2020 were approved.

5. CHAIR'S REPORT

Chair Calavita reported:

- The Mayor's Working Group on Fair & Impartial Policing submitted its report to the City Council; will be agendaized for Council's Feb. 23 meeting.
- New PRC Chair and Vice-Chair will be elected at the Jan. 27 meeting.

6. PRC OFFICER'S REPORT

The PRC Officer reported:

- Complaint deadlines report posted on PRC agendas page. Three current investigations; two being presented later tonight for administrative closure. Two new complaints filed since your last meeting: both complainants requested mediation; one completed and one to be scheduled. One policy complaint, to be addressed by Subcommittee.
- PRC Meeting schedule for 2021 in this week's packet.

7. CHIEF OF POLICE'S REPORT

Chief Greenwood reported:

- Staffing still a concern. Currently at 160 sworn with a lateral being hired. Current recruitment efforts won't yield a solo officer until Spring 2022.
- Been focused on COVID and COVID prevention; Dept. been impacted by the surge. 2 designated infection control officers (DICO) in Dept. to do contact tracing. Infected people are bringing the virus into work with them and not contracting from the field, but still concerned about safety measures used during calls for service.
- In late December, provisional promotions made. Andres Bejarano and Jeremy Lathrop, who were detectives, are now provisional sergeants. Matt McGee, of Youth Services, is now provisional lieutenant and commander of the Community Services Bureau.
- Officer-involved shooting occurred Sat. January 2nd. Not much detail can be shared right now; aware of deadline for releasing video and records. One person injured and expected to survive. One officer injury, not serious. Event involved multiple officers; wellness resources being provided.
- Positive COVID cases had staffing impact when multiple people in the Parking Division and jail had to quarantine.

Chief Greenwood answered questions from Commissioners.

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. Warrant Service Policy Subcommittee – meeting tomorrow night.
- b. Tow Fees Subcommittee – meeting to be scheduled.
- c. Outreach Subcommittee – on hold.
- d. Lexipol Policies Subcommittee – on hold.

9. NEW BUSINESS (discussion and action)

- a. Prioritized Dispatch for Reimagining Public Safety.

Fire Chief David Brannigan made a presentation and then answered questions, along with Lt. Peter Hong and Supervising Public Safety Dispatcher Valentina Edwards.

- b. Selection of PRC representative to Reimagining Public Safety Task Force.

Motion that the PRC appoint Commissioner Mizell to the Reimagining Public Safety Task Force.

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

Ayes: Allamby, Calavita, Chang, Leftwich, Mikiten, Mizell, Moore, Perezvelez, and Ramsey.

Noes: None

Abstain: None

Absent: None

- c. Proposed Acquisition & Use of Controlled Equipment Ordinance: revisit striking from the reporting requirement, use of controlled equipment included in a Use of Force report (in Section 2.100.050, Reports on the Use of Controlled Equipment).

Motion to strike the language the PRC previously proposed in Section 2.100.050, “for any equipment not included in a Use of Force report.”

Moved/Second (Mizell/Allamby)

Motion to table this item.

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

Ayes: Allamby, Calavita, Chang, Leftwich, Mikiten, Moore, Perezvelez, and Ramsey.

Noes: Mizell

Abstain: None

Absent: None

- d. Update on transition to new Police Accountability Board and Office of Director of Police Accountability.

The PRC Officer gave a presentation and answered questions.

10. PUBLIC COMMENT

There were 3 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 matters:

11. CONSIDER RECOMMENDATION FOR ADMINISTRATIVE CLOSURE OF COMPLAINT #2476

Motion to approve Complaint for administrative closure.

Moved/Second (Calavita/Perezvelez) **Motion Failed**

Ayes: Allamby, Mikiten

Noes: Calavita, Chang, Leftwich, Mizell, Moore, Perezvelez, and Ramsey.

Abstain: None Absent: None

12. CONSIDER RECOMMENDATION FOR ADMINISTRATIVE CLOSURE OF COMPLAINT #2481

Motion to approve Complaint for administrative closure.

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

Ayes: Allamby, Calavita, Chang, Leftwich, Mikiten, Mizell, Moore, Perezvelez, and Ramsey.

Noes: None Abstain: None Absent: None

End of Closed Session

13. ANNOUNCEMENT OF CLOSED SESSION ACTION

The votes to reject the recommendation for administrative closure in Complaint #2476, and to approve the recommendation for administrative closure in Complaint #2481 were announced.

14. ADJOURNMENT

By general consent, the meeting was adjourned at 10:35 p.m. in memory of Kenneth Jones, a social activist and LGBTQ+ and police oversight advocate who passed away yesterday.