



Police Review Commission (PRC)

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

**March 12, 2014**  
**7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIRPERSON SHERMAN AT 7:06 P.M.**

Present: Chairperson Michael Sherman  
Vice Chair Alison Bernstein  
Commissioner Barbara Allen  
Commissioner John Cardoza  
Commissioner George Perezvelez (arrived 7:30 p.m.)  
Commissioner Kiran Shenoy (left 7:40 p.m.)

Absent: Commissioners Lowhurst, Rogers, Zerrudo

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Capt. Cynthia Harris, Sgt. Angela Hawk, Ofc. David Bartalini

**2. APPROVAL OF AGENDA**

Commissioner Bernstein asked that agenda item #7.b. be continued to the next meeting at Commissioner Lowhurst's request. With that change, the **agenda was approved** by consensus.

**3. PUBLIC COMMENT**

There was one speaker.

**4. APPROVAL OF MINUTES**

Motion to approve minutes of Regular Meeting of February 12, 2014.

Moved/Seconded (Allen/Cardoza) **Motion Carried**

Ayes: Allen, Bernstein, Cardoza, Shenoy, and Sherman.

Noes: 0 Abstain: 0 Absent: Lowhurst, Perezvelez, Rogers and Zerrudo



**5. CHIEF OF POLICE'S REPORT**

Capt. Harris announced: the passing of former BPD Chief Ron Nelson on Monday; that the Chief will be giving his annual crime update report at the next meeting; and current staffing levels.

**6. NEW BUSINESS (discussion and action)**

- a. Proposal to invite staff from BPD's Internal Affairs unit to speak about their process at a PRC meeting.

Commissioner Bernstein's motion to extend this invitation **carried** by consensus.

- b. Response to City Attorney's opinion regarding number of votes needed to make a BOI finding in a death case.

**Motion to have the PRC Officer write a letter on the Commission's behalf to the City Attorney, drawing attention to the distinction between specific language in the PRC enabling ordinance regarding a simple majority vote of those present (BMC sec. 3.32.070.E.) and the Regulation sections the City Attorney cited; and to ask that future opinions be provided at the meeting in advance of the meeting that they are needed.**

Moved/Seconded (Bernstein/Cardoza) **Motion Carried**

Ayes: Allen, Bernstein, Cardoza, Shenoy, and Sherman.

Noes: 0                      Abstain: Perezvelez                      Absent: Lowhurst, Rogers and Zerrudo

- c. Proposal to invite Ofc. Shannon speak on the CIT program.

**Motion to extend an invitation to Ofc. Shannon to make a presentation at the PRC's April 23, 2014 meeting.**

Moved/Seconded (Bernstein/Perezvelez) **Motion Carried**

Ayes: Allen, Bernstein, Cardoza, Perezvelez, and Sherman.

Noes: 0                      Abstain: 0                      Absent: Lowhurst, Rogers, Shenoy, and Zerrudo.

- d. Proposal to invite the head of the City's Mental Health Services Division and the Chair of the Mental Health Commission to update the PRC on the status of mental health services in Berkeley, especially with regard to the Mobile Crisis Unit.

**Motion to extend these invitations to these personnel also for the April 23, 2014 meeting.**

Moved/Seconded (Bernstein/Perezvelez) **Motion Carried**

Ayes: Allen, Bernstein, Cardoza, Perezvelez, and Sherman.

Noes: 0                      Abstain: 0                      Absent: Lowhurst, Rogers, Shenoy, and Zerrudo.

- e. Request the Police Chief or his representative to address the issue of how running warrant checks on reportees and witnesses might discourage them from contacting the police to report a crime or request other assistance.

Following discussion, no action taken.

**7. OLD BUSINESS (discussion and action)**

- a. Whether to change the times when public comment is allowed.

Commissioner Sherman asked to remove this from the agenda.

**8. SUBCOMMITTEE REPORTS & RECOMMENDATIONS (discussion and action)**

- a. Accreditation Subcommittee  
Update/Schedule next meeting date.
- b. Drone Subcommittee  
The PRC Officer announced that the Council Worksession on Drones will be held April 29, 2014.
- c. Regulations Subcommittee  
Subcommittee Chair Bernstein reported on the group's actions at its meeting earlier today, and that their next meeting will be March 26, 2014 at 6:00 p.m.
- d. Fair and Impartial Policing Subcommittee  
Subcommittee member Bernstein reported on the group's actions at its meeting just prior to this regular meeting.

**9. PRC OFFICER'S REPORT**

There are 11 active complaints.

**10. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

**11. PUBLIC COMMENT**

None.

**Closed Session**

**12. VOTE ON WHETHER TO ACCEPT LATE-FILED COMPLAINT**

Complaint # 2348

**Motion to table this vote until the next meeting.**

Moved/Seconded (Bernstein/Sherman) **Motion Carried**

Ayes: Allen, Bernstein, Cardoza, Perezvelez, and Sherman.

Noes: 0                      Abstain: 0                      Absent: Lowhurst, Rogers, Shenoy, and Zerrudo.

**End of Closed Session**

**13. ANNOUNCEMENT OF VOTE RESULTS FROM CLOSED SESSION**

Chair Sherman announced that the Commission voted to table this vote until the next meeting.

**14. ADJOURNMENT**

**Motion to adjourn this meeting.**

Moved/Seconded (Bernstein/Perezvelez) **Motion Carried**

Ayes: Allen, Bernstein, Cardoza, Perezvelez, and Sherman.

Noes: 0                      Abstain: 0                      Absent: Lowhurst, Rogers, Shenoy, and Zerrudo.

The meeting was adjourned at 8:45 p.m.