



Police Review Commission (PRC)

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

**March 26, 2014**  
**7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIRPERSON SHERMAN AT 7:09 P.M.**

Present: Chairperson Michael Sherman  
Vice Chair Alison Bernstein  
Commissioner John Cardoza  
Commissioner George Perezvelez  
Commissioner Kiran Shenoy

Absent: Commissioners Barbara Allen, Karen Lowhurst, Ann Rogers, Oliver Zerrudo

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Chief Michael Meehan, Capt. Cynthia Harris, Capt. Andrew Greenwood, Sgt. Katherine Smith, Ofc. David Bartalini

**2. APPROVAL OF AGENDA**

Chair Sherman requested that agenda item #12, regarding late-filed complaint #2348, be continued to the next meeting. Commissioner Bernstein requested that agenda item #6.e., proposed revisions to the PRC regulations, be continued to the next meeting. With these changes, the agenda was **approved** by consensus.

**Motion by Chair Sherman that the several speakers who were present to comment on agenda item 6.a. be allowed to speak during public comment just before the item was to be considered.** Seconded by Commissioner Bernstein.

Ayes: Bernstein, Cardoza, Shenoy, and Sherman.

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

**3. PUBLIC COMMENT**

There were no speakers during the general public comment period.



#### 4. APPROVAL OF MINUTES

Motion to approve Regular Meeting of March 12, 2014.

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

Ayes: Bernstein, Cardoza, Perezvelez, and Sherman.

Noes: 0 Abstain: Shenoy Absent: Allen, Lowhurst, Rogers, Zerrudo

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

Chief Meehan and Capt. Greenwood presented the 2013 Crime Report.

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

- a. 1) Recommendation from Fair & Impartial Policing Subcommittee that the Commission recommend to the City Manager and Berkeley Police Department that proposed General Order B-4, Fair and Impartial Policing be adopted.

##### PUBLIC COMMENT

There were 5 speakers regarding this agenda item.

**Motion that the Commission recommend to the City Manager that proposed General Order B-4 be adopted.**

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

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

Noes: 0 Abstain: 0 Absent: Allen, Lowhurst, Rogers, Zerrudo

- 2) Discuss possible dissolution of subcommittee.

This item was **continued** to the next meeting.

- b. Recommendation to request additional information from the BPD related to reporting requirement under Berkeley Municipal Code section 12.24.070 on enforcement of marijuana laws in the City of Berkeley.

This item was **continued** to the next meeting.

- c. Presentation by Barbara Lipson of SEEDS Community Resolution Center, regarding its mediation of complaints that are referred by the PRC.

This item was **continued** to a future meeting date.

- d. Discussion and possible recommendations on preventing positional asphyxia.

Following discussion, **no action** taken.

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

All recommendations arising out of the petition for factual innocence were continued to the next meeting.

**Closed Session**

**8. VOTE ON STAFF RECOMMENDATION FOR ADMINISTRATIVE CLOSURE.**

Complaint #2341.

**Motion that the PRC Officer write a letter to the City Manager asking what her basis is for the stay-away order against this complainant.**

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

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

Noes: 0      Abstain: 0      Absent: Allen, Lowhurst, Rogers, Zerrudo

**Motion that the staff recommendation to administratively close this complaint be rejected.**

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

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

Noes: 0      Abstain: 0      Absent: Allen, Lowhurst, Rogers, Zerrudo

**End of Closed Session**

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

Chair Sherman announced the Commission's votes above.

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

The reports were continued to the next meeting.

**11. PRC OFFICER'S REPORT**

There are 12 active complaints; of those, one is going to mediation and one is scheduled for a Board of Inquiry on May 2, 2014.

**12. PUBLIC COMMENT**

None.

**13. ADJOURNMENT**

The meeting was adjourned at 9:25 p.m. by consensus.