



Police Review Commission (PRC)

**POLICE REVIEW COMMISSION**  
**REGULAR MEETING**  
**MINUTES**

**January 8, 2014**  
**7:00 P.M.**

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIRPERSON SHENOY AT 7:03 P.M.**

Present: Chairperson Kiran Shenoy  
Vice Chair Ann Rogers  
Commissioner Barbara Allen  
Commissioner Alison Bernstein  
Commissioner John Cardoza  
Commissioner Karen Lowhurst  
Commissioner Michael Sherman

Absent: Commissioner Perezvelez

PRC Staff: Katherine J. Lee, PRC Officer, and Byron Norris, PRC Investigator

BPD Staff: Chief Michael Meehan, Sergeant Katherine Smith, Officer David Bartalini

**2. APPROVAL OF AGENDA**

The agenda was approved by consensus.

**3. PUBLIC COMMENT**

There was one speaker.

**4. APPROVAL OF MINUTES**

**Motion to approve minutes of December 11, 2013.**

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

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

Noes: None

Abstain: None

Absent: Perezvelez

**5. CHAIR'S REPORT**

Chair Shenoy and Vice-Chair Rogers gave End of Term Remarks.



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

2014 Elections of PRC Chair and Vice-Chair.

**Motion to close nominations and vote on Michael Sherman for Chair and Alison Bernstein for Vice-Chair.**

Moved/Seconded (Allen/Shenoy)

**Motion electing Michael Sherman Chair Carried**

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

Noes: None

Abstain: None

Absent: Perezvelez

**Motion electing Allison Bernstein Vice-Chair Carried**

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

Noes: None

Abstain: None

Absent: Perezvelez

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

Chief Meehan said that the end-of-year crime numbers are not yet available, but there were increases in robberies and burglaries and decreases in thefts and auto thefts last year. The department just made an arrest on a homicide case, meaning that they have now made arrests in four of the four homicides in Berkeley in 2013.

The department is over budget right now due to a large amount of overtime necessitated by a large number of vacancies (sick leave; maternity leave). Two officers retired at the end of the year, and the staffing level is now 168. They hope to gain at least 3 recruits in March from the current police academy class. They will be announcing some lateral openings. The parking enforcement division is staffed at 100%. A lieutenant promotional process has begun.

**SUBCOMMITTEE REPORTS & RECOMMENDATIONS**

a. Accreditation Subcommittee

No new meetings were scheduled.

b. Drone Subcommittee

No new meetings were scheduled.

c. Regulations Subcommittee

Subcommittee Chair Bernstein reported that the subcommittee met just prior to this Commission meeting and will meet again on January 29, 2014, at 6:00 p.m. The Subcommittee is getting a lot done, including reviewing the standard of proof in BOI hearings.

d. Fair and Impartial Policing Subcommittee

Subcommittee Chair Sherman reported that they met on December 24, 2013 to continue to work on the Fair and Impartial Policing draft policy (General Order B4). The main issue being discussed is how to collect demographic data on pedestrian stops, and balancing it with the reporting burden on officers. They have drafted language and sent it to Capt. Harris for review.

**8. PRC OFFICER'S REPORT**

a. Two new complaints have been filed since the Commission's last meeting (Dec. 11, 2013), and one BOI hearing was held (Jan. 10, 2014).

b. The Commissioners were reminded about the BOI hearings set for Feb. 19 and 20, 2014, and that their attendance is critical. With one vacancy, there are currently 8 sitting

Commissioners, and one will recuse himself from these hearings, leaving 7 Commissioners. Six are needed to convene and 5 are needed to uphold any findings.

- c. The PRC Officer commended PRC Investigator Byron Norris for his hard work during the month that the PRC Officer position was vacant. She recognized the work of Martiza Martinez, administrative support staff, as well.

**9. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached.

**10. PUBLIC COMMENT**

There were no public comments.

**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. CONSIDERATION AND VOTE ON STAFF RECOMMENDATION FOR ADMINISTRATIVE CLOSURE.**

Complaint # 2314

**Motion to approve above-referenced file for administrative closure.**

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

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

Noes: None

Abstain: None

Absent: Perezvelez

**End of Closed Session**

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

The Chair announced that the Commission voted 7-0 to administratively close case # 2314 in item #11.

**13. ADJOURNMENT**

**Motion to adjourn this meeting.**

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

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

Noes: None

Abstain: None

Absent: Perezvelez

Meeting was adjourned at 8:13 p.m.