

Police Review Commission (PRC)

**POLICE REVIEW COMMISSION
REGULAR MEETING
AGENDA**

**May 27, 2015
7:00 P.M.**

South Berkeley Senior Center
2939 Ellis Street, Berkeley

- 1. CALL TO ORDER & ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. PUBLIC COMMENT**
(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on the agenda or any matter within the PRC's jurisdiction at this time.)
- 4. APPROVAL OF MINUTES**
Regular meeting of May 13, 2015.
- 5. CHAIR'S REPORT**
- 6. CHIEF OF POLICE'S REPORT**
Budget, staffing, training updates, and other items.
- 7. PRC OFFICER'S REPORT**
Status of Complaints; announcements.
- 8. OLD BUSINESS (discussion and action)**
 - a. Policy investigation regarding the events of December 6, 7, and 8, 2014, and Council directive for an investigation into the events of December 6, as both are more fully identified in the regular meeting agenda of February 25, 2015; and including review of mutual aid practices and policies.
 - i) Review and discuss relevant evidence, including video evidence.
 - ii) Questions for Chief Meehan.
 - iii) Other discussion and action on investigation.

9. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

Attached

10. PUBLIC COMMENT

(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on the agenda at this time.)

11. ADJOURNMENT

Communications Disclaimer

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Communication Access Information (A.R.1.12)

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB 343 Disclaimer

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Police Review Commission, located at 1947 Center Street, 3rd floor, during regular business hours.

Contact the Police Review Commission at (510) 981-4950 or prc@cityofberkeley.info.

**COMMUNICATIONS FOR PRC REGULAR MEETING
May 27, 2015**

MINUTES

May 13, 2015 Special Meeting

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COMMUNICATIONS

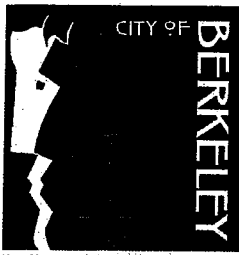
Communication #4400 – Revised Investigation Timeline (May 20, 2015).

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Communication #4400 – May 21, 2015 Memo to Chief Meehan regarding
answering questions at May 27, 2015 PRC meeting.

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Police Review Commission (PRC)

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

**May 13, 2015
7:00 P.M.**

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER & ROLL CALL BY ACTING CHAIR PEREZVELEZ AT 7:07 P.M.

Present: Commissioner Benjamin Bartlett
Commissioner George Lippman
Commissioner George Perezvelez (Acting Chair)
Commissioner Ann Rogers (Acting Vice Chair)
Commissioner Michael Sherman (arrived 7:35 p.m.)
Commissioner Bulmaro Vicente
Commissioner Lowell Finley (*temporary assignment*)

Absent: Commissioner Alison Bernstein

PRC Staff: Katherine J. Lee, PRC Officer

BPD Staff: Capt. Cynthia Harris (left 7:35 p.m.), Sgt. Joseph Okies, Sgt. Benjamin Cardoza

2. APPROVAL OF AGENDA

The agenda was approved by general consent.

3. PUBLIC COMMENT

None.

4. CHAIR'S REPORT

The Chair reminded Commissioners to do their homework (video-watching) and turn notes in to the PRC Officer.

5. CHIEF OF POLICE'S REPORT

Capt. Harris reported that the first reading of the proposed budget went to Council last night; the BPD budget does not propose any cuts. Currently staffed at 166 sworn of 176 budgeted positions. Lynne Olesen, the Public Safety Business Manager, retired last Friday. She was thanked for her many years working on the department's very complex budget. The new position will be an Administrative & Fiscal Manager, to focus only on the budget and seeking grants, and not have ancillary duties overseeing other units.

Capt. Harris is temporarily absorbing some of Ms. Olesen's former duties, in addition to those of Capt. Upson (who recently left to become Chief of Police for Benecia), and will permanently serve as custodian of records. A promotional test for captain is upcoming. LGBTQ liaisons have been selected: Sgts. Melanie Turner and Ethell Wilson.

6. PRC OFFICER'S REPORT

Only change in status of complaints from last week is that a decision on a Caloca appeal was issued and reversed the BOI's finding of "sustained" to "not sustained." It will be agendaized for a closed session discussion when Commissioner Bernstein, who served on the BOI, is back from leave. A candidate for the temporary investigator was chosen from 4 interviewed (of 15 applications submitted); now goes to HR Department for approvals, job offer, and background check, which typically take 6 – 7 business days to complete.

7. OLD BUSINESS (discussion and action)

a. Policy investigation regarding the events of December 6, 7, and 8, 2014, and Council directive for an investigation into the events of December 6, as both are more fully identified in the regular meeting agenda of February 25, 2015; and including review of mutual aid practices and policies.

i) Follow-up on review and discussion of relevant policies, including mutual aid.

The Commission discussed and came to consensus on many needed policy changes, with final decisions to be made at a later date.

ii) Review and discuss relevant evidence, including video evidence.

By general consent, this item was postponed to the May 20 meeting.

8. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

None.

9. PUBLIC COMMENT

None.

10. ADJOURNMENT

Motion to adjourn the meeting.

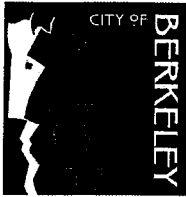
Moved/Seconded (Lippman/Vicente) **Motion carried by general consent.**

Meeting was adjourned at 9:37 p.m.

**Berkeley Police Review Commission (PRC)
 BPD Response to December 6, 2014 Protests
 * POLICY INVESTIGATION TIMELINE ***

ACTION TO BE COMPLETED	RESPONSIBLE PARTY	DUE DATE (PRC Meeting)
Draft Policy Investigation Plan	Investigation Subcommittee	April 22
Adopt Investigation Plan Adopt Formal Questions for Police Chief	Commission	
Review & Discuss All Relevant Policies (including San Francisco's and Oakland's)	Commission	May 6 (Special Meeting)
Review & Discuss all Relevant Policies (continued)	Commission	May 13
Review & Discuss All Relevant Evidence (video)	Commission	May 20 (Special Meeting)
Review & Discuss All Relevant Evidence (non-video) Questions to Chief	Commission	May 27
Identify Policy Issues and Discuss Policy Recommendations	Commission	June 3 (Special Meeting)

ACTION TO BE COMPLETED	RESPONSIBLE PARTY	DUE DATE (PRC Meeting)
Individual review of BPD Internal Investigative Report	Individual Commissioners	TBD
Presentation of BPD Internal Investigative Report to Commission	Commission	June 10
Adopt Policy Findings & Recommendations	Commission	June 17 (Special Meeting)
	Commission Staff	June 24
Distribute PRC Draft Report	Commission Staff	July 8
Review PRC Draft Report	Commission	July 15 (Special Meeting)
Adopt PRC Report & Recommendations (session 1)	Commission	July 22
Adopt PRC Report & Recommendations (session 2)	Commission	July 29 (Special Meeting)
Submit PRC Report & Recommendations to City Council	Commission Staff	August 10 (not a meeting date)



COMMUNICATION No. 4400

May 21, 2015

To: Michael Meehan, Chief of Police (via e-mail only)
From: Katherine J. Lee, PRC Officer *KJL*
Re: Answering questions at May 27, 2015 PRC meeting

Thank you and Captain Harris for attending last night's Police Review Commission meeting to personally update the commissioners about the status of your department's report on its response to the protests in early December 2014. You stated that the Police Department will neither have its report done in advance of the PRC's May 27, 2015 meeting, nor be ready to make a presentation on that date; you are now aiming for the June 10, 2015 meeting.

Later in last night's meeting, the Commission voted to request that, notwithstanding this delay, you attend the May 27, 2015 meeting for the purpose of answering any of its questions that you are able. (A copy of those questions, part of the minutes of the PRC's April 22 meeting and attached to the May 6 agenda packet, is attached for your convenience.) As you heard, the Commission is concerned that the delay in the BPD's release of its report will cause a delay in the PRC's investigation into the events of December 2014, which Council has requested be completed by August 10, 2015.

The Commission believes that some of the questions it has posed to you can be readily answered, and that by responding to them on May 27, it will help the PRC keep its investigation on track. The Commission is committed to maintaining its schedule of special meetings through June and July for this purpose.

Please let me know if you will be able to meet this request, and if you have any other questions.

Attachment

