



Police Review Commission

## **POLICE REVIEW COMMISSION REGULAR MEETING REVISED MINUTES**

**Wednesday, December 8, 2010  
6:00 P.M.**

**South Berkeley Senior Center  
2939 Ellis Street, Berkeley**

**1. CALL TO ORDER BY ACTING CHAIRPERSON RUSSELL BLOOM AT 6:10 P.M.  
ROLL CALL AND ATTENDANCE:**

Present: Acting Chair Russell Bloom  
Commissioner Vonnie Gurgin  
Commissioner Kiran Shenoy  
Commissioner Michael Sherman  
Commissioner Sherry Smith  
Commissioner William White

Absent: Chair George Perezvelez

PRC Staff: Victoria Urbi, PRC Officer  
Byron Norris, PRC Investigator  
Mary Matambanadzo, Administrative Support

BPD Staff: Lieutenant Files  
Sergeant Wilson

**2. ORDER OF AGENDA**

None.

**3. PUBLIC COMMENT**

None.

**4. APPROVAL OF MINUTES**

A. Regular Meeting: November 10, 2010

**Motion to approve minutes. M/S/C (Gurgin/Shenoy) Motion carried.**

**Ayes:** Bloom, Gurgin, Shenoy, Sherman, and Smith.

**Noes:** None. **Abstain:** White. **Absent:** Perezvelez.



## 5. BERKELEY POLICE DEPARTMENT (BPD) REPORT

### A. Chief's report.

Lt. Files provided an update on BPD staffing, and he reported on Part 1 crime rates for October and November 2010.

## 6. NEW BUSINESS

### A. Elections: Commissioner Smith chaired this agenda item.

1. Staff reviewed election procedures
2. Elections for Vice Chairperson
  - a) Commissioner White nominated Commissioner Shenoy for Vice Chair.
  - b) Commissioner Shenoy accepted the nomination.
  - c) No further nominations were announced.

**Motion to accept the nomination of Commissioner Shenoy for Vice Chair by acclamation.  
M/S/C (Sherman/Gurgin) Motion carried.**

**Ayes:** Bloom, Gurgin, Shenoy, Sherman, Smith, and White.

**Noes:** None. **Abstain:** None. **Absent:** Perezvelez.

3. Elections for Chairperson
  - a) Commissioner White nominated Vice Chair Bloom for Chair.
  - b) Vice Chair Bloom accepted the nomination.
  - c) No further nominations were announced.

**Motion to accept the nomination of Vice Chair Bloom for Chair by acclamation.  
M/S/C (Sherman/Gurgin) Motion carried.**

**Ayes:** Bloom, Gurgin, Shenoy, Sherman, Smith, and White.

**Noes:** None. **Abstain:** None. **Absent:** Perezvelez.

4. Announcement of results
  - a) Commissioner Shenoy declared Vice Chair
  - b) Vice Chair Bloom declared Chair

5. Chair Perezvelez's final closing remarks  
(This item was carried over to the next meeting, because Commissioner Perezvelez was absent.)

## 7. OLD BUSINESS

### A. National Association for Civilian Oversight of Law Enforcement (NACOLE): Code of Ethics (see Communication).

1. Staff update and recommendation to adopt the Code of Ethics developed by NACOLE's Professional Standards Committee.
  - a. Ms. Urbi discussed the City Manager and City Attorney's opinion on the Code of Ethics. The City Attorney stated that the Commission may adopt the Code of Ethics as guiding principles for the Commission, but not for staff.

**Motion to adopt NACOLE's Code of Ethics for the Police Review Commission.  
M/S/C (Smith/Gurgin) Motion carried.**

**Ayes:** Bloom, Gurgin, Shenoy, Sherman, Smith, and White.

**Noes:** None. **Abstain:** None. **Absent:** Perezvelez.

## 8. PRC OFFICER'S REPORT (For Discussion or Action)

- A. Commission Goals from 2009: progress report update
  - 1. Commission Goals for 2010 – Progress Report Memorandum disseminated

Commissioner White noted that the PRC brochure was missing from the progress report memorandum. Chairperson Bloom suggested the possibility for a Commission retreat in January or early February. Commissioner Smith recommended forming a retreat planning subcommittee. Chair Bloom initiated forming the retreat planning subcommittee and volunteered to be a member. Vice Chair Shenoy also volunteered to join the subcommittee.

- B. 2011 Meeting Schedule

### **Motion to accept 2011 Meeting Schedule for Police Review Commission Meetings. M/S/C (Smith/Gurgin) Motion carried.**

**Ayes:** Bloom, Gurgin, Shenoy, Sherman, Smith, and White.

**Noes:** None. **Abstain:** None. **Absent:** Perezvelez.

- C. Hearing update
  - 1. Hearing scheduled for December 7, 2010 was cancelled at the complainant's request.
  - 2. Next hearing scheduled on December 15, 2010.
- D. Status of complaints
  - 1. 15 open cases.
  - 2. 1 complaint received since last meeting.
- E. Stipend Payments: October through December
  - 1. Forms are due on a quarterly basis.
- F. Joint Alcohol, Tobacco and Other Drug Task Force Report
  - 1. Task Force includes Berkeley Mental Health and Berkeley Unified School District.
  - 2. Barbara White from Berkeley Mental Health requested to give a presentation on Task Force updates.

Chair Bloom requested to have the Task Force report sent to the Commission for further discussion at the next meeting.

- G. Comments
  - 1. Biased-based Policing Forum (Oakland, CA) sponsored by the Citizens' Police Review Board. Biased-based Policing Forum is scheduled on December 9th in Oakland. Chair Bloom, Ms. Urbi, and Mr. Norris plan to attend this event as part of training and community outreach.
  - 2. Captain Harris invited the Police Review Commission to the Berkeley Black Police Officer Association's Christmas Champagne Sunday Brunch and she provided a flyer to the Commission.

## 9. COMMUNICATIONS

Attached.

Byron Norris, PRC Investigator, stated that he read the commendations and found them interesting and uplifting. He wanted to find a way to go further in acknowledging the good work that officers do, e.g. developing PRC's own awards program. This is an idea that he wanted the Commissioners to consider.

Chair Bloom stated that he wanted to find a way to accommodate that idea at the Commission retreat to brainstorm and a way to implement that idea.

Commissioner Smith stated that she believes that it might be an automatic conflict of interest for PRC to select, whether it's a competition or not. She loves the idea, but she has the feeling there might be some problems.

Chair Bloom stated that if they think it through, there might be some way to implement that does not put the Commission into conflict, so the Commission should carefully work that out.

Ms. Urbi suggested providing the public with a commendation form rather than just a complaint form.

Chair Bloom stated the commendation form might go a long way to minimize the adversarial tone.

Commissioner Sherman stated incorporating commendations into the brochure or complaint form.

Lt. Files stated that they were reading commendations during line up, and some officers were surprised that Comm. Sherman wrote a commendation letter for Officer Bold.

## **10. ADJOURNMENT**

Meeting adjourned at 6:50 p.m.

NOTE: These minutes were approved on January 12, 2011. See the vote below. On January 24, 2011, Chief Meehan requested the minutes include the discussion regarding recognizing the officers' good work. The minutes have been revised accordingly.

A. Regular Meeting: December 8, 2010

**Motion to approve minutes. M/S/C (Smith/Gurgin) Motion carried.**

**Ayes:** Bloom, Gurgin, Shenoy, Smith, and White.

**Noes:** None. **Abstain:** Perezvelez **Absent:** Sherman