



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING MINUTES

**March 9, 2011
7:00 P.M.**

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

1. CALL TO ORDER BY CHAIRPERSON RUSSELL BLOOM AT 7:00 P.M. ROLL CALL AND ATTENDANCE:

Present: Chairperson Russell Bloom
Vice Chair Kiran Shenoy
Commissioner Nathan Glasper
Commissioner Vonnie Gurgin
Commissioner George Perezvelez
Commissioner Michael Sherman
Commissioner Sherry Smith
Commissioner William White

Absent: None.

PRC Staff: Victoria Urbi, PRC Officer

BPD Staff: Chief Meehan, Captain Harris and Sergeant Wilson.

2. ORDER OF AGENDA

No changes.

3. PUBLIC COMMENT

- A. Andrea Prichett, a public school teacher, spoke of crowd control issues involving the Berkeley Police Department (BPD) officers at the University of California, Berkeley, (UCB) on March 3, 2011. She was concerned about the number of officers present at the protest, the level of response from UCB and BPD officers, and the use of mutual aid for this purpose.

Commissioner Sherman requested to place this matter of business as an agenda item to discuss the criteria for invoking the mutual aid pact specifically to UCB and offered to be a point of contact for the public. Commissioner Sherman also referenced the commission's ongoing review of the mutual aid pacts.



Chair Bloom added that the Commission would examine BPD's response to the request from University of California Police Department (UCPD) and could be discussed at the next meeting. He stated that Ms. Prichett could also file a policy or misconduct complaint at the PRC office.

- B. Amanda Armstrong, a UCB graduate student, spoke about the same incident and discussed her concerns about the use of pepper spray as a broader attempt of crowd control.

4. APPROVAL OF MINUTES

A. Regular Meeting: February 9, 2011

Motion to approve minutes. M/S/C Perezvelez/Gurgin. Motion carried.

Ayes: Bloom, Glasper, Gurgin, Perezvelez, Sherman, Smith and White.

Noes: None. **Abstain:** Shenoy. **Absent:** None.

5. BERKELEY POLICE DEPARTMENT'S REPORT

A. Chief's report

- a. Update on meeting with BPD and Pacific Center regarding presentation on Lesbian, Gay, Bisexual and Transgender Issues.

Captain Harris stated that BPD met with Louise Monsour, of the Pacific Center on November 10, 2010. BPD agreed that she could do a presentation at a command staff meeting on March 22, 2011, which includes lieutenants, captains and Berkeley Police Association representatives. BPD offered a transgender training in February 2001. In terms of training and how BPD treats members of the LGBT community, it remains a non-issue.

- b. One of the issues that came up at the meeting was same-sex domestic violence reports. Statistics are as follows:

In 2010, 238, from the total 3.78% involved 3 male versus male; 6 female versus female.

In 2009, 236, from the total 4.23% involved 5 male versus male; 5 female versus female.

In 2008, 259, from the total 3.36% involved 5 male versus male; 5 female versus female.

Previous years report is available upon request.

Captain Harris is in the process of putting together the Mutual Aid Pacts report and will provide it to Ms. Urbi as soon as it is completed.

Chief Meehan reported that in 2010, there was an 8.8% decrease of crimes: homicide, rape, robbery, aggravated assault, burglary, theft, etc. There was a 13% reduction in violent crime. Robberies decreased by 18%. There was a 2% increase in aggravated assault and 1% increase in burglaries.

Chief Meehan also stated that the City Manager directed all City departments to present a budget for fiscal years 2011-2012 reflecting a 3% reduction.

6. CHAIRPERSON BLOOM'S REPORT (For Discussion or Action)

- A. Report on the San Francisco Police Commission meeting of February 23, 2011 regarding tasers.

Chair Bloom reported that the Commission was tasked with voting on whether to allow the current Chief to generate a report regarding the use of tasers and other non-lethal or less-than-lethal weapons and bring it back to the Commission for their review in ninety days.

The PRC decided to discuss this item at the retreat on April 23.

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

- A. Statistical Report of 2010: Discuss whether the outgoing or incoming Commission Chairperson should draft the Foreword

Motion to allow the exiting Chair to write the Foreword in the Statistical Report during the same year that they served as the Chairperson. M/S/C White/Sherman. Motion carried.

Ayes: Bloom, Glasper, Gurgin, Perezvelez, Shenoy, Sherman, Smith, and White.

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

- B. Discussion on Brown Act requirements and discussing items that are not part of the agenda. Ms. Urbi explained that if there is an item that is not on the agenda, the Commission or staff can provide a brief response but not take action on that item. The Brown Act prohibits a detailed-lengthy discussion. The Chair could request that the item be put on the next agenda. The discussions that are not on the agenda cannot be part of the decision-making process, and the public needs to be included in those discussions.

- C. Update on City Council Meeting on March 8, 2011 regarding the Establishment of a Public Safety Commission

Ms. Urbi reported that Councilmember Kriss Worthington proposed a Public Safety Commission to City Council. At the Council Meeting on March 8, the Council voted to make a recommendation that this proposal be referred to the City Manager and the Chief of Police for review. (*Copy of the proposal was attached*).

Motion to write a letter to the City Manager and copy to the Police Chief expressing an interest and to be part of the discussion in expanding the Police Review Commission's purview in the possible establishment of the Public Safety Commission.

M/S/C Perezvelez/Gurgin. Motion carried.

Ayes: Bloom, Glasper, Gurgin, Perezvelez, Shenoy, Sherman, Smith, and White.

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

- D. Hearing update: The PRC held three Boards of Inquiry in February. The next one is scheduled on March 30th.

- E. Status of complaints: The PRC has 18 open complaints. There have been no new complaints filed since the last meeting.

8. COMMUNICATIONS

- A. Attached

9. PUBLIC COMMENT

None.

Closed Session

The Police Review Commission recessed into closed session to discuss and take action on the following items:

10. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE

A. Case No. 2267 – Complainant Mark Kelly

Motion to approve the administrative closure of Case No. 2267. Smith/Gurgin. Motion carried.

Ayes: Bloom, Glasper, Gurgin, Perezvelez, Shenoy, Sherman, Smith and White.

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

B. Case No. 2279 – Complainant Anna Mae Stanley

Motion to approve the administrative closure of Case No. 2279. Glasper/Perezvelez. Motion carried.

Ayes: Bloom, Glasper, Gurgin, Perezvelez, Shenoy, Sherman, Smith and White.

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

11. ADJOURNMENT

Meeting was adjourned at 8:45 p.m.

VU:mm/mgm