



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING MINUTES

Wednesday, May 26, 2010
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

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

Present: Chairperson George Perezvelez
Vice Chair Russell Bloom
Commissioner Kamau Edwards
Commissioner Vonnie Gurgin
Commissioner Jonathan Huang
Commissioner Kiran Shenoy
Commissioner Michael Sherman
Commissioner Sherry Smith
Commissioner William White

Absent: None.

PRC Staff: Victoria Urbi, PRC Officer

BPD Staff: Lt. R. Roller and Sgt. J. Wilson

2. ORDER OF AGENDA

Item Number 5B(2) deleted. Items Number 5A(1) will be moved to 5A(2) and 5A(2) to 5A(1), if the Complainant is present.

3. PUBLIC COMMENT

None.

4. APPROVAL OF MINUTES

A. Regular Meeting: May 12, 2010

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

Ayes: Bloom, Edwards, Gurgin, Shenoy, Perezvelez, Sherman, and Smith.

Noes: None. **Abstain:** Huang and White. **Absent:** None.



5. NEW BUSINESS

A. Policy Complaint – Case #2257 filed by Michael Ward

1. Staff summary: Mr. Ward has filed six misconduct complaints with the PRC alleging harassment, racial profiling, and other allegations. Ms. Urbi advised the Commission that they have a number of options. The Commission could do nothing, review BPD policies, if any, on training, recruitment, hiring practices, and/or request staff to gather data and research racial profiling as a policy issue.
2. Complainant will discuss policy issue: Complainant was absent.
3. Commission action

Motion to discuss consideration of the policy complaint at the present meeting.

M/S/C (Sherman/Huang) **Motion carried.**

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

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

Discussion: Ms. Urbi communicated verbally with Mr. Ward last Wednesday when he confirmed his intention to attend the PRC meeting.

Motion to consider policy complaint after BPD racial profiling training on August 18 and 19, 2010. M/S/C (Sherman/Shenoy) **Motion failed.**

Ayes: Edwards, Sherman, Shenoy, and White.

Noes: Bloom, Gurgin, Huang, Perezvelez, and Smith. **Abstain:** None. **Absent:** None.

Motion to deny policy complaint. M/S/C (Smith, Gurgin) **Motion failed.**

Ayes: Gurgin, Huang, Perezvelez, and Smith

Noes: Bloom, Shenoy, Sherman, and White. **Abstain:** Edwards. **Absent:** None.

Motion to postpone consideration of policy complaint to the next regular meeting with another attempt by the PRC to contact the complainant. M/S/C (Bloom/Perezvelez)

Ayes: Bloom, Edwards, Gurgin, Perezvelez, Shenoy, Sherman, and White.

Noes: Huang and Smith. **Abstain:** None. **Absent:** None.

B. Training on Welfare and Institutions Code 5150 and Mental Health issues

1. Francesca Tennenbaum, Alameda County’s Patients’ Rights Advocates
 - a) Presentation on historical and legal perspectives of Code 5150.
 - b) Provided a handout, “5150s—What You Already Know and What You Might Not Know”.
- ~~2. David Wee, Berkeley Mental Health Mobile Crisis Team~~
3. Officer Jeffrey Shannon, MFT, Berkeley Police Department
 - a) Introduction of Beverly Bourbin, Alameda County’s Patients’ Rights Advocates
 - b) Presentation on policies, procedures, and practices of Berkeley Police Department
4. Questions and Answers

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

A. Hearing update

1. Board of Inquiry for case #2244 occurred on May 24, 2010.
2. Findings Report will be completed by June.
3. Board of Inquiry may take place in June.

B. Status of complaints: Currently, 14 open cases.

1. Three new complaints have been filed.

C. Comments

1. Regulations Update: The City Manager may provide a written response and may attend the Commission meeting on June 23, 2010. After the City Manager provides a response to the Commission, the next step may be a meet and confer process with the Berkeley Police Association.
2. Drafts of commendation letters to Lillian Mayers and Sharon Kidd were handed out for the Commissioners' review.
3. Commissioners' timesheets were handed out. Ms. Urbi reminded the Commissioners that if they wished to receive a stipend payment, they need to complete the timesheets.

7. BERKELEY POLICE DEPARTMENT'S REPORT

- A. Chief's report.
None.

8. COMMITTEE REPORTS (For Discussion or Action)

A. Ordinance Subcommittee – Update

1. Subcommittee met before the Commission meeting and will meet again in June. The subcommittee is still at its early stage and brainstorming possible changes in the current Ordinance.

B. Search of Homes Subcommittee – Update

1. Lt. Morizono stated that he will review the recommendations and provide a response to the PRC by the end of June.

9. COMMUNICATIONS

10. PUBLIC COMMENT: None.

Closed Session

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

11. PETITION FOR A REHEARING

A. Case No. 2233 - Complainant Charlotte Rogina

Motion to deny petition for a rehearing. (Smith/Perezvelez) Motion carried.

Ayes: Edwards, Gurgin, Huang, Perezvelez, Sherman, Smith, and White.

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

12. LATE FILE PETITION

A. Case No. 2259 – Complainant Kevin Rose

Motion to deny Late File Petition. (Smith/Gurgin) Motion carried.

Ayes: Bloom, Edwards, Gurgin, Perezvelez, Shenoy, Sherman, and Smith.

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

Commissioner White recused himself from the vote.

13. ADJOURNMENT

Meeting was adjourned at 9:40 p.m.