



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING MINUTES

Wednesday, July 14, 2010
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

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

Present: Vice Chair Russell Bloom
Commissioner Kamau Edwards
Commissioner Vonnie Gurgin
Commissioner Kiran Shenoy
Commissioner Sherry Smith
Commissioner William White

Absent: Chairperson Perezvelez
Commissioner Sherman
Commissioner Huang

PRC Staff: Victoria Urbi, PRC Officer

BPD Staff: Lt. Roller, Sgt. Wilson, Sgt. Kusmiss and Sgt. Murphy.

2. ORDER OF AGENDA

Ms. Urbi proposed that agenda item #11 be moved to the July 28th meeting due to Clifford Fred's unavailability to attend this meeting and discuss his petition for a rehearing.

Motion to move agenda item #11 to the July 28th Commission Meeting. M/S/C Smith/Bloom. Motion carried.

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

Noes: None. **Abstain:** None. **Absent:** Huang, Perezvelez and Sherman.

3. PUBLIC COMMENT: None.

4. APPROVAL OF MINUTES

A. Regular Meeting: June 23, 2010

Motion to move approval of the minutes until the next meeting on July 28th. M/S/C Smith/Edwards. Motion carried.

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

Noes: None. **Abstain:** None. **Absent:** Huang, Perezvelez and Sherman.

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Comm. Edwards stated that Chief Meehan referred to the data on Part 1 crime as being somewhat inaccurate and requested staff to add that language to the minutes.

5. NEW BUSINESS

- A. Discuss Officer-Involved Shooting Incident that occurred on June 28, 2010.
 - a. Staff will review Commission's options under the Regulations.
 - b. Commission discussion and/or action

Vice Chair Bloom stated that since Chair Perezvelez and Chief Meehan were not present to discuss the shooting, the Commission should wait until they could participate in the discussion.

Motion to move this agenda item to the July 28th meeting. M/S/C White/Smith. Motion carried.

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

Noes: None. **Abstain:** None. **Absent:** Huang, Perezvelez and Sherman.

6. OLD BUSINESS

- A. Regulations Revision
 - a. Review final draft with changes incorporated from the City Manager's recommendations in the memorandum dated June 18, 2010.
 - b. Commission discussion and/or action

Comm. White stated that being a part of the subcommittee in prior years, it was important for him that the PRC Officer is part of the development and alterations of the regulations. Because she was on leave, she was not able to attend any of the final work done on the revisions. He found some areas that he was not in agreement with and without the support of the other commissioners, who lacked the knowledge and history of the regulations; he was not able to withstand opposition to his concerns. He wants to show appreciation for the work of the subcommittee, so he would abstain from voting.

Comm. Shenoy abstained, because he was not present when the Commission reviewed the revisions and had little knowledge of the old versus new changes.

Comm. Edwards stated that he had some problems with the regulation revisions similar to Comm. White's concerns, but he knows that the Chair and Vice Chair did a lot of work on the changes, and this was the best they could do at this time.

Motion to adopt the revised regulations with changes incorporated from the City Manager's recommendations. M/S/C Gurgin/Smith. Motion carried.

Ayes: Bloom, Edwards, Gurgin and Smith.

Noes: None. **Abstain:** Shenoy and White. **Absent:** Huang, Perezvelez and Sherman.

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

- A. Hearing update: Next hearing is scheduled on August 2nd.
- B. Status of complaints: Total open cases is 16. One new complaint was received since the last meeting.
- C. Update on Officer-Involved Shooting Subcommittee recommendations: Ms. Urbi and Commissioner Smith provided the subcommittee's recommendations to Chief Meehan. She

stated that the next meeting (July 28) may be a good time for the Chief to provide an update since the Commission will discuss the officer-involved shooting.

D. Update on Search of Homes Subcommittee recommendations. Chief Meehan has requested that Ms. Urbi provide the resources for her recommendations, which she will.

E. Update on Racial Profiling Training provided by BPD and OPD. The information for the training was included in this packet. Commissioner Bloom is scheduled to attend.

Motion to express support and request a letter be sent to Chief Meehan to send the PRC Officer to the Racial Profiling Training in addition to sending a Commissioner. M/S/C Smith/Gurgin. Motion carried.

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

Noes: None. **Abstain:** None. **Absent:** Huang, Perezvelez and Sherman.

F. Budget. There were meetings between the City Manager and corresponding Unions about a layoff to start at the beginning of the fiscal year July 1, 2010. The City Manager reached an agreement with the Unions to postpone the layoffs for the next nine months. As a way to avoid layoffs, some additional Voluntary Time Off (VTO) days have been added to the fiscal year. Most departments will be closed to the public on the 2nd and 4th Fridays of each month and a week in December. There is a total of 29 VTO days in the fiscal year 2011 (July 1, 2010 – June 30, 2011). On VTO days, the PRC will remain open to the public by appointment only, but most City buildings will be closed.

G. BPD Commendations: Ms. Urbi encouraged Commissioners to read them as the commendations provide valuable insight into various projects the police department is working on and crimes they have solved.

8. BERKELEY POLICE DEPARTMENT'S REPORT

A. Chief's report.

Lt. Rollerli stated that the Chief is on vacation for two weeks. There is no report at this time.

9. COMMUNICATIONS

A. Attached

10. PUBLIC COMMENT: Limited to item 11 only.

None.

11. PETITION FOR A REHEARING

A. Case No. 2244 - Complainant Clifford Fred.

Please refer back to item 2.

12. ADJOURNMENT

Meeting was adjourned at 7:40 p.m.