



POLICE REVIEW COMMISSION REGULAR MEETING MINUTES

**Wednesday, September 15, 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.

Present: Chair George Perezvelez
Vice Chair Russell Bloom
Commissioner Vonnie Gurgin
Commissioner Kiran Shenoy
Commissioner Michael Sherman
Commissioner William White

Absent: Commissioner Kamau Edwards
Commissioner Jonathan Huang
Commissioner Sherry Smith

PRC Staff: Victoria Urbi, PRC Officer

BPD Staff: Chief Meehan, Sergeant Wilson, and Officer Bartalini

City Staff: Mary Matambanadzo, PRC

2. ORDER OF AGENDA

1. Move Item 13.B to September 29, 2010 PRC Commission Meeting, as the Complainant will attend the next meeting.
2. Items 7(A) and 7(C) will replace one another.

3. PUBLIC COMMENT

None.

4. APPROVAL OF REVISED MINUTES*

A. Regular Meeting: July 28, 2010

***Note: The revised minutes were handed out on September 15, 2010 and included in the September 29, 2010 agenda packet.**

Motion to approve revised minutes with correction. M/S/C Bloom/Shenoy. Motion carried.

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

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

5. BERKELEY POLICE DEPARTMENT'S REPORT

A. Racially Biased Police Training.

1. BPD attended the training last month.
2. BPD currently drafting/revising biased policing policy, which will be sent to Lorie Fridell for review.

B. Staffing Update

1. Down twelve sworn positions; plans in place to hire four in June of 2011.

C. Crime Rates as of July 2010

1. Part 1 crimes have been reduced by 10% overall – BPD's goals have been met.
 - a. Arson up 11%
 - b. Homicide down 25%
 - c. Rape down 6.7%
 - d. Robbery down 27%
 - e. Aggregated Assault down 4%
 - f. Burglary down 2%
 - g. Larceny down 8%
 - h. Auto Theft down 27%
 - i. Total Property crimes down 9%

6. PRC CHAIR PEREZVELEZ'S REPORT

A. Report on the community Panel for the selection of the new BPD Captain position

Chair Perezvelez participated in a community panel for selection of new BPD Captain. Two candidates were interviewed. Chief Meehan held another panel of four local Police Chiefs to independently interview each candidate. He interviewed the candidates extensively and received feedback from many within the Department, as well as the City. Captain Upson was selected for the position. As of September 19, 2010, Captain Upson's new command will be Operations, which oversees patrol.

B. Pacific Center Interest (PCI) training for BPD officers on LGBT issues

Chair Perezvelez asked Chief Meehan if there has been any recent Lesbian Gay Bisexual Transgender training with BPD, and if not, would BPD be open to such training. Chief Meehan stated that BPD is open and interested in anything that will help them build bridges in the community, but also stated that BPD would need more information about the training, such as what the training is; what it looks like; has it been used before; and, is it a standard or an experiment? Officer Bartalini mentioned a similar training a few years ago in Emeryville, California.

C. Chair statement to the Commission on Regulations as final and adopted as of July 14, 2010.

Chair Perezvelez clarified that the Regulations adopted on July 14, 2010 is the final version.

7. NEW BUSINESS

A. Policy Complaint – Case #2268 filed by Carol Denney

Ms. Denney presented her case to the Commission. She brought a friend to speak about secondhand smoke. Handouts distributed to the Commission included a Statement by Carole

Marasovic via an e-mail printout and *Secondhand Smoke: The Science* by Americans for Nonsmokers' Rights (May 2006). Ms. Denney is seeking police awareness and enforcement on smoking-related Ordinances in commercial districts. Sgt. Wilson referenced Berkeley Municipal Code 12.70.

Motion to accept policy complaint case #2268. M/S/C Sherman/Gurgin.

Motion carried.

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

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

B. Policy Complaint – Case #2270 filed by Adam Kapp

The complaint is regarding a mountain lion shot by BPD in the North Berkeley residential area.

Motion to dismiss policy complaint case #2270. M/S/C Perezvelez/Gurgin.

Motion carried.

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

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

C. Statistical Report Update by PRC Officer Victoria Urbi

Staff has completed the statistical report, and it is currently being reviewed by the City Manager's Office (CMO). After CMO, Chair Perezvelez will then review the report. After Chair Perezvelez, the Commission will receive the draft report and have an opportunity to provide feedback.

8. OLD BUSINESS

A. Racial Biased Policing Training with Berkeley Police and Oakland Police – update by Vice Chair Bloom and PRC Officer Urbi

Vice Chair Bloom was impressed by the training overall. It expanded his awareness with the problems involved regarding biased policing in general. Ms. Urbi was impressed as well and will distribute the handouts from the training to the Commission. A meeting with the Bay Area Police Oversight Network is planned for November to discuss a similar training.

B. National Night Out Update – update by Chair Perezvelez and Commissioner White

Commissioner White was quite impressed with the turnout of the community, as well as with the Police Department's presence and interaction with the community. Commissioner Gurgin has attended the event for many years. Chairperson Perezvelez appreciates the belief of taking back the streets in a safe setting, which allows residents to leave their homes and go into the streets to interact with one another.

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

A. Status of complaints: 20 open cases.

B. Stipend Payments for Quarter of July, August and September: forms were handed out.

C. Comments

On October 4, 2010, Breaking the Prison Cycle Forum sponsored by the Peace and Justice

Commission will take place. More information will be provided upon request. BPD officers held their annual Turkey Ride today. Commissioner Kamau Edwards, appointed by Councilmember Maxwell Anderson, has resigned as a Commissioner after five years of service.

Motion to extend a letter of appreciation to Commissioner Edwards from the Commission. M/S/C Sherman/Bloom. Motion carried.

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

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

10. COMMITTEE REPORTS (For Discussion or Action)

A. Ordinance Subcommittee: Decision to dissolve

Motion to dissolve the Ordinance Subcommittee.

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

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

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

B. Search of Homes Subcommittee

Ms. Urbi recommended to the subcommittee to accept BPD's comments and recommendations provided by Lt. Morizono, as she believes their comments were thoughtful. Commissioner Gurgin reviewed BPD's recommendations carefully and believes BPD did a good job and their recommendations should be accepted.

Motion to forward BPD's recommendations to the entire Commission for review and to include the recommendations in the next Commission Meeting.

M/S/C White/Sherman. Motion carried.

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

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

11. COMMUNICATIONS

A. Attached

12. PUBLIC COMMENT

None.

Closed Session

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

13. LATE FILE PETITION

A. Case No. 2265 – Complainant Mark Kelly

Motion to accept late file petition filed by Mark Kelly. M/S/C White/Shenoy.

Motion carried.

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

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

14. ADJOURNMENT

Meeting was adjourned at 9:15 P.M.

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