



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING MINUTES

Wednesday, April 22, 2009
7:00 P.M.

South Berkeley Senior Center
2939 Ellis Street, Berkeley

1. CALL TO ORDER BY CHAIRPERSON SHERRY SMITH AT 7:02 p.m. ROLL CALL AND ATTENDANCE

Present: Chairperson Sherry Smith
Vice Chair George Perezvelez
Commissioner Vonnie Gurgin
Commissioner Jonathan Huang
Commissioner Sharon Kidd
Commissioner Michael Sherman
Commissioner William White

Absent: Commissioner Russell Bloom
Commissioner Kamau Edwards

PRC Staff: Victoria Urbi, PRC Officer
PRC Intern, Vanessa Dougherty

BPD Staff: Sgt. Wilson

2. ORDER OF AGENDA

There were no changes to the order of agenda.

3. PUBLIC COMMENT:

There was no public comment.

4. APPROVAL OF MINUTES

A. Regular Meeting: April 7, 2009

Motion to approve minutes. M/S/C (Perezvelez/Kidd) Motion carried.

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

Noes: None. Abstain: None. Absent: Bloom, Edwards.

5. OLD BUSINESS

A. Update on state Public Safety Committee hearing on proposed legislation of AB312, which would establish an office of citizen complaints for BART Police Department.

a. Commissioner Sherman's report

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PRC Officer Urbi explained that the BART staff contacted the PRC for information on the Berkeley model. The BART Police Department Review Committee plans to meet on May 2nd to review different police oversight models. The second meeting is on May 16th and the BART Board is considering a plan to have one police officer, one complainant, one staff member and one commissioner from the PRC to discuss their role and perspective. The Commission should decide which Commissioner should represent the PRC.

Commissioner Sherman stated that there will be a Public Safety Committee meeting on May 14th in Sacramento and this will be primarily attended by police officers. He explained that they are as of now holding the bill without a vote. Vice Chair Perezvelez explained that he was told that they were waiting for BART's actions first and if they did not act within a timely manner, then they would decide to move forward with the bill.

Chairperson Smith asked Commissioner White to be the representative Commissioner for the May 16th meeting and he agreed to it. Chairperson Smith stressed that this was a public meeting and all Commissioners were encouraged to attend.

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

A. Hearing update

Ms. Urbi stated that upcoming hearings were scheduled on May 6th and May 11th. Staff is working on the annual report and it will be reviewed by both the Commission and City Manager's Office.

B. Status of complaints

There are 20 open complaints and one new complaint since the last meeting.

C. Comments:

Ms. Urbi stated that the PRC interns are working on educational outreach materials that emphasize the PRC's role as not just for complaints, but also to inform the community about police procedures and policies.

Ms. Urbi stated that staff had completed the necessary timesheets for Commissioners' stipends.

Vice Chair Perezvelez inquired as to whether any of the 20 pending cases were in danger of expiring. Ms. Urbi responded that none were at risk for expiring. Commissioner Kidd asked how many complaints the PRC receives on average and Ms. Urbi replied that the average was about 1-2 complaints per month yet this can be unpredictable.

7. BERKELEY POLICE DEPARTMENT CHIEF'S REPORT

There was no report from Chief Hambleton.

8. COMMITTEE REPORTS (For Discussion or Action)

A. Officer-Involved Shooting Subcommittee (Chair Smith, Comm. Perezvelez and Edwards)

a. Staff update and next meeting

The next meeting will be on May 13th at 6:00 p.m. All are welcome to attend.

Commissioner Sherman inquired if the Commissioners were allowed to make statements to the press. Chairperson Smith responded that it was best to refer all media inquiries to the PRC Officer, so that a consistent response could be given.

B. Regulations Review Subcommittee (Comm. Perezvelez, Bloom, Kidd, Sherman)

a. Next meeting: April 29, 6:00 p.m.

C. Search of Homes Subcommittee (Comm. Edwards, Gurgin, Huang, White)

a. Staff update

The next meeting will be on May 19th. Commissioner White inquired whether they would receive past complainant information and Ms. Urbi responded they would.

Commissioner Sherman expressed his belief that the two key issues to focus on during this meeting was the exercise of a warrant and the authorization to go into homes of those on parole and probation.

9. COMMUNICATIONS

A. Attached.

Chairperson Smith reminded that the PRC only has advisory capacity to the City Council. Vice Chair Perezvelez wanted to know what Commission these attachments were addressed to and Ms. Urbi did not know. Vice Chair Perezvelez suggested the PRC could hold quarterly public hearings, and this topic should be put on the agenda for the next meeting.

Ms. Urbi stated that Commissioner Edwards is on leave of absence during the month of April since he is currently in trial but will return in May. Also, during the last hearing, many Commissioners did not return the confidential report. Commissioner Sherman, Smith, Gurgin and White had returned theirs, but everyone else had not. The remaining Commissioners agreed to bring theirs to the next meeting.

10. ADJOURNMENT

Meeting was adjourned at 7:38 p.m.