



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING MINUTES

Wednesday, February 24, 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
Commissioner Kamau Edwards
Commissioner Vonnie Gurgin
Commissioner Jonathan Huang
Commissioner Sharon Kidd
Commissioner Michael Sherman
Commissioner Sherry Smith (arrived a few minutes late)
Commissioner William White

Absent: Vice Chair Russell Bloom

PRC Staff: Lillian Mayers, Acting PRC Officer

BPD Staff: Chief Meehan, Lt. Rolleri and Sgt. Wilson

2. ORDER OF AGENDA

Moved New Business (#5) to after PRC Officer's Report (#7).

3. PUBLIC COMMENT: *Speakers are generally allotted up to three minutes. To ensure adequate time for action items on the Agenda, the Commission may limit the number of public speakers during the public comment period.*

4. APPROVAL OF MINUTES

A. Regular Meeting: February 10, 2010

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

Ayes: Edwards, Gurgin, Huang, Kidd, Perezvelez, and White.

Noes: None. **Abstain:** Sherman. **Absent:** Bloom, Smith (arrived late).



5. NEW BUSINESS (For Discussion or Action.)

- A. Chief Meehan had provided a draft revision of General Order X-1, concerning Barricaded Subject Hostage Negotiation Team (HNT) Operations for the Commissioners' review. Commissioner Kidd expressed Jim Chanin's concern that Section 15, regarding POST-approved basic training for new HNT Tactical and Negotiator Element members, does not specify the type of training. Lt. Roller explained that there is a standardized, certified 80-hour basic training course called the SWAT course. Chair Perezvelez requested that a member of the Berkeley Mental Health Mobile Crisis Team be included in the HNT, if feasible. Chief Meehan reported that he restored the language that permits a Commissioner of the PRC to attend the HNT selection board interviews "to monitor the interview process."
- The Commissioners asked that the draft revision of General Order X-1 be put on the agenda for further discussion at the next meeting.

6. OLD BUSINESS (For Discussion or Action.)

A. PRC Brochure

Motion to approve and discuss.

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

Minor changes were recommended and adopted, and there was some discussion about whether PRC meetings should always be held at the South Berkeley Senior Center, as the brochure states.

Motion to accept friendly amendment regarding location of PRC meetings.

M/S/C (Smith/Sherman) Motion carried.

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

Noes: None. **Abstain:** White **Absent:** Bloom.

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

- A. Hearing update: the hearing scheduled for February 19 was cancelled and might be rescheduled, and a hearing is scheduled for March 16.
- B. Status of complaints: two new complaints have been filed, by the same complainant, since our last meeting. Currently, there are 20 open cases.
- C. Update on complaint allegation formation discussions: the acting PRC Officer met with Sarah Reynoso, Chair Perezvelez, Officer Wellington and two other BPA representatives to discuss allegation formation. There is a consensus that we should try to make the allegations more uniform. To that end, we are in the process of revising the complaint form.
- D. Comments: *The PRC Officer may make announcements or provide information to the Commission in the form of an oral report. The Commission will not take action on such items but may request the PRC Officer place an item on a future agenda for discussion.*

The acting PRC officer reported on the status of the regulations' revision, and asked that the Regulation Subcommittee reconvene after recommended changes have been incorporated.

It was suggested that the Commissioners might want to consider an Ordinance amendment to change the requirement for two meetings a month. The Commissioners asked that it be put on next meeting's agenda for discussion.

8. BERKELEY POLICE DEPARTMENT'S REPORT

- A. Chief's report. The BPD purchased one copy of a DVD that provides autism awareness training, which is law enforcement specific; the training will start next week. It is approximately 21 minutes, and can be made available to any interested Commissioners.

With respect to crowd management training, the Chief said that the BPD does an excellent job in tactical training, but needs to work on strategy training. Also, the Chief will start meeting monthly with the UC Police Chief. The Chief agrees with Commissioner White about the importance of maintaining diversity in the police force and has asked Captain Gustafson to develop a plan to attract more minority recruits. Because of budget issues, the number of staff is declining and will continue to decrease unless there is a change in the economy. The number of officers on the street will not decrease, however. The BPD will have monthly, rather than weekly, management meetings to deal with crime and departmental issues. That will enable the Chief to present a more thorough and more detailed report to the Commission. The Chief did not know whether an audit of the Evidence and Theft section had been performed, as recommended.

9. SUBCOMMITTEE REPORT (For Discussion or Action)

A. Mutual aid subcommittee – update and recommendations: Commissioner Huang reported that the subcommittee members met and reviewed and accepted the mutual aid pacts. He recommended that the Commission approve them and send them to the City Council, with the suggestion that they be made available on-line.

A motion was made to adopt the Subcommittee’s recommendation to approve the Mutual Aid Pacts and send them to the City Council for their approval, with the suggestion that they be made available online.

M/S/C (Huang/Gurgin) Motion carried.

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

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

10. COMMUNICATIONS

A. Attached

11. PUBLIC COMMENT: Limited to item 12.

Benjamin Lusk spoke against the dismissal of Richard McClain’s complaint.

Closed Session

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

12. RECOMMENDATION FOR SUMMARY DISMISSALS

A. Case No. 2236 - Complainant Richard McClain

Motion to approve above referenced case for summary dismissal. (Gurgin/Kidd)

Motion carried.

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

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

B. Case No. 2253 - Complainant David Baca

Motion to approve above referenced case for summary dismissal. (Sherman/Edwards)

Motion carried.

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

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

13. ADJOURNMENT

Meeting was adjourned at 9:10 p.m.

LM: mgm