



Police Review Commission

POLICE REVIEW COMMISSION REGULAR MEETING MINUTES

**Wednesday, March 24, 2010
7:00 P.M.**

**South Berkeley Senior Center
2939 Ellis Street, Berkeley**

1. CALL TO ORDER BY CHAIRPERSON GEORGE PEREZVELEZ AT 7:14 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
Commissioner William White

Absent: Vice Chair Russell Bloom

PRC Staff: Lillian Mayers, Acting PRC Officer

BPD Staff: Lieutenant Files, Sergeant Wilson and Officer Wellington.

2. ORDER OF AGENDA

3. PUBLIC COMMENT: None.

4. APPROVAL OF MINUTES

A. Regular Meeting: March 10, 2010

The minutes were revised, and the revised minutes were mailed to the Commissioners electronically, but not in hard copy. The approval of the minutes was, therefore, deferred until the next meeting, with instructions that a hard copy of the revised minutes be provided with the next agenda.

5. NEW BUSINESS

None.



6. OLD BUSINESS

- A. Policy Complaint - #2246 - Peter Mendoza (was moved to Item 10 on the agenda because Mr. Mendoza had indicated his intent to appear)
The PRC Officer stated that Mr. Mendoza is satisfied with the BPD response to his complaint. In addition to counseling the Watch Commander involved in the incident and the entire parking enforcement staff about the needs of Berkeley's disabled community during an emergency, the BPD has agreed to include specific language to address situations where home health workers are unable to access disabled persons when they revise their policy regarding the Americans with Disabilities Act.

**Motion to approve above referenced file for administrative closure. (Kidd/Gurjin)
Motion carried.**

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

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

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

- A. Hearing update. A hearing was held on March 16, one is scheduled for March 29 and another one is scheduled for April 21. We are trying to schedule another hearing in April.
B. Status of complaints. Since the last meeting, one new complaint has been filed.
C. Comments: none.

8. BERKELEY POLICE DEPARTMENT'S REPORT

- A. Chief's report: none.
Commissioner Smith reported that she had a meeting with Chief Meehan where she provided him with a copy of the Evidence Theft Subcommittee's report and recommendations. She asked the Chief to report back to the Commission regarding the implementation of the subcommittee's recommendations.

9. SUBCOMMITTEE REPORT (For Discussion or Action)

- A. Search of Homes subcommittee – update
Commissioner White said that Lt. Files has a copy of the subcommittee's recommendations related to General Order S-6 for the BPD's review. There were five recommendations.
- B. Regulations Review subcommittee – update
Chair Perezvelez stated the subcommittee met, that they have not completed their review and that there are more revisions pending. This is a detailed and lengthy process.
- C. Ordinance Changes Exploratory Subcommittee – update
Members of the new subcommittee are: Commissioners Kidd, Gurjin and Perezvelez. Commissioner Huang is interested in being an alternate, and Commissioners Sherman and Smith are interested in sitting in. Jim Chanin is interested in participating, and the President of the San Francisco Police Commission has offered to provide his professional opinion.

10. COMMUNICATIONS

Chair Perezvelez asked, and other Commissioners agreed, that they be provided with electronic copies of BPD commendation letters, if possible. If not, they asked that 3-4 copies of the BPD commendation letters be provided at the PRC meeting.

11. PUBLIC COMMENT: Limited to item 12 only.

Benjamin Lusk spoke against the administrative closure of Richard McClain's case, #2236.

Closed Session

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

12. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE

A. Case No. 2247 - Complainant Edward O'Reilly

Motion to administratively close the above-reference case. (White/Kidd) Motion carried.

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

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

B. Case No. 2236 - Complainant Richard McClain

Motion to administratively close the above-reference case. (Smith/Gurgin) Motion carried.

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

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

13. ADJOURNMENT

Meeting was adjourned at 8:20 p.m.

Maritza