



Police Review Commission (PRC)

**POLICE REVIEW COMMISSION**  
**REGULAR MEETING**  
**MINUTES**

**Wednesday, September 12, 2012**  
7:00 P.M.

South Berkeley Senior Center  
2939 Ellis Street, Berkeley

**1. CALL TO ORDER & ROLL CALL BY CHAIRPERSON PEREZVELEZ AT 7:00 P.M.**

Present: Chairperson George Perezvelez  
Vice Chair Michael Sherman  
Commissioner Barbara Allen  
Commissioner Marco Amaral  
Commissioner Kiran Shenoy  
Commissioner William White

Absent: Commissioners Nathan Glasper and Ann Rogers

PRC Staff: Lucinda Simpson, PRC Officer  
Byron Norris, PRC Investigator

BPD Staff: Capt. Harris, Lt. Frankel, and Sgt. Wilson

**2. APPROVAL OF AGENDA**

The agenda was approved without objection.

**3. PUBLIC COMMENT**

None

**4. APPROVAL OF MINUTES**

Motion to approve minutes of July 25, 2012  
Moved/Seconded (Allen/Amaral) **Motion Carried**  
Ayes: Allen, Amaral, Perezvelez, Shenoy and White.  
Noes: None                                      Abstain: Sherman

Absent: Glasper, Rogers



**5. INTRODUCTION OF NEW PRC OFFICER**

Commissioner Perezvelez introduced new PRC Officer Lucinda Simpson.

Ms. Simpson formerly served as a Deputy District Attorney in Contra Costa County for nearly 11 years where she worked in a wide variety of assignments, including sexual assault unit and narcotics. She also worked as Legal Counsel for San Francisco Police Department where she reviewed many officer misconduct cases for purposes of trial integrity and in order to make recommendations to command staff about potential impeachment of officers in court.

PRC Inv. Byron Norris was thanked for serving as the interim PRC Officer and was commended for his good work in that capacity.

**6. CHIEF OF POLICE’S REPORT**

Captain Harris appeared on behalf of the Chief. BPD is currently staffed at 170 with authorization for 176 positions. Five officers just started, two are laterals and three are going to the academy. They expect to be staffed at 171 at the end of the month and are confident that they will be staffed at the authorized strength of 176 within the next few months. In past years, BPD has been staffed at up to 208.

**7. CHAIRPERSON’S REPORT**

Nothing to report.

**8. SUBCOMMITTEE REPORTS & RECOMMENDATIONS**

**A. Accreditation Subcommittee**

The subcommittee and Capt. Harris will work together to set up a system whereby policies are forwarded to the subcommittee after they are reviewed by the City Attorney’s Office. The next subcommittee meeting is October 10, 2012 at 6 p.m.

**B. Outreach Subcommittee**

1. Report on National Night Out activities August 7, 2012.  
Commissioners White, Shenoy, Perezvelez and PRC Inv. Norris traveled to different areas of Berkeley and spoke to members of the community about the PRC. Chair Perezvelez also participated and traveled to locations throughout the city with the Chief of Police. Opinions were shared by members of the community and it was noted that the opinions differed throughout areas of Berkeley from the hills to the flatlands.
2. Report on Solano Ave. Stroll activities September 9, 2012.  
Commissioners White, Perezvelez, Shenoy, Allen, Rogers, Sherman and PRC Inv. Norris all participated. Commissioner White felt it was a successful event, that community visibility was achieved, and recommended participating again next year.

PRC Inv. Byron Norris was thanked for helping to organize the event.

Lt. Frankel was congratulated for his anniversary of twenty years of service with BPD.

**9. NEW BUSINESS**

A. Establish sub-committee to commemorate PRC’s 40<sup>th</sup> anniversary in 2013.

**Motion to form a subcommittee to explore and initiate PRC’s 40<sup>th</sup> anniversary in 2013.**

Moved/Seconded (White/Perezvelez) **Motion Carried**

Ayes: Allen, Amaral, Perezvelez, Shenoy, Sherman and White.

Noes: None

Abstain: None

Absent: Glasper, Rogers

The subcommittee will be comprised of commissioners: Allen, Amaral, Sherman and White, and will meet Tuesday October 9, 2012 at 6 p.m. to form the subcommittee.

B. Approval of second general PRC brochure.

**Motion to approve second general PRC brochure.**

Moved/Seconded (Sherman/Allen) **Motion Carried**

Ayes: Allen, Amaral, Perezvelez, Shenoy, Sherman and White.

Noes: None

Abstain: None

Absent: Glasper, Rogers

**10. PRC OFFICER'S REPORT**

New PRC Officer Simpson thanked PRC staff Byron Norris and Maritza Martinez for helping create a smooth transition into the position.

Currently, there are twelve open complaints. Seven of the complaints were filed after the last meeting on July 25, 2012. Two complaints are in mediation, one has a board of inquiry scheduled, seven are in the investigative phase, and two are on the agenda for vote on recommendation for administrative closure.

Spanish language complaint forms and informational forms are now available in hard copy and online.

**11. ANNOUNCEMENTS & COMMUNICATIONS (attached)**

A. Review and Discussion of Pepper Spray Reports

B. Commissioner’s Report of Police-Officer Ride-Along

Commissioner Allen spoke positively about her ride-along experience with Officer Salas. She was impressed by the officer’s professionalism, observation skills and ability to and multi-task.

**Motion to reinstate Commissioner Sherman as Vice Chair.**

Moved/Seconded (White/Perezvelez) **Motion Carried**

Ayes: Allen, Amaral, Perezvelez, Shenoy and White.

Noes: None

Abstain: Sherman

Absent: Glasper, Rogers

Commissioner Shenoy was thanked for serving as Vice Chair during Commissioner Sherman’s absence.

**12. PUBLIC COMMENT: Limited to items on Closed Session agenda**

One speaker

**Motion to adjourn to closed session in honor of fallen California Highway Patrol Officer Kenyon Youngstrom.**

Moved/Seconded (Sherman/White) **Motion Carried**

Ayes: Allen, Amaral, Perezvelez, Shenoy, Sherman and White.

Noes: None                                      Abstain: None                                      Absent: Glasper, Rogers

**Closed Session**

**13. VOTE ON RECOMMENDATION FOR ADMINISTRATIVE CLOSURES**

Complaint #2303 - Complainant Gutman

**Motion to approve above-referenced file for administrative closure.**

Moved/Seconded (Shenoy/Allen) **Motion Carried**

Ayes: Allen, Amaral, Perezvelez, Shenoy and Sherman.

Noes: None                                      Abstain: White                                      Absent: Glasper, Rogers

Complaint #2312 - Complainant Menard

**Motion to approve above-referenced file for administrative closure.**

Moved/Seconded (Sherman/Amaral) **Motion Carried**

Ayes: Allen, Amaral, Shenoy, Sherman and White.

Noes: None                                      Abstain: Perezvelez                                      Absent: Glasper, Rogers

**End of Closed Session**

**14. ANNOUNCEMENT OF VOTE RESULTS IN CLOSED SESSION**

Chair Perezvelez announced the Commission's action in Agenda Item #13.

**15. ADJOURNMENT**

Meeting was adjourned at 9:26 p.m.

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