



Police Review Commission

July 3, 2008

TO: Police Review Commission (PRC)

FROM: Victoria Urbi, PRC Officer

RE: **STATISTICAL REPORT OF 2005-2007, ALLEGATIONS STATISTICS**

This information is provided to clarify the increase in the number of allegation statistics in 2007 from the Statistical Report of 2005-2007. The following statistics are on page 17 of the report:

	2007	2006	2005
Complaints filed:	41	34	48
Allegations received:	354	98	154
Largest percentage of allegations:	Improper Arrest, Search, Stop, Detention	Discourtesy	Improper Arrest, Search, Stop or Detention
Total Percentage with the Highest number of allegations:	26%	28%	34%

In 2007, there were 354 allegations received by the PRC. This number was higher than the previous years, because the PRC did not hear or close any cases from September 2006 to December 2007. This was due to pending litigation between the Berkeley Police Association and the PRC, which resulted in the PRC closing its hearings to the public and making all investigation records confidential.

The actual number of allegations are reduced once an investigation has been completed and staff identifies which subject officer is associated with a particular allegation. When the Commission hears a case through a board of inquiry or closes a case, PRC staff will close the case by entering the final allegations into the database and deleting allegations on a case based on the final investigation report.

**How allegations are processed:**

1. Complainant files a complaint with the PRC.
2. Investigator interviews the complainant and takes a taped statement.
3. Investigator confirms the allegations with the complainant.
4. Investigator uses the complainant's interview along with an "Allegations Checklist" to draft the allegations notice provided to the Berkeley Police Department (BPD) and potential subject officer.
5. The allegations are entered into the database.
6. Once a complaint has been resolved and closed by the Commission, staff will enter the final allegations into the database and delete allegations that were not considered by the Commission.



## Increased Numbers

As stated on page 17 of the Statistical Report, there are a number of reasons why allegations statistics appear high. For example, a complainant alleges improper search of a home.

- Complainant may also allege the officers did not show her a search warrant, broke her locks, were discourteous, left her property in disarray and broke items in her home. This is a total of six (6) allegations.
- Complainant does not know the name of any of the officers due to the stress of having her home entered by ten officers.
- Since complainant does not know the identity of the officers and the Investigator must determine which officer allegedly broke the lock or which officer was in charge of the warrant, all ten officers are named on the allegations notice as subject officers.
- On this complaint, a total of 60 allegations are *initially* entered into the database.
- When the Commission closes a complaint, **staff may delete 45 allegations**, because the investigation would have revealed which officer was linked to the particular allegation.
- Most officers on a complaint are named as a subject officer, since staff would not know what their role in an incident was until they are interviewed. Once staff determines that an officer is not associated with a particular allegation, e.g. officer was merely providing security on the outside of a home while it was being searched, then staff would change the officer's status to witness officer.
- Subject officers, in practice, typically may not answer questions if they are not listed as a subject officer on the allegations notice. For example, if the allegation is discourtesy and Officer John Doe was listed as a witness officer on the allegations notice, Officer Doe would not answer the question on whether he was discourteous to the complainant since he was not provided with notice of the allegation as a subject of the complaint.

Cc: Chief Hambleton, Berkeley Police Department