



OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY

POLICE ACCOUNTABILITY BOARD
SPECIAL MEETING
MINUTES
(approved)

Wednesday, August 4, 2021
6:30 P.M.

No physical location; meeting held exclusively through videoconference and teleconference.

1. CALL TO ORDER & ROLL CALL BY TEMPORARY CHAIR ISMAIL RAMSEY AT 6:32 P.M.

Present: Board Member Ismail Ramsey (Temporary Chair)
Board Member Kitty Calavita
Board Member Michael Chang
Board Member Regina Harris
Board Member Juliet Leftwich
Board Member Deborah Levine
Board Member Nathan Mizell
Board Member John Moore
Board Member Cheryl Owens

Absent: None

ODPA Staff: Katherine J. Lee, Interim Director of Police Accountability; Byron Norris, DPA Investigator

BPD Staff: Lt. Rob Rittenhouse, Lt. Dan Montgomery

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Calavita/Leftwich) **Motion Carried by general consent**

3. PUBLIC COMMENT

There were 10 speakers (including two later speakers).

4. APPROVAL OF MINUTES

Motion to approve Special Meeting Minutes of July 7, 2021

Moved/Second (Leftwich/Calavita) **Motion Carried by general consent**

Motion to suspend the rules to allow Ms. Law to make public comment.

Moved/Second (Calavita/Moore) **Motion Carried by general consent**

Motion to suspend the rules to allow Ms. Kaplan to make public comment.

Moved/Second (Calavita/Moore) **Motion Carried by general consent**

5. CHAIR'S REPORT

Temporary Chair Ramsey reported:

-- The Mayor's Working Group on Fair & Impartial Policing continues to meet with the City Manager and Police Chief re implementation of recommendations the City adopted. Upcoming meeting to discuss evidence-based policing.

-- Board Member Mizell reported on the Reimagining Public Safety Task Force: Last meeting July 29; two main items presented 1) survey and focus group results; 2) draft of alternative response report from NICJR. Next meeting September 9. Moving towards hearing from Task Force members and community groups.

6. DIRECTOR OF POLICE ACCOUNTABILITY'S REPORT

The Interim Director reported:

-- Alternate Board member unavailable tonight and will be introduced at a later date.

-- Four new complaints filed since the last Board meeting. A Caloca appeal was filed in the last Board of Inquiry heard by the Police Review Commission.

-- Board member Owens and I went out for National Night Out last night. Several events we tried going to were canceled or concluded, but managed to do a little bit of outreach.

-- Reminder to Board members if they want to attend any of the NACOLE virtual conference sessions, notify staff by tomorrow and we will register and pay for you. After that, you may still attend but must register yourself and seek reimbursement.

-- Forms were sent to Board members to be eligible for stipends. Will be processed quarterly unless you inform me you desire more frequent payments.

-- Temporary Standing Rules are in this packet. Will agendaize permanent Standing Rules for your next meeting.

-- This month is a good time to schedule a ride-along or sit-along in dispatch, as tonight is the only meeting in August and Board members need to start on their 40 hours of training. Contact person is Lt. Dan Montgomery.

-- I'll be on vacation all of next week and Byron Norris will be in charge.

7. CHIEF OF POLICE'S REPORT

Lt. Montgomery reported on behalf of Interim Chief Louis:

-- Dept. has started work on the hate crimes response referral.

-- Dept. put out a public message with more information on the collision on Ashby & Newbury. Investigation continuing and more information forthcoming.

-- Sent out officers to 45 National Night Out events last night.

-- Tomorrow is the Alameda Co. law enforcement memorial honoring fallen officers. Two from Berkeley have lost their lives in the line of duty: Sgt. Jimmie Rutledge (1970) and Ofc. Ronald Tsukamoto (1973).

Lt. Montgomery answered questions from Board members.

8. OLD BUSINESS (discussion and action)

a. Establish regular meeting schedule for the remainder of 2021.

Motion to adopt the meeting schedule proposed by the Interim Director, with a 7:00 p.m. start time.

Moved/Second (Calavita/Chang) **Motion Carried by general consent.**

b. Consider forming subcommittee for outreach activities.

Discussed; continued to the next meeting.

9. ELECTION OF BOARD CHAIRPERSON AND VICE-CHAIRPERSON (discussion and action)

Motion to elect Izzy Ramsey as Chairperson

Moved/Second (Chang/Calavita) **Motion Carried by acclamation.**

Motion to elect Michael Chang as Vice-Chairperson

Moved/Second (Leftwich/Harris) **Motion Carried by acclamation.**

10. NEW BUSINESS (discussion and action)

a. Review scope of work for recruiting team conducting search for permanent Director of Police Accountability, including presentation from Human Resources Director LaTanya Bellow.

By general consent, Board members Moore, Mizell, Levine were appointed to a subcommittee to assist in the Director search position

Motion to suspend the rules to take up Item #10.e. next.

Moved/Second (Ramsey/Leftwich) **Motion Carried by general consent**

b. Training: Quasi-judicial duties and obligations of the Board.

Postponed to the next meeting

c. i.) Approve Interim Regulations for handling complaints against sworn members of the Police Department; and ii) Approve proposed memo to City Attorney for advice on revising complaint procedures to correct imbalances.

i.) Motion to approve the Interim Regulations proposed by the Regulations Subcommittee, as modified tonight [attached to these minutes as Attachment 1], to be sent to the City Council for approval; and if, based on the City Attorney's analysis, the Interim Regulations have to be modified or withdrawn, to take action at the Board's September 8, 2021 meeting.

Moved/Second (Calavita/Leftwich) **Motion Carried**

Ayes: Calavita, Chang, Harris, Leftwich, Levine, Mizell, Moore, Owens, and Ramsey.

Noes: None

Abstain: None

Absent: None

ii.) *No action taken on proposed memo, as City Attorney has already begun analyzing.*

- d. Consider forming subcommittee to monitor the Police Department's implementation of recommendations related to fair and impartial policing.

By general consent, the Board formed a subcommittee to monitor the Police Department's implementation of recommendations related to fair and impartial policing.

Chair Ramsey appointed Board members Calavita, Owens, and Ramsey to the subcommittee.

Appointment of public members of the subcommittee was postponed to the next meeting.

- e. Status of COVID-19 vaccinations and related policies for Police Department employees, and possible recommendation that the Department follow state guidelines.

(Heard following Item # 10.a.)

Motion to recommend to the City Council that the same guidelines of the Governor's mandate for vaccinations be applied to all employees of the Police Department, not just those in high-risk congregate settings

Moved/Second (Ramsey/Chang) **Motion Carried**

Ayes: Calavita, Chang, Harris, Leftwich, Levine, Mizell, Moore, Owens, and Ramsey.

Noes: None

Abstain: None

Absent: None

11. PUBLIC COMMENT

There were 6 speakers.

Closed Session

Pursuant to the Court's order in *Berkeley Police Association v. City of Berkeley, et al.*, Alameda County Superior Court Case No. 2002 057569, the PRC will recess into closed session to discuss and take action on the following matter:

12. CONSIDER RECOMMENDATION FOR ADMINISTRATIVE CLOSURE IN COMPLAINT #2487

Motion to postpone this item until the next meeting to determine when the criminal case was adjudicated and whether it affects the 120-day deadline.

Moved/Second (Chang/Moore) **Motion Carried**

