



OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY

POLICE ACCOUNTABILITY BOARD
REGULAR MEETING
MINUTES

Wednesday, December 7, 2022, 7:00 P.M.

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

1. CALL TO ORDER & ROLL CALL BY CHAIR MOORE AT 7:01 P.M.

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

Absent: None

ODPA Staff: Hansel Aguilar, Director of Police Accountability
Beneba Thomas, DPA Investigator
Jose Murillo, Associate Management Analyst

BPD Staff: Jen Louis, Interim Chief of Police

CAO Staff: James Chang, Deputy City Attorney

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (JL/KC) **Motion Carried.**

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

Noes: None

Abstain: None

Absent: None

3. PUBLIC COMMENT

5 speakers.

4. APPROVAL OF MINUTES

Motion to approve *Regular Meeting Minutes of November 9, 2022* as amended.

Moved/Second (KC/JL) **Motion Carried**

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

Noes: None

Abstain: None

Absent: None

Motion to approve *Special Meeting Minutes of November 15, 2022* as amended.

Moved/Second (KC/JL) **Motion Carried**

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

Noes: None

Abstain: None

Absent: None

Motion to approve *Special Meeting Minutes of November 21, 2022*

Moved/Second (KC/JL) **Motion Carried**

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

Noes: None

Abstain: None

Absent: None

5. ODPA STAFF REPORT

- Director Aguilar provides an update on staff activity since the last regular meeting and items of interest to the PAB including the transmittal of the proposed permanent regulations to the City Attorney's Office for review.
- Jose Murillo shares a presentation regarding staff attendance and participation in the 2022 Annual Conference for the American Society of Criminology.

6. CHAIR AND BOARD MEMBERS' REPORTS

Chair Moore reported:

- States that he is still waiting on guidance regarding investigative powers that the PAB has.

Vice-Chair Mizell:

- States that this meeting will be his last now that the vote that placed him on the rent board will be confirmed the next day.

7. CHIEF OF POLICE'S REPORT (10 MINUTES)

Interim Chief Louis reported:

- Provides a report on staffing. States that low staffing continues to be an issue for the department. Provides an update on current recruitment efforts.
- Provides a report on crime in the city and shooting incidents.
- Provides a report on the efforts to address hate crimes.

Interim Chief Louis answers Board Member questions.

8. SUBCOMMITTEE REPORTS (DISCUSSION AND ACTION) (10 MIN)

Report of activities and meeting scheduling for all Subcommittees, possible appointment of new members to all Subcommittees, and additional discussion and action as noted for specific Subcommittees:

- a. Controlled Equipment Subcommittee. (Welcome more Board members to join.)
 - Chair Moore reported that the subcommittee is still looking to recruit new members.
- b. Policy and Practices relating to the Downtown Task Force and Bike Unit Allegations.
 - i. Update on 11/29/2022 Subcommittee Meeting.
 - ii. Update regarding inclusion of members of the public.
 - Board member Owens provides an update on subcommittee activity and states that a process and direction have been identified. Ask staff to accelerate the recruitment efforts for members of the public.
- c. Police Chief Process (ad hoc) Subcommittee.
 - No update. Will remain active until an appointment is made.

9. NEW BUSINESS (DISCUSSION AND ACTION)

- a. Discussion on the proposed regular meeting schedule for 2023 and other important dates.

Motion to approve the PAB's 2023 Regular Meeting Schedule with a start time of 6:30 pm.

Moved/Second (IR/JL) **Motion Carried.**

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

Noes: None

Abstain: None

Absent: None

- b. Discussion on a proposed Board retreat meeting for the planning of next year and what that retreat can look like.
- c. Discussion regarding future access to BPD Internal Affairs Bureau Reports and information. The item will be continued at a later meeting.

10. PUBLIC COMMENT

2 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 Board will recess into closed session to discuss and take action on the following matter(s):

11. PRESENTATION OF RECOMMENDATION(S) REGARDING COMPLAINT #21

Motion to request that ODPa staff further research and consult with the CAO regarding complaint #21.

Moved/Second (CO/IR) **Motion Carried.**

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

Noes: None

Abstain: None

Absent: None

END OF CLOSED SESSION

12. ANNOUNCEMENT OF CLOSED SESSION ACTION (TBD)

An announcement is made regarding closed session action.

13. ADJOURNMENT

Motion to adjourn the meeting.

Moved/Second (NM/IR) **By general consent, the meeting was adjourned at 10:31 p.m.**