



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING AGENDA
Wednesday, October 11, 2023
6:30 P.M.**

	<u>Board Members</u>	
John Moore III. (Chair)	Regina Harris (Vice-Chair)	Kitty Calavita
Julie Leftwich	Leah Wilson	Brent Blackaby

MEETING LOCATION

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA 94709
([Click here for Directions](#))

Meeting Recording: <https://youtu.be/vOgKPAi6wOM?si=4LdtHaMm-nRVMu6U>

Minutes

1. CALL TO ORDER AND ROLL CALL AT 6:30 PM

Present: Board Member John Moore (Chair)
Board Member Kitty Calavita*
Board Member Juliet Leftwich
Board Member Brent Blackaby
Board Member Joshua Cayetano

Absent: Board Member Regina Harris (Vice-Chair)
Board Member Leah Wilson

ODPA Staff: Hansel Aguilar, Director of Police Accountability
Jayson Wechter, Investigator

BPD Staff: Chief Jen Louis

CAO Staff: Stephen Hylas, Deputy City Attorney

CMO Staff: Carianna Arredondo, Assistant to the City Manager

***Motion to allow just cause remote participation to Board Member Calavita.**

Moved/Second (Moore/Leftwich) Motion Carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Leftwich/Blackaby) Approved by unanimous consent.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

3. PUBLIC COMMENT

1 Physically Present

1 Virtually Present

4. ADMINISTERING OATH OF OFFICE & CONFIDENTIALITY TO NEWLY APPOINTED BOARD MEMBER

Director Aguilar administers the Oath of Office & Confidentiality to Newly Appointed Board Member Cayetano.

5. APPROVAL OF MINUTES

a. **Motion to approve the meeting minutes for the special meeting of September 14, 2023.**

Moved/Second (Blackaby/Leftwich)

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

b. **Motion to approve the meeting minutes for the regular meeting of September 27, 2023.**

Moved/Second (Blackaby/Leftwich)

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

c. **Motion to approve the meeting minutes for the special meeting of September 27, 2023.**

Moved/Second (Blackaby/Leftwich)

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

6. ODPa STAFF REPORT

Director Aguilar provides updates on training opportunities for Board members and introduces new staff.

7. CHAIR AND BOARD MEMBERS' REPORTS

Chair Moore encourages Board Members to attend NACOLE as it is a great learning opportunity. He recognizes the new members of the Board and their commitment to the work. Board Member Blackaby thanks BPD staff who supported his ride along the previous week.

8. CHIEF OF POLICE'S REPORT

Chief Louis reports on community-relevant cases, provides staffing updates, offers updates on new BPD training, and addresses updates related to PAB requests.

9. SUBCOMMITTEE REPORTS

- a. Policy and Practices relating to the Downtown Task Force and Bike Unit Allegations (Chair: Calavita)
Board member Calavita provides a status update on the subcommittee's work. The subcommittee hopes to bring forth a report on their findings before the end of the year.
- b. Fair and Impartial Policing (Chair: Calavita)
Board member Calavita provides a status update on the subcommittee's work. The subcommittee hopes to bring forth a report soon reviewing the implementation of the Fair and Impartial Policing recommendations.

10. OLD BUSINESS

- a. Presentation of New Policy Complaint 2023-PR-0005

Policy Complaint 2023-PR-0005 is presented to the Board. The complainant addresses the Board and the BPD provides comments.

Motion to defer acceptance of the Policy Complaint 2023-PR-0005 and instruct ODPa staff to further look into the issue.

Motion/Second (Leftwich/Moore) Motion carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

11. NEW BUSINESS

- a. Presentation of new policy complaints
 - i. Policy Complaint Number 2023-PR-0006

Policy Complaint 2023-PR-0006 is presented to the Board. The complainant addresses the Board and the BPD provides comments.

Motion to assign Policy Complaint 2023-PR-0006 to Chair Moore to further look into the complaint and report back to the Board.

Motion/Second (Moore/Leftwich) Motion Carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

ii. Policy Complaint Number 2023-PR-0007

Motion to defer Policy Complaint Number 2023-PR-0007 pending the personnel complaint investigation.

Motion/Second (Moore/Blackaby) Motion Carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

iii. Policy Complaint Number 2023-PR-0008

Motion to accept Policy Complaint Number 2023-PR-0008 and assign it to Board member Cayetano.

Motion/Second (Blackaby/Leftwich) Motion Carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, and Moore. Noes: None.

Absent: Harris, Wilson

b. Discussion and Action Regarding the Creation of a New Subcommittee for the Review of Off-Duty Conduct Policy

After the acceptance of policy complaint 2023-PR-0008, the Board defers the creation of this subcommittee.

12. PUBLIC COMMENT (TBD)

1 Physically present speakers.

0 Virtually present speakers.

13. CLOSED SESSION at 8:00 PM

CLOSED SESSION ITEMS

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 act on the following matter(s):

Case Updates Regarding Complaints Received by the ODPa

Regarding Items 13.a. – 13.l.:

Director Aguilar provides case updates to the Board including the presentation of findings and newly accepted complaints.

END OF CLOSED SESSION

14. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Chair Moore announces the closed session actions.

15. ADJOURNMENT

Motion to adjourn.

Moved/Second (Leftwich/Blackaby) The meeting was adjourned at 9:54 P.M by unanimous consent.

Minutes Approved on: 10/25/2023

Hansel Aguilar, Commission Secretary: 