



OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY

POLICE ACCOUNTABILITY BOARD REGULAR MEETING

**Wednesday, March 9, 2022
7:00 P.M.**

Board Members:

MICHAEL CHANG, CHAIR
NATHAN MIZELL, VICE-CHAIR
KITTY CALAVITA

REGINA HARRIS
JULIE LEFTWICH
DEBORAH LEVINE

JOHN MOORE III
CHERYL OWENS
ISMAIL RAMSEY

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of the attendees. Therefore, no physical meeting location will be available.

To access the meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device using this URL: <https://us02web.zoom.us/j/82237902987>. If you do not wish for your name to appear on the screen, use the drop-down menu and click on “rename” to rename yourself to be anonymous. To request to speak, use the “raise hand” icon on the screen. To join by phone: Dial **1 669 900 6833** and enter Meeting ID **822 3790 2987**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized.

AGENDA

- 1. CALL TO ORDER & ROLL CALL (5 minutes)**
- 2. APPROVAL OF AGENDA (5 minutes)**
- 3. PUBLIC COMMENT (TBD)**

(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on any matter within the Board’s jurisdiction at this time.)

The Police Accountability Board and Office of the Director of Police Accountability (ODPA) were created to provide independent civilian oversight of the Berkeley Police Department. They review and make recommendations on police department policies, and investigate complaints made by members of the public against police officers. For more information, contact the ODPA.

1947 Center Street, 5th Floor, Berkeley, CA 94704 TEL: 510-981-4950 TDD: 510-981-6903 FAX: 510-981-4955
Website: www.cityofberkeley.info/dpa/ Email: dpa@cityofberkeley.info

- 4. APPROVAL OF MINUTES** (3 minutes)
 - a. Special meeting of February 23, 2022.
 - b. Regular meeting of February 23, 2022.
(*To be delivered.*)
- 5. CHAIR AND BOARD MEMBERS' REPORTS** (5 minutes)

Update from Board member Calavita on Police Chief Search
Update from Board member Mizell on Reimagining Public Safety Task Force.
- 6. DIRECTOR OF POLICE ACCOUNTABILITY'S REPORT** (5 minutes)

Status of complaints; other items.
- 7. CHIEF OF POLICE'S REPORT** (10 minutes)

Crime/cases of interest, community engagement/department events, staffing, training, and other items of interest.
- 8. SUBCOMMITTEE REPORTS (discussion and action)** (15 minutes)

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. Fair & Impartial Policing Implementation – met March 2.
 - b. Director Search.
 - c. Regulations – met Feb.22; next meeting March 10 at 7:00 p.m.
 - d. Mental Health Response (Policy Complaint #7).
 - e. Policy 351, Fixed Surveillance Cameras.
 - f. PAB Budget Proposal – met March 1.
- 9. OLD BUSINESS (discussion and action)**
 - a. Review Policy 319, Hate Crimes, as requested by City Council. (10 minutes)
(*See materials in Feb.23, 2022 agenda packet, p. 13.*)
- 10. NEW BUSINESS (discussion and action)**
 - a. Consider requests from the Fair & Impartial Policing Implementation Subcommittee. (10 minutes)
 - i) Request that the Board seek an opinion from the City Attorney regarding the PAB's access under the Charter to internal documents necessary for the PAB to fulfill its functions.
 - ii) Authorize Chair Chang, FIP Subcommittee Chair Calavita, and FIP Subcommittee member Ramsey to meet with Mayor Arreguin and Councilmember Harrison to discuss difficulties in overseeing implementation.

- b. Review Police Equipment & Community Safety Ordinance Impact Statements. (30 minutes)
From: Berkeley Police Dept.
- c. Consider request from Mental Health Commission to collaborate on using local crisis stabilization as an alternative to sending individuals with mental health concerns to Santa Rita or John George. (15 minutes)
- d. BPD's response to distribution of anti-Semitic hate flyers in Berkeley. (5 minutes)
From: Chair Chang
- e. Discuss continuation of meetings held via teleconference and videoconference. (5 minutes)
From: Board member Leftwich

11. PUBLIC COMMENT (TBD)

(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on this agenda only.)

Closed Session

The Board will convene in closed session to meet concerning the following:

12. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (30 minutes)

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9. One potential case.

13. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6 (30 minutes)

Designated representatives: Katherine Lee; Interim Director of Police Accountability; Timothy L. Davis, Labor Negotiator

Employee organization: Berkeley Police Association

End of Closed Session

14. ANNOUNCEMENT OF CLOSED SESSION ACTION (1 minute)

15. ADJOURNMENT (1 minute)

Communications Disclaimer

Communications to the Police Accountability Board, like all communications to Berkeley boards, commissions or committees, are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the Board Secretary. If you do not want your contact information included in the public record, do not include that information in your communication. Please contact the Board Secretary for further information.

**Communication Access Information (A.R. 1.12)**

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date.

SB 343 Disclaimer

Any writings or documents provided to a majority of the Board regarding any item on this agenda will be made available for public inspection at the Office of the Director of Police Accountability, located at 1947 Center Street, 5th Floor, Berkeley, CA.

Contact the Director of Police Accountability (Board Secretary) at dpa@cityofberkeley.info