



OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY

POLICE ACCOUNTABILITY BOARD REGULAR MEETING

**Tuesday, October 25, 2022
7:00 P.M.**

Board Members:

JOHN MOORE III. CHAIR
NATHAN MIZELL, VICE-CHAIR
KITTY CALAVITA

REGINA HARRIS
JULIE LEFTWICH
DEBORAH LEVINE

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** (2 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 (5 minutes)

Regular meeting of October 12, 2022

5. ODPa STAFF REPORT (5 minutes)

Status of complaints and Policy Reviews; other items.

6. CHAIR AND BOARD MEMBERS' REPORTS (5 minutes)

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) (5 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. Regulations Subcommittee – see Item #9. a. below. (Look at 9-14-22 PAB packet, pp 13-35.).

1. Discussion regarding the possibility of adding another PAB member to the Regulations subcommittee and referring the regulations back the subcommittee.

b. Controlled Equipment Subcommittee. (Welcome more Board members to join.)

c. Police Chief Process (ad hoc) Subcommittee

9. OLD BUSINESS (discussion and action)

a. Finalize review of draft proposed permanent Regulations for Handling Investigations and Complaints. (1 hour)

10. PUBLIC COMMENT REGARDING AGENDA ITEM 11.A.

(A public comment period shall be agendized immediately preceding consideration of the policy complaint, limited to comments on that complaint. Policy complainants will be allowed to speak for five minutes. Other members of the public will be allowed up to three minutes; the time allotted is subject to the discretion of the Chair, who will consider the number of persons wishing to speak.)

a. Public Comment for item 11.a.

11. NEW BUSINESS (discussion and action)

a. Discussion on Policy Complaint #31 regarding BMC 2.99 and BPD Policy 1106 – Special Order 2020-0006

b. Discussion regarding PAB member stipends (Cheryl Owens)

c. Discussion regarding the policy priorities of the Board

- d. Discussion on a proposed closed session discussion regarding the City Attorney's analysis of PAB Authority

12. 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

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):

- 13. PRESENTATION OF ADMINISTRATIVE CLOSURE OF COMPLAINT #23 (10 MIN)**
- 14. PRESENTATION OF ADMINISTRATIVE CLOSURE OF COMPLAINT #24 (10 MIN)**
- 15. DISCUSSION REGARDING COMPLAINT #19 (10 MIN)**

END OF CLOSED SESSION

16. ANNOUNCEMENT OF CLOSED SESSION ACTION

17. 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