



OFFICE OF THE DIRECTOR  
OF POLICE ACCOUNTABILITY

## **POLICE ACCOUNTABILITY BOARD REGULAR MEETING**

**Tuesday, January 31, 2023  
6:30 P.M.**

Board Members:

JOHN MOORE III. 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/82653396072>. 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 **826 5359 6072**. If you wish to comment during the public comment portion of the agenda, press \*9 and wait to be recognized.

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, 5<sup>th</sup> Floor, Berkeley, CA 94704 TEL: 510-981-4950 TDD: 510-981-6903 FAX: 510-981-4955  
Website: [www.cityofberkeley.info/dpa/](http://www.cityofberkeley.info/dpa/) Email: [dpa@cityofberkeley.info](mailto:dpa@cityofberkeley.info)

## **LAND ACKNOWLEDGEMENT**

The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Chochen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.

### **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.)*
4. **APPROVAL OF MINUTES** (5 MINUTES)  
Regular meeting of January 11, 2023
5. **ODPA STAFF REPORT** (5 MINUTES)  
Announcements, updates, and other items.
6. **CHAIR AND BOARD MEMBERS' REPORTS** (5 MINUTES)  
Announcements, updates and 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) (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. Policy and Practices relating to the Downtown Task Force and Bike Unit Allegations (Chair: Owens)
  - i. Update on subcommittee activity.

**9. OLD BUSINESS (discussion and action) (15 min)**

- a. Update on the discussion regarding future access to BPD Internal Affairs Bureau Reports and information (Calavita)

**10. NEW BUSINESS (discussion and action) (10 min)**

- a. Nomination and election of PAB Chairperson and Vice-Chairperson (10 min) – (ODPA Staff)
- b. Discussion regarding the possibility of bringing in Captain Bolton, national consultant on Early Intervention Systems, to do a presentation (5 min) – (Calavita)
- c. Notice of potential topics of interest for future PAB review (5 min) – (ODPA Staff)
  - i. Budget Review Authority under Section 125(21) of the Charter
  - ii. Overtime Usage of BPD
- d. In-Person Transition Plan and Meeting Places (5 min) – (ODPA Staff)

VENUE	LOCATION	AVAILABILITY & NOTES
South Berkeley Senior Center	2939 Ellis St, Berkeley, CA 94703	– available to book meeting space; MPR is the largest room to allow for distancing
North Berkeley Senior Center	1901 Hearst Ave, Berkeley, CA 94709	– <u>not available until after April 15</u> ; currently in use as homeless warming center
Frances Albrier Recreation Center	2800 Park St, Berkeley, CA 94702	the Social Hall is available for commission meetings (large room, good for distancing)
James Kenney Recreation Center	1720 Eighth St, Berkeley, CA 94710	Community Room (upstairs; smaller than Albrier social hall, but larger than NBSC classrooms)
Live Oak Recreation Center	1301 Shattuck Ave., Berkeley, CA 94704	Fireside Room or Creekside Room (smaller than Albrier social hall, but larger than NBSC classrooms)

**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**

*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):*

**12. PRESENTATION OF RECOMMENDATIONS REGARDING CASE NO. 2488 (5 MIN)**

**13. PRESENTATION OF RECOMMENDATION(S) REGARDING COMPLAINT NO. 17 (5 MIN)**

**14. CONTINUED PRESENTATION OF RECOMMENDATION(S) REGARDING COMPLAINT NO. 19 (5 MIN)**

**15. PRESENTATION OF OBJECTION ACCEPTANCE FOR CASE NO. 21 (5 MIN)**

**16. PENDING CASE UPDATES (5 MIN)**

**END OF CLOSED SESSION**

**17. ANNOUNCEMENT OF CLOSED SESSION ACTION (1 minute)**

**18. 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](mailto:dpa@cityofberkeley.info)