



POLICE ACCOUNTABILITY BOARD
REGULAR MEETING AGENDA
WEDNESDAY, FEBRUARY 28, 2024
6:30 P.M.

Board Members

John Moore III (Chair)
Kitty Calavita
Julie Leftwich
Joshua Cayetano

Leah Wilson (Vice-Chair)
Regina Harris
Brent Blackaby
Alexander Mozes

MEETING LOCATION

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

PUBLIC NOTICE

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 5339 6072**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized.

LAND ACKNOWLEDGMENT

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 AND ROLL CALL (2 MINUTES)**
- 2. APPROVAL OF AGENDA (2 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)**
 - a. Minutes for the Regular Meeting of February 7, 2024

- 5. ODPa STAFF REPORT (10 MINUTES)**

Announcements, updates, and other items.

- PAB and ODPa Participation in the 2024 Berkeley Juneteenth Festival (Sunday, June 16, 2024)

- 6. CHAIR AND BOARD MEMBERS' REPORTS (10 MINUTES)**

Announcements, updates, and other items.

- 7. CHIEF OF POLICE'S REPORT (TBD)**

Crime/cases of interest, community engagement/department events, staffing, training, and other items of interest.

8. DISCUSSION REGARDING THE CITY MANAGER'S IMPLEMENTATION OF THE CITY COUNCIL'S DIRECTIVE TO REVISE THE EARLY INTERVENTION SYSTEM POLICY OF THE BERKELEY POLICE DEPARTMENT (CAYETANO) – (20 MINUTES)

9. SUBCOMMITTEE REPORTS (TBD)

Report of activities and meeting schedule for all subcommittees, possible appointment or reassignment of members to subcommittees, and additional discussion and action as warranted for the subcommittees listed on the PAB's Subcommittee List included in the agenda packet.

10. LEGISLATIVE AND POLICY UPDATES (25 MINUTES)

Report on any pertinent legislative updates or policy changes concerning civilian oversight and/or policing practice, covering:

- California Legislation/Case Law¹
- City of Berkeley Ordinances²
- BPD Lexipol Policies³

11. NEW BUSINESS (Discussion and Action) (1 HOUR 5 MINUTES))

- a. Approval of the 2024 PAB Strategic Planning Session Retreat and Agenda (LEFTWICH) – (5 MINUTES)
- b. Discussion and action regarding the PAB letter to the City Manager and Chief of Police on the proposal for additional security cameras per the City Council's directive. (ODPA) - (15 MINUTES)
- c. Discussion and action regarding the Director of Police Accountability's observations and considerations for the PAB's review of Council Item 16. "Zoning Amendments for Berkeley Business; Amending Berkeley Municipal Code Title 23" (ODPA) – (15 MINUTES)

¹ <https://leginfo.legislature.ca.gov/>

² <https://berkeley.municipal.codes/>

³ <https://berkeleyca.gov/safety-health/police/policy-training-materials>

- d. Discussion and action regarding the review of the BPD's 2023 Annual Report on Police Equipment and Community Safety Ordinance as mandated by BMC 2.100.050 "Reports on the Use of Controlled Equipment" (ODPA) – (15 MINUTES)
- e. Discussion and action regarding the PAB's issuance of subpoenas for records pertinent to the completion of the "Policies and Practices relating to the Downtown Task Force and Bike Unit Allegations" subcommittee's work. (MOORE) – (15 MINUTES)

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 any matter within the Board's jurisdiction at this time.

13. CLOSED SESSION

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):

a. Case Updates Regarding Complaints Received by the ODPA:

- | | | | |
|----|--------------|-----|---------------|
| 1. | 2023-CI-0004 | 6. | 2023-CI- 0014 |
| 2. | 2023-CI-0006 | 7. | 2023-CI- 0016 |
| 3. | 2023-CI-0009 | 8. | 2023-CI- 0017 |
| 4. | 2023-CI-0012 | 9. | 2023-CI- 0018 |
| 5. | 2023-CI-0013 | 10. | 2023-CI- 0019 |


END OF CLOSED SESSION

14. ANNOUNCEMENT OF CLOSED SESSION ACTIONS (1 MINUTE)

15. ADJOURNMENT (1 MINUTE)

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 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:

1947 Center Street, 5th Floor, Berkeley, CA 94704

TEL: 510-981-4950 TDD: 510-981-6903 FAX: 510-981-4955

Website: <https://berkeleyca.gov/safety-health/police-accountability>

Email: dpa@berkeleyca.gov