



**POLICE ACCOUNTABILITY BOARD**  
REGULAR MEETING AGENDA  
**WEDNESDAY, December 11, 2024**  
**6:30 P.M.**

Board Members

John Moore III (Chair)  
Kitty Calavita  
Joshua Cayetano

Leah Wilson (Vice-Chair)  
Juliet Leftwich  
Alexander Mozes

David Williams

**MEETING LOCATION**

Office of the Director of Police Accountability  
1900 Addison Street, Floor 3  
Berkeley, CA 94704

**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, except confidential personnel matters.*

- 4. APPROVAL OF MINUTES (5 MINUTES)**
  - a. Minutes for the Regular Meeting of November 13, 2024
- 5. ODPa STAFF REPORT (10 MINUTES)**

Announcements, updates, and other items.

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

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.

**9. OLD BUSINESS (15 MINUTES)**

- a. Discussion and action on the Operation & Processes Subcommittee's proposed PAB Policy Review Process<sup>1</sup> (Wilson & Mozes) – (15 Minutes)

**10. NEW BUSINESS (1 HOUR 10 MINUTES)**

- a. Discussion and action on new Policy Complaint 2024-PR-0007 in accordance with Section G. "Policy Complaints and Reviews" of the PAB's Standing Rules (ODPA) – (15 Minutes)
- b. Discussion and action regarding the status update on ODPA Policy Review 2023-PR-0007 (ODPA) – (15 Minutes)
- c. Discussion and possible action on the status update regarding the outstanding request to BPD for Vehicle Pursuit Forms<sup>2</sup> (Cayetano) – (5 Minutes)
- d. Discussion and Action on the PAB's Strategic Planning Session for 2025 (ODPA) – (15 Minutes)
  - i. Proposed date of the session
  - ii. Development of the PAB's 2025 Workplan in accordance with Chapter I, Section E, "Development of a Work Plan," in the City of Berkeley Commissioner's Manual
- e. Discussion and action on the proposed presentation of the PAB's reports to Council (Calavita) – (5 Minutes):
  - i. "Berkeley Police Department Texting Offenses: An Independent Investigation by the Police Accountability Board"<sup>3</sup>
  - ii. "2024 Police Accountability Board Report: Fair and Impartial Policing Implementation"<sup>4</sup>
- f. ODPA Updates for 2025 (ODPA) – (15 Minutes)
  - i. Budget Updates
  - ii. Programmatic Updates

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<sup>1</sup> See Item 10.b. on the PAB's November 13, 2024 Regular Meeting:

<https://berkeleyca.gov/sites/default/files/legislative-body-meeting-minutes/DRAFT%202024-11-13%20Regular%20Meeting%20Minutes.pdf>

<sup>2</sup> See Item 10.c. on the PAB's October 30, 2024 Regular Meeting:

[https://berkeleyca.gov/sites/default/files/legislative-body-meeting-minutes/2024-10-30%20Regular%20Meeting%20Minutes\\_final%20-%20signed.pdf](https://berkeleyca.gov/sites/default/files/legislative-body-meeting-minutes/2024-10-30%20Regular%20Meeting%20Minutes_final%20-%20signed.pdf)

<sup>3</sup> The full PAB report can be accessed at the following link:

[https://berkeleyca.gov/sites/default/files/documents/2024-08-29%20BPD%20Texting%20Offenses\\_PAB%20Investigation%20Report\\_Final.pdf](https://berkeleyca.gov/sites/default/files/documents/2024-08-29%20BPD%20Texting%20Offenses_PAB%20Investigation%20Report_Final.pdf)

<sup>4</sup> The full PAB report can be accessed at the following link:

[https://berkeleyca.gov/sites/default/files/documents/2024%20PAB%20Report\\_FIP%20Implementation\\_Final.pdf](https://berkeleyca.gov/sites/default/files/documents/2024%20PAB%20Report_FIP%20Implementation_Final.pdf)

## 11. PUBLIC COMMENT (TBD)

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## 12. 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 and Recommendations Regarding Complaints Received by the ODPa:

- |        |              |         |              |
|--------|--------------|---------|--------------|
| i.     | 2023-CI-0016 | xx.     | 2024-CI-0031 |
| ii.    | 2024-CI-0003 | xxi.    | 2024-CI-0032 |
| iii.   | 2024-CI-0004 | xxii.   | 2024-CI-0033 |
| iv.    | 2024-CI-0009 | xxiii.  | 2024-CI-0034 |
| v.     | 2024-CI-0016 | xxiv.   | 2024-CI-0035 |
| vi.    | 2024-CI-0017 | xxv.    | 2024-CI-0036 |
| vii.   | 2024-CI-0018 | xxvi.   | 2024-CI-0037 |
| viii.  | 2024-CI-0019 | xxvii.  | 2024-CI-0038 |
| ix.    | 2024-CI-0020 | xxviii. | 2024-CI-0039 |
| x.     | 2024-CI-0021 | xxix.   | 2024-CI-0040 |
| xi.    | 2024-CI-0022 | xxx.    | 2024-CI-0041 |
| xii.   | 2024-CI-0023 | xxxi.   | 2024-CI-0042 |
| xiii.  | 2024-CI-0024 | xxxii.  | 2024-CI-0043 |
| xiv.   | 2024-CI-0025 | xxxiii. | 2024-CI-0044 |
| xv.    | 2024-CI-0026 | xxxiv.  | 2024-CI-0045 |
| xvi.   | 2024-CI-0027 | xxxv.   | 2024-CI-0046 |
| xvii.  | 2024-CI-0028 | xxxvi.  | 2024-CI-0047 |
| xviii. | 2024-CI-0029 | xxxvii. | 2024-CI-0048 |
| xix.   | 2024-CI-0030 |         |              |

### END OF CLOSED SESSION

## 13. ANNOUNCEMENT OF CLOSED SESSION ACTIONS (1 MINUTE)

## 14. ADJOURNMENT (1 MINUTE)

### Off Agenda Reports

#### 1. Legislative Updates Relevant to the PAB's Work

### Communications Disclaimer

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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 1900 Addison Street, Floor 3, Berkeley, CA 94704.

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### Contact the Director of Police Accountability (Board Secretary) at:

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

Email: [dpa@berkeleyca.gov](mailto:dpa@berkeleyca.gov)