



OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY

POLICE ACCOUNTABILITY BOARD
REGULAR MEETING
MINUTES
(approved)

Wednesday, September 28, 2022, 7:00 P.M.

No physical location; meeting held exclusively through videoconference and teleconference.

1. CALL TO ORDER & ROLL CALL BY VICE CHAIR MIZELL AT 7:06 P.M.

Present: Board Member Nathan Mizell (Vice-Chair) (NM)
Board Member Kitty Calavita (KC)
Board Member Regina Harris (RH)
Board Member Deborah Levine (DL)
Board Member John Moore (JM)
Board Member Cheryl Owens (CO)
Board Member Ismail Ramsey (IR)

Absent: Board Member Juliet Leftwich (JL)

ODPA Staff: Jose De Jesus Murillo

BPD Staff: Lt. Daniel Montgomery

-
- ODPA Staff, Jose Murillo, introduced himself to the board.
 - Vice Chair Mizell notifies PAB that he will leave after Item 6.

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Owens/Moore) **Motion Carried**

Ayes: Calavita, Harris, Levine, Mizell, Moore, Owens, and Ramsey.

- Item 9.a. tabled due to pending information from City Attorney
- Item 10.a. tabled due to absence of Board Member Leftwich

Noes: None

Abstain: None

Absent: Leftwich

3. PUBLIC COMMENT (TIME SPEAKERS)

2 speakers.

4. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes of September 14, 2022
Moved/Second (Calavita/Harris) Motion Carried by general consent.

5. ELECTION OF NEW CHAIRPERSON AND VICE-CHAIR PERSON

Nominees: Nathan Mizell, John Moore, Cheryl Owens.

- Vice Chair Mizell announces he is pulling himself out of the nomination but will remain as Vice Chair.
- Board Member Moore provides 2-minute statement
- Board Member Owens provides 2-minute statement

Vice Chair Mizell, as presiding chair, opens the floor for questions:

- No Questions

Vice Chair Chair Mizell, as presiding chair, initiates roll-call vote:

<u>Board Member</u>	<u>Vote</u>
Nathan Mizell.....	John Moore
Kitty Calavita.....	John Moore
Regina Harris.....	Cheryl Owens
Deborah Levine.....	John Moore
John Moore.....	Abstains
Cheryl Owens.....	Cheryl Owens
Ismail Ramsey.....	John Moore

Results

John Moore.....	4
Cheryl Owens.....	2
Abstention(s).....	1

Board Member John Moore is the new PAB Chair.

6. BOARD MEMBERS' REPORTS

Vice-Chair Mizell reports the following:

- He has had a conversation with the City Attorney's office and Anthony Rodriguez of the Mayor's office regarding a memo seeking to analyze the

charter and PAB powers. Board should expect to have an answer in the next couple of weeks, likely to be in a confidential format.

- He has received a communication from the City Manager's office regarding the Police Chief hiring process. Has been invited to the interview panel for Thursday, October 6th from 1- 5 pm. He is concerned if the hiring process for the new police chief has followed the charter. Suggests PAB should have a discussion to look into this matter.

In response to Vice-Chair Mizell's report:

- Board members share concerns about the PAB's involvement in the hiring process of the police chief and being bypassed in other important processes.
- Deputy City Attorney James Chang advises the Board that they must schedule a special meeting to be able to convene about the PAB's next steps in regard to the Police Chief hiring process. Notes 24-hour notice must be provided.

Vice Chair Mizell steps away from the meeting, new PAB Chair Moore takes over the meeting.

7. CHIEF OF POLICE'S REPORT

Lt. Daniel Montgomery reported:

- Oakland Police Department (OPD) had a shooting incident near a school. It was initially thought to be a school shooting so OPD called for emergency support. Berkeley Police Department (BPD) was able to aid but were called off when further information revealed the shooting was near the school and it was not an active shooter situation.
- On a related note, all BPD officers are being updated on active shooter training to make sure department is prepared.
- Statistics on gun related crime through August of 2022 will be shared with the public soon.
- BPD continues to have staffing issues. Currently have 150 officers from which 13 officers are injured, 3 are still in the academy, and there are several other leaves. BPD only has 130 officers currently available.
- Only 7 new applicants for BPD jobs. No current incentives.

8. SUBCOMMITTEE REPORTS (discussion and action)

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. Dissolve or renew Director Search Subcommittee. (Tabled until new Director is hired.)

Tabled until more information is available.

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

- Tabled until more information is available.
- c. Controlled Equipment Subcommittee. (Welcome more Board members to join.)
Chair Moore believes this subcommittee should be continuous and welcomes participation from other board members. The subcommittee is not yet ready for the public as more knowledge is needed.
 - d. Fair and Impartial Policing Implementation
Preparations are being made to start hosting meetings. Information on that meeting will be available in a couple of weeks.

9. ~~OLD BUSINESS (discussion and action)~~

- a. ~~Finalize review of draft proposed permanent Regulations for Handling Investigations and Complaints.~~

Motion to

TABLED

Moved/Second (_____/_____) **Motion Carried / Failed**

Ayes: Calavita, Harris, Levine, Mizell, Moore, Owens, and Ramsey.

Noes: None Abstain: None Absent: Leftwich

10. ~~NEW BUSINESS (discussion and action)~~

- a. ~~PAB Social Event. (Julie Leftwich)~~

Motion to

TABLED

Moved/Second (_____/_____) **Motion Carried / Failed**

Ayes: Calavita, Harris, Levine, Mizell, Moore, Owens, and Ramsey.

Noes: None Abstain: None Absent: Leftwich

11. PUBLIC COMMENT

0 speakers.

12. ADJOURNMENT

Motion to adjourn the meeting.

Moved/Second (Levine, Calavita)

By general consent, the meeting was adjourned at 8:41 PM.