



OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY

POLICE ACCOUNTABILITY BOARD
REGULAR MEETING
MINUTES
(approved)

Wednesday, October 12, 2022, 7:00 P.M.

1. CALL TO ORDER & ROLL CALL BY VICE-CHAIR MIZELL AT 7:03 P.M.

Present: Board Member Nathan Mizell (Vice-Chair)
Board Member Kitty Calavita
Board Member Regina Harris
Board Member Juliet Leftwich
Board Member Deborah Levine
Board Member Cheryl Owens
Board Member Ismail Ramsey

Absent: Board Member John Moore (Chair)

ODPA Staff: Hansel Aguilar, Director (Newly Appointed)
Beneba Thomas, DPA Investigator
Jose Murillo, Associate Management Analyst

BPD Staff: Captain Durbin
Lieutenant Reece

C.A Staff: Laura Mattes, Deputy City Attorney

2. APPROVAL OF AGENDA

Motion to approve the agenda with amendment to item 9.a.
Moved/Second (Mizell/Leftwich) **Motion Carried by General Consent.**
Ayes: Calavita, Harris, Leftwich, Levine, Mizell, Owens, and Ramsey.
Noes: None Abstain: None Absent: None

3. PUBLIC COMMENT

4 speakers.

4. APPROVAL OF MINUTES

Regular meeting of September 28, 2022 & Special meeting of September 30, 2022

Motion to approve Regular Meeting Minutes of September 28, 2022 and Special Meeting Minutes of September 30, 2022

Moved/Second (Calavita/Harris) **Motion Carried by General Consent.**

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

Noes: None

Abstain: None

Absent: None

Newly appointed Director of Police Accountability, Hansel Aguilar, introduces himself to the community and PAB.

5. ODPa STAFF MEMBERS' REPORT

- Investigator Thomas states 41 new Lexipol policies have been issued in 2022. Board member Ramsey poses questions on the processing of the new Lexipol policies and previous procedures as to their review before implementation. Captain Durbin addresses the questions regarding collaboration of PAB and BPD re policy implementation. Captain Durbin will follow-up regarding potentially providing red-lined versions of policies to allow PAB the opportunity to provide feedback. Board members Leftwich and Levine ask clarifying questions regarding procedure.
- Investigator Beneba Thomas provides an overview of the status of complaints and answers board member questions. There are 3 cases which are told; 3 cases on hold pending CA advice; 1 case on hold until officer returns to work/ CA opinion; 2 cases where complaint was incomplete but will be refiled; 1 case where investigation is complete; two cases ready for admin closure (complainant requested); 1 case withdrawn because issue not related to BPD; 1 case in August proceeding regularly; 1 case where everything is ready but will require an extension from BPD.
- Board Member Leftwich request that PAB receives copies of new complaints when they come in as permitted by the charter. Board member Levine refers to City Charter Section 125 subsection 18.g.
- Board Member Calavita and Ramsey request that staff look into ways to link the PRC website and its contents to the PAB website and the Annual Statistical Reports for previous years.

6. BOARD MEMBERS' REPORTS

- Vice Chair Mizell reports a follow up to the City Attorney's office on the timeline for the memo on the PAB's investigation procedure.
 - o Deputy City Attorney Mattes provides an update on the status of the memo and states that some answers to ODPa staff question may be answered within that memo.
 - o Brief discussion as to whether the memo can be reviewed under a closed session before the memo is made public. Board member Owens proposes that discussion on the memo should be put on the agenda for the next meeting; Board member Leftwich echoes that request. DCA Mattes will confer with team on whether it is appropriate for a closed session to be held to review the document. PAB request that they be provided with some notice before the release of the memo. The memo is to be released by 10/14/2022.
- Board Member Owens would like to discuss various policy questions at the next PAB regular meeting. ODPa Management Analyst, Jose Murillo, will brief the board the following meeting.

7. CHIEF OF POLICE'S REPORT

Captain Durbin reported:

- Homicide incident on Saturday that left one dead and 3 others injured. Investigation in process and BPD is communicating with BFD in terms of response to mass casualty events. BPD will be increasing presence in that area, particularly on weekends, and coordinating efforts with UCPD.
- There has been a constant increase in catalytic converter thefts. Investigators are working to address this issue.
- No new changes in staffing since the last PAB regular meeting on September 28, 2022. Welcomes efforts on behalf of the PAB and community to help with recruitment effort outreach.

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.).

Motion to dissolve Director Search Subcommittee

Moved/Second (Mizell/Calavita) **Motion Carried / Failed**

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

Noes: None

Abstain: None

Absent: None

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

No report.

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

No developments since last report on September 28, 2022.

- d. Police Chief Process (ad hoc) Subcommittee

Subcommittee attended interviews on October 6, 2022. Three candidates were interviewed. Concerns remains about the PAB's role in the process but overall positive experience. Subcommittee was able to articulate their thoughts. City Manager to interview the candidates for a final interview, decision will rest on the City Manager but showed intent to consider PAB's suggestions.

9. OLD BUSINESS (discussion and action)

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

Tabled pending additional information.

10. NEW BUSINESS (discussion and action)

- a. PAB Social Event. (Julie Leftwich) – Board member Leftwich proposes a social event to better develop working relationships. This event will not discuss any business. Further details to come.

11. PUBLIC COMMENT

2 speakers.

12. ADJOURNMENT

Motion to adjourn the meeting.

Moved/Second (Mizell, Leftwich)

By general consent, the meeting was adjourned at 9:13 p.m.