



APPROVED

**POLICE ACCOUNTABILITY BOARD
SPECIAL MEETING
MINUTES**

Wednesday, March 8, 2023, 5:30 P.M.

MEETING LOCATION

Judge Henry Ramsey Jr. South Senior Center
2939 Ellis Street
Berkeley, CA 94709

1. CALL TO ORDER & ROLL CALL BY VICE-CHAIR HARRIS AT 5:31 P.M.

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

Absent: Board Member John Moore (Chair)
Board Member Ismail Ramsey

ODPA Staff: Hansel Aguilar, Director of Police Accountability
Beneba Thomas, ODPA Investigator
Jose Murillo, Policy Analyst

BPD Staff: Sgt. LeDoux

CAO Staff: Laura Iris Mattes, Deputy City Attorney

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Calavita/Owens) **Motion Carried by unanimous consent.**

3. PUBLIC COMMENT (3 SPEAKERS)

SPEAKER 1: Expressed gratitude for being able to be back in person.

SPEAKER 2: Expressed satisfaction for the Board's recommendations in the report.
Requested that the Department review the draft policy again.

SPEAKER 3: Thanked the Board members for their analysis. Indicated that there are pending lawsuits against the City regarding some of the topics related to the policy.

4. PRESENTATION OF THE POLICY REVIEW REPORT ON THE PROPOSED BPD POLICIES 351 AND 1304 RELATED TO THE USE OF FIXED CAMERA SURVEILLANCE TECHNOLOGY.

- Board member Calavita presents the subcommittee's analysis regarding the review of Policy 351 and 1304.
- Board members ask questions to Sgt. LeDoux regarding policy technicalities and his interpretation of the policy.

Motion to allow public comment on item 4¹.

Moved/Second (Calavita/Owens) **Motion Carried by unanimous consent.**

- Three members of the public express their opinions on the proposed policies.

Motion to send the proposed letter and report to the City Council and BPD, emphasizing the following four points:

1. **The need for clarification on why there are two policies for the same technology.**
2. **The existence of inconsistencies between the proposed BPD policy and the Council's expressed intent.**
3. **The existence of several ambiguous points in the policy that require further clarification.**
4. **The importance of clarifying data retention periods.**

Moved/Second (Calavita/Leftwich) **Motion Carried.**

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

Nos: None

Abstain: None

Absent: Moore, Ramsey.

¹ Initially Board Member Calavita made a motion to vote on the proposed policy. There was an inquiry on the floor as to whether members could accept public comment outside of the designated public comment periods. ODPa staff clarified that this could be allowed by way of motion. Board Member Calavita then made a motion to allow for public comment during the deliberation of the policy and thus removed here original motion. After the brief impromptu public comment period,

5. PUBLIC COMMENT (2 SPEAKERS)

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 act on the following matter(s):

6. PRESENTATION OF COMPLAINT CASE NO. 29

Motion to convene a hearing panel for Complaint Case No. 29

Moved/Second (Calavita/Owens) **Motion Carried.**

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

Noes: None

Abstain: None

Absent: Moore, Ramsey

END OF CLOSED SESSION

7. ANNOUNCEMENT OF CLOSED-SESSION ACTION

- Vice-Chair Harris announces the closed session action. A hearing panel will be convened for Complaint Case No. 29.

8. ADJOURNMENT

Motion to adjourn the meeting.

Moved/Second (Owens/Leftwich) **By general consent, the meeting was adjourned at 7:31 p.m.**

Minutes Approved on: _____

MARCH 15, 2023

Hansel Aguilar, Commission Secretary: _____

