



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
Wednesday, December 6, 2023
6:30 P.M.**

Board Members

John Moore III. (Chair)
Kitty Calavita
Brent Blackaby

Julie Leftwich
Joshua Cayetano

Regina Harris (Vice-Chair)
Leah Wilson
Alexander Mozes

MEETING LOCATION

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

Meeting Recording: <https://youtu.be/DHWsfjKGwHY>

Minutes

1. CALL TO ORDER AND ROLL CALL AT 6:32 PM

Present: Board Member John Moore (Chair)
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Leah Wilson
Board Member Brent Blackaby
Board Member Joshua Cayetano
Board Member Alexander Mozes

Absent: Board Member Regina Harris (Vice-Chair)

ODPA Staff: Hansel Aguilar, Director of Police Accountability
Jayson Wechter, Investigator
Jose Murillo, Program Analyst
Keegan Horton, Investigator

BPD Staff: Captain Durbin

CAO Staff: Iris Mattes, Deputy City Attorney
CMO Staff: Carianna Arredondo, Assistant to the City Manager

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Calavita/Cayetano) Approved by unanimous consent.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Moore, and Wilson.

Noes: None. Abstain: None. Absent: Harris.

3. PUBLIC COMMENT

1 Physically Present Speakers

0 Virtually Present Speakers

4. APPROVAL OF MINUTES

Motion to approve the meeting minutes for the special meeting of November 8, 2023.

Moved/Second (Calavita/Leftwich) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: Harris.

5. ODPa STAFF REPORT

Director Aguilar provides updates on PAB and ODPa attendance at the 2023 NACOLE conference, the ODPa-PAB Annual Report, the introduction of a new case management system for the ODPa, and offers a staffing update. New ODPa Investigator Keegan Horton introduces himself to the PAB and the public.

6. CHAIR AND BOARD MEMBERS' REPORTS

Chair Moore provides an update to the PAB about his attendance at NACOLE. Additionally, he shares information on a presentation given by the PAB-ODPa to a class at Berkeley High School.

7. CHIEF OF POLICE'S REPORT

Captain Durbin, on behalf of Chief Louis, reports on community-relevant cases, provides staffing updates and recruitment/retention, and addresses updates related to PAB requests. She fields questions from Board Members.

8. SUBCOMMITTEE REPORTS

The Off-Duty Conduct policy subcommittee and the Lexipol Policy Review subcommittee present a status update on their ongoing activities.

Motion to appoint Kitt Saginor to the Lexipol Policy Review Subcommittee as a public member.

Move/Second (Leftwich/Calavita) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: Harris.

9. NEW BUSINESS

a. Discussion and action regarding the 2024 PAB Meeting Schedule

Motion to adopt the proposed regular meeting schedule and maintain the meeting on Wednesdays with a start time of 6:30 P.M.

Moved/Second (Blackaby/Calavita) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: Harris.

b. Discussion and action regarding the 2024 PAB Strategic Planning Session

The PAB discusses potential topics for their 2024 strategic planning session. Board Member Leftwich and Board Member Mozes volunteer to help organize the session and bring back a proposed agenda to the PAB in their second January meeting.

c. Discussion and action regarding the Agenda & Rules Council Committee's referral of Councilmember Harrison's Draft Resolution "Opposition to Police Brutality and Use of Force on Nonviolent Protesters" for review to the PAB.

Motion to adopt Board Member Calavita's proposed response to the City Council's Agenda & Rules Committee's referral with edits is on the table.

Moved/Second (Cayetano/Blackaby) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: Harris.

10. PUBLIC COMMENT

0 Physically present speakers.

0 Virtually present speakers.

11. CLOSED SESSION at 9:10 PM

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):

Case Updates Regarding Complaints Received by the ODPa

Regarding Items 12.a. – 12.j.:

Director Aguilar provides case updates to the Board including the presentation of findings and newly accepted complaints.

Motion to administratively close ODPa Complaint No. 2023-CI-0003

Moved/Second (Leftwich/Mozes)

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: Harris.

Motion to sustain allegations 1 and 3 in ODPa Complaint No. 2023-CI-0007

Moved/Second (Cayetano/Leftwich)

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Moore, and Wilson.

Noes: Mozes. Abstain: None. Absent: Harris.

END OF CLOSED SESSION

12. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Chair Moore announces the closed-session actions.

13. ADJOURNMENT

Motion to adjourn.

(Wilson/Blackaby) The meeting was adjourned at 9:12 P.M by unanimous consent.

Minutes Approved on: 01/10/2024

Hansel Aguilar, Commission Secretary:  _____