



**POLICE ACCOUNTABILITY BOARD**  
REGULAR MEETING AGENDA  
**WEDNESDAY, JULY 10, 2024**  
**6:30 P.M.**

Board Members

John Moore III (Chair)  
Kitty Calavita  
Brent Blackaby  
Alexander Mozes

Leah Wilson (Vice-Chair)  
Juliet Leftwich  
Joshua Cayetano  
David Williams

**MEETING LOCATION**

2020 Milvia Street, Suite 250  
Berkeley, CA 94704

Meeting Video: <https://www.youtube.com/watch?v=grguJ3hUenQ>

**MINUTES**

**1. THE MEETING WAS CALLED TO ORDER AT 6:31 PM**

**2. ADMINISTER OATH OF OFFICE & CONFIDENTIALITY TO NEW MEMBERS**

Policy Analyst Murillo administers the Oath of Office and Confidentiality to newly appointed Board Member Williams.

**3. ROLL CALL**

**Present:** Board Member John Moore (Chair)<sup>1</sup>  
Board Member Leah Wilson (Vice-Chair)  
Board Member Brent Blackaby  
Board Member Kitty Calavita  
Board Member Joshua Cayetano

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<sup>1</sup> Chair Moore participated remotely on a just cause provision.

Board Member Juliet Leftwich  
Board Member Alexander Mozes  
Board Member David Williams  
**Absent:** None.  
**ODPA Staff:** Jose Murillo, Policy Analyst  
Jayson Wechter, Investigator  
Keegan Horton, Investigator  
**Absent:** Hansel A. Aguilar, Director of Police Accountability<sup>2</sup>  
**BPD Staff:** Deputy Chief Tate  
Sgt. Edwards  
**CAO Staff:** DCA Mattes  
**CMO Staff:** Dr. Carianna Arredondo, Assistant to the City Manager  
Rex Brown, DEI Officer

#### 4. APPROVAL OF AGENDA

##### **Motion to approve the agenda.**

Moved/Second (Calavita/Leftwich) Motion carried.

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

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

#### 5. PUBLIC COMMENT

3 Physical Present Speaker(s)

6 Virtually Present Speaker(s)

#### 6. APPROVAL OF MINUTES

a. Minutes for the Regular Meeting of June 26, 2024

##### **Motion to approve the minutes for the regular meeting of June 26, 2024**

Moved/Second (Leftwich/Wilson) Motion carried.

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

Noes: None. Abstain: Calavita, Mozes, Williams. Absent: None.

#### 7. ODPa STAFF REPORT

Policy Analyst Murillo provides a brief update on the progress of the ODPa's new office space, the preparations for the July 18th presentation at the Hope Center, and the

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<sup>2</sup> Policy Analyst Murillo served as secretary of the PAB during this meeting in the absence of Director Aguilar.

implementation of Sivil. Investigator Horton gives an overview of recent trainings received by the investigative division.

## 8. CHAIR AND BOARD MEMBERS' REPORTS

Chair Moore acknowledges the Board's work and welcomes the new board member. Board Member Williams introduces himself, and the other members welcome him.

## 9. CHIEF OF POLICE'S REPORT

Deputy Chief Tate reports on notable crimes and cases, as well as other items of interest to the PAB. Arlo Malmberg, the newly appointed Strategic Planning and Accountability Manager, provides an overview of the Office of Strategic Planning and Accountability (OSPA).

## 10. SUBCOMMITTEE REPORTS

Subcommittees report on their activities.

## 11. NEW BUSINESS

- a. Discussion and action on the "Policy and Practices Related to the Downtown Task Force and Bike Unit Allegations" Subcommittee's report (Calavita)

**Motion to accept the report contingent upon Board Member Calavita making necessary revisions, and to forward it to the Council, requesting their acknowledgment of the report and acceptance of the recommendations for reform, with the understanding that the PAB will collaborate with the Berkeley Police Department to finalize the policy recommendations.**

Moved/Second (Calavita/Leftwich) Motion carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Mozes, Williams, Moore, and Wilson  
Noes: None. Abstain: None. Absent: None.

- b. Discussion and action on the PAB Policy Review Subcommittee's proposal to submit a Public Records Act request to the California Highway Patrol for vehicle pursuit data submitted by the BPD. (Leftwich)

**Motion to accept the PAB Policy Review Subcommittee's proposal to submit a Public Records Act request to the California Highway Patrol for vehicle pursuit data submitted by the BPD.**

Moved/Second (Wilson/Blackaby) Motion carried.

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

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

- c. Discussion and action on a proposal to systematize Board training as authorized by Section 125(12) of the Berkeley City Charter (ODPA)

**Motion to table item 11.c. to a future meeting.**

Moved/Second (Wilson/Blackaby) Motion carried.

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

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

- d. Discussion and action on the BPD's 2023 Annual Military Equipment Report (ODPA)

**Motion to accept the ODPAs recommendation to submit notice to Council to direct BPD to hold a required community meeting.**

Moved/Second (Cayetano/Moore) Motion carried.

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

Noes: Wilson. Abstain: None. Absent: None.

- e. Discussion and action on the introduction of the Office of Strategic Planning and Accountability (OSPA)

No action taken.

**12. PUBLIC COMMENT**

1 Physical Present Speaker(s)

1 Virtually Present Speaker(s)

**13. 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):

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- a. Case Updates and Recommendations Regarding Complaints Received by the ODPa:

**Motion to reject the ODPa's findings for Allegation 3 and to accept the findings for Allegations 1, 2, and 4 as presented in the ODPa's Findings and Recommendations Report for Case Number 2023-CI-0019.**

Moved/Second (Cayetano/Wilson). Motion Fails.

Ayes: Cayetano, and Wilson.

Noes: Blackaby, Leftwich, Mozes, and Moore

Abstain: Calavita, and Williams.

Absent: None.

**Motion to accept the ODPa's Findings and Recommendations for Case Number 2023-CI-0019.**

Moved/Second (Blackaby/Leftwich) Motion Carried.

Ayes: Blackaby, Leftwich, Mozes, and Moore

Noes: Cayetano, and Wilson

Abstain: Calavita, and Williams

Absent: None

**Motion to hold a hearing for ODPa Case Number 2024-CI-0004.**

Moved/Second (Wilson/Leftwich) Motion carried.

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

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

**Motion to hold accept the ODPa's Findings and Recommendations for Case Number 2024-CI-0001.**

Moved/Second (Wilson/Leftwich) Motion carried.

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

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

**END OF CLOSED SESSION**

#### **14. ANNOUNCEMENT OF CLOSED SESSION ACTIONS (1 MINUTE)**

Chair Moore announces the closed session actions.

## 15. ADJOURNMENT

Motion to adjourn. Moved/Second (Leftwich/Wilson) The meeting was adjourned at 10:00 PM by unanimous consent.

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Minutes Approved on: July 24, 2024

Hansel Aguilar, Commission Secretary:   
Hansel Aguilar (Aug 13, 2024 13:45 CDT)

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# 2024-07-10 Regular Meeting Minutes

Final Audit Report

2024-08-13

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