



POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
WEDNESDAY, OCTOBER 9, 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

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA 94709

Meeting Recording: <https://youtu.be/rogRpVzB1ec?si=88bNk4848jDRP0kI>

MINUTES

1. CALL TO ORDER AND ROLL CALL AT 6:31 PM

Present: Board Member John Moore (Chair)
Leah Wilson (Vice-Chair)¹
Board Member Brent Blackaby
Board Member Kitty Calavita
Board Member Joshua Cayetano
Board Member Juliet Leftwich
Board Member David Williams
Board Member Alexander Mozes²

¹ Vice-Chair Wilson participated remotely on a “just cause” provision. Board Member Wilson was initially marked absent but arrived during ODPa staff reports at 6:41 PM.

² Board Member Mozes was initially marked absent but arrived shortly after the approval of the agenda at 6:36 PM.

Absent: None.
ODPA Staff: Hansel Aguilar, Director of Police Accountability
Jose Murillo, Policy Analyst
Jayson Wechter, Investigator
Keegan Horton, Investigator
BPD Staff: Chief Louis
Lt. Montgomery
CAO Staff: DCA Hylas
CMO Staff: Dr. Carianna Arredondo, Assistant to the City Manager

2. APPROVAL OF AGENDA

Motion to approve the agenda³.

Moved/Second (Calavita /Leftwich) Motion carried by general consent.

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

Noes: None. Abstain: None. Absent: Mozes

3. PUBLIC COMMENT

0 Physical Present Speaker(s)

0 Virtually Present Speaker(s)

4. APPROVAL OF MINUTES

a. Minutes for the Regular Meeting of September 25, 2024

Motion to approve the minutes for the Regular Meeting on September 25, 2024.

Moved/Second (Leftwich/Calavita) Motion carried by general consent.

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

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

5. ODPa STAFF REPORT

Director Aguilar provided an updated-on staffing, ODPa outreach, training opportunities, and two recently published reports of interest to the PAB⁴. Investigator Wechter discussed

³ Board Member Calavita noted a typo on Item 10.a. The text "Police Reviews" should be "Policy Reviews."

⁴ The reports are the following:

- "Healthy Black Families and the Fight for a Thriving Black Berkeley" Published by Healthy Black Families, Inc. & Mesu Strategies:
https://static1.squarespace.com/static/6179a5a21df0c4182effd99a/t/670437093dbf934c5a199993/1728329487712/mesuLLC-HBF-E4BB-Revised_compressed.pdf
- "Compounding Anti-Black Racial Disparities in Police Stops" Published by the Center for Policing Equity:
<https://policingequity.org/traffic-safety/88-white-paper-compounding-anti-black-racial-disparities-in-police-stops/file>

the 2024 NACOLE Conference⁵, while Dr. Arredondo highlighted an upcoming Special Meeting on Reimagining Public Safety⁶ and the Berkeley Harvest Festival⁷.

6. CHAIR AND BOARD MEMBERS' REPORTS

The Board did not provide any reports.

7. CHIEF OF POLICE'S REPORT

Chief Louis provided updates on BPD staff attending NACOLE, progress on the ALPR project (installation, training, deployment, and protocols), the PAB's draft Citygate letter, updates on the EWS quarterly audit, and the EIS platform RFP. She also addressed Board members' questions.

8. SUBCOMMITTEE REPORTS

Subcommittees report on their activities.

9. OLD BUSINESS

- a. Discussion and action regarding the Citygate Associates, LLC Workload Organizational Study of the Berkeley Police Department and the PAB's potential response to the report (ODPA)

Motion to adopt the proposed response to the Citygate Associates, LLC Workload Organizational Study of the Berkeley Police Department with amendments.

Moved/Second (Cayetano/Calavita) Motion carried.

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

Noes: None. Abstain: None. Absent: None

- b. Discussion and action on appointing members to the subcommittee established to review Berkeley Police Department Policies 1010 and 1034 (ODPA)

Chair Moore and Board Member Williams Volunteer to be members of the subcommittee.

⁵ National Association for Civilian Oversight of Law Enforcement 2024 Annual Conference: <https://www.nacole.org/2024-annual-conference>

⁶ The Special Meeting of the City Council on Reimagining Public Safety is scheduled for October 29, 2024. The agenda and relevant materials can be found here: <https://berkeleyca.gov/your-government/city-council/city-council-agendas>

⁷ For more information on the Berkeley Harvest Festival, please visit: <https://berkeleyca.gov/community-recreation/events/harvest-festival-0>

10. NEW BUSINESS

- a. Discussion and action regarding the presentation of ODPa Policy⁸ Reviews (ODPA) – (30 Minutes)
 - i. 2023-PR-0005 (15 Minutes)

Motion to accept the ODPa’s report for Policy Complaint 2023-PR-0005 and incorporate the PAB’s feedback.

Moved/Second (Calavita/Mozes) Motion carried.

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

Noes: None. Abstain: None. Absent: None

- ii. Use of Force Review (15 Minutes)

Motion to accept the staff report and facilitate a meeting between the BPD and PAB to review the report.

Moved/Second (Wilson/Blackaby) Motion carried.

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

Noes: None. Abstain: None. Absent: None

- b. Discussion and action on Chair Moore’s proposal to the PAB to initiate a policy review on social media usage by law enforcement

No action taken.

- c. Discussion and action on appointing a liaison to assist with drafting the annual report.

Motion to designate the Operations and Processes Subcommittee as a liaison to the ODPa to assist with drafting the annual report.

Moved/Second (Wilson/Calavita) Motion carried.

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

Noes: None. Abstain: None. Absent: None

- d. Discussion and action on the PAB’s 2025 Regular Meeting Calendar (5 Minutes)

Item tabled to a future meeting.

- e. Discussion and action on Policy Reviews (20 Minutes):

⁸ Board Member Calavita noted a typo on Item 10.a. of the noticed agenda. The text “Police Reviews” should be “Policy Reviews.”

- i. PRC 2487
- ii. PRC 2488
- iii. ODPa 17
- iv. ODPa 19

Motion to support the ODPa's request to issue subpoenas to the BPD for records related to Policy Review PRC 2487, PRC 2488, ODPa 17, and ODPa 19.

Moved/Second (Moore/Wilson) Motion carried.

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

Noes: None. Abstain: None. Absent: None

11. PUBLIC COMMENT (TBD)

0 Physical Present Speaker(s)

0 Virtually Present Speaker(s)

12. 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):

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

Motion to accept the ODPa's recommendation for 2024-CI-0010 with revisions.

Moved/Second (Leftwich/Moore) Motion carried.

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

Noes: None. Abstain: None. Absent: None

END OF CLOSED SESSION

13. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Chair Moore announced closed session actions.

14. ADJOURNMENT

Motion to adjourn. Moved/Second (Mozes/Calavita). The meeting was adjourned at 9:51 PM by unanimous consent.

Minutes Approved on: October 30, 2024

Hansel Aguilar, Commission Secretary: _____

A handwritten signature in black ink, appearing to be 'Hansel Aguilar', written over a horizontal line.