



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
WEDNESDAY, SEPTEMBER 9, 2026
6:30 P.M.**

Board Members

Joshua Cayetano (Chair)	Leah Wilson (Vice-Chair)
Joshua Buswell-Charkow	Stephanie Allan
Patrick DeTemple	Jasmina Viteskic
Anay Sharma	Dwayne Phillips (Alternate)

MEETING LOCATION

Office of the Director of Police Accountability
1900 Addison Street, Floor 3
Berkeley, CA 94704

MEETING MINUTES

1. CALL TO ORDER AND ROLL CALL AT 6:34 PM

Present:	Board Member Joshua Cayetano (Chair) Board Member Leah Wilson (Vice Chair) Board Member Stephanie Allan Board Member Patrick DeTemple Board Member Joshua Buswell-Charkow Board Member Anay Sharma
Absent:	Board Member Jasmina Viteskic ¹ Board Member Dwayne Phillips (Alternate) ²
ODPA Staff:	Kathy Lee, Interim Director of Police Accountability Jose Murillo, Policy Analyst Syed Mehdi, Data Analyst Daniel Weinberg, Investigator
BPD Staff:	Captain Joe Okies

¹ Board Member Viteskic was out on an excused leave of absence.

² Alternate Board Member Phillips was appointed to serve on behalf of Board Member Viteskic but was not present during the PAB meeting.

Lt. Christopher Bonaventure

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Buswell-Charkow/DeTemple) Motion carried.

Ayes: Cayetano, Wilson, Allan, Buswell-Charkow, DeTemple and Sharma.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

3. PUBLIC COMMENT

1 Physically Present Speakers

0 Virtually Present Speakers

4. APPROVAL OF MINUTES

a. Minutes for the Regular Meeting of July 22, 2026.

Motion to approve the minutes for the Regular Meeting of July 22, 2026.

Moved/Second (Buswell-Charkow/Allan) Motion carried.

Ayes: Cayetano, Wilson, Allan, Buswell-Charkow, DeTemple and Sharma.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

5. ODPA STAFF REPORT

Interim Director Lee reported on recent Board Member orientation sessions, ride-along opportunities, the permanent Director recruitment process, and an upcoming meeting with Berkeley Law students regarding possible assistance for complainants. Policy Analyst Murillo reported on recent ODPA website updates based on recommendations from UC Berkeley graduate students, including a more accessible accommodations page, a new Board communications page, and updated complaint and accommodations dashboards.

6. CHAIR AND BOARD MEMBERS' REPORTS

The Chair and Board Members reported on their activities since the last PAB meeting on July 22, 2026. New Board Member Sharma introduced himself, and Chair Cayetano provided an update regarding the regulations process and recent discussions with the City Manager.

7. CHIEF OF POLICE'S REPORT

Captain Okies provided updates on recent cases of interest, including a cold-case sexual assault investigation, a de-escalation incident involving an armed juvenile, and a stolen-vehicle investigation that resulted in multiple vehicle recoveries and recognition of BPD personnel. He also reported on current staffing levels, vacancies, the technology RFP process, upcoming personnel assignments, and schedule changes.

8. SUBCOMMITTEE REPORTS

Subcommittee chairs provided updates on ongoing policy review work, legislative

matters, and other committee activities.

9. DISCUSSION AND ACTION ITEMS

a. BPD Policy 300 “Use of Force” (Cayetano)

The Board discussed Berkeley Police Department Use of Force Policy 300, including access to requested records, confidentiality concerns, and the status of proposed policy revisions. No action was taken.

b. Status of Responses to Request for Proposals for Public Safety (Wilson)

The Board discussed the public safety technology RFP process, including the Board’s prior input on the RFP, the scope and functionality of the technology areas under consideration, and the evaluation process. Vice Chair Wilson stated that she would prepare a plain-language summary of the technology areas and their contemplated functions for future discussion. No action was taken.

c. Surveillance Technology Ordinance Review: Mutual Aid Air Support (ODPA)

Motion to approve the Mutual Aid Air Support policy with the modification to add a reference to BMC § 2.99.022 in Section 1308.11 of the policy.

Moved/Second (Cayetano/Sharma) Motion carried.

Ayes: Cayetano, Wilson, Allan, Buswell-Charkow, DeTemple and Sharma.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

d. Open PAB Policy Reviews and Next Steps (ODPA)

Motion to approve staff’s recommendations for 2023-PR-0007

Moved/Second (Buswell-Charkow/Cayetano) Motion carried.

Ayes: Cayetano, Wilson, Allan, Buswell-Charkow, DeTemple and Sharma.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

Motion to close 2023-PR-0008

Moved/Second (Cayetano/Wilson) Motion carried.

Ayes: Cayetano, Wilson, Allan, Buswell-Charkow, DeTemple and Sharma.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

Motion to accept staff’s recommendation for 2024-PR-0008

Moved/Second (Buswell-Charkow/Sharma) Motion carried.

Ayes: Cayetano, Wilson, Allan, Buswell-Charkow, DeTemple and Sharma.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

Motion to have staff complete its recommendation for 2025-PR-0004 and return the item to the Board at the next meeting.

Moved/Second (Allan/Cayetano) Motion carried.

Ayes: Cayetano, Wilson, Allan, Buswell-Charkow and DeTemple.

Noes: None. Abstain: Sharma. Absent: Viteskic and Phillips.

Motion to close 2025-PR-0005 and forward the matter to the Encampment

Subcommittee for further consideration.

Moved/Second (Wilson/Sharma) Motion carried.

Ayes: Cayetano, Wilson, Allan, Buswell-Charkow, Sharma and DeTemple.

Noes: None. Abstain: None. Absent: Viteskic and Phillips

e. PAB Training and Subcommittee Participation Reporting Procedures (ODPA)

The Board received an update on procedures for tracking and reporting training, subcommittee, and other Board-related hours. Staff reviewed stipend and training compensation requirements and discussed upcoming reporting forms and training opportunities. No action was taken

10. PUBLIC COMMENT

1 Physically Present Speakers

2 Virtually Present Speaker

11. 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. Conference With Labor Negotiators; Government Code § 54957.6 Designated representatives: Leah Wilson, Designated PAB Representative; Katherine Lee, Interim Director of Police Accountability Employee organization: Berkeley Police Association

The Board considered matters related to the ongoing meet-and-confer process concerning permanent regulations and provided updates regarding the ongoing meet-and-confer process.

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

Motion to reject staff's recommendation and keep ODPa Complaint 2025-CI-0037 open.

Moved/Second (Wilson/Allan) Motion carried.

Ayes: Cayetano, Wilson, Allan, DeTemple and Buswell-Charkow.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

Motion to continue the investigation of ODPa Complaint 2025-CI-0018 and proceed consistent with the Board's direction.

Moved/Second (Cayetano/Sharma) Motion carried.

Ayes: Cayetano, Wilson, Allan, DeTemple, Buswell-Charkow and Sharma.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

Motion to continue the investigation of ODPa Complaint 2025-CI-0030 consistent with applicable investigatory timelines.

Moved/Second (Cayetano/DeTemple) Motion carried.

Ayes: Cayetano, Wilson, Allan, DeTemple, Buswell-Charkow and Sharma.

Noes: None. Abstain: None. Absent: Viteskic and Phillips.

END OF CLOSED SESSION

12. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Chair Cayetano announced the closed session actions.

13. ADJOURNMENT AT 9:54 PM

Motion to adjourn. Moved/Second (DeTemple/Sharma). The meeting was adjourned at 9:54 PM by unanimous consent.

DRAFT