



POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
WEDNESDAY, JUNE 11, 2025
6:30 P.M.

Board Members

Joshua Cayetano (Chair)	Leah Wilson (Vice-Chair)
Kitty Calavita	Juliet Leftwich
David Williams	Randy Wells
Macharia Edmonds	Joshua Buswell-Charkow

MEETING LOCATION

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

Minutes

1. CALL TO ORDER AND ROLL CALL AT 6:35 PM

Present:¹ Board Member Leah Wilson (Vice Chair)
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Randy Wells
Board Member Buswell-Charkow

Absent: Board Member David Williams²
Board Member Macharia Edmonds³
Board Member Joshua Cayetano (Chair)⁴

ODPA Staff: Hansel Aguilar, Director of Police Accountability

¹ Vacant seats and commissioners on an approved Leave of Absence (LOA) are excluded from the total seat count to determine the number of actual appointees. The PAB currently has eight (8) actual appointees. With three (3) members on LOA, the quorum is based on the remaining five (5) members. When five members are present, a minimum of three (3) votes is required to act. See Chapter V.A.3 of the City of Berkeley Commissioner's Manual:

<https://berkeleyca.gov/sites/default/files/documents/Commissioners%27%20%26%20Board%20Members%27%20Manual%202025%20Edition.pdf>

² Board Member Williams is on an extended leave of absence until June 19, 2025.

³ Board Member Edmonds was granted a leave of absence.

⁴ Chair Cayetano was granted a leave of absence.

BPD Staff: Syed Mehdi, Data Analyst
Jose Murillo, Policy Analyst
Daniel Weinberg, Investigative Clerk
Chief Louis
Lieutenant Bonaventure

2. ADMINISTERING OATH OF OFFICE & CONFIDENTIALITY TO NEW BOARD MEMBER

- a. District 1 – Joshua Buswell-Charkow (nominated by Councilmember Kesarwani)

Director Aguilar administers the Oath of Office and Confidentiality to Board Member Buswell-Charkow. Board Member Buswell-Charkow introduces himself to the PAB.

3. APPROVAL OF AGENDA

Motion to approve the agenda as amended by moving Item 10.e. “Discussion and action on the proposed rescission of the Police Equipment and Community Safety Ordinance” to the first discussion item and allowing Former Councilmember Harrison to present.

Moved/Second (Calavita/Leftwich) Motion carried.

Ayes: Buswell-Charkow, Calavita, Leftwich, Wells, and Wilson

Noes: None. Abstain: None. Absent: Williams, Cayetano and Edmonds.

Motion to take public comment on Item 10.e. “Discussion and action on the proposed rescission of the Police Equipment and Community Safety Ordinance” before PAB discussion of the item.

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

Ayes: Buswell-Charkow, Calavita, and Leftwich

Noes: Wells and Wilson. Abstain: None. Absent: Williams, Cayetano and Edmonds

4. PUBLIC COMMENT

18 Physically Present Speakers

6 Virtually Present Speakers

5. APPROVAL OF MINUTES (5 MINUTES)

- a. Minutes for the Regular Meeting of May 21, 2025

Motion to approve the Minutes for the Regular Meeting of May 21, 2025.

Moved/Second (Leftwich/Calavita) Motion carried.

Ayes: Buswell-Charkow, Calavita, Leftwich, Wells, and Wilson

Noes: None. Abstain: None. Absent: Williams, Cayetano and Edmonds.

6. ODPA STAFF REPORT (10 MINUTES)

Director Aguilar reported that the ODPA recently received a policy complaint related to the closure of a homeless encampment on Harrison Street. This matter will be presented to the

PAB at the June 25 meeting for consideration of next steps. Director Aguilar also noted that the ODPa is open to following up with community members and had circulated a sign-in sheet to facilitate ongoing communication.

7. CHAIR AND BOARD MEMBERS' REPORTS (10 MINUTES)

The Vice Chair emphasized the PAB's commitment to engaging with the community on matters such as the closure of the homeless encampment and noted the opportunity for the Board to exercise its charter authority to help shape more effective policies. She also clarified that while the PAB has the authority to initiate policy complaints, it relies on community members to file personnel complaints, as that authority does not extend to the Board.

8. CHIEF OF POLICE'S REPORT (10 MINUTES)

Chief Louis provided an update on notable crimes and cases, with particular attention to the recent closure of the homeless encampment at 8th and Harrison. She also expressed a willingness to share data related to the Controlled Equipment Ordinance but noted that overlapping reporting requirements under the ordinance and state law have created redundancies that are slowing the process.

9. SUBCOMMITTEE REPORTS (10 MINUTES)

The PAB's subcommittees reported on their activities since the last PAB meeting on May 21, 2025.

10. DISCUSSION AND ACTION ITEMS (1 HOUR 15 MINUTES)

- a. Discussion – Overview of ODPa Duties, Responsibilities, Workplan, and Current Projects (ODPa) – (15 Minutes)

No formal action was taken by the PAB. Director Aguilar provided an overview of the ODPa's current projects and priorities. Board Members asked about how the ODPa determines its priorities and engaged in discussion regarding the department's staffing capacity.

- b. Discussion and action on the ODPa-PAB budget (ODPa) – (15 Minutes)
 - i. Review of the Current Budget & Future Budgetary Needs
 - ii. Potential Impacts of a Hiring Freeze

No formal action was taken by the PAB. Director Aguilar provided information on the potential impacts of budget limitations on the ODPa's operations.

- c. Discussion and action concerning the proposed timeline for the presentation of the ODPa-PAB Annual Report (ODPa) – (15 Minutes)

Director Aguilar noted that the ODPa received clear and constructive feedback on the draft ODPa-PAB Annual Report and confirmed that it remains on track to be submitted to the City Clerk ahead of the July 22 City Council meeting.

Motion to accept the proposed timeline for the presentation of the ODPa-PAB Annual Report.

Moved/Second (Leftwich/Calavita) Motion carried.

Ayes: Buswell-Charkow, Calavita, Leftwich, Wells, and Wilson

Noes: None. Abstain: None. Absent: Williams, Cayetano and Edmonds.

- d. Discussion and action regarding the BPD's Mutual Aid Agreements with other law enforcement agencies⁵ (continued discussion) (ODPA) – (15 Minutes)

Board Members provided feedback on the draft letter concerning BPD's Mutual Aid Agreements.

Motion to approve the drafted letter with an amendment noting noncompliance since 2018 with the mandate requiring an annual review of all mutual aid agreements between BPD and other law enforcement agencies.

Moved/Second (Leftwich/Wells) Motion carried.

Ayes: Calavita, Leftwich, Wells, and Wilson

Noes: None. Abstain: Buswell-Charkow. Absent: Williams, Cayetano and Edmonds.

- e. Discussion and action on the proposed rescission of the Police Equipment and Community Safety Ordinance (ODPA) – (15 Minutes)

The PAB took public comment on the item prior to discussion. Speakers participated both in person and remotely.

8 Physically Present Speakers

3 Virtually Present Speakers

Former Councilmember Harrison addresses the PAB to explain the differences between the Police Equipment and Community Safety Ordinance (BMC 2.100) and the state's Military Equipment Report (AB 481).

Motion to request that the Director, with support from the Chair and Vice Chair, collaborate with the Berkeley Police Department to develop a joint recommendation for presentation to the Public Safety Policy Committee. The recommendation will seek to reduce or eliminate duplicative reporting requirements already covered by state law while preserving the unique and important elements of the ordinance that require local review. The Director, Chair, and Vice Chair will present the recommendation to

⁵ BPD Agreements, Understandings, and Policies Existing between the Berkeley Police Department and Other Law Enforcement Agencies:

<https://acrobat.adobe.com/link/review?uri=urn%3Aaaid%3Asc%3AUS%3A3a637aa7-7359-45a1-81ed-dee245c93f83>

On April 23, 2025, Chief Louis shared a memorandum dated September 13, 2018, from former Chief Greenwood, titled "Disposition of MOU Compendium Item 3.4, regarding Berkeley Police Department interaction with U.S. Immigration and Customs Enforcement" which is relevant to the proposed discussion: <https://records.cityofberkeley.info/PublicAccess/api/Document/AeaHRx5Q%C3%894PqxrRi8uAfvugw1ugL7qIMK7bKOtOdoPfZOOj1le1HGI0M26eU5oLwKKJYvCUTOu18ymn60ZTrc8%3D/>

the full Board for a vote prior to the Public Safety Policy Committee's July meeting.

Moved/Second (Wilson/Leftwich) Motion carried.

Ayes: Calavita, Leftwich, Wells, and Wilson

Noes: None. Abstain: Buswell-Charkow. Absent: Williams, Cayetano and Edmonds.

11. PUBLIC COMMENT

7 Physically Present Speakers

3 Virtually Present Speakers

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 findings in Case Number 2025-CI-0004 with modification to the recommendation.

Moved/Second (Calavita/Leftwich) Motion carried.

Ayes: Buswell-Charkow, Calavita, Leftwich, Wells, and Wilson

Noes: None. Abstain: None. Absent: Williams, Cayetano and Edmonds.

END OF CLOSED SESSION

13. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Policy Analyst Jose Murillo announces closed session actions.⁶

14. ADJOURNMENT

Motion to adjourn. Moved/Second (Wilson/Calavita). The meeting was adjourned at 10:03 PM by unanimous consent.

⁶ During the closed session announcements, it was stated that the PAB acted on ODPA Case Number 2025-CI-0014. However, the action actually pertained to ODPA Complaint Number 2025-CI-0004.