



POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
WEDNESDAY, NOVEMBER 13, 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
([Click here for Directions](#))

Video Recording: <https://youtu.be/aXGwAkiPZCw>

MINUTES

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

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

Absent: None.

ODPA Staff: Hansel Aguilar, Director of Police Accountability¹
Jose Murillo, Policy Analyst
Jayson Wechter, Investigator
Keegan Horton, Investigator
Syed Mehdi, Data Analyst

BPD Staff: Deputy Chief Tate
Captain Okies
Captain Durbin
Lt. Rego
Sgt. Rafferty
Sgt. Kleppe
Ofc. Tillberg

CAO Staff: DCA Ashley Carter

CMO Staff: Rex Brown, DEI Officer

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Leftwich/Cayetano) Motion carried.

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

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

3. PUBLIC COMMENT

1 Physically Present Speaker(s)

0 Virtually Present Speaker(s)

4. APPROVAL OF MINUTES

a. Minutes for the Regular Meeting of October 30, 2024

Motion to approve the minutes for the Regular Meeting on October 30, 2024.

Moved/Second (Leftwich/Mozes) Motion carried.

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

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

¹ Director Aguilar joined the meeting virtually.

5. DISCUSSION WITH AND PRESENTATION BY BPD

- a. Presentation by the BPD on the usage of Automated License Plate Readers (ALPRs) – (15 Minutes)

No action taken by the PAB. Sgt. Rafferty provides a presentation to the PAB on ALPRs and answered Board Member Questions.

- b. Discussion and action on the annual review of the Use of Force Policy to reflect developing practices and procedures per SB 230 and BPD Policy 300.13 “Policy Review and Updates” (ODPA)

No action taken by the PAB. Director Aguilar provides an overview of the Use of Force policy review. The PAB and BPD discuss next steps for the review.

6. ODPa STAFF REPORT

Director Aguilar announces the ODPa office transition and new office space, along with a training opportunity on vehicle pursuits presented by COPS². Investigator Wechter shares information on upcoming NACOLE webinars³, and DEI Officer Brown gives an update on his attendance and networking at NACOLE’s Annual Conference⁴.

7. CHAIR AND BOARD MEMBERS’ REPORTS

The PAB congratulates Board Member Blackaby on their election to the Berkeley City Council and Board Member Cayetano on passing the California Bar exam.

8. CHIEF OF POLICE’S REPORT

Deputy Chief Tate shares updates on notable cases, community events, and other relevant topics.

9. SUBCOMMITTEE REPORTS

Subcommittees report on their activities.

² “Vehicle Pursuit Management: Balancing Risks and Enhancing Safety”:
<https://copstrainingportal.org/project/vehicular-pursuit-management-balancing-risks-and-enhancing-safety/>

³ NACOLE Webinar Titled “The Importance of a Discipline Matrix in Policing & Civilian Oversight”:
https://www.nacole.org/2024_nacole_webinar_series_november

⁴ NACOLE: <https://www.nacole.org/>

10. NEW BUSINESS

- a. Discussion and action on new Policy Complaint 2024-PR-0006 in accordance with Section G. "Policy Complaints and Reviews" of the PAB's Standing Rules⁵ (ODPA)

The complainant presents to the PAB and answers their questions. Public comment is taken with one additional speaker participating.

Motion to accept Policy Complaint 2024-PR-0006 and ODPAs Staff's recommendation to assign it to the ODPAs.

Moved/Second (Wilson/Cayetano) Motion carried.

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

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

- b. Discussion and action on the Operation & Processes Subcommittee's proposed PAB Policy Review Process (Wilson & Mozes)

No actions taken. The Operation & Processes Subcommittee will return with an updated version incorporating PAB feedback.

- c. Discussion and action on developing the PAB's 2025 Workplan in accordance with Chapter I, Section E, "Development of a Work Plan," in the City of Berkeley Commissioner's Manual⁶ (Wilson)

No actions taken. The PAB will further consider the workplan at their annual strategic planning session.

- d. Discussion and action on relocating PAB regular meetings to the ODPAs new office and meeting space at 1900 Addison Street, 3rd Floor, Berkeley, CA with the alternative location being the North Berkeley Senior Center (ODPA)

Motion to relocate the PAB's regular meetings to the ODPAs new office and meeting space at 1900 Addison Street, 3rd Floor, Berkeley, CA with the alternative location being the North Berkeley Senior Center.

Moved/Second (Wilson/Mozes) Motion carried.

⁵ Standing Rules of the Police Accountability Board: https://berkeleyca.gov/sites/default/files/2022-02/PoliceAccountabilityBoard_StandingRules.pdf

⁶ City of Berkeley Commissioner's Manual: <https://berkeleyca.gov/sites/default/files/2022-03/Commissioners-Manual.pdf#Page=20>

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

11. PUBLIC COMMENT

0 Physically 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 ODP.

Motion to accept recommendation number 1 in ODP Complaint 2024-PR-0012

Moved/Second (Leftwich/Calavita) Motion carried.

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

Noes: Leftwich and Mozes. Abstain: None. Absent: None.

Motion to accept recommendation number 2-5 in ODP Complaint 2024-PR-0012

Moved/Second (Cayetano/Leftwich) 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 announces the PAB's closed session actions.

14. ADJOURNMENT (1 MINUTE)

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

Minutes Approved on: 12/11/2024

Hansel Aguilar, Commission Secretary:

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