



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
WEDNESDAY, APRIL 23, 2025
6:30 P.M.**

Board Members

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

Meeting Recordings: <https://youtu.be/O6TwzGmHcb4?si=g3kcoWIKiXG2rRom>

Minutes

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

Present: Board Member Joshua Cayetano (Chair)
Board Member Leah Wilson (Vice Chair)
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Randy Wells¹
Board Member Edmonds

Absent: Board Member David Williams²

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

BPD Staff: Arlo Malmberg, OSPA³ Manager
Lieutenant Bonaventure

¹ Board Member Wells arrived after roll call at 6:51 PM

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

³ Office of Strategic Planning and Accountability

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

- a. District 3 - Macharia Edmonds (nominated by Vice-Mayor Bartlett)

Policy Analyst Murillo administers the Oath of Office and Confidentiality to Board Member Edmonds. Board Member Edmonds introduces himself to the PAB.

3. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Leftwich/Calavita) Motion carried.

Ayes: Cayetano, Calavita, Edmonds, Leftwich, and Wilson.

Noes: None. Abstain: None. Absent: Wells and Williams

4. PUBLIC COMMENT

1 Physically Present Speaker

1 Virtually Present Speaker

5. APPROVAL OF MINUTES

- a. Minutes for the Regular Meeting of April 9, 2025

Motion to approve the minutes for the Regular Meeting of April 9, 2025

Moved/Second (Leftwich/Calavita) Motion carried.

Ayes: Cayetano, Calavita, Edmonds, Leftwich, and Wilson.

Noes: None. Abstain: None. Absent: Wells and Williams

6. ODPa STAFF REPORT

Director Aguilar provides the PAB with several updates, including an off-agenda memo regarding the transfer of the SCU to the county⁴, the City of Berkeley's hiring freeze⁵, Jayson Wechter's transition from the ODPa, and available NACOLE training opportunities.⁶ Upcoming NACOLE webinars will cover the following topics: "Understanding Civilian Oversight's Fast-Changing Legal Landscape" on April 25, "The New World of Artificial Intelligence: Opportunities for Police Oversight Practitioners" on June 12, and "Hate Crimes, Explicit Bias, and Implicit Bias: Evolution of Standards for Decertification of Police Officers in California" on August 6, 2025.

⁴ Off-Agenda Memo from the City Manager to the City Council, dated April 22, 2025, titled "Specialized Care Unit": <https://berkeleyca.gov/sites/default/files/documents/2025-04-22%20%20%20%20%20Specialized%20Care%20Unit.pdf>

⁵ Berkeleyside article titled "City Manager Institutes Hiring Freeze as Berkeley Faces Budget Deficit": https://www.berkeleyside.org/2025/04/23/berkeley-hiring-freeze-budget-deficit?utm_source=Berkeleyside+newsletters&utm_campaign=83a26fd9ff-RSS_DAILY_BRIEFING&utm_medium=email&utm_term=0_8582aac18f-6348643cf5-333660993&goal=0_aad4b5ee64-83a26fd9ff-333660993&mc_cid=83a26fd9ff&mc_eid=508665be17

⁶ NACOLE Webinars can be found at the following link: <https://www.nacole.org/webinars>

7. CHAIR AND BOARD MEMBERS' REPORTS

Chair Cayetano thanks ODPa Investigator Wechter for his service to the City of Berkeley and the field of Civilian Oversight.

8. CHIEF OF POLICE'S REPORT

OSPAs Manager Malmberg provides updates on crime/cases of interest, community engagement/department events, staffing, training, and other items of interest on behalf of Chief Louis and Deputy Chief Tate. OSPA Manager Malmberg further notes that the BPD is looking to bring their compendium of memorandums of understandings (MOUs) before Council in the coming summer.⁷

9. SUBCOMMITTEE REPORTS

The Regulations and Outreach Subcommittees share updates on their activities since the last meeting. The other subcommittees did not report any new developments. Board Member Calavita and ODPa Analyst Murillo give a brief update on Policy Review 2025-PR-0001, which is assigned to Board Member Calavita.

10. DISCUSSION AND ACTION ITEMS

- a. Discussion regarding the BPD's Mutual Aid Agreements with other law enforcement agencies⁸ (continued discussion) (Cayetano)

No action is taken at this time, and the PAB will revisit the item at a future meeting. Board Members discuss the status of the BPD's MOUs and consider next steps for the PAB.

- b. Discussion and action on the ODPa's presentation of Policy Complaint #19 concerning the detention and release of inebriated individuals. (ODPa)

The PAB discuss the ODPa's report and deliberate on the recommendations.

Motion to approve Recommendation 1 of the ODPa's report with revisions, and to request a follow-up memorandum to the PAB addressing the question of the Specialized Care Unit's potential involvement in this incident.

Moved/Second (Wilson/Calavita) Motion carried.

Ayes: Cayetano, Calavita, Edmonds, Leftwich, Wilson and Wells.

Noes: None. Abstain: None. Absent: Williams

- c. Discussion and action on the list of pending PAB requests to City stakeholders

⁷ Before the meeting, 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." This topic has been of particular interest to the PAB and is available here: <https://records.cityofberkeley.info/PublicAccess/api/Document/AeaHRx5Q%C3%894PqxrRi8uAfvguqw1uqL7qIMK7bKOtOdoPfZOOj1e1HG10M26eU5oLwKKJYvCUTOu18ymn60ZTrc8%3D/>

⁸ 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%3Aascds%3AUS%3A3a637aa7-7359-45a1-81ed-dee245c93f83>

(ODPA)

No action is taken. The PAB and ODPA discuss the outstanding items, and the ODPA commits to including the list of pending requests as a standing item in future agenda packets.

- d. Recap, discussion, and action on the next steps after the PAB's presentation to City Council and the Public Safety Policy Committee (Cayetano)
 - i. Berkeley Police Department Texting Offenses: An Independent Investigation by the Police Accountability Board⁹

No action is taken. Chair Cayetano and Board Member Calavita provide an update on their presentation to the Council. The PAB discusses potential next steps.

- ii. Fair and Impartial Policing Implementation Report¹⁰

Chair Cayetano provides an update on the status of the FIP report presentation to the Public Safety Policy Committee (PSPC) and the related follow-up items. He presents the draft letter proposed for joint submission with the Chief to the PSPC. No further action is taken.

- e. Update, Discussion, and action on the BPD's 2024 Police Equipment and Community Safety Ordinance Report (Cayetano)

Chair Cayetano provides an update on the status of the PAB's data request to the BPD concerning their use of controlled equipment. The PAB discusses possible next steps.

Motion to send a letter to the Council, drafted by the ODPA on behalf of the PAB, stating that, due to the absence of requested data, the PAB is unable to effectively review the BPD's 2024 Controlled Equipment Report, and to designate Chair Cayetano to approve the final version of the letter.

Moved/Second (Calavita/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Edmonds, Leftwich, Wilson and Wells.

Noes: None. Abstain: None. Absent: Williams

11. PUBLIC COMMENT

0 Physically Present Speaker

1 Virtually Present Speaker

⁹ PAB Report "Berkeley Police Department Texting Offenses: An Independent Investigation by the Police Accountability Board": https://berkeleyca.gov/sites/default/files/documents/2024-08-29%20BPD%20Texting%20Offenses_PAB%20Investigation%20Report_Final.pdf

¹⁰ PAB Report "Fair and Impartial Policing Implementation": https://berkeleyca.gov/sites/default/files/documents/2024%20PAB%20Report_FIP%20Implementation_Final.pdf

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.

Director Aguilar updates the PAB on the status of open misconduct complaints received by the ODP. No actions were taken by the PAB.

END OF CLOSED SESSION

13. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Chair Cayetano announces closed session actions.

14. ADJOURNMENT

Motion to adjourn. Moved/Second (Leftwich/Cayetano). The meeting was adjourned at 8:04 PM by unanimous consent.

Minutes Approved On: 05/07/2025

Hansel A. Aguilar, Commission Secretary:

