



OFFICE OF THE DIRECTOR  
OF POLICE ACCOUNTABILITY

## **POLICE ACCOUNTABILITY BOARD REGULAR MEETING**

**Wednesday, November 9, 2022  
7:00 P.M.**

### **Board Members:**

JOHN MOORE III. CHAIR  
NATHAN MIZELL, VICE-CHAIR  
KITTY CALAVITA

REGINA HARRIS  
JULIE LEFTWICH  
DEBORAH LEVINE

CHERYL OWENS  
ISMAIL RAMSEY

### **PUBLIC ADVISORY**

#### **THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE**

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of the attendees. Therefore, no physical meeting location will be available.

To access the meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device using this URL: <https://us02web.zoom.us/j/82237902987>. If you do not wish for your name to appear on the screen, use the drop-down menu and click on “rename” to rename yourself to be anonymous. To request to speak, use the “raise hand” icon on the screen. To join by phone: Dial **1 669 900 6833** and enter Meeting ID **822 3790 2987**. If you wish to comment during the public comment portion of the agenda, press \*9 and wait to be recognized.

The Police Accountability Board and Office of the Director of Police Accountability (ODPA) were created to provide independent civilian oversight of the Berkeley Police Department. They review and make recommendations on police department policies, and investigate complaints made by members of the public against police officers. For more information, contact the ODPA.

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Website: [www.cityofberkeley.info/dpa/](http://www.cityofberkeley.info/dpa/) Email: [dpa@cityofberkeley.info](mailto:dpa@cityofberkeley.info)

## LAND ACKNOWLEDGEMENT

The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Chochen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.

## AGENDA

**1. CALL TO ORDER & ROLL CALL** (2 minutes)

**2. APPROVAL OF AGENDA** (5 minutes)

**3. PUBLIC COMMENT** (TBD)

*(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on any matter within the Board's jurisdiction at this time.)*

**4. APPROVAL OF MINUTES** (5 minutes)

Regular meeting of October 25, 2022

**5. ODPa STAFF REPORT** (5 minutes)

Status of complaints, policy reviews and other items.

**6. CHAIR AND BOARD MEMBERS' REPORTS** (5 minutes)

Announcements, updates and other items.

**7. CHIEF OF POLICE'S REPORT** (10 minutes)

Crime/cases of interest, community engagement/departments events, staffing, training, and other items of interest.

**8. SUBCOMMITTEE REPORTS (discussion and action)** (5 minutes)

Report of activities and meeting scheduling for all Subcommittees, possible appointment of new members to all Subcommittees, and additional discussion and action as noted for specific Subcommittees:

- a. Controlled Equipment Subcommittee. (Welcome more Board members to join.)

b. Police Chief Process (ad hoc) Subcommittee

**9. OLD BUSINESS (discussion and action)**

a. Finalize review of draft proposed permanent Regulations for Handling Investigations and Complaints. (1 hour)

**10. NEW BUSINESS (discussion and action)**

a. Discussion on the review and recommendation process for the upcoming Surveillance Technology Ordinance and Drone Use Policy and Acquisition Report.

b. Discussion regarding the Berkeley Law Police Review Project Agreement.

**11. ANNOUNCEMENT BY VICE-CHAIR MIZELL**

a. A brief announcement by Vice-Chair Mizell.

**12. PUBLIC COMMENT (TBD)**

*(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on this agenda only.)*

**CLOSED SESSION**

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 take action on the following matter(s):

**13. PRESENTATION OF RECOMMENDATION(S) REGARDING COMPLAINT #20 (15 MIN)**

**END OF CLOSED SESSION**

**14. ANNOUNCEMENT OF CLOSED SESSION ACTION**

**15. ADJOURNMENT (1 minute)**

**Communications Disclaimer**

Communications to the Police Accountability Board, like all communications to Berkeley boards, commissions or committees, are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the Board Secretary. If you do not want your contact information included in the public record, do not include that information in your communication. Please contact the Board Secretary for further information.

**Communication Access Information (A.R. 1.12)**

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date.

**SB 343 Disclaimer**

Any writings or documents provided to a majority of the Board regarding any item on this agenda will be made available for public inspection at the Office of the Director of Police Accountability, located at 1947 Center Street, 5<sup>th</sup> Floor, Berkeley, CA.

Contact the Director of Police Accountability (Board Secretary) at [dpa@cityofberkeley.info](mailto:dpa@cityofberkeley.info)