



## **POLICE ACCOUNTABILITY BOARD**

REGULAR MEETING AGENDA

**Wednesday, March 29, 2023**

**6:30 P.M.**

Board Members:

JOHN MOORE III. (CHAIR)  
KITTY CALAVITA

REGINA HARRIS (VICE-CHAIR)  
JULIE LEFTWICH

CHERYL OWENS  
DEBORAH LEVINE

### **MEETING LOCATION**

Live Oak Community Center  
1301 Shattuck Ave,  
Berkeley, CA 94709

### **PUBLIC ADVISORY**

The PAB has resumed in-person meetings and encourages community members to attend in person. Community members attending in person should observe the “Health and Safety Protocols for In-person Meetings of Berkeley Boards and Commissions” as outlined by the City of Berkeley.

\*\*\*The PAB acknowledges that physical attendance may not be feasible for all community members. To this end, the Office of the Director of Police Accountability (ODPA) has been exploring the option of allowing for remote participation at the PAB meetings. Please note that the ODPA and PAB are in the early stages of implementing this hybrid meeting format so there is a possibility for technical glitches and errors. Your patience and understanding are greatly appreciated. \*\*\*

To access the meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device using this URL: <https://us02web.zoom.us/j/82653396072>. 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 **826 5359 6072**. 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.

1947 Center Street, 5<sup>th</sup> Floor, Berkeley, CA 94704 TEL: 510-981-4950 TDD: 510-981-6903 FAX: 510-981-4955  
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. **INTRODUCTION TO IN-PERSON MEETINGS** (2 minutes)
2. **CALL TO ORDER & ROLL CALL** (2 minutes)
3. **APPROVAL OF AGENDA** (5 MINUTES)
4. **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.)*
5. **APPROVAL OF MINUTES** (5 MINUTES)  
Regular meeting of March 15, 2023
6. **ODPA STAFF REPORT** (10 MINUTES)  
Announcements, updates, and other items.
7. **CHAIR AND BOARD MEMBERS' REPORTS** (5 MINUTES)  
Announcements, updates and other items.
8. **CHIEF OF POLICE'S REPORT** (20 minutes)  
Crime/cases of interest, community engagement/department events, staffing, training, and other items of interest.
  - a. Discussion on drone usage (Chair Moore)
    - i. drone use incident on March 7th

- ii. the BPD's exigent circumstances standard for the deployment of drones
    - b. Discussion and action- Appointment of board members to the BWC policy subcommittee (Vice Chair Harris)
      - i. Preliminary discussions with the Chief on BWC policy
      - ii. Preliminary review of the policy
- 9. SUBCOMMITTEE REPORTS (discussion and action) (10 min)\***  
 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. Policy and Practices relating to the Downtown Task Force and Bike Unit Allegations (Chair: Owens)
  - b. Regulations Subcommittee (Chair: Calavita)
  - c. Fair and Impartial Subcommittee (Chair: Calavita)- Appointment of an additional board member to the Fair and Impartial Policing subcommittee
- 10. OLD BUSINESS (discussion) (10 min)**
- a. Report of status on items (records, information, and advice) requested from the PAB to:
    - i. ODPa
    - ii. CAO
    - iii. BPD
- 11. NEW BUSINESS (discussion and action) (10 min)**
- a. PAB Retreat
    - i. Recap (Chair Moore)
    - ii. Next Steps; Letter to Council (Board member Calavita)
  - b. Discussion and action regarding the supplemental information report to the City Council's public safety policy committee regarding surveillance technology:
    - i. Unmanned Aerial Systems (UAS) (Board member Levine) – (10 minutes)
    - ii. Fixed Video Surveillance Cameras (Board member Calavita) – (10 minutes)
  - c. Creation and appointment of board members to a subcommittee to explore issues and solutions regarding conflicts of interest with legal counsel (Board member Leftwich) - (10 Minutes)

\* When used under the subcommittee reports section, "Chair" refers to the Chairperson of the respective subcommittee, not the PAB Chair. \*

## 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 act on the following matter(s):*

## 13. Case updates – (10 min)

### END OF CLOSED SESSION

## 14. ANNOUNCEMENT OF CLOSED SESSION ACTION (1 minute)

## 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, 5th Floor, Berkeley, CA.

### Contact the Director of Police Accountability (Board Secretary) at:

1947 Center Street, 5<sup>th</sup> Floor, Berkeley, CA 94704  
TEL: 510-981-4950 TDD: 510-981-6903 FAX: 510-981-4955  
Website: [www.cityofberkeley.info/dpa/](http://www.cityofberkeley.info/dpa/) Email: [dpa@cityofberkeley.info](mailto:dpa@cityofberkeley.info)