



POLICE ACCOUNTABILITY BOARD

REGULAR MEETING PACKET

Wednesday, June 7, 2023

6:30 P.M.

Board Members:

John Moore (Chair)
Kitty Calavita

Juliet Leftwich

Regina Harris (Vice Chair)
Leah Wilson

MEETING LOCATION

North Berkeley Senior Center
1901 Hearst Ave,
Berkeley, CA 94709

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Health and Safety Protocols for In-Person Meetings of Berkeley Boards and Commissions February 2023

The policy below applies to in-person meetings of Berkeley Boards and Commissioners held in accordance with the Government Code (Brown Act) after the end of the State-declared emergency on February 28, 2023.

Issued By: City Manager's Office

Date: February 14, 2023

I. Vaccination Status

All attendees are encouraged to be fully up to date on their vaccinations, including any boosters for which they are eligible.

II. Health Status Precautions

For members of the public who are feeling sick, including but not limited to cough, shortness of breath or difficulty breathing, fever or chills, muscle or body aches, vomiting or diarrhea, or new loss of taste or smell, it is recommended that they do not attend the meeting in-person as a public health precaution. In these cases, the public may submit comments in writing in lieu of attending in-person.

If an in-person attendee has been in close contact, as defined below, with a person who has tested positive for COVID-19 in the past five days, they are advised to wear a well-fitting mask (N95s, KN95s, KF94s are best), test for COVID-19 3-5 days from last exposure, and consider submitting comments in writing in lieu of attending in-person.

Close contact is defined as someone sharing the same indoor airspace, e.g., home, clinic waiting room, airplane, etc., for a cumulative total of 15 minutes or more over a 24-hour period within 2 days before symptoms of the infected person appear (or before a positive test for asymptomatic individuals); or having contact with COVID-19 droplets (e.g., being coughed on while not wearing recommended personal protective equipment).

A voluntary sign-in sheet will be available at the meeting entry for in-person attendees. This will assist with contact tracing in case of COVID-19 contact resulting from the meeting.

Members of City Commissions are encouraged to take a rapid COVID-19 test on the day of the meeting.

Health and Safety Protocols for In-Person Meetings of Berkeley Boards and Commissions February 2023

III. Face Coverings/Mask

Face coverings or masks that cover both the nose and mouth are encouraged for all commissioners, staff, and attendees at an in-person City Commission meeting. Face coverings will be provided by the City and available for attendees to use at the meeting. Members of Commissions, city staff, and the public are encouraged to wear a mask at all times, except when speaking publicly from the dais or at the public comment podium, although masking is encouraged even when speaking.

IV. Physical Distancing

Currently, there are no physical distancing requirements in place by the State of California or the Local Health Officer for an indoor event similar to a Commission meeting.

Audience seating capacity will be at regular allowable levels per the Fire Code. Capacity limits will be posted at the meeting location. However, all attendees are requested to be respectful of the personal space of other attendees. An area of the public seating area will be designated as “distanced seating” to accommodate persons that need to distance for personal health reasons.

Distancing will be implemented for the dais as space allows.

V. Protocols for Teleconference Participation by Commissioners

Upon the repeal of the state-declared emergency, all standard Brown Act requirements will be in effect for Commissioners participating remotely due to an approved ADA accommodation. For Commissioners participating remotely, the agenda must be posted at the remote location, the remote location must be accessible to the public, and the public must be able to participate and give public comment from the remote location.

- A Commissioner at a remote location will follow the same health and safety protocols as in-person meetings.
- A Commissioner at a remote location may impose reasonable capacity limits at their location.

VI. Hand Washing/Sanitizing

Hand sanitizing stations are available at the meeting locations. The bathrooms have soap and water for handwashing.

VII. Air Flow/Circulation/Sanitizing

Air filtration devices are used at all meeting locations. Window ventilation may be used if weather conditions allow.



POLICE ACCOUNTABILITY BOARD
Regular Meeting

Wednesday, June 7, 2023

Board Members:

John Moore (Chair)
Kitty Calavita

Juliet Leftwich

Regina Harris (Vice Chair)
Leah Wilson

Meeting Location:

North Berkeley Senior Center
1901 Hearst Avenue, 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.

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 AND ROLL CALL (2 MINUTES)**

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

Approval of the May 24th Regular Meeting minutes.

5. **ODPA STAFF REPORT (10 MINUTES)**

Announcements, updates, and other items.

- a. Report from staff regarding their attendance at the CACOLE 2023 Annual Conference.
- b. Report from staff regarding the adoption of NACOLE's Code of Ethics.
- c. Update Report from staff regarding the ODPA's budget request (and subsequent PAB Resolution) to Council for additional ODPA staff.

6. **CHAIR AND BOARD MEMBER REPORTS (10 MINUTES)**

Announcements, updates, and other items.

7. **CHIEF OF POLICE REPORT (10 MINUTES)**

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

8. **SUBCOMMITTEE REPORTS (10 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. Body-Worn Camera Policy Subcommittee (Chair: Harris)
- b. Conflict of Interest Subcommittee (Chair: Leftwich)
- c. Policies and Practices Relating to the Downtown Task Force and Bike Unit Allegations (Chair: TBD)

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

9. NEW BUSINESS (30 MINUTES)

- a. Discussion on the PAB's participation at the Juneteenth festival on Sunday, June 18, 2023 from 11:00 am to 7:00 pm (ODPA Staff) – (10 Minutes)
 - i. Overview of the day.
 - ii. Shift Sign-ups.
- b. Discussion and Action on the PAB's current subcommittee list, the appointment of new members as needed, and the consideration and action of the ODPA's recommendations as to each subcommittee (Moore & ODPA Staff) – (20 minutes)

10. 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.

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):

- 11. **Case updates** – (10 min)

END OF CLOSED SESSION

12. ANNOUNCEMENT OF CLOSED SESSION ACTION (2 MINUTES)

13. ADJOURNMENT (1 MINUTE)

Communications Disclaimer

Communications to the Police Accountability Board, like all communications to Berkeley boards, commissions, or committees, are public records 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, 5th Floor, Berkeley, CA 94704

TEL: 510-981-4950 TDD: 510-981-6903 FAX: 510-981-4955

Website: www.cityofberkeley.info/dpa/

Email: dpa@cityofberkeley.info



POLICE ACCOUNTABILITY BOARD

REGULAR MEETING

Draft Minutes

Wednesday, May 24, 2023

6:30 P.M

MEETING LOCATION

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA 94709

- 1. CALL TO ORDER BY CHAIR MOORE AT 6:35 P.M.**
- 2. ADMINISTER OATH OF OFFICE & CONFIDENTIALITY TO NEW MEMBERS**

Director Aguilar administers the Oath of Office & Confidentiality to Leah Wilson, the newly appointed board member representing District 5.

3. ROLL CALL

Present: Board Member John Moore (Chair)
Board Member Regina Harris (Vice-Chair)
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Deborah Levine
Board Member Leah Wilson

Absent: None

ODPA Staff: Hansel Aguilar, Director of Police Accountability
Jose Murillo, Associate Management Analyst

BPD Staff: Cpt. Durbin
Lt. Reece

CAO Staff: None Present.

4. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Calavita/Leftwich) **Motion Carried.**

Ayes: Calavita, Harris, Leftwich, Levine, Moore, and Wilson.

Noes: None.

Abstain: None.

Absent: None.

5. PUBLIC COMMENT

1 speakers.

- In-Person Public Comment (1 Speaker)

- o Speaker 1 (Councilmember Harrison): States that she is there to welcome newly appointed Board Member, Leah Wilson. She states that she is very familiar with Board Member Wilson's work and gratified to see her serving. Furthermore, she notes that she is happy about the ODPA's implementation of a therapy dog and acknowledges the importance of advancing mental health efforts in the community. The City Council passed a proclamation in honor of mental health awareness month on May 23rd.

- Virtual Public Comment (0 Speakers)

6. APPROVAL OF MINUTES

Motion to approve Regular Meeting Minutes of April 26, 2023

Moved/Second (Leftwich/Calavita) **Motion Carried.**

Ayes: Calavita, Harris, Leftwich, Levine, Moore, and Wilson.

Noes: None

Abstain: None

Absent: None

7. INTRODUCTION OF NEW MEMBERS

Board Member Wilson introduces herself and provides a background as to her work. Ms. Wilson has served as the Executive Director of the State Bar of California, as the Court Executive Officer for the Alameda County Superior Court, and as President of the Berkeley Unified School District's Board of Education.

8. ODPA STAFF REPORT

ODPA Director reported:

- Director Aguilar was present at the City Council's May 23rd meeting to witness the appointment of Board Member Wilson and William Williams¹. He also notes that the City Council had an extensive debate on the surveillance technology policies that the Board had worked on several weeks ago but no decision was made. The items were postponed to June 13th. Notes that the PAB's material did not make it to the packet as a result of a procedural miscommunication.
- Director Aguilar announces that there will be a specialized care unit community dialogue on May 31st from 6-7 pm by zoom. The topic will be a discussion on the City of Berkeley's new 24.7 crisis response unit.
- Director Aguilar announces that there will be a NACOLE webinar on June 7th on Use of Force. He welcomes all Board Members to participate and to let staff know if they would like to sign up.
- Director Aguilar announces that the annual NACOLE conference will take place in November and reminds members to contact the ODPA if they are interested in attending.

¹ The ODPA was informed that William Williams would not be joining the PAB as a result of sudden circumstances that would impede his participation.

9. CHAIR AND BOARD MEMBERS' REPORTS

Chair Moore reported:

- Chair Moore reports that he participated in an interview with Berkeleyside, where he discussed the current challenges that the PAB is facing.

10. CHIEF OF POLICE'S REPORT

Cpt. Durbin reported:

- He would like to welcome Board Member Wilson and Lucky, the ODPA's new therapy dog.
- Cpt. Durbin reports that staffing has dropped slightly to 148 sworn officers and 21 dispatchers. The slight drop is a result of anticipated separations from the department. However, there is optimism about staff numbers increasing due to recent success in recruiting.
- Cpt. Durbin reports that there is some progress towards a recruitment and retention program for the police department. He hopes the program will be up and running by this summer.
- Cpt. Durbin reports on the following cases of interest:
 - o An Officer developed some leads in connection to a string of sexual assaults around the UC Berkeley campus. The suspect in those crimes has been arrested and charged.
 - o Detectives investigated an identity theft case where the suspect purchased a \$70,000-dollar car using someone else's information. Detectives identified the suspect and arrested them. The search resulted in the recovery of a ghost gun, drugs, and the identity information of a couple hundred other victims.
 - o On May 17th there was shooting on the 3100 block of Adeline. The injury was non-life threatening and is currently being investigated.
 - o On May 22nd, Bike Officers saw a group of men on the 2800 block of Adelina standing around the vehicle. The officers noticed one of the individuals had a gun in his hand. The group scattered but officers were able to arrest the individual with the gun and recover the firearm.
- Cpt. Durbin provides the following items:
 - o The 2022 Police Controlled Equipment Annual Report is on the agenda for June 6th. The PAB has already reviewed this report and provided recommendations.
 - o On June 13th, the City Council will revisit the surveillance technology items surrounding fixed cameras and drones after their lengthy discussion on May 23rd.

- A quarterly update on the Fair & Impartial policing program will be provided to the City Council soon on June 27th. Once that is finalized, the PAB will receive a copy.
- The BPD is currently working on its Annual Military Equipment report as pursuant to AB 481 and BPD Policy 709. That report is expected to go to the City Council on July 11th and a copy will be forwarded to the PAB.

Question and Answers:

- Q: Vice-Chair Harris asks about the current level of officers assigned to patrol.
- A: Lt. Reece reports that there are currently 60 officers.
- Q: Board Member Wilson asks a procedural question about the timelines for policy reviews.
- A: Policy Analyst Murillo states that it depends on the type of policy review and whether it is mandated by the Charter, local ordinance, or self-initiated by the Board.

11. SUBCOMMITTEE REPORTS (DISCUSSION AND ACTION) *

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: No Chair at this time)
 - Director Aguilar reports that the subcommittee needs a Chair and that no action has been taken at this time. He states that the Chair can appoint a new chair during the current meeting or postpone it for a later time.
 - PAB Chair Moore states that he would like to postpone the action until the PAB has time to reorganize and restructure their current subcommittees at their June 7th meeting.
- b. Body-Worn Camera Policy
 - Chair Harris reports that the subcommittee met before the meeting and that the conversations have been very productive with BPD staff. The subcommittee plans to meet on June 8th for further discussion.
- c. Conflict of Interest
 - Chair Leftwich reports that there has not been much activity and that the subcommittee will meet the following week.

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

12. OLD BUSINESS (DISCUSSION AND ACTION)

a. Training on *Graham v. Connor* – FLETC-TALKS

- i. *Graham v. Connor* is a United States Supreme Court case that established the standard for evaluating claims of excessive force by law enforcement officers under the Fourth Amendment's "unreasonable

seizures” clause. You can watch this video to learn more:
<https://youtu.be/zhtQovjR2C0>.

- Board members watched the training video on *Graham v. Connor*.

***** The Board takes a 5-minute break*****

13. NEW BUSINESS (DISCUSSION AND ACTION)

a. Continued discussion on the ODPA’s proposed procedure for internal/external communications between the Board and other parties.

- The Director clarifies that the previously presented documents were a reference and not a proposal. He invites the Board to provide any ideas as to what might work for them to co-collaborate a method that works for the PAB, ODPA, and other stakeholders.
- Board Member Calavita states that she prefers to receive less emails and would prefer to have all relevant information in as little emails as possible.
- Chair Moore clarifies that there is an interest in improving the security of communications and ensure the confidentiality of privileged documents.
- Board Member Leftwich states that she believes the PAB needs more clarity around the distribution of labor with communications. However, she would like to expedite certain communications to avoid bottlenecks of general communications that does not need staff.
- Board Member Wilson ask the Director for clarification on the need for this communication protocol. Director Aguilar explains that there have been bottlenecks with the communications and would like to make the process more efficient.
- Board Member Wilson suggest that the PAB and ODPA have a meeting to discuss the best way to communicate with each other so that we have a system that sets expectations for all stakeholders.

b. Discussion and action regarding the processing of commendations for BPD officers.

- Policy Analyst Murillo provides a brief summary as to the current procedures for processing commendations. He informs the Board that the purpose of the item is to start the conversation on how they can better process commendations.
- Board Member Calavita suggest that the office develop a procedure a present it to the Board. Policy Analyst Murillo agrees to do so and will present the item at a future meeting.

c. Presentation on the incorporation of Animal Assisted Intervention (AAI) program in oversight work.

- Director Aguilar provides a presentation on Animal Assisted Intervention and formally introduces Lucky, the ODPAs new therapy dog, as the new addition to the ODPAs team.
 - d. Policy Review Case Status Updates
- Director Aguilar and Policy Analyst Murillo provide an overview of current policy complaints. He states that the office will be working on a detailed report for these complaints which will be presented to the Board at a following meeting.

14. PUBLIC COMMENT

1 speakers.

- In-Person Public Comment (0 Speakers)
- Virtual Public Comment (1 Speakers)
 - o Speaker 1 provides input on the implementation of the Animal Assisted Intervention program and provides additional resources that the PAB and ODPAs can look into.

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):

15. CASE UPDATES

- Director Aguilar provides case updates on the complaints currently being investigated by the ODPAs.

END OF CLOSED SESSION

16. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

- Chair Moore reports that Director Aguilar provided case updates to the board of the cases currently being investigated by the ODPAs.

17. ADJOURNMENT

Motion to adjourn the meeting.

Moved/Second (Harris, Wilson) **By general consent, the meeting was adjourned at 9:13 p.m.**

Minutes Approved on: _____

Hansel Aguilar, Commission Secretary: _____



CACOLE 2023 CONFERENCE

STAFF REPORT FROM THE OFFICE OF THE DIRECTOR OF POLICE ACCOUNTABILITY PRESENTED TO THE POLICE ACCOUNTABILITY BOARD

JUNE 07, 2023



What is the CACOLE?

The Canadian Association for Civilian Oversight of Law Enforcement (CACOLE) is a national non-profit organization of individuals and agencies involved in the oversight of police officers in Canada. CACOLE is dedicated to advancing the concept, principles and application of civilian oversight of law enforcement throughout Canada and abroad.

CACOLE, established in 1997, is an incorporated non-profit organization under the Canada Corporations Act. The national organization is governed by a set of By Laws and is managed by an elected, volunteer Board of Directors representing oversight agencies in each province, as well as First Nations and the Federal Government. The part-time Executive Director is the only paid position.

CACOLE members represent diverse organizations- municipal and provincial police boards and commissions, First Nations, provincial and federal oversight agencies, ombudsman's offices, police associations and professional standards bureaus individuals as well as organizations in the justice, rights and advocacy agencies and representatives of community agencies and police services from Canada, the United States, Great Britain, Northern Ireland, Portugal and other European countries.

What is the CACOLE CONFERENCE?

Annual Professional Development Conference occurred May 29- 31, 2023 in Halifax, Nova Scotia. This conference brought together police oversight professionals from across Canada, with the common goal of improving policing.

The 2023 conference agenda consisted of topics of interest to police oversight professionals, law enforcement officials, government officials, and students.

Meet the President



MICHELAINÉ LAHAIE

Civilian Review and Complaints Commission for the RCMP

Micheline Lahaie was appointed as Chairperson in 2019 for a five-year term. Micheline is a 30-year veteran of the Canadian Armed Forces, retiring at the rank of Naval Captain. During her time in service, she was posted to Saint-Jean-sur-Richelieu, Esquimalt, Halifax, Kingston, and the National Capital Region. She participated in multiple NATO exercises, and deployments with the Royal Canadian Navy, including Operation SHARP GUARD, a naval blockade assisting United Nations' peacekeeping efforts in Yugoslavia, and OPERATION APOLLO, Canada's military contribution to the United States-led international campaign against terrorism.

In 2014, Micheline received the Chief of Defense Staff Commendation for Outstanding Leadership and Professionalism for her role as Commandant of the Canadian Forces Leadership and Recruit School in Saint Jean, Quebec, where she had the distinction of being the first woman Commanding Officer.

Prior to joining the Commission, she served as a member of the Veterans Review and Appeal Board, an independent tribunal that holds quasi-judicial hearings and renders decisions on veterans' disability benefits.

Micheline holds a Bachelor of Arts from the Collège militaire royal de Saint-Jean and a Master of Defence Studies from the Royal Military College of Canada.

Course Presenters

DR. KANIKA
SAMUELS WORTLEY
Toronto Metropolitan
University

INSPECTOR
CHERYL GERVAIS
Treaty Three Police Service

DR. LORI HASKELL
University of
Western Ontario

ZANE TESSLER
Independent
Investigation Unit of
Manitoba

STAFF SERGEANT
BROOKE MCROBERTS
Ontario Provincial Police

DR. GABRIELA COMAN
Longueuil Police

BRIAN CORR
City of Cambridge/ Past President of NACOLE

JEFF MINTEN
Atlantic Police Academy

ALISHA SALERNO
York University

GREG RICHARDSON
Parent & Advocate for Youth with Neurodiversity
CORP. THOMAS LEYDIER RCMP

JOSEPH MARTINO, BA, JD, MPPAL
Ontario Special Investigations Unit

STEPHEN LEACH
Office of the Independent Police Review Director

MICHELLE OUELLETTE, KC
Saskatchewan Public Complaints Commission

TOM STAMATAKIS
Canadian Police Association

DAY 1: MONDAY, MAY 29

CULTURAL IMPLICATIONS FOR THE PUBLIC COMPLAINT PROCESS & REVIEW DECISIONS

In 2021, the Standing Committee on Public Safety and National Security Systemic released Racism In Policing In Canada (link below). In the report, the Committee acknowledges systemic racism and bias in policing in Canada.

How can police oversight agencies address the issues of current practice and better accommodate the needs of various cultural groups, racialized communities and Indigenous people?

■ This session:

- examined the barriers that exist within the public complaint process;
- discussed culturally appropriate practices that can mitigate some of those barriers to encourage willingness of individuals to come forward with complaints or participate in the review process;
- highlighted innovative initiatives and operational changes that have been successful in producing efficiencies and effectiveness in the public complaint process.

<https://www.ourcommons.ca/Content/Committee/432/SECU/Reports/RP11434998/securp06/securp06-e.pdf>

DAY 1: MONDAY, MAY 29

continued...

TRAUMA-INFORMED INVESTIGATIVE TECHNIQUES

Becoming trauma-informed means being more aware of how people who have experienced trauma have their lives impacted by it, and creating policies and practices that take this into account. This concept is relatively new when it comes to law, especially within the criminal justice system, and still needs further development.

"How we understand and envision trauma really gives a lot of direction to how we do our work."
– Lori Haskell

This session :

- provided an overview of research into the treatment of violence and trauma in vast sectors of society;
- examined trauma-based interview techniques to avoid re-traumatizing victims in the process;
- discussed police oversight perspective on how trauma-informed techniques are used.

DAY 2: TUESDAY, MAY 30

COMMUNITY POLICING & OVERSIGHT

Community policing is a shift from traditional law enforcement. This philosophy recognizes that the police alone cannot solve every community issue and emphasizes the need for law enforcement to work closely and collaborate with community members, organizations, and stakeholders to identify and solve issues related to crime and public safety.

This session:

- examined training options to effectively implement a community policing model
- highlighted the importance of community partners and stakeholders
- discussed the role of police oversight in a community policing model

DAY 2: TUESDAY, MAY 30

continued...

NEURODIVERSITY

Neurodiversity describes the idea that people experience and interact with the world around them in many different ways.

When it comes to policing, neurodiversity can have a significant impact on how officers interact with the public. Officers who are trained to recognize and understand neurodiversity are more likely to de-escalate situations involving individuals with neurodivergent traits or conditions. They may also be better equipped to communicate effectively with individuals who have difficulty with verbal or nonverbal communication.

This session:

- Discussed neurodiversity and why it is important to policing;
- Examined the challenges faced by neurodivergent individuals in interactions with police officers;
- Discussed best practices for training police officers to interact with neurodivergent individuals;
- Provided advice on how police agencies can create more inclusive policies and practices for neurodivergent individuals.

DAY 3: WEDNESDAY, MAY 31

CHALLENGES FOR POLICE OVERSIGHT AGENCIES IN CANADA

This panel will examine issues currently facing civilian oversight agencies and police services—both ongoing matters as well as emerging challenges.

Conference participants – whether attending in-person or virtually - will have the opportunity to engage with the panel to discuss and debate issues affecting policing in 2023.

CACOLE President Michelaine Lahaie will moderate the discussion and attendees will be

encouraged to share lessons learned and best practices that promote public safety and the delivery of police services in Canada.

Topics included:

- The importance of review bodies and SIUs working together.
- Systemic Reviews
- First Nations opt-in to provincial oversight.
- Where do police associations and unions fit in to police oversight?
- Release of incident video and audio post investigation.
- Mental health supports for review body and SIU staff.

ODPA and other Civilian oversight Participation

DPA Aguilar and Policy Analyst Murillo attended all thematic sessions and participated in additional networking activities during and after sessions.

ODPA was not alone in representing the oversight field of the United States. Past NACOLE president and PAB Retreat Facilitator Brian Corr was in attendance and a presenter. Current NACOLE President Gia Irlando was also in attendance. Our Canadian colleagues showed utmost hospitality and recognized our attendance at the annual dinner.

The importance of attending CACOLE

Attending the CACOLE allows us to...

1. **NETWORK:** Meet and learn from various law enforcement, legal professionals, and scholars dealing with policing issues in the international landscape.
2. **TRAIN/EDUCATE:** Gain insight into the current legal landscape as it relates to civilian oversight of law enforcement.
3. Learn about the best practices of other jurisdictions.
4. Share our experience as practitioners in the field.

FOR MORE INFORMATION ON CACOLE:

<https://cacole.ca/home-accueil-eng.shtml>



National Association for Civilian Oversight of Law Enforcement

Code of Ethics

PREAMBLE

Civilian oversight practitioners have a unique role as public servants overseeing law enforcement agencies. The community, government, and law enforcement have entrusted them to conduct their work in a professional, fair and impartial manner. They earn this trust through a firm commitment to the public good, the mission of their agency, and the ethical and professional standards described herein.

The standards in the Code are intended to be of general application. It is recognized, however, that the practice of civilian oversight varies among jurisdictions and agencies, and additional standards may be necessary. The spirit of these ethical and professional standards should guide the civilian oversight practitioner in adapting to individual circumstances, and in promoting public trust, integrity and transparency.

PERSONAL INTEGRITY

Demonstrate the highest standards of personal integrity, commitment, truthfulness, and fortitude in order to inspire trust among your stakeholders, and to set an example for others. Avoid conflicts of interest. Conduct yourself in a fair and impartial manner and recuse yourself or personnel within your agency when a significant conflict of interest arises. Do not accept gifts, gratuities or favors that could compromise your impartiality and independence.

INDEPENDENT AND THOROUGH OVERSIGHT

Conduct investigations, audits, evaluations and reviews with diligence, an open and questioning mind, integrity, objectivity and fairness, in a timely manner. Rigorously test the accuracy and reliability of information from all sources. Present the facts and findings without regard to personal beliefs or concern for personal, professional, or political consequences.

TRANSPARENCY AND CONFIDENTIALITY

Conduct oversight activities openly and transparently, providing regular reports and analysis of your activities, and explanations of your procedures and practices to as wide an audience as possible. Maintain the confidentiality of information that cannot be disclosed and protect the security of confidential records.

RESPECTFUL AND UNBIASED TREATMENT

Treat all individuals with dignity and respect, and without preference or discrimination including, but not limited to: age, ethnicity, citizenship, color, culture, race, disability, gender, gender identity, gender expression, housing status, marriage, mental health, nationality, religion, sexual orientation, socioeconomic status, or political beliefs, and all other protected classes.

OUTREACH AND RELATIONSHIPS WITH STAKEHOLDERS

Disseminate information and conduct outreach activity in the communities that you serve. Pursue open, candid, and non-defensive dialogue with your stakeholders. Educate and learn from the community.

AGENCY SELF-EXAMINATION AND COMMITMENT TO POLICY REVIEW

Seek continuous improvement in the effectiveness of your oversight agency, the law enforcement agency it works with, and their relations with the communities they serve. Gauge your effectiveness through evaluation and analysis of your work product. Emphasize policy review aimed at substantive organizational reforms that advance law enforcement accountability and performance.

PROFESSIONAL EXCELLENCE

Seek professional development to ensure competence. Acquire the necessary knowledge and understanding of the policies, procedures, and practices of the law enforcement agency you oversee. Keep informed of current legal, professional and social issues that affect the community, the law enforcement agency, and your oversight agency.

PRIMARY OBLIGATION TO THE COMMUNITY

At all times, place your obligation to the community, duty to uphold the law and to the goals and objectives of your agency above your personal self-interest.

The following oversight agencies have adopted the NACOLE Code of Ethics:

- Citizen Oversight Board, City & County of Denver, CO
- Citizens' Law Enforcement Review Board, San Diego County, CA
- Citizens' Review Board on Police Practices, San Diego, CA
- Civilian Review Board, Eugene, OR
- Independent Review Panel, Miami, FL
- Milwaukee Fire and Police Commission, Milwaukee, WI
- Office of Citizen Complaints, San Francisco, CA
- Office of Community Complaints, Kansas City, MO
- Office of Police Complaints, Washington, D.C.
- Office of Professional Accountability, Seattle, WA
- Office of the Community Ombudsman, Boise, ID
- Office of the Independent Monitor, City & County of Denver, CO
- Office of the Independent Police Auditor, Bay Area Rapid Transit District, San Francisco, CA
- Office of the Independent Police Auditor, San Jose, CA
- Office of the Police Auditor, Eugene, OR
- Office of the Police Ombudsman, Spokane, WA
- Richmond Police Commission, Richmond, CA



**SUBCOMMITTEES LIST
05-24-2023**

Subcommittee	Board Members	Chair	BPD Reps
Regulations Formed 7-7-21 Renewed 6-22-22	Calavita Leftwich <u>Public members:</u> Kitt Saginor		Lt. Dan Montgomery
Fair & Impartial Policing Implementation Formed 8-4-21 Renewed 9-14-22	Calavita Moore Harris <u>Public members:</u> George Lippman Elliot Halpern	Calavita	Sgt. Peter Lee
Mental Health Response Formed 11-10-21 Scope expanded 3-9-22	Harris <u>Public members:</u> Elena Auerbach		Sgt. Joe LeDoux
Fixed Surveillance Cameras (Policy 351) Formed 2-9-22	Calavita		
Controlled Equipment Use & Reporting Formed 5-11-22	Moore	Moore	Sgt. Peter Lee Sgt. Joe LeDoux
Chief of Police Process Formed 9-30-22	Leftwich Moore		

Drone Use Policy Formed 11-9-22	Moore		
Policy and Practices relating to the Downtown Task Force and Bike Unit Allegations Formed 11-15-22	Calavita Moore		
Body-Worn Camera Policy Formed 03-15-23	Harris Leftwich	Harris	
Conflict of Interest Formed 03-29-23	Moore Leftwich	Leftwich	
Charter Section 125 Review Formed 04/26/2023			

Internal

The poster features a vibrant background with a rainbow gradient from purple to red. On the left side, there is a stylized illustration of a person in traditional African attire, including a headwrap and a beaded necklace. The background is decorated with green and yellow geometric patterns, including horizontal lines and a grid-like structure. The text is centered and uses a mix of bold, sans-serif fonts and smaller, regular fonts for details.

JUNETEENTH WEEK

REMEMBERING THE HOPE AND THE PROMISE OF EMANCIPATION

SCHEDULE OF EVENTS

PLEASE JOIN US AND OUR COMMUNITY PARTNERS FOR COMMUNITY ENGAGEMENT, WORKSHOPS, EVENTS, AND EXHIBITS DURING THE WEEK AT COMMUNITY VENUES, AND AT THE FESTIVAL.

SUNDAY JUNE 11 TO SUNDAY JUNE 18, 2023

INTERFAITH PRAYER SERVICE

SUNDAY, JUNE 11 • 11 AM- NOON
PASTOR MICHAEL SMITH
MCGEE AV BAPTIST CHURCH
1640 STUART ST

CITY-WIDE, THE COMMUNITY WILL COME TOGETHER AT THEIR PLACE OF WORSHIP AND PRAY FOR PEACE, PROTECTION FOR OUR CHILDREN, COMMUNITY HEALING, EQUAL JUSTICE UNDER THE LAW, AND TO REMEMBER THE HOPE AND THE PROMISE OF JUNETEENTH. AN ALL DENOMINATIONAL AND COMMUNITY INCLUSIVE EVENT THAT CAN BE REPEATED ON SUNDAY JUNE 18.

SITE VISIT AT THE FUTURE HOME OF AAHRC

MONDAY, JUNE 12 • 3-5 PM
BABALWA KWANELE
1890 ALCATRAZ AV

THE AFRICAN AMERICAN HOLISTIC RESOURCE CENTER WILL HOUSE CULTURALLY RELEVANT SERVICES TO HELP ELIMINATE INEQUITIES WITHIN BERKELEY'S AFRICAN AMERICAN COMMUNITY. AN OPEN HOUSE IS PLANNED AT THE SITE TO INFORM THE COMMUNITY ABOUT THEIR VISION AND PENDING DESIGN PLANS.

Internal

SOUTH BERKELEY FARMERS MARKET

TUESDAY, JUNE 13 • 2-6:30 PM
THE ECOLOGY CENTER
ADELINE & 63RD STS

BRINGING SERVICES AND SUSTENANCE TO THE SOUTH BERKELEY COMMUNITY WHICH HAS HISTORICALLY BEEN AN AREA OF FOOD APARTHEID WITH LIMITED ACCESS TO GROCERY STORES.

HEALING AFRICAN AMERICAN TRAUMA & HISTORICAL TRAUMA

WEDNESDAY, JUNE 14 • 1-4 PM
CONSCIOUS VOICES
1640 STUART ST

LEARN TO IDENTIFY TRAUMA - HISTORICAL, INTERGENERATIONAL, EPIGENETIC, AND COMPLEX. DECREASE TRAUMA RISK FACTORS AND INCREASE PROTECTIVE FACTORS. PRACTICE, TEACH AND MODEL TOOLS AND TECHNIQUES TO HEAL FAMILY, SCHOOLS AND COMMUNITY. WE HEAL THE COMMUNITY, AND THE COMMUNITY HEALS US.

CLEAN SLATE SERVICES WORKSHOP & EBCLC OPEN HOUSE

THURSDAY JUNE 15 • 1-4 PM
EAST BAY COMMUNITY LAW CENTER
2921 ADELINE ST

WITH CLEAN SLATE SERVICES, THE EBCLC USES STRATEGIC LEGAL AND POLICY TOOLS TO REDUCE CRIMINAL JUSTICE SYSTEM PATHWAYS, AND REMOVE BARRIERS TO EMPLOYMENT AND CIVIC PARTICIPATION FOR PEOPLE WITH CONVICTION RECORDS. OTHER CENTER SERVICES WILL ALSO BE DISCUSSED

PRESERVING YOUR FAMILY STORIES

FRIDAY, JUNE 16 • 1-3 PM
DOUG HARRIS MEDIA
TAREA HALL PITTMAN LIBRARY
1901 RUSSELL ST

WORKSHOP WILL PROVIDE HANDS-ON TRAINING OF TECHNIQUES FOR PRODUCING ENGAGING FAMILY HISTORY DOCUMENTATION FROM A LONGTIME BROADCAST HISTORIAN AND DOCUMENTARIAN. BRING YOUR LAPTOPS AND OR CELL PHONES. SPACE IS LIMITED

PRESERVING YOUR FAMILY STORIES

SATURDAY, JUNE 17 • 11AM-3PM
BATTERS UP, GUNS DOWN
SAN PABLO PARK
2800 PARK ST

INSTEAD OF HARPING ON THE PROBLEM OF COMMUNITY VIOLENCE, BU, GD ORGANIZED A SOLUTION: A LEAGUE OF PEOPLE FROM DIFFERENT NEIGHBORHOODS GETTING TO KNOW EACH OTHER IN A HEALTHY AND COMPETITIVE ENVIRONMENT. FIVE GAMES AND TEN TEAMS OF ALL AGES WILL COMPETE



36TH ANNUAL BERKELEY JUNETEENTH FESTIVAL

REMEMBERING

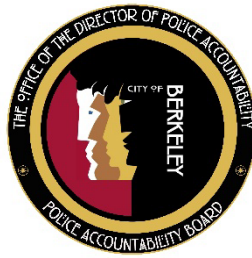
SUNDAY,
JUNE 18, 2023
11AM-7PM

PERFORMANCES BY

- SONNY FAIRLEY • JUNIOR TOOTS •
- NKAN MUSIC • GUITAR TRIFECTA •
- II FUNKY SHU'S WIT NU SOLES • NAT BOLDEN •
- SHANNON RHODES •
- SAMBAFUNK! • DEANNA BREWER •
- BLACKCAT ZYDECO •

The poster also features a collage of 15 small photographs at the bottom, showing various performers and festival activities. The photos include a man playing a red accordion, a man in a black hat and jacket, a group of women in colorful outfits, a woman in a black hooded top, a woman in a yellow and purple outfit, a man in a white shirt, a man in a brown hat, a woman smiling, a woman in a black top, a woman in a green and pink outfit, a man in a blue hat, a man in a white shirt playing guitar, and a man in a grey shirt playing guitar.

Internal



Sign Up Sheet: Juneteenth Festival on June 18th, 2023 from 11 am to 7 pm

Please fill in your name next to the time slot you wish to sign up for. Each time slot is one hour long.

Please write your name clearly next to the desired time slot. Only two names per time slot.

Thank you for signing up!

Time	Member 1	Member 2
11 am - 12 pm:		
12 pm - 1 pm:		
1 pm - 2 pm:		
2 pm - 3 pm:		
3 pm - 4 pm:		
4 pm - 5 pm:		
5 pm - 6 pm:		
6 pm - 7 pm:		



MEMORANDUM

DATE: June 2, 2023
TO: Police Accountability Board
FROM: Hansel A. Aguilar, Director of Police Accountability *Ha*
Jose Murillo, Policy Analyst *Jm*
RE: Current Subcommittees and Actions Items: Overview and Next Steps

Overview

As per Section 125(13)(d) of the Berkeley City Charter, the Police Accountability Board (referred to as the "Board" or "PAB") has the authority to establish policy subcommittees deemed necessary for its functioning. The appointment of subcommittee members is the responsibility of the Board's Chairperson, conducted during a Board meeting (see section 125(13)(d) of the Charter). As of June 2, 2023, there are currently eleven (11) active subcommittees listed by the Board. All of these subcommittees are ad hoc in nature, indicating that they are temporary advisory committees consisting of fewer members than a quorum of the Board. Ad hoc subcommittees, per California's open meeting law (the Brown Act), are not considered legislative bodies and are not obliged to post agendas or provide opportunities for public participation (See page Section F.5. of the Berkeley Commissioner's Manual). Unless specific exceptions apply, all Board subcommittees operate under the guidelines outlined in the City of Berkeley's Commissioner's Manual.

An annual review by the commission is required to assess the ongoing necessity of subcommittees and determine whether they should continue their activities and it is the responsibility of the commission secretary to keep a record of the subcommittee establishment and inform the commission in advance about any impending expiration of a subcommittee (See page Section F.5. of the Berkeley Commissioner's Manual). If deemed necessary, the commission can request to include the renewal of a subcommittee on the agenda of a future meeting.

On May 10, 2023, the Office of the Director of Police Accountability (ODPA) staff provided a recommendation to the Board, advising them to undertake a review of the ongoing necessity of the subcommittees and make decisions regarding their continued activities. The recommendation was made in light of the Board's and ODPA's current membership and staffing levels. Following this recommendation, the ODPA staff assessed the Board's existing subcommittees, identifying whether additional members were needed, if a subcommittee was no longer necessary, if an extension was required, or if no further action was necessary at this point.

The current subcommittee involvement of every Board Member is as follows:

Board Member	Years of Service (PAB and/or PRC)	Number of Subcommittees
John Moore (Chair)	2	5
Regina Harris (Vice-Chair)	2	3
Kitty Calavita	5	4
Juliet Leftwich	4	4
Leah Wilson ¹	0	0

Purpose

The objective of this document is to provide the Board with recommendations as they engage in a thorough review to evaluate the continued necessity of subcommittees and establish a suitable course of action going forward.

Recommendation

The ODPa presents the following recommendations for each respective Board subcommittee:

Subcommittee	Regulations		
Formation Date	7-7-2021	Last Renewed	6-22-2022
Description	This subcommittee was established with the specific purpose of formulating the PAB's permanent regulations for Handling Complaints Against Sworn Officers of Police Departments. The Board has adopted the recommendations of the subcommittee and the regulations have been forwarded to the City Attorney's office.		
Board Members Assigned	Board Member Calavita Board Member Leftwich		
Are BPD representatives assigned?	Yes, see attachment 1.	Are Public members assigned?	Yes, see attachment 1.
Recommendation	ODPA Staff recommends that the Board reinstate the regulations subcommittee for another year pending the adoption of the permanent regulations.		
Alternative	The Board may elect to dissolve the subcommittee and reinstated it when necessary.		

Subcommittee	Fair & Impartial Policing Implementation		
Formation Date	8-4-2021	Last Renewed	9-14-2022
Description	In February 2021, the City Council referred recommendations from the Mayor's Fair & Impartial Policing Task Force for the		

¹ Board Member Wilson was appointed to the Board on May 23, 2023 by Councilmember Hahn.

	Police Department to implement. The Council also charged the Police Review Commission / Police Accountability Board with monitoring the Department's progress in carrying out the recommendations. The Board established the Fair & Impartial Policing Implementation Subcommittee for this purpose.		
Board Members Assigned	Board Member Moore Board Member Calavita (Subcommittee Chair) Board Member Harris		
Are BPD representatives assigned?	Yes, see attachment 1.	Are Public members assigned?	Yes, see attachment 1.
Recommendation	ODPA Staff recommends that the Board extend the duration of the subcommittee for another year and that a member step down so that membership is less than the quorum of the full board.		
Alternative	The Board may elect to dissolve the subcommittee and reinstated it when necessary.		

Subcommittee	Mental Health Response		
Formation Date	11-10-2021	Last Renewed	3-9-2022
Description	Originally established to review a policy complaint received by the Board on September 13th, 2021, and formally accepted on November 10th, 2021, this subcommittee initially concentrated on the policy on welfare checks. However, the scope of the review was subsequently broadened to encompass larger mental health concerns regarding police practices and procedures.		
Board Members Assigned	Board Member Harris		
Are BPD representatives assigned?	Yes, see attachment 1.	Are Public members assigned?	Yes, see attachment 1.
Recommendation	ODPA Staff recommends that the Board reinstate the Mental Health Response subcommittee and appoint a new member.		
Alternative	The Board may elect to dissolve the subcommittee.		

Subcommittee	Fixed Surveillance Camera Policy		
Formation Date	2-9-2022	Last Renewed	N/A
Description	As mandated by BMC 2.99, this subcommittee was convened to conduct a thorough examination of BPD's proposed policies 351 and 1304 concerning fixed video surveillance cameras. See Berkeley Municipal Code Section 2.99.		

Board Members Assigned	Board Member Calavita		
Are BPD representatives assigned?	No.	Are Public members assigned?	No.
Recommendation	ODPA staff recommends that the Board dissolve the Fixed Surveillance Camera Policy subcommittee and establish a broader “Surveillance Technology Policy” Subcommittee.		
Alternative	The Board may elect to reinstate the subcommittee and appoint a new member.		

Subcommittee	Controlled Equipment Use & Reporting		
Formation Date	5-11-2022	Last Renewed	N/A
Description	As mandated by BMC 2.100, this subcommittee was convened to conduct a thorough examination of the BPD’s annual Controlled Equipment Use report. The report is provided to the Board no later than March 15 th of each year so that they may review it to determine if the relevant equipment uses to comply with the requirements of BMC 2.100. See Berkeley Municipal Code Section 2.100.		
Board Members Assigned	Board Member Moore (Subcommittee Chair)		
Are BPD representatives assigned?	Yes, see attachment 1.	Are Public members assigned?	No.
Recommendation	ODPA staff recommends that the Board dissolve the Controlled Equipment Use & Reporting subcommittee as the subcommittee has no further responsibilities in the current year.		
Alternative	The Board may elect to reinstate the subcommittee and appoint a new member ahead of the next report.		

Subcommittee	Chief of Police Hiring Process		
Formation Date	9-30-2022	Last Renewed	N/A
Description	The formation of this subcommittee aimed to assist the Board in fulfilling its mandated obligation, as outlined in Charter Section 125(3)(a)(4), to actively participate in the selection process for the Chief of Police. See Charter Section 125(3)(a)(4).		
Board Members Assigned	Board Member Leftwich Board Member Moore		
Are BPD representatives assigned?	No.	Are Public members assigned?	No.

Recommendation	ODPA staff recommends that the Board dissolve the Chief of Police Hiring Process Subcommittee as the intended task of the subcommittee has been completed.
Alternative	No alternative at this time.

Subcommittee	Drone Use Policy		
Formation Date	11-9-2022	Last Renewed	N/A
Description	As mandated by BMC 2.99, this subcommittee was convened to conduct a thorough examination of BPD's proposed policies 611 and 1303 concerning Unmanned Aerial Vehicles. See Berkeley Municipal Code Section 2.99.		
Board Members Assigned	Board Member Moore		
Are BPD representatives assigned?	No.	Are Public members assigned?	No.
Recommendation	ODPA staff recommends that the Board dissolve the Drone Use Policy subcommittee and establish a broader "Surveillance Technology Policy" Subcommittee.		
Alternative	The Board may elect to reinstate the subcommittee and appoint a new member.		

Subcommittee	Policy and Practices Relating to the Downtown Task Force and Bike Unit Allegations		
Formation Date	11-15-2022	Last Renewed	N/A
Description	The formation of this subcommittee was initiated to assess the policies and practices concerning the BPD's Downtown Task Force and Bike Unit, prompted by allegations made against them.		
Board Members Assigned	Board Member Calavita Board Member Moore		
Are BPD representatives assigned?	No.	Are Public members assigned?	No.
Recommendation	ODPA staff believes that no action is currently required by the Board. However, the subcommittee members should decide who will Chair the subcommittee moving forward.		
Alternative	No alternative at this time.		

Subcommittee	Body-Worn Camera Policies		
Formation Date	03-15-2023	Last Renewed	N/A

Description	The establishment of this subcommittee aimed to undertake a comprehensive analysis of BPD's Body-Worn Camera policy, to identify any aspects that may require reconsideration or revision.		
Board Members Assigned	Board Member Harris (Subcommittee Chair) Board Member Leftwich		
Are BPD representatives assigned?	Yes, see attachment 1.	Are Public members assigned?	No.
Recommendation	ODPA staff believes that no action is currently required by the full Board at this time.		
Alternative	No alternative at this time.		

Subcommittee	Conflict of Interest		
Formation Date	3-29-2023	Last Renewed	N/A
Description	The establishment of this subcommittee aimed to examine and identify any potential conflicts of interest that might necessitate the engagement of independent legal counsel if deemed necessary.		
Board Members Assigned	Board Member Harris Board Member Leftwich (Subcommittee Chair)		
Are BPD representatives assigned?	No.	Are Public members assigned?	No.
Recommendation	ODPA staff believes that no action is currently required by the full Board at this time.		
Alternative	No alternative at this time.		

Subcommittee	Charter Section 125 Review		
Formation Date	4-26-2023	Last Renewed	N/A
Description	The creation of this subcommittee was intended to reevaluate Charter Section 125 and assess the necessity of revisiting specific sections based on the collective experiences and input of all stakeholders involved.		
Board Members Assigned	Assignment of members pending.		
Are BPD representatives assigned?	No.	Are Public members assigned?	No.
Recommendation	ODPA staff recommends that the Chair appoint two members to serve on this subcommittee and that the subcommittee develop a work plan.		

Alternative	The Board has the option to disband the subcommittee and subsequently reconstitute it once there are new members on the Board. The Board may also opt to take no action at this time.
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Attachment 1



**SUBCOMMITTEES LIST
05-24-2023**

Subcommittee	Board Members	Chair	BPD Reps
Regulations Formed 7-7-21 Renewed 6-22-22	Calavita Leftwich <u>Public members:</u> Kitt Saginor		Lt. Dan Montgomery
Fair & Impartial Policing Implementation Formed 8-4-21 Renewed 9-14-22	Calavita Moore Harris <u>Public members:</u> George Lippman Elliot Halpern	Calavita	Sgt. Peter Lee
Mental Health Response Formed 11-10-21 Scope expanded 3-9-22	Harris <u>Public members:</u> Elena Auerbach		Sgt. Joe LeDoux
Fixed Surveillance Cameras (Policy 351) Formed 2-9-22	Calavita		
Controlled Equipment Use & Reporting Formed 5-11-22	Moore	Moore	Sgt. Peter Lee Sgt. Joe LeDoux
Chief of Police Process Formed 9-30-22	Leftwich Moore		

Drone Use Policy Formed 11-9-22	Moore		
Policy and Practices relating to the Downtown Task Force and Bike Unit Allegations Formed 11-15-22	Calavita Moore		
Body-Worn Camera Policy Formed 03-15-23	Harris Leftwich	Harris	
Conflict of Interest Formed 03-29-23	Moore Leftwich	Leftwich	
Charter Section 125 Review Formed 04/26/2023			

From: Bill Williams <billwilliamsjr@gmail.com>

Sent: Wednesday, May 24, 2023 6:34 PM

To: Office of the Director of Public Accountability

<OfficeoftheDirectorofPoliceAccountability@berkeleyca.gov>; Office of the Director of Public

Accountability <OfficeoftheDirectorofPoliceAccountability@berkeleyca.gov>; Bill Williams

<billwilliamsjr@gmail.com>

Cc: All Council <council@berkeleyca.gov>

Subject: Police Accountability Board

To the City Council of Berkeley and the Police Accountability Board,

It is with great regret that I'm writing to inform you that I am no longer able to accept a position on the Berkeley Police Accountability Board. I was humbled by Councilmember Humbert's nomination and was excited to join the board and serve on this critical component of Berkeley City government.

Unfortunately, a sudden change in my personal circumstances precludes me from serving on the PAB and devoting the time and energy that the Board requires and deserves. I appreciate the Council's consideration, as well as the time and resources spent on my candidacy. As a long-time Berkeley resident, I will continue to support the Council and Police Accountability Board in their important work of keeping Berkeley safe and a world-class city.

Sincerely,
Bill Williams

Sent from my iPhone

Internal

From: Humbert, Mark <MHumbert@berkeleyca.gov>
Sent: Thursday, June 1, 2023 2:52:31 PM
To: Aguilar, Hansel <HAguilar@berkeleyca.gov>; Humbert, Mark <MHumbert@berkeleyca.gov>
Cc: All Council <council@berkeleyca.gov>
Subject: RE: Invitation to Attend Police Accountability Board Meeting

Dear Director of Police Accountability Aguilar, Police Accountability Board Chair Moore, and members of the Police Accountability Board,

Thank you for sending along these reports and for your invitation to attend a meeting of the Police Accountability Board (PAB). I appreciate your dedication to ensuring public safety and equitable, accountable law enforcement in Berkeley.

I care about the relationship between the PAB and the City Council, so I am dismayed that the PAB felt disparaged by the Council's vote to appoint Chief Louis and our comments in support of this decision. Although I do not recall having said anything disparaging about PAB from the dais at the May 9th Council meeting, perhaps I was remiss in not mentioning the PAB or its work in my comments—but I assure you your efforts are valued.

Nevertheless, I feel that my individual attendance at a PAB meeting is not currently warranted; I must therefore respectfully decline the Board's invitation at this time.

I am confident that the PAB and the City Council are united in the goals of keeping Berkeleyans safe, minimizing use of force, eliminating bias in policing, and ensuring that BPD operates with full accountability, adequate staffing, and capable leadership.

I agree that many misconceptions and misunderstandings were laid bare by recent discussions regarding the appointment of Chief Louis. And I appreciate the PAB's desire to ensure the Council is apprised of PAB's work and can engage in a productive dialogue about its role.

Thank you again for all of your work and for reaching out.

Best,
Councilmember Mark Humbert

From: Aguilar, Hansel <HAguilar@cityofberkeley.info>
Sent: Wednesday, May 17, 2023 9:59 AM
To: Humbert, Mark <MHumbert@cityofberkeley.info>
Cc: All Council <council@cityofberkeley.info>
Subject: Invitation to Attend Police Accountability Board Meeting

Dear Council Member Humbert,

The Police Accountability Board would like to extend an invitation for you to attend a Board meeting of your choosing. Please see the attached letter along with several reports produced by the Board over the past few months.

Internal

Please let me know if you have any questions or concerns.

Respectfully,

Hansel Alejandro Aguilar
Director of Police Accountability
Office of the Director of Police Accountability
1947 Center St. – 5th floor
Berkeley, CA 94704
O: 510-981-4960
M: 510-926-1103
haguilar@cityofberkeley.info

*The Police Accountability Board and the Director of Police Accountability replaced the Police Review Commission as of July 1, 2021.

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