



OFFICE OF THE DIRECTOR  
OF POLICE ACCOUNTABILITY

**POLICE ACCOUNTABILITY BOARD**  
**REGULAR MEETING**  
**MINUTES**  
*(approved)*

**Wednesday, February 23, 2022, 7:00 P.M.**

**No physical location; meeting held exclusively through videoconference and teleconference.**

**1. CALL TO ORDER & ROLL CALL BY CHAIR CHANG AT 7:00 P.M.**

Present: Board Member Michael Chang (Chair)  
Board Member Nathan Mizell (Vice-Chair)  
Board Member Kitty Calavita  
Board Member Juliet Leftwich  
Board Member Deborah Levine  
Board Member John Moore  
Board Member Cheryl Owens  
Board Member Ismail Ramsey  
Board Member Elisa Batista (alternate)

Absent: Board Member Regina Harris

ODPA Staff: Katherine J. Lee, Interim Director of Police Accountability

BPD Staff: Interim Chief Jennifer Louis, Lt. Rob Rittenhouse, Ofc. Matthew Valle

**2. APPROVAL OF AGENDA**

**The agenda was approved by general consent.**

**3. PUBLIC COMMENT**

3 speakers.

**4. APPROVAL OF MINUTES**

**Motion to approve Regular Meeting Minutes of February 9, 2022.**

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

Ayes: Calavita, Chang, Leftwich, Levine, Mizell, Moore, Owens and Ramsey

Noes: None

Abstain: Batista

Absent: Harris

## **5. CHAIR'S REPORT**

Chair Chang reported on BPD's swift response to anti-Semitic messages distributed over the weekend in North Berkeley.

Update from Board member Calavita on Police Chief Search – nothing new.

Update from Board member Mizell on Reimagining Public Safety Task Force – reminder of Council Worksession March 10 to consider the NICJR draft report and Task Force response.

## **6. DIRECTOR OF POLICE ACCOUNTABILITY'S REPORT**

The Interim Director reported:

-- No new complaints filed since the last meeting. Findings and recommendations presented to PAB in closed session just before this meeting; PAB agreed with Director's three "unfounded" findings.

-- Will be starting up training again with a segment by BPD at the March 23 meeting. Reminder to do ride-along and sit-along; "bike-along" is also available.

-- Background materials on Policy 351, Fixed Surveillance Cameras, are included in today's packet.

## **7. CHIEF OF POLICE'S REPORT**

Interim Chief Louis reported:

-- Was due to present information items to Council last night on Fair & Impartial implementation report and 2021 year-end crime and collision report; both postponed to March 8 action calendar.

-- Two items coming to PAB: 1) most updated draft of EWS/EIS [Early Warning System/Early Intervention System] by end of week. 2) Controlled Equipment impact Statements and corresponding use policies. 90 days for PAB review; then return by May to Council. Use reports forthcoming.

-- Significant cases: BPD made arrests in two sexual assault cases. 1) Ohlone Park assaults on women. 2) Feb. 16 incident near elementary school.

-- Hate incidents this weekend – worked with Council on a clear anti-hate message. Same messages distributed in other jurisdictions. Consistent with increase in hate crimes in Berkeley and nationally. Continue to work on hate crimes response referral from Council.

Chief Louis answered questions from Board members.

## 8. 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. Fair & Impartial Policing Implementation – Chair Calavita: met Feb. 22 and next meeting March 2. Glad to hear EIS draft being released soon.
- b. Director Search – Chair Levine: Will discuss with Item 10.a.
- c. Regulations – Chair Chang: Met Feb. 22; next meeting March 10; probably need another meeting after that.
- d. Mental Health Response (Policy Complaint #7) – Chair Levine: haven't met yet due to competing priorities.
- e. Policy 351, Fixed Surveillance Cameras – Chair Chang appointed Board members. Moore and Ramsey.

## 9. OLD BUSINESS (discussion and action)

- a. Revision of Policy 425, Body Worn Cameras, to broaden access by PAB and ODP.

**By general consent, the Board asked that the Director discuss with BPD access to BWC footage during ongoing criminal investigations, and the retention schedule.**

- b. Automated License Plate Readers (ALPRs): Review BPD's proposed ALPR Use Policy, and proposed revisions from Councilmember Harrison and Councilmember Taplin, and provide feedback.

**Motion to continue to support Councilmember Harrison's proposed ALPR Use Policy.**

Moved/Second (Owens/Moore) **Motion Carried**

Ayes: Calavita, Chang, Leftwich, Levine, Mizell, Moore, Owens, Ramsey and Batista.

Noes: None

Abstain: None

Absent: Harris

**Motion to authorize Chair Chang to represent the PAB at the City Council meeting when the ALPR Use Policy is considered, and to authorize Board member Calavita to work with Interim Director Lee to draft a letter of support to the Council.**

Moved/Second (Calavita/Owens) **Motion Carried by general consent.**

- c. Form a subcommittee to assist with the preparation of a PAB budget proposal.

**Motion to form a subcommittee to assist with the preparation of a PAB budget proposal.**

Moved/Second (Levine/Leftwich) **Motion Carried by general consent.**

- d. Lexipol Policies: 1) Update on status; 2) Consider forming a subcommittee to review Lexipol policies.

Discussed; no action.

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

- a. Consider ways to contribute to the hiring and selection of the permanent Director of Police Accountability and the DPA Investigator.

Discussed; to be continued.

- b. Review Policy 319, Hate Crimes, as requested by City Council.

Postponed to the next meeting.

#### **11. PUBLIC COMMENT**

4 speakers.

#### **12. ADJOURNMENT**

**Motion to adjourn the meeting.**

**Moved/Second (Moore/Leftwich) By general consent, the meeting was adjourned at 9:53 p.m.**