



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
Wednesday, January 24, 2024
6:30 P.M.**

Board Members

John Moore III. (Chair)
Kitty Calavita
Brent Blackaby

Julie Leftwich
Joshua Cayetano

Regina Harris (Vice-Chair)
Leah Wilson
Alexander Mozes

MEETING LOCATION

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA 94709
([Click here for Directions](#))

Meeting Recording: <https://youtu.be/g8ChkKjQfPs?si=TvlcT283-moUg52i>

Minutes

1. CALL TO ORDER AND ROLL CALL AT 6:31 PM

Present: Board Member John Moore (Chair)¹
Board Member Regina Harris (Vice-Chair)
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Leah Wilson
Board Member Brent Blackaby
Board Member Joshua Cayetano
Board Member Alexander Mozes

Absent: None.

ODPA Staff: Hansel Aguilar, Director of Police Accountability
Jayson Wechter, Investigator

¹ Participated remotely on a just cause provision.

Jose Murillo, Program Analyst
Keegan Horton, Investigator
Michelle Verger, Policy Analyst
BPD Staff: Jen Tate, BPD Captain
CAO Staff: James Chang, Deputy City Attorney
CMO Staff: Carianna Arredondo, Assistant to the City Manager

2. APPROVAL OF AGENDA

Motion to approve the agenda with Item 10.e. tabled.

Moved/Second (Calavita/Harris) Approved by unanimous consent.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, and Wilson.

Noes: None. Abstain: None. Absent: None.

3. PUBLIC COMMENT

2 Physically Present Speakers

0 Virtually Present Speakers

4. APPROVAL OF MINUTES

Motion to approve the meeting minutes for the regular meeting of January 10, 2024

Moved/Second (Wilson/Mozes) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: None.

5. ODPa STAFF REPORT

Director Aguilar shares information about staffing changes, updates regarding the new office relocation, and upcoming conference opportunities with the Board. Carianna Arredondo, Assistant to the City Manager, provides an update on the Reimaging Public Safety presentation provided to Council on January 23rd, 2023.

6. CHAIR AND BOARD MEMBERS' REPORTS

Chair Moore thanks all of the participants in the 50th Anniversary of Civilian Oversight in Berkeley that was held on January 12th.

7. CHIEF OF POLICE'S REPORT

Captain Tate reports on community-relevant cases, provides staffing updates and recruitment/retention, and addresses updates related to PAB requests. She fields questions from Board Members.

8. SUBCOMMITTEE REPORTS

All Subcommittees provide status reports on their ongoing activities.

9. LEGISLATIVE AND POLICY UPDATES

Investigator Horton and Policy Analyst Verger provide an update on state legislation related to police oversight. Staff fields questions from the Board Members.

10. NEW BUSINESS

- a. Elections for the position of Chair and Vice-Chair for the 2024 Calendar Year as outlined in Section 1(a) to Section 1(c) of Section I “Elections” of the Standing Rules of the Police Accountability Board.

ELECTION RESULTS FOR THE ROLE OF CHAIR OF THE PAB.

<u>Nominee</u>	<u>Number of Votes</u>	<u>Board Member Votes</u>
John Moore	-	Vote by Acclamation

ELECTION RESULTS FOR THE ROLE OF VICE-CHAIR OF THE PAB.

<u>Nominee</u>	<u>Number of Votes</u>	<u>Board Member Votes</u>
Brent Blackaby	Three (3)	Blackaby; Leftwich; and Moore
Leah Wilson	Five (5)	Calavita; Cayetano; Harris; Mozes; and Wilson.

- b. Recap of the 50th Anniversary of Civilian Oversight in Berkeley Celebration and adoption of resolutions recognizing Barbara Attard, Jim Chanin, and Maria Tungohan for their efforts and preparations leading up to the event.

Motion to adopt the resolutions recognizing Barbara Attard, Jim Chanin, and Maria Tungohan for their efforts and preparations leading up to the event.

Moved/Second (Wilson/Mozes) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: None.

- c. Discussion and action regarding the 2024 PAB Strategic Planning Session Agenda

Board members discuss the proposed agenda and provide feedback to the Strategic Planning Subcommittee.

- d. Report on Policy Complaint Number 2023-PR-0009

Motion to reach out to the BPD to coordinate the annual review of BPD Policy 300 “Use of Force” per BPD Policy Section 300.13 “Policy Review and Updates”

Moved/Second (Mozes/ Wilson) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: None.

- e. Presentation of New ODPa Policy Complaint No. 2024-PR-0001

Item 10.e. was tabled during Item 2 “Approval of the Agenda.”

- f. Discussion and action regarding the Berkeley Police Department’s Memorandums of Understanding (MOUs) with other agencies.

Motion to allow the Chair and Director of Police Accountability to write a memo requesting the Berkeley Police Department’s memorandum of understanding citing the Berkeley City Charter Section 125(3)(a)(2)²

Moved/Second (Calavita/Cayetano) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: None.

Motion to request a memorandum from the ODPa outlining the PAB’s Charter Mandates and Powers.

Moved/Second (Cayetano/Wilson) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: None.

- g. Request to reschedule the PAB’s February 14th Regular Meeting

Motion to reschedule the February 14th Regular Meeting to a future date.

Moved/Second (Wilson/Calavita) Motion Carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: None.

11. PUBLIC COMMENT

1 Physically present speakers.

1 Virtually present speakers.

² [https://berkeley.municipal.codes/Charter/125\(3\)\(a\)](https://berkeley.municipal.codes/Charter/125(3)(a))

12. CLOSED SESSION at 9:10 PM

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):

Case Updates Regarding Complaints Received by the ODPa

Regarding Items 12.a.1 – 12.a.14:

Director Aguilar provides case updates to the Board including the presentation of findings and newly accepted complaints.

**Motion to accept the findings of the Director of Police Accountability ODPa
Complaint No. 2023-CI-0011**

Moved/Second (Wilson/Calavita)

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes, and Wilson.

Noes: None. Abstain: None. Absent: None.

END OF CLOSED SESSION

13. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Chair Moore announces the closed-session actions.

14. ADJOURNMENT

Motion to adjourn.

(Wilson/Calavita) The meeting was adjourned at 10:15 P.M by unanimous consent.

Minutes Approved on: February 7, 2024

Hansel Aguilar, Commission Secretary:  _____