



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING AGENDA PACKET
Wednesday, January 22, 2025
6:30 P.M.**

Board Members

John Moore III (Chair)
Kitty Calavita
Joshua Cayetano

Leah Wilson (Vice-Chair)
Juliet Leftwich
Alexander Mozes

David Williams

MEETING LOCATION

Office of the Director of Police Accountability
1900 Addison Street, Floor 3
Berkeley, CA 94704

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Item 2

January 22, 2024 PAB Regular Meeting Agenda



POLICE ACCOUNTABILITY BOARD
REGULAR MEETING AGENDA
WEDNESDAY, JANUARY 22, 2025
6:30 P.M.

Board Members

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PUBLIC NOTICE

To access the meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device using this URL: <https://us02web.zoom.us/j/89174589069>. 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 5339 6072**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized.

LAND ACKNOWLEDGMENT

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 uncended 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, except confidential personnel matters.

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

Minutes for the Regular Meeting of January 8, 2024

- 5. ODPa STAFF REPORT (10 MINUTES)**

Announcements, updates, and other items.

- 6. CHAIR AND BOARD MEMBERS' REPORTS (10 MINUTES)**

Announcements, updates, and other items.

7. CHIEF OF POLICE'S 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 schedule for all subcommittees, possible appointment or reassignment of members to subcommittees, and additional discussion and action as warranted for the subcommittees listed on the PAB's Subcommittee List included in the agenda packet.

9. OLD BUSINESS (5 MINUTES)

- a. Designation of a presenter for the PAB's reports to City Council (ODPA) - (5 Minutes)
 - i. "2024 Police Accountability Board Report: Fair and Impartial Policing Implementation"¹

10. NEW BUSINESS (55 MINUTES)

- a. Election for the positions of Chair and Vice-Chair for the 2025 Calendar Year as outlined in Section 1(a) to Section 1(c) of the Standing Rules of the Police Accountability Board (ODPA) – (15 Minutes)
- b. Discussion and action on the proposed amendment of Section K "Mutual Aid Agreements" of the PAB's Standing Rules (ODPA) – (5 Minutes)
- c. Discussion and action on the review of the Berkeley Police Department's Memorandums of Understandings/Mutual Aid Agreements per Section K, "Mutual Aid Agreements," of the PAB's Standing Rules (ODPA) – (5 Minutes)
- d. ODPAs Status Update on Ongoing Policy Reviews (ODPA) – (10 Minutes)
- e. Discussion and action on the PAB's 2025 Strategic Planning Session. (ODPA) – (10 Minutes)
- f. ODPAs presentation of the updated proposed outline for the PAB and ODPAs 2024 Annual Report (ODPA) - (10 Minutes)

¹ The full PAB report can be accessed at the following link:

https://berkeleyca.gov/sites/default/files/documents/2024%20PAB%20Report_FIP%20Implementation_Final.pdf

11. 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, except confidential personnel matters.

12. CLOSED SESSION**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):

- a. Case Updates and Recommendations Regarding Complaints Received by the ODPa:

- | | |
|-------------------|--------------------|
| i. 2023-CI-0016 | vii. 2024-CI-0045 |
| ii. 2024-CI-0003 | viii. 2024-CI-0046 |
| iii. 2024-CI-0004 | ix. 2025-CI-0001 |
| iv. 2024-CI-0009 | x. 2025-CI-0002 |
| v. 2024-CI-0025 | xi. 2025-CI-0003 |
| vi. 2024-CI-0031 | xii. 2025-CI-0004 |

END OF CLOSED SESSION**13. ANNOUNCEMENT OF CLOSED SESSION ACTIONS (1 MINUTE)****14. ADJOURNMENT (1 MINUTE)****Off Agenda Reports**

1. Legislative Updates Relevant to the PAB's Work

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 1900 Addison Street, Floor 3, Berkeley, CA 94704

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

1900 Addison Street, Floor 3, Berkeley, CA 94704

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

Website: <https://berkeleyca.gov/dpa>

Email: dpa@berkeleyca.gov

Item 4

Minutes for the Regular Meeting of January 8, 2025



POLICE ACCOUNTABILITY BOARD
REGULAR MEETING AGENDA
WEDNESDAY, JANUARY 8, 2025
6:30 P.M.

Board Members

John Moore III (Chair)
Kitty Calavita
Joshua Cayetano

Leah Wilson (Vice-Chair)
Juliet Leftwich
Alexander Mozes

David Williams

MEETING LOCATION

Office of the Director of Police Accountability
1900 Addison Street, Floor 3
Berkeley, CA 94704

Minutes

1. CALL TO ORDER AND ROLL CALL

Present:

Board Member John Moore (Chair)
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Joshua Cayetano
Board Member Leah Wilson (Vice Chair)
Board Member Alexander Mozes

Absent:

Board Member David Williams¹

ODPA Staff:

Hansel Aguilar, Director of Police Accountability
Jayson Wechter, Investigator
Syed Mehdi, Data Analyst
Jose Murillo, Policy Analyst
Nyia Grissam, Administrative Analyst

¹ Board Member Williams was granted a leave of absence.

BPD Staff: Chief Louis
Lieutenant Rego
CAO Staff: DCA Carter
CMO Staff: Dr. Carianna Arredondo, Assistant to the City Manager

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Moore/Leftwich) Motion carried.

Ayes: Calavita, Cayetano, Mozes, and Wilson.

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

3. PUBLIC COMMENT

0 Physically Present Speaker(s)

0 Virtually Present Speaker(s)

4. APPROVAL OF MINUTES

- a. Minutes for the Regular Meeting of December 11, 2024

Motion to approve the minutes with revisions² for the Regular Meeting of December 11, 2024

Moved/Second (Leftwich/Calavita) Motion carried.

Ayes: Cayetano, Moore, Mozes, and Wilson.

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

5. ODPa STAFF REPORT

Director Aguilar updates on ODPa annual report, social media outreach program, preliminary program of calendars, upcoming meetings, and SFPD Department of Police Accountability audit report.³ Investigator Wechter informs PAB members that there are

² Board Member Leftwich pointed out correction of changing “Body Guard Camera Committee” to “Body Worn Camera Committee” under Subcommittee Reports

³ Report by the San Francisco Department of Police Accountability Titled “San Francisco Police Department: Action is Needed to Ensure the Completeness and Accuracy of Stop Data”: <https://www.sf.gov/sites/default/files/2024-12/FINAL%20-%20DPA%20Audit%20of%20SFPD%20Stop%20Data.pdf>

currently no upcoming webinars but that on Tuesday, January 21st Lexipol will be hosting a training session on the duty to intervene.⁴ No updates from City Manager's office.

6. CHAIR AND BOARD MEMBERS' REPORTS

Board thanks Chair Moore for his service.

7. CHIEF OF POLICE'S REPORT

Chief Louis shares legislative changes, new statewide parking laws, and gun violence data and intervention programs.

8. SUBCOMMITTEE REPORTS

Subcommittees report on their activities.

9. NEW BUSINESS

- a. Discussion and action on new Policy Complaint 2024-PR-0008 in accordance with Section G. "Policy Complaints and Reviews" of the PAB's Standing Rules (ODPA)

Motion to accept Policy Complaint 2024-PR-0008 and direct ODPA staff to carry out the review

Moved/Second (Calavita/Leftwich) Motion carried.

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

Noes: Wilson. Abstain: None. Absent: Williams.

- b. Discussion and action regarding the presentation of Policy Review 2023-PR-0007 Part I "Enforcement of Restraining Orders" (ODPA)

Motion to explore the establishing of a webpage with public information regarding Restraining Orders and other resources.

Moved/Second (Cayetano/Calavita) Motion carried.

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

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

⁴ Lexipol Webinar Titled "The Duty to Intervene: What We Have Learned Since George Floyd":
<https://info.lexipol.com/webinar-duty-to-intervene-update>

- c. Designation of a presented for the PAB's reports to City Council (ODPA)
 - i. "Berkeley Police Department Texting Offenses: An Independent Investigation by the Police Accountability Board"⁵
 - ii. "2024 Police Accountability Board Report: Fair and Impartial Policing Implementation"⁶

Motion to table the discussion of Fair and Impartial Policing Implementation report until next PAB meeting.

Moved/Second (Calavita/Wilson) Motion carried.

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

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

Motion to designate Board Member Calavita, Chair Moore and Director Aguilar to present the "Berkeley Police Department Texting Offenses: An Independent Investigation by the Police Accountability Board" to the City Council.

Moved/Second (Calavita/Moore) Motion carried.

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

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

- d. ODPa presentation of the proposed outline for the PAB and ODPa's 2024 Annual Report (ODPA)

No action taken.

- e. ODPa Presentation of the Preliminary 2025 Calendar of Events (ODPA)

No action taken.

⁵ The full PAB report can be accessed at the following link:

https://berkeleyca.gov/sites/default/files/documents/2024-08-29%20BPD%20Texting%20Offenses_PAB%20Investigation%20Report_Final.pdf

⁶ The full PAB report can be accessed at the following link:

https://berkeleyca.gov/sites/default/files/documents/2024%20PAB%20Report_FIP%20Implementation_Final.pdf

- f. Discussion and action on establishing a Mutual Aid Agreement Subcommittee, as required by Section K, "Mutual Aid Agreements," of the PAB's Standing Rules (ODPA)

Motion to reissue the request for Berkeley Police Department's MOUs related to Section K and to schedule an amendment of Section K to allow discussion by the full board instead of the subcommittee.

Moved/Second (Wilson/Cayetano) Motion carried.

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

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

- g. Nomination of candidates for the positions of Chair and Vice-Chair for the 2025 Calendar Year as outlined in Section 1(a) to Section 1(c) of the Standing Rules of the Police Accountability Board (ODPA)

The following nominations were made:

Nominee	Role	Nominated by	Nomination Seconded By
Cayetano	Chair	Calavita	Mozes
Wilson	Vice-Chair	Cayetano	Leftwich

10. PUBLIC COMMENT

0 Physically Present Speaker(s)

1 Virtually Present Speaker(s)

11. CLOSED SESSION

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):

- a. Case Updates and Recommendations Regarding Complaints Received by the ODPA:

Director Aguilar provides the PAB with case updates on matters presented to the ODPA.

END OF CLOSED SESSION

12. ANNOUNCEMENT OF CLOSED SESSION ACTIONS (1 MINUTE)

Chair Moore announces the PAB's closed session actions.

13. ADJOURNMENT (1 MINUTE)

Motion to adjourn. Moved/Second (Leftwich/Cayetano). The meeting was adjourned at 9:39 pm by unanimous consent.

Item 5

ODPA Proposed Newsletter Template

31 JANUARY, 2025

PAB AND ODPA

ISSUE #

CITY OF BERKELEY POLICE ACCOUNTABILITY

NEWSLETTER



MONTHLY HIGHLIGHTS

- PAB selects new leadership and date for annual retreat
- ODPA launches newsletter- social media strategy underway
- Annual Report production underway

CONTACT US

Phone: (510) 981-4950

Email: dpa@berkeleyca.gov

Mailing Address:

1900 Addison Street, Floor 3
Berkeley, CA 94704

THE POLICE ACCOUNTABILITY BOARD WAS CREATED TO PROMOTE PUBLIC TRUST THROUGH INDEPENDENT, OBJECTIVE, CIVILIAN OVERSIGHT OF THE BERKELEY POLICE DEPARTMENT.

PAB ELECTS NEW LEADERSHIP

Lorem ipsum dolor sit amet, ex explicari honestatis ius. Semper scripserit has ei, no pro antiopam principes aliquando. Ne mundi munere philosophia usu. Mel ne admodum moderatius eloquentiam. At suas civibus has, id has laoreet suscipit. Elitr utroque delectus et pro, te usu quas melius necessitatibus, eos essent percipit hendrerit in.

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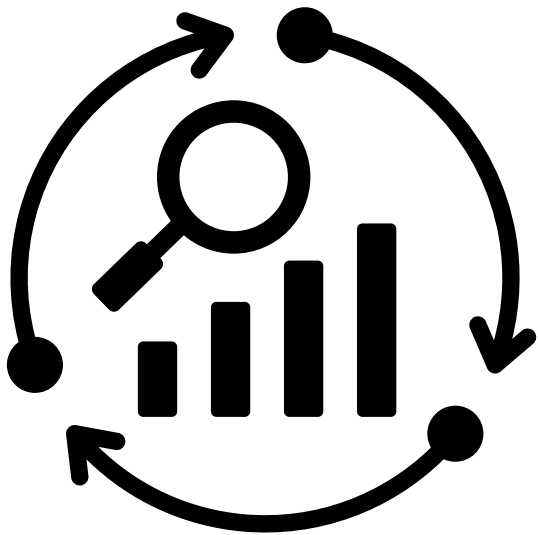


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SOCIAL MEDIA STRATEGY

Quidam mollis concludaturque mea ad, per civibus praesent ea. Sea at audiam efficiendi, virtute iuvaret intellegat pri ei. Mel eu partem volutpat, duo ad regione viderer alienum, eirmod prompta dissentiunt ex sea. Ut quo quas tempor alienum, cu deserunt mediocrem quo, mea iisque eligendi pertinacia et. At corpora antiopam tincidunt per, te cum expetenda maluisset prodesset.

FOR MORE INFORMATION VISIT: WWW.BERKELEYCA.GOV/DPA



COMPLAINT ACTIVITY RECAP

Quidam mollis concludaturque mea ad, per civibus praesent ea. Sea at audiam efficiendi, virtute iuvaret intellegat pri ei. Mel eu partem volutpat, duo ad regione viderer alienum, eirmod prompta dissentiunt ex sea. Ut quo quas tempor alienum, cu deserunt mediocrem quo, mea iisque eligendi pertinacia et. At corpora antiopam tincidunt per, te cum expetenda maluisset prodesset.

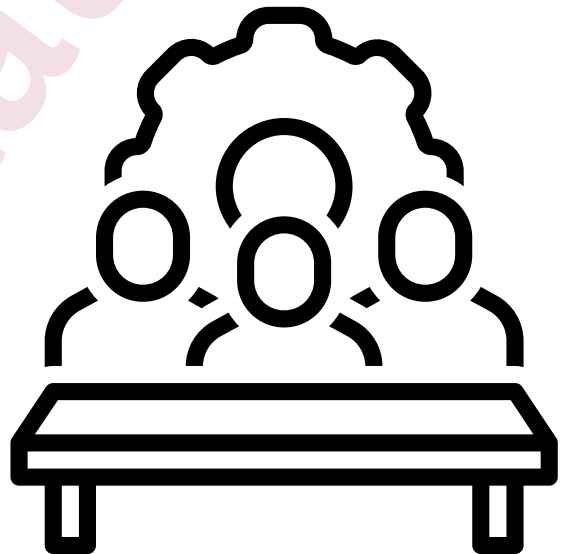
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POLICY REPORTS COMPLETED

Quidam mollis concludaturque mea ad, per civibus praesent ea. Sea at audiam efficiendi, virtute iuvaret intellegat pri ei. Mel eu partem volutpat, duo ad regione viderer alienum, eirmod prompta dissentiunt ex sea. Ut quo quas tempor alienum, cu deserunt mediocrem quo, mea iisque eligendi pertinacia et. At corpora antiopam tincidunt per, te cum expetenda maluisset prodesset.

SUBCOMMITTEE WORK UNDERWAY

Quidam mollis concludaturque mea ad, per civibus praesent ea. Sea at audiam efficiendi, virtute iuvaret intellegat pri ei. Mel eu partem volutpat, duo ad regione viderer alienum, eirmod prompta dissentiunt ex sea. Ut quo quas tempor alienum, cu deserunt mediocrem quo, mea iisque eligendi pertinacia et. At corpora antiopam tincidunt per, te cum expetenda maluisset prodesset.



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TRAINING AND WEBINARS

Quidam mollis concludaturque mea ad, per civibus praesent ea. Sea at audiam efficiendi, virtute iuvaret intellegat pri ei. Mel eu partem volutpat, duo ad regione viderer alienum, eirmod prompta dissentiunt ex sea. Ut quo quas tempor alienum, cu deserunt mediocrem quo, mea iisque eligendi pertinacia et. At corpora antiopam tincidunt per, te cum expetenda maluisset prodesset.

OUTREACH EFFORTS

Quidam mollis concludaturque mea ad, per civibus praesent ea. Sea at audiam efficiendi, virtute iuvaret intellegat pri ei. Mel eu partem volutpat, duo ad regione viderer alienum, eirmod prompta dissentiunt ex sea. Ut quo quas tempor alienum, cu deserunt mediocrem quo, mea iisque eligendi pertinacia et. At corpora antiopam tincidunt per, te cum expetenda maluisset prodesset.

FOR MORE INFORMATION VISIT: WWW.BERKELEYCA.GOV/DPA

Item 8

List of Current PAB Subcommittees



SUBCOMMITTEES LIST

Subcommittee	Board Members	Chair	BPD Reps
Regulations Formed 7-7-21 Renewed 6-7-2023	Calavita Leftwich <u>Public members:</u> Kitt Saginor	N/A	Lt. Dan Montgomery
Fair & Impartial Policing Implementation Formed 8-4-21 Renewed 6-7-2023	Calavita Wilson <u>Public members:</u> George Lippman	Calavita	Sgt. Peter Lee
Surveillance Technology Policy Formed 6-7-2023	Calavita Moore	N/A	N/A
Policy and Practices relating to the Downtown Task Force and Bike Unit Allegations Formed 11-15-22	Calavita Moore	Calavita	N/A
Body-Worn Camera Policy Formed 03-15-23	Leftwich Cayetano	Leftwich	Cpt. Okies Lt. Cummings
Conflict of Interest Formed 03-29-23	Leftwich Wilson	Leftwich	N/A
Policy Reviews Formed 11-08-2023 Scope Expanded 03-02-2024 Formally "Lexipol Review"	Leftwich Cayetano <u>Public members:</u> Kitt Saginor	Leftwich	Deputy Chief Tate Sgt. Rafferty

Updated on 1/17/2025

Budget & Metrics Formed 11-08-2023 Scope Expanded 03-02-2024	Wilson Cayetano	N/A	N/A
Outreach & Engagement Formed 11-08-2023 Scope Expanded 03-02-2024 Formally "Commendations"	Moore Mozes	N/A	N/A
Operations & Processes Formed 03-02-2024	Wilson Mozes	TBD	TBD
Berkeley Police Department Policies 1010 and 1034 Review Formed 9-25-2024	Moore Williams	TBD	TBD

LIAISON LIST¹

Liaison Name	Assignment
Cayetano	Represent the PAB in the EIS Request for Proposal Process

POLICY COMPLAINTS ASSIGNED TO INDIVIDUAL BOARD MEMBERS²

Policy Review Number	Assigned Board Member
2023-PR-0003	Vice-Chair Wilson
2023-PR-0006	Chair Moore
2024-PR-0003	Chair Moore

¹ Liaison list does not include topics that were originally assigned to a Board Member but later assigned to a subcommittee.

² This list does not include policy complaints that were originally assigned to an individual Board Member but later assigned to a subcommittee.

Item 10.a.

[Material from 1/8/2025 PAB Regular Meeting] – ODPA Memorandum
Titled “2025 PAB Elections for Chair and Vice-Chair”

CHAIR NOMINEES OF THE POLICE ACCOUNTABILITY BOARD

NOMINEE	NOMINATED BY	NOMINATION SECONDED BY
Cayetano	Calavita	Mozes

VICE-CHAIR NOMINEES OF THE POLICE ACCOUNTABILITY BOARD

NOMINEE	NOMINATED BY	NOMINATION SECONDED BY
Wilson	Cayetano	Leftwich

These nominations are certified by:

Hansel A. Aguilar
Director of Police Accountability
Secretary, Police Accountability Board

Date: _____



MEMORANDUM

Date: January 3, 2025
To: Honorable Members of the Police Accountability Board (PAB)
From: Hansel Aguilar, Director of Police Accountability (DPA) *Ha*
Jose Murillo, Policy Analyst *JM*
Subject: 2025 PAB Elections for Chair and Vice-Chair

This memorandum provides an overview of the PAB election process for the 2025 Chair and Vice-Chair positions.

Background:

Per Chapter II, Section F, Commission Organization, 1) "Election of Officers and Terms of Office" of the Berkeley Commissioner's Manual, the chair and vice-chair are elected by a majority of the commission for a one-year term. The chair may serve no more than two consecutive years, while the vice-chair has no term limit. Elections are held annually and must be listed on the agenda. Prior to the election, commissioners are encouraged to discuss the process and timing of nominations.

The nomination process requires a motion and second, and the election must be public, with a roll call vote recommended. Results must be announced and recorded in the minutes. The election process for the PAB is outlined in Section I, "Elections," of the PAB's standing rules, attached as Attachment 1.

According to Section I of the PAB's standing rules, during the first meeting of January, the PAB will nominate candidates for Chair and Vice-Chair, beginning with the Chair nomination. Nominations require a second; if no second is made, the nomination will not proceed. At the second meeting in January, additional nominations may be made, with each nominee given two minutes to explain their interest in the position. Board

members will have the opportunity to ask questions. Following the nominations, a roll call vote will take place, and the winner will be announced. If only one nominee is presented, a vote by acclamation may occur. In case of a tie, a second round of voting will take place, and a coin toss will resolve the tie, if needed. The Board secretary will document the nominations, votes, and results. Outgoing officers will have two minutes for departing remarks before the newly elected officers assume their positions.

The presiding officer, either the chair or vice-chair in their absence, is responsible for the following duties:

- Presiding over commission meetings, ensuring productive discussions and that all viewpoints are heard.
- Ensuring commission bylaws and procedures are followed, with meeting conduct rules made by the full commission.
- Appointing commissioners to temporary subcommittees, subject to commission approval.
- Approving the meeting agenda, limited to structure and order, without the authority to remove items submitted by the established deadline.
- Signing correspondence on behalf of the commission.
- Representing the commission before the City Council, with other commissioners acting as representatives upon commission approval.
- Approving commission reports to the Council but cannot alter content already approved by the full commission.
- Calling special meetings, either by the chair or a quorum of commissioners.
- Having voting rights and the ability to make or second motions.

Election Process: Nominations

During the first meeting in January, Board members are expected to follow the nomination process for chair and vice-chair as outlined below:

1. Nomination for Chair:

- The process begins with the nomination for chair. Any Board member may nominate another member or themselves for the role of chair. All

nominations will be documented by the PAB Secretary in the table provided in Attachment 2.

- A second to the nomination is required for it to proceed. If no second is made, the nomination will not move forward.

2. Nomination for Vice-Chair:

- After the chair nomination is complete, the nomination process for vice-chair will take place. As with the chair, any Board member may nominate someone for vice-chair, including themselves. All nominations will be documented by the PAB Secretary in the table provided in Attachment 2.
- A second to the nomination is required for it to proceed.

3. Discussion of Nominees:

- Following the completion of nominations, each nominee will be given up to two minutes to speak about their candidacy, explaining their qualifications and interest in the role.

4. Opportunity for Questions:

- Board members will have the opportunity to ask questions of the nominees to clarify their qualifications and positions.

5. Next Steps:

- Once the nominations and discussions are concluded, the election will take place during the second meeting of the month.

Attachments:

1. Section I “Elections” of the PAB’s Standing Rules
2. 2025 Nomination Tracking Table for PAB Chair and Vice-Chair

1. Section I “Elections” of the PAB’s Standing Rules

SECTION I. ELECTIONS

1. Elections shall be held during the second January meeting of each year. During the Board meeting preceding the election meeting, the nomination of the Chair will precede the nomination of the Vice-Chair, and the following nomination process will be followed for each office:
 - a) The presiding Chair declares the nomination process open.
 - b) A Board member nominates another Board member or themselves. A Board member must be present in order to be nominated and may decline the nomination.
 - c) The nomination is seconded (the nomination fails if there is no second).
2. At the second January meeting of the year, the following election process will be followed for each office:
 - a) Additional nominations shall occur in accordance with section I.1.
 - b) Each nominee is allowed two (2) minutes to express their reason for seeking the position. A nominee may decline this opportunity.
 - c) Board members pose questions to each candidate.
 - d) The presiding Chair calls for a roll vote and then announces the winner, except in the following circumstances:
 - i. If there is only one nominee for a position, the presiding Chair may seek or move a vote by acclamation.
 - ii. If a tie occurs among nominees, the presiding Chair will conduct a second round of voting, including any additional nominations.
 - iii. If a clear winner is still not identified after a second round of voting, the presiding Chair will conduct a coin toss to break the tie and determine a winner. The Board secretary will assign "heads" and "tails."
3. The Board secretary will record the maker and the second of the nomination motion as well as the total votes and results per office.
4. The outgoing Chair and Vice-Chair will be given the opportunity to make 2-minute departing statements after the election process takes place. The newly-elected Chair and Vice-Chair will assume their positions at the end of the meeting.

2. 2025 Nomination Tracking Table for PAB Chair and Vice-Chair

CHAIR NOMINEES OF THE POLICE ACCOUNTABILITY BOARD

NOMINEE	NOMINATED BY	NOMINATION SECONDED BY

VICE-CHAIR NOMINEES OF THE POLICE ACCOUNTABILITY BOARD

NOMINEE	NOMINATED BY	NOMINATION SECONDED BY

These nominations are certified by:

Hansel A. Aguilar
Director of Police Accountability
Secretary, Police Accountability Board

Date: _____

Item 10.b.

ODPA Memo Titled “Amendment of Section K “Mutual Aid Agreements”
of the PAB’s Standing Rules”



MEMORANDUM

Date: January 17, 2024
To: Honorable Members of the Police Accountability Board (PAB)
From: Hansel Aguilar, Director of Police Accountability (DPA)
Jose Murillo, ODPa Policy Analyst *JM*
Subject: Amendment of Section K "Mutual Aid Agreements" of the PAB's Standing Rules

This memorandum outlines the process for amending the PAB's standing rules, specifically Section K, "Mutual Aid Agreements,"¹ and provides proposed language based on the Board's discussion during the January 8, 2025, regular meeting².

Background

During its January 8, 2025, meeting, the Police Accountability Board (PAB) discussed amending Section K of its Standing Rules as part of item F, "Discussion and action on establishing a Mutual Aid Agreement Subcommittee, as required by Section K 'Mutual Aid Agreements,' of the PAB's Standing Rules³. The proposed amendment seeks to extend this duty to the full Board, allowing them to review the compendium of agreements made between the Berkeley Police Department (BPD) and other law enforcement entities as a whole, rather than solely through a subcommittee.

Amendment Procedure

According to Section B of the Standing Rules, any amendments or revisions must be approved by a majority vote of the Board, provided they do not conflict with the enabling Charter amendment (Measure II)⁴ or the Commissioners' Manual⁵.

¹ PAB Standing Rules Section K: https://berkeleyca.gov/sites/default/files/2022-02/PoliceAccountabilityBoard_StandingRules.pdf#Page=6

² PAB January 8, 2025 Meeting Recording (Relevant Conversation at 1:44:00 – 1:53:00): https://youtu.be/56WiTDQB_jo?si=Qm9xZytN0UqQhEiG&t=6292

³ PAB January 8, 2025 Draft Minutes: <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-minutes/2025-01-08%20Regular%20MeetingMinutes.JM%20Reviewed.pdf>

⁴ Berkeley City Charter Section 125: <https://berkeley.municipal.codes/Charter/125>

⁵ Berkeley Commissioner's Manual: <https://berkeleyca.gov/sites/default/files/2022-03/Commissioners-Manual.pdf>

Recommendation

The PAB should approve the proposed amendment to Section K “Mutual Aid Agreements” of the PAB’s Standing Rules.

Attachment 1
Proposed Amendment to Section K. “Mutual Aid Agreements”

Section K. “Mutual Aid Agreements”

The Board shall, no later than the first meeting in February of each year, decide whether to constitute a mutual aid subcommittee or review as a whole no later than the first meeting in February of each year to review the compendium of agreements made between the BPD and other law enforcement entities. The Board or the subcommittee may determine which agreements to review.

Item 10.c.

[Material from 1/8/2025 PAB Regular Meeting] – ODPA Memorandum
Titled “PAB Review of Berkeley Police Department (BPD) Mutual Aid
Agreements”



MEMORANDUM

Date: January 3, 2024
To: Honorable Members of the Police Accountability Board (PAB)
From: Hansel Aguilar, Director of Police Accountability (DPA) *Ha*
Jose Murillo, Policy Analyst *JM*
Subject: PAB Review of Berkeley Police Department (BPD) Mutual Aid Agreements

This memorandum outlines the process for reviewing the BPD's mutual aid agreements with other jurisdictions, as stipulated in Section K "Mutual Aid Agreements" of the PAB's Standing Rules.

Background:

Berkeley City Charter Section 125(3)(a)(2)¹ assigns the Police Accountability Board (PAB) the responsibility to:

Review and recommend for City Council approval all agreements, letters, memoranda of understanding, or policies outlining the terms and conditions of mutual aid, information sharing, cooperation, and assistance between the Berkeley Police Department and other local, state, or federal law enforcement, intelligence, and military agencies, as well as private security organizations.

To exercise its charter-granted power, the PAB incorporated Section K: "Mutual Aid Agreements" into its standing rules², establishing an annual review process for the Berkeley Police Department's (BPD) mutual aid agreements. See Attachment 1, Section K "Mutual Aid Agreements" of the PAB's Standing Rules.

Section K establishes that the PAB will form a mutual aid subcommittee by its first February meeting each year. This subcommittee, or the Board itself, will review the list of agreements between the BPD and other law enforcement entities and decide which agreements to examine further. At the time of writing this report, the BPD has its mutual

¹ Berkeley City Charter Section 125(3)(a)(2): [https://berkeley.municipal.codes/Charter/125\(3\)\(a\)\(3\)](https://berkeley.municipal.codes/Charter/125(3)(a)(3)) :

² Police Accountability Board's Standing Rules: https://berkeleyca.gov/sites/default/files/2022-02/PoliceAccountabilityBoard_StandingRules.pdf#Page=6

aid agreements under Chapter 14 “MOUs, Manuals and Reference” of its Law Enforcement Manual³.

Recommendation:

The PAB's standing rules require the formation of a mutual aid subcommittee by the first meeting in February each year to review the compendium of agreements between BPD and other law enforcement agencies. The Board should move forward with establishing this subcommittee for the review. The Charter grants the PAB under its powers and duties the authority to review these mutual aid agreements. The PAB should decide whether to include this review in its work plan. If it does, the subcommittee should evaluate the agreements and recommend which ones should be prioritized for review, given the number of agreements.

Attachment(s):

1. Section K “Mutual Aid Agreements” of the PAB’s Standing Rules

³ BPD Law Enforcement Manual Chapter 14:
https://berkeleyca.gov/sites/default/files/documents/RELEASE_20240301_T161429_Berkeley%20PD%20Policy%20Manual.pdf#Page=993

Attachment 1, Section K “Mutual Aid Agreements” of the PAB’s Standing Rules

Section K. "Mutual Aid Agreements"

The Board shall constitute a mutual aid subcommittee no later than the first meeting in February of each year to review the compendium of agreements made between the BPD and other law enforcement entities. The Board or the subcommittee may determine which agreements to review.

Item 10.d.

ODPA Policy Review Status Report



POLICY REVIEW STATUS REPORT

Guiding Authority

Section 125(3)(a)(1) and Section 125(17)(a) of the Berkeley City Charter¹

Case Load Overview

As of January 17, 2025, the Police Accountability Board (PAB) has 14 open policy reviews, with an average duration of 472 days. No new policy reviews have been submitted since the last PAB regular meeting on January 8, 2025.

Policy Review Number	2487
Policy Topic	Involuntary Injections/Medical Care
Relevant Policy	BPD 431 "Medical Aid and Response"
Status	Records Obtained; Review In progress.
Date Presented to the PAB	1/12/2022
Days Open	1101
Assigned To	ODPA
Summary	
A personnel complaint alleging improper force by officers, resulting in minor injuries, led to a policy review initiated by the PAB at ODPA's request. Body-worn camera footage suggested an officer directed paramedics to inject a substance into the complainant.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2488
Policy Topic	Standards of Use of Force During an Arrest
Relevant Policy	BPD Policy 300 "Use of Force"

¹ Berkeley City Charter: <https://berkeley.municipal.codes/Charter/125>

Status	Records Obtained; Review In progress
Date Presented to the PAB	1/31/2024
Days Open	717
Assigned To	ODPA
Summary	
The policy review began with a personnel complaint alleging excessive force by BPD during an arrest. Policy review initiated to further verify and specify the use of force incident.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	17
Policy Topic	Use of Force During a Mental Health Response
Relevant Policy	BPD Policy 300 "Use of Force" BPD Policy 409 "Crisis Intervention"
Status	Records Obtained; Review In progress
Date Presented to the PAB	7/27/2022
Days Open	905
Assigned To	ODPA
Summary	
This policy review was PAB initiated after public reporting of an individual's death at Alta Bates Summit Medical Center. Berkeleyside reported that BPD stated the DA's office found no force was used and did not classify it as an in-custody death. ²	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	19
Policy Topic	Detention of Inebriated Individuals
Relevant Policy	BPD Policy 900 "Temporary Custody of Adults"
Status	Records Obtained; Review In Progress
Date Presented to the PAB	1/31/2023
Days Open	717
Assigned To	ODPA
Summary	
On January 8, 2022, Berkeley Police responded to a call about an intoxicated individual, aiding but ultimately releasing them without a medical evaluation due to a rash. He was later found in distress and pronounced dead, the incident prompted the Police Accountability Board to convert their investigation into a review of BPD's policies on medical treatment for arrestees and the release of intoxicated individuals.	
Activity Report	

² Article: <https://www.berkeleyside.org/2022/01/13/berkeley-police-review-death-inebriated-man-released-from-custody>

Future reports will include updates on activities conducted between PAB meetings for the respective review.

Policy Review Number	2023-PR-0003
Policy Topic	Dispatch Operations & Responses to Property Crime
Relevant Policy	BPD Policy 309 "Officer Response to Calls" BPD Policy 801 "The Communication Center"
Status	Review In Progress
Date Presented to the PAB	1/21/2023
Days Open	727
Assigned To	PAB – Assigned to Board Member Wilson
Summary	
The complainant expressed concerns about Dispatch's response to a property crime, including poor communication and unclear call prioritization. They also questioned the BPD's response policy for property crimes in progress and were dissatisfied with the minimal assistance received after the incident. Additionally, the complainant was unable to obtain dispatcher call transcripts through a public records request because they were exempt from disclosure without a subpoena.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2023-PR-0006
Policy Topic	Parking Enforcement Practices
Relevant Policy	BPD Policy 500 "Traffic Function and Responsibility" BPD Policy 502 "Vehicle Towing and Release" BPD Policy 507 "72-Hour Parking Violations"
Status	Review In Progress
Date Presented to the PAB	10/11/2023
Days Open	464
Assigned To	PAB – Assigned to Board Member Moore
Summary	
The complainant raised concerns about the Berkeley Police Department's inconsistent parking enforcement, specifically the failure to issue tickets to out-of-state vehicles. They allege that officers dismiss issuing citations for such vehicles due to difficulty in collecting fines, particularly during the UC Berkeley academic year, causing neighborhood inconveniences.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2023-PR-0007 ³
Policy Topic	Restraining Orders & Interactions with the Elderly
Relevant Policy	BPD Policy 313 "Senior and Disability Victimization" BPD Policy 430 "Civil Disputes"
Status	Record Obtained; Review In Progress
Date Presented to the PAB	7/24/2024
Days Open	177
Assigned To	ODPA
Summary	
The complainant reports ongoing disturbances, harassment, and restraining order violations by a neighbor's caretaker, raising concerns about enforcement by the Berkeley Police Department. This policy review will examine BPD's handling of interactions with elder adults and its practices regarding restraining orders, as the complainant indicates possible misunderstandings of order terms. Despite multiple encounters and existing orders, the complainant reports continued issues with enforcement.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2023-PR-0008
Policy Topic	Off-Duty Conduct
Relevant Policy	BPD Policy 321 "Standard of Conduct" BPD Policy 401 "Fair and Impartial Policing" BPD Policy 344 "Off-Duty Law Enforcement Actions"
Status	Review in Progress; Assigned to Lexipol Subcommittee
Date Presented to the PAB	10/11/2023
Days Open	464
Assigned To	PAB – Lexipol Subcommittee
Summary	
The complainant expresses concerns about off-duty police officers exhibiting harmful behavior and recommends improving the Police Accountability Board's oversight of off-duty conduct, including anti-racist hiring practices, stronger discipline measures, and increased transparency on racial profiling. They highlighted relevant policies and noted that the PAB is considering a subcommittee dedicated to off-duty law enforcement actions.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

³ On December 11, 2024, the PAB voted to divide this review in two parts. The first looking at the issue of restraining orders and the second into BPD's interactions with the elderly. The PAB was presented with part one on January 8, 2025.

Policy Review Number	2023-PR-0009
Policy Topic	Use of Force – Handcuffing
Relevant Policy	BPD Policy 300 “Use of Force”
Status	Review In Progress
Date Presented to the PAB	1/5/2024
Days Open	378
Assigned To	ODPA
Summary	
This policy complaint concerns an incident on October 7, 2023, at University Avenue and California Street, where a BPD officer stopped, handcuffed, interrogated, and then released a cyclist.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2024-PR-0003
Policy Topic	Computer Voice Stress Analyzers (CVSA)
Relevant Policy	BPD Policy 807 “Computer Voice Stress Examinations”
Status	Review In Progress
Date Presented to the PAB	5/22/2024
Days Open	240
Assigned To	PAB – Assigned to Board Member Moore
Summary	
The policy review examines the Berkeley Police Department's use of CVSA and evaluates the effectiveness of this technology.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2024-PR-0004
Policy Topic	Artificial Intelligence (AI) Assisted Report Writing
Relevant Policy	BPD Policy 323 “Report Preparation”
Status	Review In Progress
Date Presented to the PAB	6/5/2024
Days Open	226
Assigned To	ODPA
Summary	
This review aims to assess the feasibility of AI-assisted report writing and identify potential benefits and concerns associated with its use by law enforcement.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2024-PR-0005
Policy Topic	BPD Relationship with Downtown Berkeley Ambassadors
Relevant Policy	BPD Policy 300 "Use of Force" BPD Policy 425 "Body Worn Cameras"
Status	Pending Acceptance; Review In Progress
Date Presented to the PAB	10/30/2024
Days Open	79
Assigned To	ODPA
Summary	
The complaint alleges BPD failed to report improper force, destroyed evidence, and allowed a citizen to use a chokehold, raising concerns about the practice of "deputizing citizens." The complainant requests an investigation, disciplinary action, policy review, public transparency, and restitution.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2024-PR-0006
Policy Topic	BPD's Use of the Specialized Care Unit
Relevant Policy	BPD Policy 409 "Crisis Intervention" BPD Policy 410 "Mental Illness Commitments"
Status	Received; Review In Progress
Date Presented to the PAB	11/13/2024
Days Open	65
Assigned To	ODPA
Summary	
The complaint details an October 5, 2024, incident where a young woman in a mental health crisis was handcuffed after a domestic violence report. The complainant expressed concern over her distress and the absence of a mental health response, with officers allegedly stating they lacked time for such resources.	
Activity Report	
<i>Future reports will include updates on activities conducted between PAB meetings for the respective review.</i>	

Policy Review Number	2024-PR-0008
Policy Topic	Records Retention
Relevant Policy	BPD Policy 804 "Record Maintenance and Release"
Status	Received; Review in Progress
Date Presented to the PAB	1/8/2025
Days Open	9
Assigned To	ODPA
Summary	

The ODPa received a complaint regarding BPD's inability to provide past officer rosters in response to a PRA request, as the records are no longer maintained. The complainant recommended that BPD adopt a policy to retain and provide such rosters upon request.

Activity Report

Future reports will include updates on activities conducted between PAB meetings for the respective review.

Item 10.e.

Reference Materials – 2024 PAB Strategic Planning Session Debrief
Memorandum & Meeting Minutes



MEMORANDUM

To: Honorable Members of the Police Accountability Board (PAB)

From: Hansel Aguilar, Director of Police Accountability *HA*
Jose Murillo, Program Analyst *JM*

Date: 03/08/24

Subject: Recap of the PAB's 2024 Strategic Planning Session

This memorandum aims to offer the Police Accountability Board (PAB) a summary of their strategic planning retreat held on March 2, 2024.

Summary

On March 2, 2024, the Police Accountability Board (hereinafter referred to as the "PAB" or "Board") convened a strategic planning session under the guidance of Brian Corr, a consultant from Cambridge Consulting and the Former President of NACOLE. Director Aguilar and Program Analyst Murillo, representing the Office of the Director of Police Accountability (ODPA), were present.

During the retreat, the Board discussed various strategic goals and priorities. These included:

- Enhancing community outreach and engagement.
- Formalizing procedures for policy and report evaluation.
- Addressing the future of policing and oversight in Berkeley.

There was a strong emphasis on the need to develop a stronger operational infrastructure to streamline the work of the PAB and the departments that support it.

Recognizing the importance of prioritization and efficiency, the Board explored methods to streamline operations for maximum effectiveness. This included considering the formation of subcommittees to handle specific tasks such as policy review and

operational improvements. Additionally, there were discussions about implementing clear guidelines and processes for policy review and decision-making.

As a result of their deliberations, the Board made the following motions:

1. Motion to establish a Policy Committee tasked with reviewing discretionary policies, including the Lexipol policies, and replacing the Lexipol subcommittee.
2. Motion to delegate the initial review of policies required by BMC 2.99, BMC 2.100, BPD Policy 300 "Use of Force", and BPD Policy 709.11 "Military Equipment" to the Office of the Director of Police Accountability, with any recommendations subject to the approval of the Board.
3. Motion to create an Operations & Processes Subcommittee focused on improving workflows and reviewing meeting structures.
4. Motion to establish an outreach and engagement subcommittee, which includes the commendations subcommittee.
5. Motion to expand the scope of the Budget Subcommittee to include the development of performance metrics.

These motions were passed unanimously and reflect the Board's commitment to enhancing accountability and effectiveness in its operations and engagement with the community.



POLICE ACCOUNTABILITY BOARD

SPECIAL MEETING AGENDA

Saturday, March 2nd, 2024
9:30 AM to 4:30 PM

Board Members

John Moore III (Chair)
Kitty Calavita
Brent Blackaby
Alexander Mozes

Leah Wilson (Vice-Chair)
Julie Leftwich
Joshua Cayetano

MEETING LOCATION

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

Meeting Recording: <https://youtu.be/nzYAD69rpoY>

MINUTES

1. CALL TO ORDER AND ROLL CALL (9:35 AM)

Present: Board Member Leah Wilson (Vice-Chair)
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Brent Blackaby
Board Member Joshua Cayetano¹
Board Member Alexander Mozes

Absent: Board Member John Moore (Chair).

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

Facilitator: Brian Corr,

¹ Board Member Cayetano arrived shortly after roll call.

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Leftwich/Calavita)

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

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

3. PUBLIC COMMENT (TBD)

0 Physically Present Speakers

0 Virtually Present Speakers

4. FULL-DAY RETREAT PROGRAMMING FACILITATED BY BRIAN CORR

The program is took place from 9:35 a.m. to 4:30 p.m.

Motion to establish a Policy Committee to review discretionary policy, including the Lexipol policies, and replace the Lexipol subcommittee.

Moved/Second (KC/LW) Motion carried.

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

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

Motion to delegate the initial review of policy required by BMC 2.99, BMC 2.100, BPD Policy 300 “Use of Force”, and BPD Policy 709.11 “Military Equipment” to the Office of the Director of Police Accountability, with any recommendations subject to the approval of the Board Moved/Second (JC/KC) Motion carried.

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

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

Motion to create an Operations & Processes Subcommittee focused on improving workflows and reviewing meeting structures

Moved/Second (AM/LW) Motion carried.

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

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

Motion to host a PAB/ODPA townhall (date TBD) to present the PAB/ODPA Annual Report and upcoming FIP & DTF Reports

Moved/Second (JC/AM) Motion carried.

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

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

Motion to establish an outreach and engagement subcommittee which incorporates the commendations subcommittee

Moved/Second (BB/JC) Motion carried.

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

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

Motion to expand the scope of the Budget Subcommittee to include the development of performance metrics.

Moved/Second (BB/LW) Motion carried.

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

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

5. PUBLIC COMMENT (TBD)

0 Physically Present Speakers

0 Virtually Present Speakers

6. ADJOURNMENT (1 MINUTE)

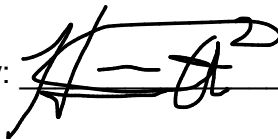
Motion to adjourn.

Moved/Second (Wilson/Blackaby)

The meeting was adjourned at 4:35 PM by unanimous consent.

Minutes Approved on: March 13, 2024

Hansel Aguilar, Commission Secretary:





POLICE ACCOUNTABILITY BOARD

2024 PAB STRATEGIC PLANNING SESSION RETREAT AGENDA

Saturday, March 2nd, 2024

9:30 AM to 4:30 PM

MEETING LOCATION

North Berkeley Senior Center

1901 Hearst Avenue

Berkeley, CA 94709

[\(Click here for Directions\)](#)

Facilitator:

Brian Corr

Cambridge Consulting Services Group

Past President of NACOLE

AGENDA

- | | |
|-----------------|--|
| 9:30 AM | WELCOME, INTRODUCTION AND GOALS FOR THE DAY |
| 9:45 AM | PAB CHALLENGES AND OPPORTUNITIES <ul style="list-style-type: none">• What are our strengths?• What are our challenges? |
| 10:15 AM | PAB AND ODPA: RESPECTIVE ROLES AND RESPONSIBILITIES <ul style="list-style-type: none">• What acts are required by each under the Charter Amendment?• What acts are permitted by each under the Charter Amendment?• Where is there overlap and what needs to be clarified? |
| 11:00 AM | PERFORMANCE METRICS <ul style="list-style-type: none">• What does an effective PAB look like within existing confines?• How can we measure our performance? When should that be done? |
| 11:45 AM | BREAK |

Public

12:00 PM	WORKING LUNCH AND TRAINING SESSION: THE HISTORY OF POLICE OVERSIGHT
12:45 PM	EXTENDED BREAK
1:15 PM	LOOKING AHEAD AND THINKING STRATEGICALLY: PAB'S 2024 GOALS • Possible discussion topics ➤ Serving the Community: Increased Outreach, Education and Engagement ➤ Working effectively with the Police Department, Police Union, City Attorney's Office and City Council ➤ Legislative advocacy ➤ Others?
2:30 PM	BREAK
2:45 PM	NEXT STEPS • How will we get from Point A to Point B? • What specific steps will we take to meet our goals? • Timeline
4:15 PM	WRAP UP
4:30 PM	ADJOURNMENT

Legislative Updates



MEMORANDUM

Date: January 17, 2025
To: Honorable Members of the Police Accountability Board (PAB)
From: Hansel Aguilar, Director of Police Accountability (DPA)
 Jose Murillo, ODPa Policy Analyst *JM*
Subject: Legislative Updates

The purpose of this memorandum is to provide a legislative update to the PAB, enabling them to stay informed about changes in local, state, and federal law.

State Legislative Updates¹

The California Legislature reconvened its regular session on January 6, 2025. The bill introduction deadline is February 21, 2025. The following bills have been introduced for the upcoming legislative cycle:

Bill Title	Assembly Member	Introduced On
AB 15 "State government: immigration enforcement"	Gipson	12/2/2024
Description		
The California Values Act limits law enforcement and CDCR from sharing release dates or assisting immigration authorities, especially for individuals eligible for youth offender, elderly, or medical parole releases.		

Bill Title	Assembly Member	Introduced On
AB 18 "California Secure Borders Act of 2025"	DeMaio	12/2/2024
Description		

¹ <https://post.ca.gov/Status-of-Current-Legislation>

The California Secure Borders Act of 2025 aims to repeal laws restricting law enforcement from sharing release dates or transferring individuals to immigration authorities without a warrant. It seeks to combat illegal immigration by prohibiting state funds for services to undocumented immigrants, mandating public reporting on immigration's impact, training local law enforcement to assist federal border efforts, and establishing guidelines for deploying the State Guard to the border.

Bill Title	Assembly Member	Introduced On
AB 68 "School safety: armed school resource officers"	Essayli	12/5/2024
Description		
The bill mandates school districts and charter schools to have at least one armed school resource officer on campus during school hours and when students are present, phased in by grade spans. This requirement constitutes a state-mandated local program.		

Bill Title	Assembly Member	Introduced On
AB 85 "Law enforcement: cooperation with immigration authorities"	Essayli	12/5/2024
Description		
The bill requires law enforcement to cooperate with immigration authorities by detaining, transferring individuals, and providing release information if the person has been convicted of a felony, replacing current limits that allow such actions only for specified serious or violent crimes.		

Other State Resources

The following resources are of interest to the PAB related to changes in state law:

- [California District Attorneys Association's Guide to Proposition 36: The Homelessness, Drug Addiction & Theft Reduction Act](#)
- [California Legislative & Legal Digest 2025 Laws](#)

Lexipol Policy Updates

There have been no additional updates to Lexipol policies since the PAB's meeting on January 8, 2025.

City of Berkeley Council Meeting Updates

The following items are being considered by the City Council and their respective committees.

January 21, 2024 Regular Meeting

- **Item 16.-Contract - Benchmark Analytics for Early Intervention System Platform** (Consent)

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Benchmark Analytics (Contractor) to provide a cloud-based Early Intervention System (EIS) platform from February 3, 2025 to February 3, 2027, in an amount not to exceed \$200,000 with an option to extend for two additional years, for a total contract amount not to exceed \$400,000.

Financial Implications: See report

Contact: Jennifer Louis, Police, (510) 981-5900

- **Item 27.-Reaffirming Berkeley as a Sanctuary City** (Action)

From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor), Councilmember Taplin (Co-Sponsor)

Recommendation: Adopt a Resolution reaffirming Berkeley as a Sanctuary City and asking the City Clerk to send a copy to each City Department Director, requesting they inform their staff of the City's Sanctuary City standing and the City's policies and procedures regarding staff interaction with U.S. Immigration & Customs Enforcement (ICE) related to enforcement of federal immigration law. Additionally, refer to the City Attorney to explore the possibility of pledging the City's legal support to help "sensitive sites" defend themselves against civil litigation.

Additionally, the Mayor will create a taskforce of Councilmembers, Community Based Organizations (CBOs), immigration and civil rights organizations, faith leaders, legal experts, school and university officials, and community activists to continually assess threats to Berkeley's immigrant communities and participate in the process of codifying Berkeley's Sanctuary protections through a city ordinance.

Financial Implications: See report

Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160

- **Item 29.-Audit Follow-up Status Update** (Informational Report)

From: Auditor

Contact: Jenny Wong, Auditor, (510) 981-6750