



Joshua Cayetano | Chair
Police Accountability Board
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March 17, 2026

VIA ELECTRONIC MAIL [Email]

Hon. Members of the Public Safety Policy Committee
PolicyCommittee@berkeleyca.gov
2180 Milvia Street
Berkeley, California 94704

**Re: PAB Response to the Proposed Resolution Rescinding Resolution No. 51,408-N.S.
Restricting the Use of Air Support and Canine Units and Updating Mutual Aid
Policies**

Honorable Chair Blackaby and Members of the Public Safety Policy Committee:

On behalf of the Police Accountability Board (PAB), I would like to first express our appreciation to the Public Safety Policy Committee (PSPC) for granting the PAB additional time to review this item. The PAB met on March 11, 2026, to discuss the proposal, directing its review to two key questions:

1. Whether the PAB supports, opposes, or declines to comment on replacing the requirement for City Manager (or Chief of Police) approval of helicopter or canine (K9) use with an after-action notification to the City Manager.
2. Whether the PAB supports, opposes, or declines to comment on the proposed expansion and revision of the list of permissible uses for helicopters.

City Manager Approval vs. After-Action Notification for Helicopter and K9 Use

After reviewing the proposal to remove City Manager (or, in the City Manager's absence, Chief of Police) approval for both helicopters and K9 deployments, the PAB does not support this change. The PAB's position is based on the following considerations:

- **Lack of Demonstrated Need:** The PAB believes that no evidence has been presented showing that the current process imposes an undue burden on the Berkeley Police Department (BPD) that would warrant such a change in approval procedures. The PAB understands that requests for helicopter support occur approximately 4–5 times per year,

while canine units are requested about 8–10 times annually, most often for search operations, which does not indicate a frequency that would necessitate modifying the existing approval framework.

- **Preservation of Oversight:** The existing approval requirement provides an important oversight safeguard prior to the deployment of specialized policing resources. Replacing that requirement with an after-action notification reduces that oversight.
- **General Concern About Reduced Oversight:** The PAB notes a pattern of expanding police tools and/or authorities without sufficient justification or oversight.

Expansion of Permissible Uses for Helicopters

The PAB does not support the proposed expansion and revision of the list of permissible uses for helicopters. The PAB’s position is based on the following considerations:

- **Lack of Demonstrated Need:** The proposal did not include supporting data, operational analysis, or documented incidents demonstrating a need to broaden the circumstances under which helicopters may be deployed.
- **Relationship with Proposed Drone Technology:** The City is currently considering a proposal regarding the use of police drone technology. While the PAB acknowledges that drones would not be capable of performing all functions that a helicopter can provide, some of the expanded uses contemplated for helicopters appear to overlap with operations described in the drone proposal.
- **Need for Clear Policy Rationale:** Any expansion of permissible helicopter use should be supported by a clearly articulated operational rationale and relevant data regarding current deployment practices to ensure that these resources are used only when necessary and in a manner consistent with the City’s objectives.

Conclusion

For the reasons outlined above, the PAB respectfully opposes the proposed rescission of City Manager approval for helicopter and K9 deployments, as well as the proposed expansion of permissible helicopter uses. The Board emphasizes the importance of maintaining appropriate oversight and requiring a clearly demonstrated operational need for changes to these longstanding policies. The PAB appreciates the opportunity to provide its input and looks forward to continuing to work with all stakeholders to ensure that policies governing specialized police resources remain effective, accountable, and transparent.

Respectfully submitted,


Joshua Cayetano, Chair

Police Accountability Board

Cc: Paul Buddenhagen, City Manager
David White, Deputy City Manager
Jennifer Louis, Chief of Police
Jen Tate, Deputy Chief of Police
Jose Murillo, Acting Director of Police Accountability