



CITY OF BERKELEY
OFFICE OF THE DIRECTOR OF POLICE ACCOUNTABILITY
— & —
POLICE ACCOUNTABILITY BOARD

— **2025** —
ANNUAL REPORT

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MESSAGE FROM THE CHAIR OF THE POLICE ACCOUNTABILITY BOARD

To the City and Community of Berkeley,

On behalf of the Police Accountability Board, I am honored to contribute to the 2025 Annual Report. This year tested the Board and the Office of the Director of Police Accountability in new ways, even as we deepened our commitment to the system of independent civilian oversight that the voters of Berkeley envisioned when they created these institutions in 2020.

As a volunteer body appointed to represent the public, the Board approaches its work with humility and an unwavering belief in the power of democratic accountability. Whatever the challenges we face, we remain guided by the Charter's intent to ensure that public safety in Berkeley reflects transparency, fairness, and our shared values.

In 2025, community engagement remained central to our work. Board members and ODPa staff took part in community visioning sessions, Juneteenth and Hispanic Heritage Month events, discussions on sanctuary city policies, and public demonstrations of emerging safety technologies. We also began a new partnership with UC Berkeley's Social Sector Solutions program to help us build a longer-term community engagement strategy, and continued strengthening our relationships with NACOLE and UC Berkeley Law's Criminal Law and Justice Center.

Our work was not without difficulty. The City's hiring freeze left key ODPa investigative and administrative positions vacant for much of the year, straining an already lean office. The Board itself operated with as few as five of nine seats filled at times. We also encountered real limits on our ability to advise the Council and public on key issues before a final decision.

Even amid these constraints, the Board continued to evaluate allegations of misconduct, issue findings and recommendations, and monitor trends in investigative outcomes. Beyond individual complaints, the Board reviewed a wide range of policies and emerging technologies affecting policing in Berkeley, including surveillance cameras and drones, military equipment reporting, mutual aid agreements, and vehicle pursuits. We also made significant progress on our longest-running institutional priority: the development of permanent regulations governing misconduct investigations and oversight procedures.

As Chair, I want to extend my appreciation to my fellow Board members, past and present, for their dedication, especially through a year of reduced capacity; to the ODPa staff for their expertise, resilience, and partnership; and most importantly, to the Berkeley community for continuing to hold this system accountable. Oversight is not easy work,

but it is essential, and with your continued engagement, we will keep moving forward together.

In partnership,

A handwritten signature in black ink that reads "Joshua Cayetano". The signature is written in a cursive, flowing style.

Josh Cayetano,
Chair of the Police Accountability Board

EXECUTIVE SUMMARY

The Police Accountability Board (PAB) and Office of the Director of Police Accountability (ODPA) continued to advance Berkeley's commitment to transparent, independent, and community-centered police oversight throughout 2025. Guided by the authority established in the Berkeley City Charter, the PAB and ODPA worked to investigate allegations of police misconduct, review policies and practices affecting public safety, evaluate trends in police activity, and promote accountability through civilian oversight and public engagement.

During 2025, the ODPA received 43 complaints submitted by 27 unique complainants. While the total number of complaints declined compared to the previous year, the increase in unique complainants suggests that concerns regarding police conduct were raised by a broader cross-section of the community. The PAB continued to evaluate allegations of misconduct, issue findings and recommendations, and provide an independent layer of oversight within Berkeley's police accountability framework. In addition to complaint investigations, the Board maintained its responsibility to review investigative outcomes, monitor trends, and assess areas where policy, training, or operational improvements may be warranted.

The Board's work extended well beyond individual complaint investigations. Throughout the year, the PAB reviewed a wide range of policies, technologies, and emerging public safety issues affecting policing in Berkeley. These efforts included the review of surveillance technologies, controlled equipment reporting, mutual aid agreements, vehicle pursuit policies, public transparency issues, and developments in emerging technologies such as artificial intelligence-assisted report writing systems and unmanned aircraft systems. The Board also continued its long-term effort to advance permanent regulations governing misconduct investigations and oversight procedures, an initiative that remained a central priority throughout the year.

The PAB's review of police operations was informed by extensive analysis of Berkeley Police Department stop data, use of force data, and other enforcement activities. The Board and ODPA continued to examine trends, patterns, and disparities within available data while emphasizing the importance of contextualized, evidence-based analysis. These reviews sought to provide policymakers and the public with meaningful information regarding police activity, accountability outcomes, and public safety practices, while acknowledging the limitations inherent in administrative datasets.

Community engagement remained a core component of the Board's work. Board members and ODPA staff participated in community events, public meetings, outreach initiatives, and discussions involving topics such as police accountability, sanctuary city

policies, public safety technologies, and community trust. The Board also expanded partnerships with academic institutions, community organizations, and professional oversight organizations to strengthen public engagement and incorporate best practices into its work. A notable accomplishment was the establishment of a partnership with UC Berkeley's Social Sector Solutions program to evaluate existing outreach efforts and develop recommendations for a long-term community engagement strategy.

Despite these accomplishments, the Board and ODPA faced significant challenges during 2025. The City's hiring freeze resulted in prolonged vacancies within the ODPA, including key investigative and administrative positions. These staffing limitations reduced organizational capacity and required existing staff to assume additional responsibilities to maintain core operations. Resource constraints affected the pace of investigations, policy reviews, community engagement efforts, and long-term projects, while also requiring difficult operational decisions regarding work prioritization and administrative case closures. The Board also encountered challenges associated with obtaining records, coordinating reviews of rapidly evolving public safety initiatives, and ensuring sufficient time to evaluate matters before decisions moved forward through other City processes.

Looking ahead, the PAB and ODPA enter 2026 with a continued commitment to strengthening Berkeley's police accountability system. Key priorities include finalizing and implementing permanent regulations governing complaint investigations, expanding public awareness and community engagement efforts, addressing operational challenges that affect oversight functions, and continuing policy reviews related to policing practices, emerging technologies, and accountability mechanisms. Through these efforts, the Board and ODPA will continue working to promote transparency, accountability, procedural fairness, and public trust while ensuring that policing in Berkeley remains subject to meaningful civilian oversight.

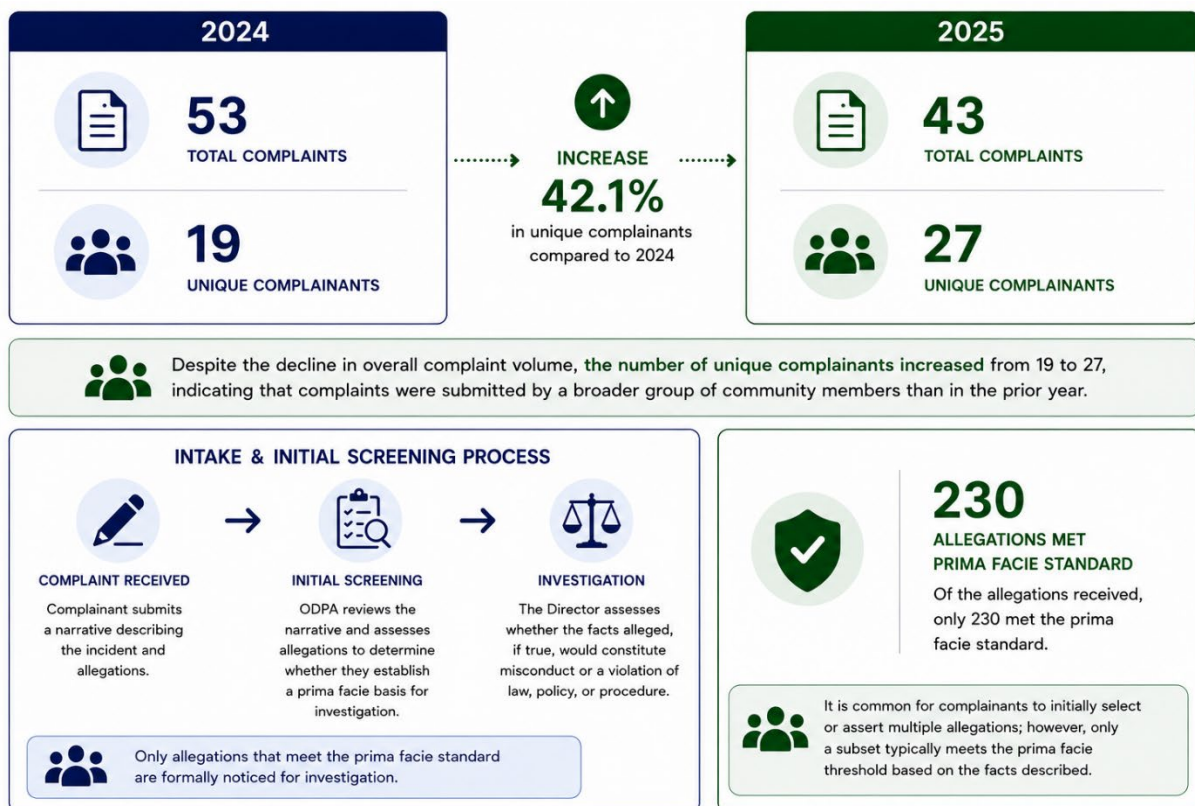
The activities described throughout this report reflect the ongoing effort to balance effective public safety services with transparency, accountability, and community confidence. Together, the PAB and ODPA remain committed to fulfilling their Charter responsibilities and supporting a police accountability system that is responsive to both community concerns and the evolving challenges facing public safety oversight.

ANALYSIS OF COMPLAINTS AND DISPOSITIONS

(Required by Charter Section 125(16)(B)(1)(i) - 125(16)(B)(1)(ii))

In 2025, ODPa received a total of 43 complaints, submitted by 27 unique complainants. This represents an 18.9% decrease in total complaints compared to 2024, during which 53 complaints were received. Despite the decline in overall complaint volume, the number of unique complainants increased from 19 to 27, indicating that complaints were submitted by a broader group of community members than in the prior year. Following intake, each complaint undergoes an initial screening process during which the complainant's allegations are reviewed to determine whether they establish a prima facie basis for investigation. In other words, the Director assesses whether the facts alleged, if true, would constitute misconduct or a violation of law, policy, or procedure. As such, the total of 378 allegations reported here reflect those that were received by the ODPa but not necessarily investigated. It is common for complainants to initially select or assert multiple allegations; however, only a subset typically meets the *prima facie* threshold based on the facts described. Of the 378 allegations received, only 230 met the *prima facie* standard.

Figure 1. Overview of Complaints Received in 2025



The most common of the 230 allegations asserted were Improper or Inadequate Investigation (55 allegations, 23.9%), Discourtesy (44 allegations, 19.1%), and both Discrimination and Improper Search (29 allegations each, 12.6%). Additional allegations involved Harassment, Improper Detention, and Improper Police Procedures, reflecting the broad range of concerns raised through the complaint process. Not all allegations proceed to investigation due to staff’s determination of whether prima facie misconduct has been alleged; however, the allegations show the nature of the concerns raised by complainants.

Figure 2. Distribution of Allegation Made in 2025

ALLEGATION CATEGORY	NUMBER OF ALLEGATIONS	PERCENTAGE OF TOTAL (230)
1. Improper or Inadequate Investigation	55	23.9%
2. Discourtesy	44	19.1%
3. Discrimination	29	12.6%
4. Improper Search	29	12.6%
5. Harassment	20	8.7%
6. Improper Detention	15	6.5%
7. Improper Police Procedures	14	6.1%
8. Other Allegations*	24	10.4%

*Other Allegations include categories with fewer than 14 allegations each, including Use of Force, False Arrest, Threats, and other misconduct-related allegations.

Totals may not sum to 100% due to rounding.

Cases investigated in 2025 included both newly received complaints and those carried over from the prior year for a total of 31 closed cases. Seven cases received in 2024 were closed during 2025, contributing to overall case resolution numbers. At the same time, 19 cases initiated in 2025 remained open at the close of the year, reflecting ongoing investigative work and standard processing timelines. As a result, annual closure figures reflect a combination of cases initiated in both the current and prior reporting periods, rather than aligning exactly with complaints received within the same calendar year.

INVESTIGATIVE OUTCOMES

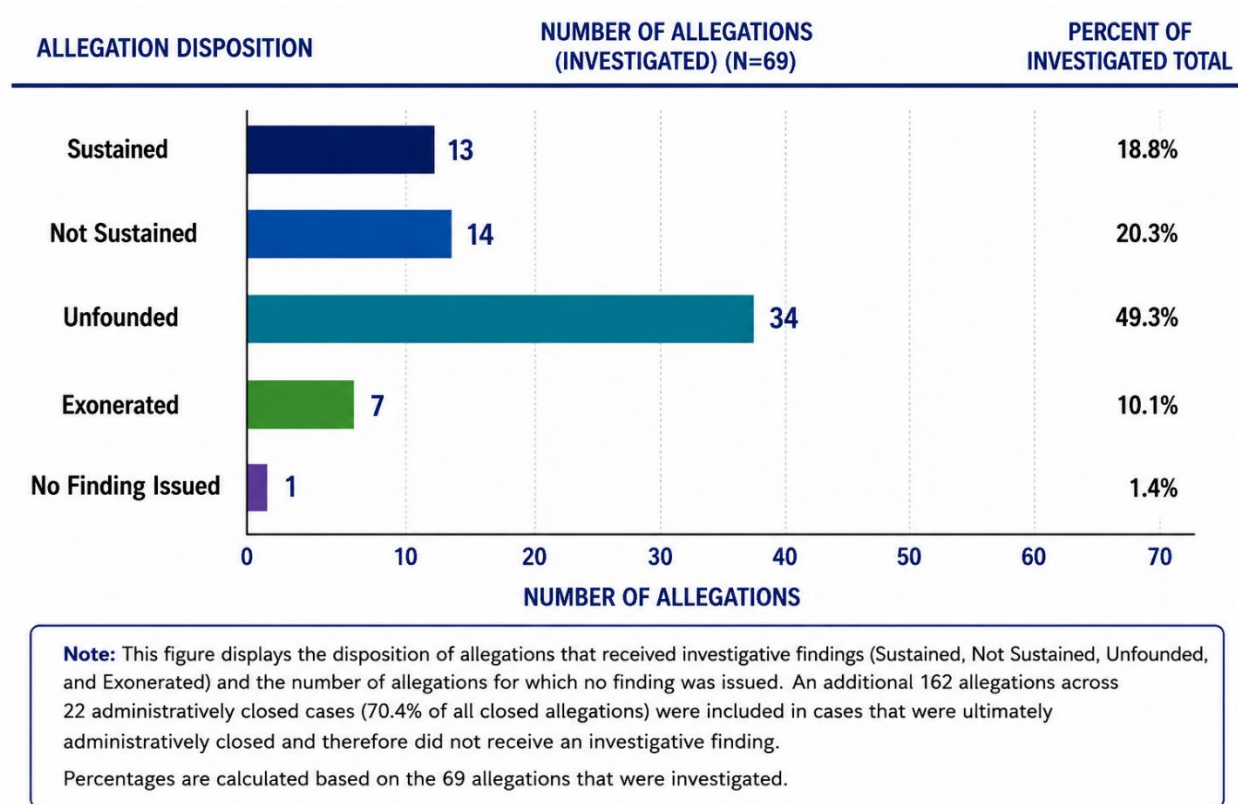
This section examines investigative outcomes of complaints closed during the reporting period.

Investigative findings reflect the outcome of the Board's review process. The following findings categories are used to classify the disposition of each allegation following investigation. A “sustained” finding indicates that the alleged conduct occurred and was not justified. A “not sustained” finding means that the available evidence was insufficient to prove or disprove the allegation. An “unfounded” finding indicates that the alleged

conduct did not occur. A finding of “exonerated” means that the conduct occurred but was lawful, justified, and within policy.

Of the 69 allegations investigated by the ODPa and presented to the PAB in 2025, 13 (18.8%) were sustained, 14 (20.3%) were not sustained, 34 (49.3%) were unfounded, and 7 (10.1%) were exonerated. The PAB also reviewed one allegation for which it determined that insufficient information was available to reach a dispositive finding. The remaining allegations handled in 2025 were administratively closed before an investigation was conducted.

Figure 3. Distribution of Investigative Findings, 2025



ADMINISTRATIVE CLOSURES

Administrative closures occur when a complaint is closed before investigative findings are made for procedural or jurisdictional reasons, such as the absence of a prima facie allegation of misconduct, withdrawal by the complainant, inability to contact or obtain cooperation from the complainant, mootness, or other circumstances that prevent further investigation.

ODPA staff presents each complaint it recommends for administrative closure to the PAB for approval. During the reporting period, the PAB administratively closed 22 cases filed by 13 unique complainants. One complainant was associated with 10 of the 22 administratively closed cases (45.5%), while the remaining 12 cases (54.5%) were submitted by 12 different complainants.















The overall share of cases resolved through administrative closure remained largely unchanged from the prior year. In 2024, 33 of 46 closed cases (71.7%) were administratively closed, compared to 22 of 31 closed cases (71.0%) in 2025. While the proportion of administratively closed cases was similar across both years, the underlying distribution differed considerably. In 2024, a single complainant accounted for 29 of the 33 administratively closed cases (87.9%), whereas in 2025 the largest single complainant accounted for 10 of 22 administratively closed cases (45.5%).

Administrative closures occurred for a variety of procedural, administrative, and case-specific reasons that prevented the complaints from proceeding through the full investigative process. The most common reason for administrative closure in 2025 was staffing constraints associated with the City's hiring freeze, which resulted in 8 cases (36.4%) being administratively closed. An additional 6 cases (27.3%) were administratively closed because the complaints did not allege prima facie misconduct or were determined to be frivolous or retaliatory.

In 3 cases (13.6%), the complainant could not be reached despite follow-up attempts by the ODP staff. Two cases (9.1%) were administratively closed after the complainant voluntarily withdrew from their complaint process.

Each of the remaining three administrative closures occurred for a unique reason. These included a complaint filed after the Charter's 180-day filing deadline, a complaint resolved through other means, and a complaint rendered moot following a Berkeley Police Department policy change that addressed the concern raised by the complainant.

Figure 4. Reasons for Administrative Closure of Complaints, 2025

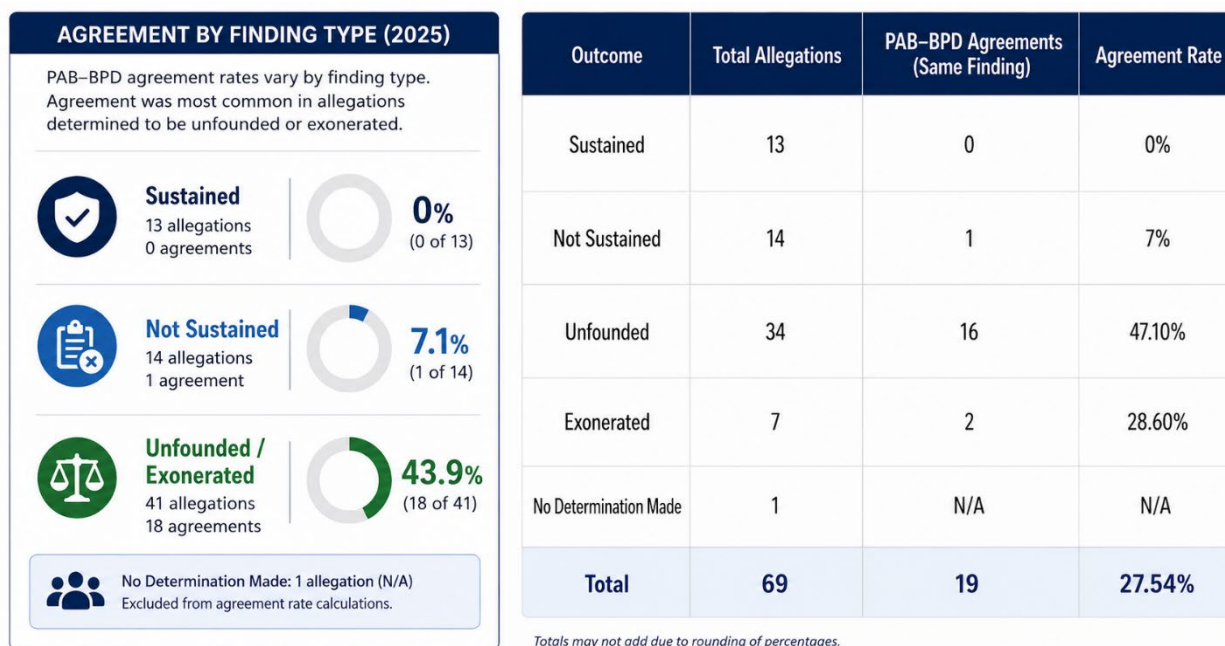
REASON FOR ADMINISTRATIVE CLOSURE		CASES	PERCENT
 Hiring Freeze / Staffing Constraints		8	36.4%
 Did Not Allege Prima Facie Misconduct or Was Frivolous/Retaliatory		6	27.3%
 Complainant Unreachable		3	13.6%
 Complaint Withdrawn		2	9.1%
 Filed After 180-Day Deadline		1	4.5%
 Resolved Through Other Means		1	4.5%
 BPD Policy Change		1	4.5%
TOTAL		22	100.0%

AGREEMENT RATE ANALYSIS

Agreement rates provide insight into the extent to which the PAB, Chief of Police, and City Manager reach similar conclusions regarding allegations of misconduct. After the PAB issues findings on a complaint, those findings are forwarded to the Chief of Police, who issues a tentative decision. When the Chief's findings on an allegation differ from those of the PAB, the Director may appeal the matter to the City Manager for a final determination. If no appeal is filed, the Chief's tentative findings become final. If an appeal is filed, the City Manager's determination is final.

In 2025, the PAB reviewed 69 allegations across nine complaints. The PAB and Chief reached the same conclusion on 19 allegations, resulting in an agreement rate of 27.5 percent. Unfounded was the most common shared disposition, accounting for 16 of the 19 agreements (84.2 percent).

Figure 5. PAB-Chief of Police Agreement Rates by Dispositions, 2025



Given the PAB's comprehensive review process, the absence of agreement on any sustained findings is notable. Before issuing sustained findings, the Board conducts a thorough, independent assessment of all available evidence, including investigative reports, complainant, officer, and witness interviews, body-worn camera footage, and studies applicable laws, policies, and procedures. Despite this rigorous review, the Chief of Police did not concur with any of the PAB's sustained findings during the reporting period. This divergence is particularly notable when considered alongside BPD's internal affairs data, which shows that 14 of 16 internally generated complaints resulted in sustained findings. These differing outcomes underscore the importance of continued examination of how allegations are evaluated across oversight and internal accountability processes. Allegations for which the PAB and Chief reached different conclusions were eligible for appeal to the City Manager, who serves as the final decision-maker in the complaint process. During 2025, the ODPa appealed 20 allegations arising from four cases and the City Manager issued final determinations on five allegations.¹ Of those five allegations, the City Manager concurred with the PAB in one instance (20.0 percent) and with the Chief in four instances (80.0 percent).

BPD COMPLAINT DATA

The BPD accepts and investigates complaints against both sworn and unsworn department personnel through its Internal Affairs process. Complaints investigated by

¹ The remaining 15 were not reviewed due to time constraints.

the ODPAs (which, under the Charter, are limited to sworn officers only) are also investigated by BPD's Internal Affairs Bureau as part of the City's dual-investigation model. However, complaints filed directly with BPD are investigated by the Department internally and are not forwarded to the ODPAs for independent review or investigation.

In 2025, the Berkeley Police Department received a total of 58 personnel complaints, including 42 external complaints and 16 internal complaints. Of the 42 external complaints, 33 were received through the ODPAs; however, these figures are not additive due to overlap from dual-filed complaints. Of the total complaints received, sustained findings were made in 15 of them, including 14 internal complaints and 1 external complaint. A total of 18 complaints were administratively closed, and 17 complaints remained active at the time of reporting.

Data from Internal Affairs indicate that sustained findings were concentrated almost exclusively among internally generated complaints. Of the 16 internal complaints it received in 2025, 14 resulted in at least one sustained finding, for an internal complaint sustainment rate of 87.5 percent. By comparison, only one of the Department's 42 external complaints resulted in a sustained finding.

These complaints involved a total of 261 individual allegations. The most common allegation categories were Improper Procedure (54), Inadequate Investigation (50), Improper Stop/Search/Seizure/Arrest (38), Discourtesy (33), and Discrimination (31). Of the total allegations reviewed, 20 were sustained, 7 were not sustained, 12 were exonerated, and 35 were unfounded. Additionally, 70 allegations were administratively closed and 117 remained active at the time of reporting. Improper Procedure accounted for the largest number of sustained allegations (12), followed by Inadequate Investigation (5). At the allegation level, BPD sustained 20 of 261 allegations reviewed (7.7 percent).

Because complaints filed directly with BPD are not forwarded to the ODPAs for independent review, the PAB and ODPAs do not have access to information about internally generated complaints investigated exclusively by the Internal Affairs Bureau. As a result, the PAB and ODPAs are unable to draw conclusions regarding the factors contributing to the higher rate of sustained findings in those complaints. Without access to the underlying allegations, investigative materials, or information regarding the nature and circumstances of internal complaints, it is not possible to meaningfully compare those matters to complaints received through the PAB and other members of the public. Additional information regarding the characteristics of internal complaints would be necessary to assess whether differences in sustainment rates reflect variations in complaint type, evidentiary considerations, reporting practices, or other factors.

Figure 6. Internal Affairs Bureau Statistics



**Berkeley Police Department
Memorandum**



2025 INTERNAL AFFAIRS BUREAU STATISTICS

Complaints							
	Complaints Received	Sustained	Not Sustained	Exonerated	Unfounded	Admin Closed	Active Complaints
External PAB	33						
*External IAB	42						
*Total External	42	1	1	2	5	17	16
**Total Internal	16	14	0	0	0	1	1
Total Complaints	58	15	1	2	5	18	17
Allegations							
	Received	Sustained	Not Sustained	Exonerated	Unfounded	Admin Closed	Active
Improper Use of Force	26	2	0	0	3	5	16
Discourtesy	33	1	0	0	9	6	17
Improper Stop/Search/Seizure/Arrest	38	0	0	2	1	17	18
Inadequate Investigation	50	5	1	0	9	14	21
Improper Detention (Jail)	0	0	0	0	0	0	0
Discrimination	31	0	0	0	6	9	16
Harassment	13	0	0	1	4	4	4
Improper Procedure	54	12	3	8	3	12	16
Improper Citation / Tow	7	0	0	1	0	2	4
Other	6	0	0	0	0	1	5
Dishonesty	3	0	3	0	0	0	0
Total Allegations	261	20	7	12	35	70	117

These statistics include complaints on all employees of the Police Department.

*Complaints accepted by the PAB (or dual-filed) are counted in the total number of External IAB Complaints.

**Internal complaints include at-fault vehicle collisions.

PAB'S POLICY WORK IN 2025

(Required by Charter Section 125(16)(B)(1)(iii))

This section provides an overview of the Police Accountability Board's policy work in 2025, pursuant to Section 125(16)(b)(1)(iii) of the Berkeley City Charter, which requires reporting on policy complaints undertaken by the Board. While policy complaints constitute one basis for initiating such work, a Board's policy review may also be undertaken on the Board's own initiative or in response to requests or identified needs of the City. This section summarizes the policy reviews received and the Board's consideration of the issues and topics that arose over the course of the year.

OVERSIGHT OF POLICIES AND PRACTICES



While the PAB is often associated with reviewing misconduct complaints, the majority of its work is policy-focused. The PAB receives policy matters through several pathways including request from members of the public through policy complaints, referral from Board members or ODP staff, direction from the City Council, and reviews required by ordinance, such as those involving surveillance technology and police equipment. The Berkeley City Charter grants the PAB broad authority to review the policies, practices, and

procedures of the BPD as appropriate. Following a review, the PAB may issue findings and recommendations to the BPD and City Council.

In 2025, the PAB continued to evaluate police policies and practices, along with emerging public safety issues through policy reviews, annual reporting requirements, formal recommendations, and examination of matters affecting police accountability and public trust. These efforts extended beyond the Board's review of individual complaints and reflected its broader responsibility to assess the policies, technologies, and governance frameworks that shape policing in Berkeley. The PAB also continued its efforts to advance regulations governing the investigation of misconduct by sworn members of BPD, which were originally submitted in 2022 and remained subject to the meet-and-confer process at year-end.

One area of the PAB's policy work focused on agreements and cooperative arrangements involving external agencies. As part of its annual review of BPD mutual aid agreements, the PAB examined how these partnerships may affect police operations, information sharing, public transparency, and civilian oversight. Through this process, the PAB sought to ensure that interagency agreements remained consistent with community expectations, City policies, and Berkeley's accountability framework.

Particular attention was given to Mutual Aid Agreement 3.1 between BPD and the United States Citizenship and Immigration Services (USCIS). The PAB evaluated the agreement through the lens of accountability, public trust, and Berkeley's sanctuary city policies. Board members expressed concern that the agreement could permit information sharing that, while authorized under its terms, may not align with the intent of local policies regarding involvement in federal immigration enforcement. The PAB also noted that changes in federal immigration priorities could increase the likelihood that information shared for criminal investigative purposes may ultimately contribute to civil immigration enforcement activities. Following its deliberations, the PAB formally recommended that the agreement be terminated and encouraged the City Council and City Manager to consider whether additional policy guidance or legislative action may be necessary to ensure Berkeley's sanctuary city objectives are fully reflected in departmental practices and interagency agreements.

The PAB's policy oversight also extended to broader policing practices and accountability measures. The PAB reviewed BPD Policy 307, Vehicle Pursuits, and provided recommendations concerning the Department's pursuit practices. This review examined the balance between public safety, officer safety, and accountability considerations associated with vehicle pursuits, as well as the effectiveness of existing safeguards governing pursuit decisions. Through this review, the PAB sought to ensure that pursuit

policies appropriately balanced public safety needs with the risks posed to officers, community members, and individuals being pursued.

The PAB also devoted considerable attention to BPD's Annual Controlled Equipment Report and implementation of the Police Equipment and Community Safety Ordinance. In reviewing the Department's reporting on the acquisition, use, and deployment of controlled equipment, the PAB identified concerns regarding compliance with local reporting requirements and recommended that those issues be addressed prior to approval of the report. These discussions reflected the PAB's ongoing commitment to ensuring that equipment with heightened public safety implications remains subject to meaningful oversight and public accountability.

In conjunction with this work, the PAB reviewed proposed amendments to the Police Equipment and Community Safety Ordinance. Throughout these discussions, the PAB considered how to balance administrative efficiency with the preservation of meaningful civilian oversight and public transparency. The PAB evaluated the potential impact of the proposed amendments on existing accountability mechanisms and reporting requirements. Ultimately, following input from both the PAB and BPD, the City Council adopted revisions that preserved the ordinance while reducing duplicative reporting requirements between the City's controlled equipment reporting process and California's state-mandated military equipment reporting framework.

In 2025, the PAB continued its oversight of surveillance technologies and related governance frameworks. During the year, members reviewed surveillance technology proposals, annual surveillance reports, and issues involving privacy, data governance, transparency, and public access to information. These discussions included fixed surveillance camera technologies, associated use policies, and proposals to expand surveillance capabilities, including the proposed deployment of Flock Safety Condor cameras.

Following its review, the PAB provided recommendations to the City Council regarding surveillance governance, reporting requirements, and accountability measures intended to ensure continued public oversight of surveillance technologies. The PAB sent three

letters to the Council on July 17, 2025², September 4, 2025³, and November 10, 2025⁴ highlighting the privacy risks posed by the City's proposed contract with Flock Safety. In the July 17, 2025 letter, the PAB brought early attention to Flock Safety's reported evasion of restrictions on sharing data with federal immigration authorities and recommended both contractual and technical safeguards prohibiting the sharing of the City's data in violation of state and local law. Over the next few months, Flock Safety halted its pilot program with ICE and identified critical flaws in its software that had enabled inadvertent data sharing with unauthorized entities. In the September 4, 2025 letter, the Board requested that the City delay approval of the Flock Safety contract as several jurisdictions around the country paused or canceled their contracts following revelations of data breaches. Then, in its November 10, 2025 letter, the Board brought attention to an internal BPD audit that Berkeley's own data was searched for unauthorized immigration enforcement purposes and called for additional remedial measures. Throughout these discussions, the PAB emphasized the importance of carefully evaluating both the public safety benefits and potential civil liberties implications associated with surveillance technologies.

Additionally, the PAB supported the installation of fixed camera systems at the Berkeley Animal Shelter and Berkeley Jail, while broader proposals involving expanded camera deployments and other surveillance technologies for patrol operations remained under consideration and carried forward into 2026.

Closely related to these discussions were broader questions regarding public access to information and transparency in law enforcement operations. During the year, the PAB considered BPD's transition to encrypted radio communications and expressed concerns regarding the potential impact of full radio encryption on public transparency, media access, and civilian oversight. While BPD ultimately proceeded with encryption, the PAB's discussions reflected the broader tension between operational and officer safety

² July 17, 2025 – PAB Letter to City Council Responding to BPD's Surveillance Acquisition Report and External Fixed Surveillance Cameras Use Policy (Flock Safety Condor Video Cameras):

<https://berkeleyca.gov/sites/default/files/documents/2025-07-17%20Letter%20to%20Council%20re%20Surveillance%20Camera%20Policy%20-%20Final%20%283%29.pdf>

³ September 4, 2025 – PAB Letter to City Council Requesting Delay of Flock Safety Contract Approval Pending Further Review: https://berkeleyca.gov/sites/default/files/documents/2025-09-04%20Letter%20to%20Council_Reconsideration%20of%20Flock_Final.pdf

⁴ November 10, 2025 – PAB Letter to City Council Regarding the Annual Surveillance Technology Report: https://berkeleyca.gov/sites/default/files/documents/2025-11-10%20Letter%20re%20Annual%20Surveillance%20Technology%20Report_Final%20%28wAttachments%29.pdf

considerations and the public's ability to monitor police activity and remain informed about law enforcement operations.

In addition to reviewing existing technologies, the PAB examined emerging developments that may influence future policing practices. Anticipating future discussions regarding Unmanned Aircraft Systems and Drone as First Responder programs, the PAB voted to continue its collaboration with the UC Berkeley School of Law Criminal Law and Justice Center to support independent research and analysis of these technologies. The PAB also monitored developments related to artificial intelligence-assisted report writing systems and requested updates regarding their implementation and use. These efforts reflected a proactive approach to understanding how technological advancements may affect police operations, accountability systems, and community trust.

The PAB also presented its review of Fair and Impartial Policing initiatives and associated data reporting, emphasizing the importance of transparency, data-informed decision-making, and ongoing evaluation of policing outcomes. Through its review of available data and reporting practices, the PAB sought to ensure that accountability efforts remain informed by objective analysis and that both policymakers and the public have access to meaningful information regarding policing practices and outcomes.

Beyond these major initiatives, the PAB considered a variety of additional policies, operational practices, and accountability issues identified through annual reports, public input, policy discussions, and its broader oversight responsibilities. These conversations addressed topics related to transparency, procedural justice, community trust, and organizational accountability while helping the PAB identify emerging issues warranting future examination.

Across all these efforts, the PAB emphasized informed decision-making, meaningful public engagement, and independent civilian oversight. Collectively, these activities reflected the PAB's commitment to ensuring that policing policies, practices, technologies, and accountability systems remain subject to ongoing public review and evaluation. Many of the issues considered during 2025 remained active at year-end and are expected to continue as areas of focus in future years.

POLICY COMPLAINTS

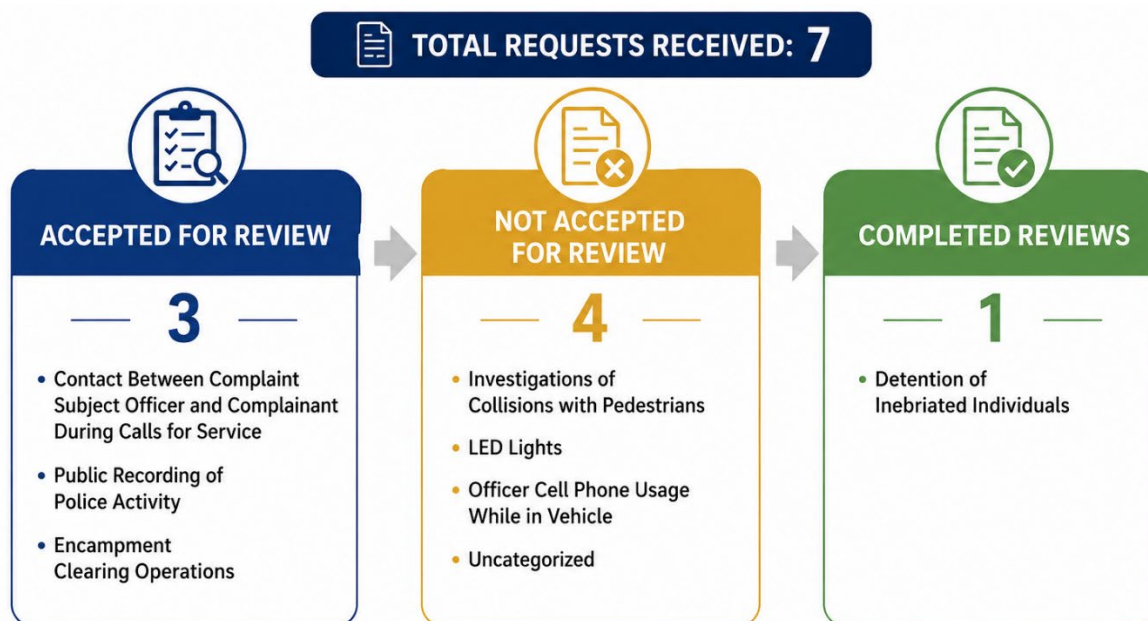
Members of the public may request that the PAB review a BPD policy, practice, or procedure by submitting a policy complaint to the ODP. After an initial staff review, policy complaints are presented to the PAB for consideration within 30 days of filing, or at the next regular meeting if that timeframe has passed. The PAB conducts a dedicated public hearing on each complaint, during which the complainant, members of the public,

and BPD may provide input. By majority vote, the PAB may accept the policy complaint for further review.

Once accepted, the PAB determines the appropriate review process, which may include consideration by the full Board, assignment to staff or a Board member for research, or referral to a subcommittee. Upon completion of its review, the PAB may recommend that BPD adopt a new policy, revise an existing policy, or take no action. Policy complaints are formally closed following a majority vote of the PAB.

In 2025, the PAB received seven policy complaints from members of the public. Each complaint was evaluated to determine whether it raised issues appropriate for formal policy review and within the Board’s jurisdiction. Of these submissions, three were accepted for further review and four were not accepted. One policy review was completed during 2025 and three remained pending at the end of the calendar year. These complaints, whether accepted or not, contributed to the Board’s broader understanding of emerging issues and informed its ongoing policy oversight work.

Figure 7. Policy Review Requests, 2025



Six policy review matters remained open at the close of 2025, reflecting a mix of reviews initiated between 2023 and 2025 as well as topics identified for potential review that were subsequently suspended. These matters address specific policy areas, including use of force practices, medical and mental health response during law enforcement interactions, and administrative procedures such as record retention and enforcement practices. Several topics were suspended and remain pending reassessment, including

involuntary injections and medical care during encounters, use of force during arrest, and the role of the Specialized Care Unit.

Progress on these matters was slowed by fluctuations in Board membership and staffing changes, which impacted review timelines and required a shift in available capacity toward more time-sensitive and resource-intensive work. As a result, certain reviews were deferred. The outstanding items remain under active consideration for future work as capacity allows, and their status reflects prioritization decisions rather than a lack of significance. All outstanding and suspended items are anticipated to be reconsidered as part of the FY 2026–27 workplan and will be subject to reassessment as membership increases and staffing stabilizes.

POLICY SUBCOMMITTEES

A key objective of the Board in 2025 was to streamline its subcommittee structure to enhance manageability, clarity, and effectiveness. This effort reduced reliance on ad hoc subcommittees and consolidated work within a smaller number of standing subcommittees with clearly defined scopes and responsibilities. The Board concluded 2025 with six subcommittees, a reduction from twelve in 2024. While changes in membership affected the continuity of some subcommittee work, unaffected subcommittees continued to make substantial progress. This streamlined structure supports greater continuity, improved coordination, and a more efficient approach to advancing the Board’s policy and oversight functions. Summaries of the subcommittees established by the Board and their respective purposes are provided below.

Table 1. Active PAB Subcommittees as of December 31, 2025

SUBCOMMITTEE	STATED PURPOSE	ESTABLISHED	STATUS
 REGULATIONS	Serve as the PAB's liaison in the meet-and-confer process to develop permanent regulations governing the investigation of complaints against sworn BPD personnel.	 Jul. 7, 2021	 Active
 POLICY REVIEWS	Review Lexipol policy conversions, updates to BPD policies, and other policy matters referred by the PAB.	 Nov. 8, 2023	 Active
 OUTREACH & ENGAGEMENT	Develop PAB-ODPA outreach and engagement strategies and review officer commendation recommendations.	 Nov. 8, 2023	 Active
 METRICS & OPERATIONS	Develop organizational goals, performance measures, and operational metrics for the PAB and ODPA.	 Feb. 25, 2025	 Active
 ARREST QUOTA PROHIBITION	Review the development and implementation of BPD's arrest quota prohibition policy.	 May 21, 2025	 Active
 ENCAMPMENT CLEARANCE POLICIES & PRACTICES	Review encampment clearance policies, practices, and incidents identified in ODPA Policy Complaints 2025-PR-0004 and 2025-PR-0005.	 Jun. 25, 2025	 Active

Table 2. Subcommittees Concluded Prior to December 31, 2025

SUBCOMMITTEE	STATED PURPOSE	ESTABLISHED	CONCLUDED
 FAIR & IMPARTIAL POLICING IMPLEMENTATION	Monitor and assess BPD's implementation of the City Council's Fair and Impartial Policing initiatives.	 Aug. 4, 2021	 May 21, 2025
 SURVEILLANCE TECHNOLOGY POLICY	Review BPD surveillance technology acquisition reports in accordance with BMC 2.99.030(2).	 Jun. 7, 2023	 Mar. 19, 2025
 DOWNTOWN TASK FORCE & BIKE UNIT ALLEGATIONS	Review BPD policies, practices, and procedures related to allegations involving inappropriate text messages within the Downtown Task Force and Bike Unit.	 Nov. 15, 2022	 Mar. 19, 2025
 CONFLICT OF INTEREST	Examine legal questions regarding potential conflicts of interest arising from the PAB and BPD both being represented by the City Attorney's Office.	 Mar. 29, 2023	 Feb. 25, 2025
 BUDGET & METRICS	Analyze the budgets of the PAB and BPD and develop metrics to assess organizational outcomes.	 Nov. 8, 2023	 Feb. 25, 2025
 OPERATIONS & PROCESSES	Assess ODPA-PAB operations and processes to improve efficiency and organizational effectiveness.	 Mar. 2, 2024	 Feb. 25, 2025
 BPD POLICIES 1010 & 1034 REVIEW	Review BPD Policies 1010 and 1034 concerning procedures for reviewing personnel complaints.	 Sep. 25, 2024	 Jul. 9, 2025

The Budget & Metrics and Operations & Processes Subcommittees were consolidated into a single subcommittee (Metrics and Operations). All remaining subcommittees were dissolved upon completing their work.

BPD TRENDS AND PATTERNS IN VEHICLE AND PEDESTRIAN STOPS, AND OTHER ENFORCEMENT ACTIVITIES

(Required by Charter Section 125(16)(B)(5))

Stop data refers to the information collected during officer-initiated encounters, including vehicle and pedestrian stops, citations, arrests, searches, and related enforcement activities by BPD. As required under Section 125(16)(b)(5) of the Berkeley City Charter, the following section presents an overview of trends and patterns in these activities. This data provides a standardized record of when, where, and why stops occur, as well as the actions taken and outcomes of those interactions, and can help illustrate general patterns in policing activity over time. Its strengths include the use of consistent reporting categories that support trend analysis, comparisons across time periods, and examination of specific enforcement actions, such as searches or arrests, while also enhancing transparency by making aggregate patterns more visible.

At the same time, stop data has important limitations. It is based on officer-reported information, including perceived demographic characteristics rather than self-identified data, which may introduce inaccuracies. It captures only recorded stops and does not reflect unreported interactions or broader community-police dynamics. The data also does not provide full context for each encounter, such as the circumstances or decision-making factors that may influence an officer's actions. Accordingly, while stop data can illuminate important patterns and disparities, it should be interpreted with appropriate caution and in conjunction with qualitative context and other sources of information.

METHODOLOGICAL CONSIDERATIONS AND ANALYTICAL LIMITATIONS

Data Set Limitations: The analyses contained within this section were conducted using stop data gathered by the Berkeley Police Department to meet its reporting requirements under the California RIPA (Racial Profiling and Identity Act). The dataset reflects individual stop records reported during 2025, meaning that a single police encounter involving multiple individuals may generate multiple stop records. Unless otherwise noted, percentages were calculated using aggregate stop-level records contained within the 2025 dataset.

The dataset utilized for this analysis was downloaded on January 9, 2026. Because BPD periodically updates, corrects, or supplements stop data, slight variations may exist between the figures presented in this report and future versions of the dataset.

Certain variables within the dataset, including discretionary search classifications, contraband recovery fields, housing-status indicators, and behavioral health-related contact categories, contain operational and reporting limitations that may affect

analytical precision. Accordingly, several percentage-based analyses should be interpreted as approximate distributions intended to illustrate general trends within the dataset.

Additionally, some demographic categories reflected comparatively small sample sizes within the 2025 dataset. Descriptive statistics for these groups are included for completeness and transparency; however, caution should be exercised when interpreting comparative disparities involving smaller demographic categories because limited sample sizes may produce unstable percentage distributions and reduce statistical reliability.

Analytical Limitations: Several analyses included within this report, particularly those involving population-based benchmarking, temporal demographic distributions, stop-type comparisons, housing-status comparisons, and post-stop search-rate analysis, are intended to provide descriptive and contextual assessments grounded in accepted policing research methodologies rather than establish definitive causal conclusions regarding officer intent or discriminatory conduct.

Population-based benchmarking is an important metric to identify disparities that warrant further examination. However, population-based benchmarking has important methodological limitations. Specifically, residential population demographics do not necessarily reflect the population that is present within Berkeley, engaged in activities that may result in police contact, or otherwise exposed to enforcement activity during a given period. Berkeley functions as a regional employment, educational, commercial, healthcare, and transportation hub with substantial commuter and visitor activity. As a result, the population exposed to police contact extends beyond Berkeley residents and may differ from the city's residential demographics.

For this reason, population-based benchmarking is generally considered a preliminary indicator rather than a standalone test of bias. Additional analyses are necessary to assess whether those disparities persist when accounting for factors such as residency status, stop circumstances, geographic location, time of day, enforcement activity, search rates, search outcomes, and other contextual variables.

Outcome disparity analyses such as search-rate and search-yield testing are often considered analytically stronger than population-based comparisons because they evaluate police decision-making and outcomes among individuals already subjected to police contact. At the same time, these measures also have important limitations. Search decisions and search outcomes may be influenced by differing stop circumstances, legal authorities for the search, probation or parole status, calls for service, officer observations, and other operational conditions associated with individual encounters.

In sum each analytical method has its own limitations but provides the Council with helpful information to further investigate the root causes for any disparities if so desired.

STOP DATA OVERVIEW

In 2025, BPD conducted a total of 4,540 stops, including 3,095 vehicle stops, 1,371 pedestrian stops, and 74 bicycle stops. Approximately 60.6% of these encounters were discretionary in nature, while the remaining 39.4% were associated with calls for service, information-based stops, or both.

Of all stops conducted, 754 resulted in at least one arrest, 1,438 led to citations, and 1,747 concluded with warnings. Searches were conducted in approximately 11.2% of all stops, totaling 507 searches.

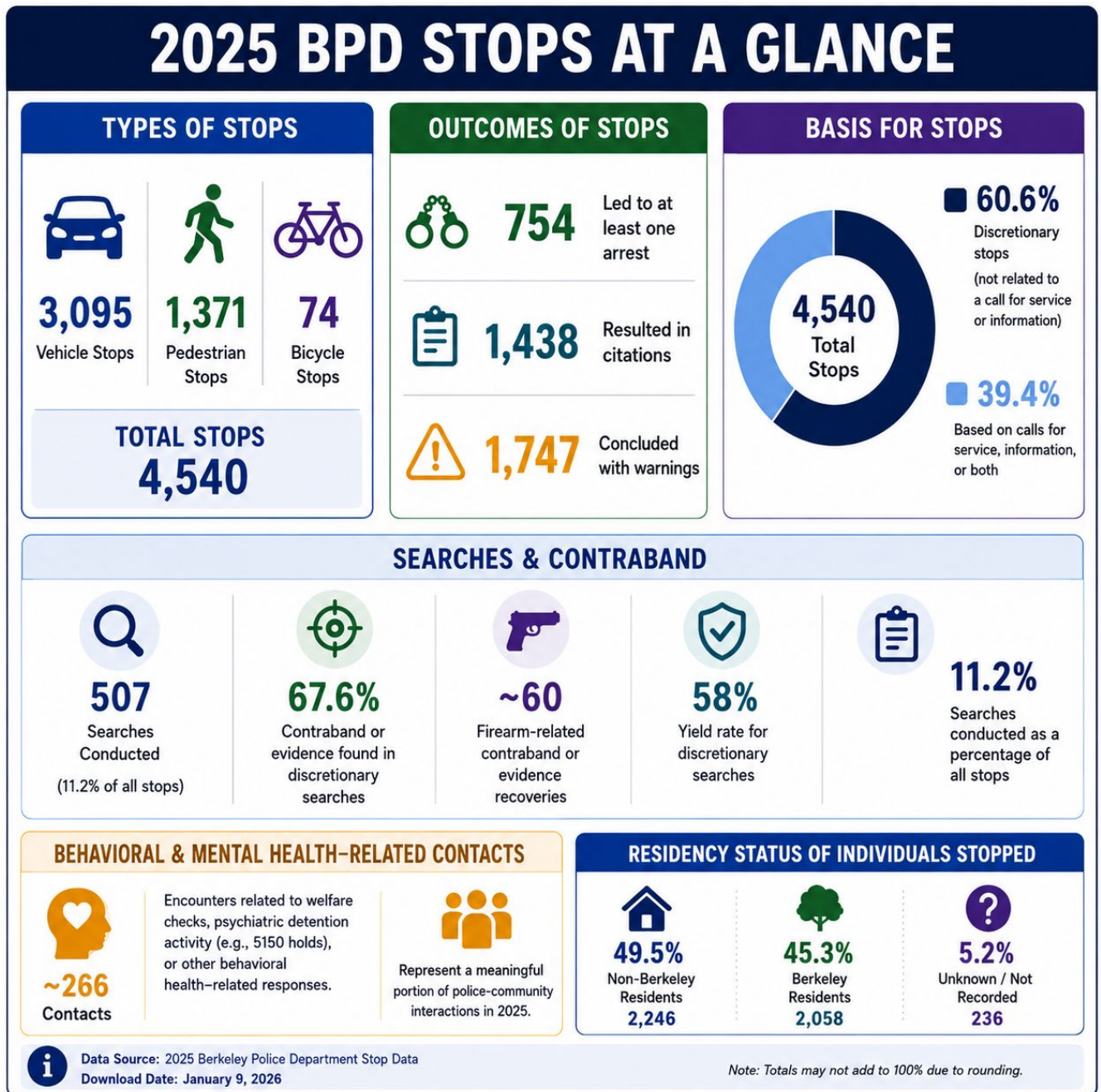
Of the individuals stopped, 49.5% were identified as non-Berkeley residents, 45.3% were Berkeley residents, and 5.2% had residency status that was unknown or not recorded.⁵ Analysis of discretionary search outcomes indicated an estimated contraband or evidence recovery rate of approximately 67.6%; however, search classification and evidence fields within the dataset contain methodological limitations that may affect precision. The dataset also documented approximately 60 firearm-related contraband or evidence recoveries during stop activity.

Behavioral and mental health-related encounters represented a meaningful portion of police-community interactions during the reporting period, with approximately 266 contacts associated with welfare checks, psychiatric detention activity, or behavioral health-related response incidents.

The Board took special notice of the stops of individuals perceived to be unhoused. In 2025, BPD stopped individuals perceived to be housed 937 times or 20.6% of all stops. Recent data suggest that the unhoused population constitutes 0.72% of Berkeley's population (880 of 121,911). The Board recommends that the Council request additional information from the City Manager for the reasons for this disparity and further investigate if necessary.

⁵ Population estimates referenced throughout this section were derived from the January 2026 U.S. Census Bureau American Community Survey (ACS) 5-Year Estimates for the City of Berkeley. Stop data was derived from 2025 RIPA stop records reported by BPD and reviewed by ODP.

Figure 8. Overview of BPD Stop Data, 2025



DEMOGRAPHICS OF INDIVIDUALS BEING STOPPED AND BIAS ASSESSMENT

Consistent with California RIPA reporting requirements, demographic variables reflected throughout this section are based on officer-perceived demographic classifications recorded at the time of the stop.

The purpose of the following analysis is twofold:

1. to provide a descriptive overview of the demographic characteristics of individuals subjected to police contact during 2025; and
2. to conduct a supplemental assessment of racial and ethnic disparities utilizing methodologies commonly accepted within policing research, procedural justice literature, and California RIPA analytical frameworks.

The analytical framework utilized in this review incorporates:

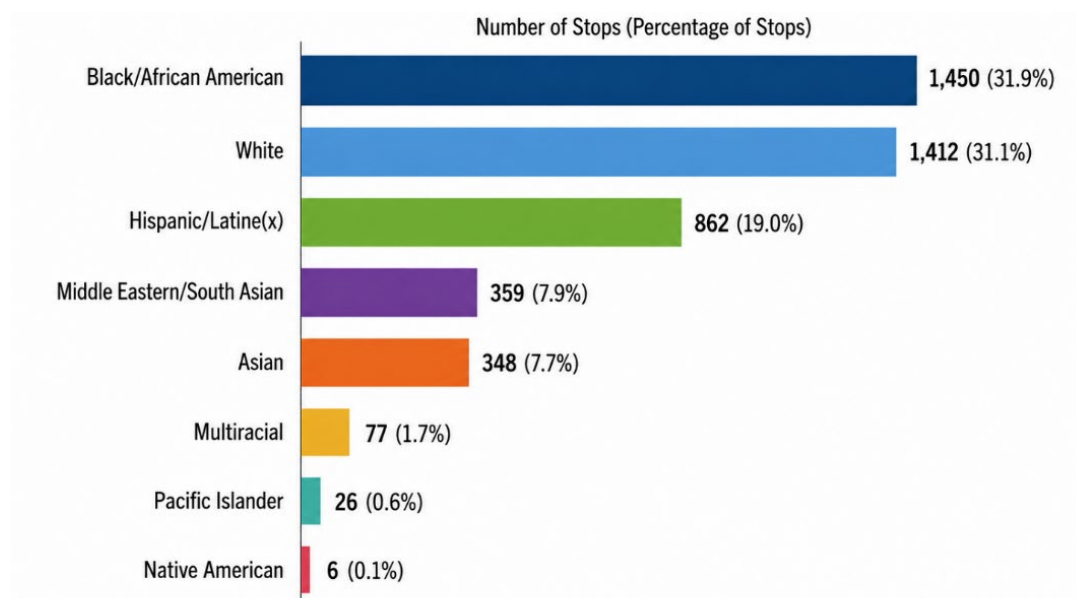
- descriptive demographic analysis,
- population-based assessment,
- residency contextualization,
- temporal demographic analysis,
- stop-type analysis,
- housing-status contextualization,
- and post-stop outcome disparity analysis.

Collectively, these methodologies provide a stronger and more scientifically grounded assessment than reliance on any single statistical test alone.

PERCEIVED RACE AND ETHNICITY

The ODPa first reviewed the racial and ethnic composition of individuals subjected to police stops during 2025.

Figure 9. Police Stops by Perceived Race and Ethnicity



Black/African American individuals represented the largest demographic category among individuals stopped during 2025, accounting for approximately 31.9% of all stop records. White individuals accounted for approximately 31.1% of stop records, while Hispanic/Latine(x) individuals accounted for approximately 19.0%.

Asian individuals and Middle Eastern/South Asian individuals each accounted for approximately 8% of stop records, while smaller proportions of stops involved individuals perceived as multiracial, Pacific Islander, or Native American.

The demographic distribution of stop activity demonstrates measurable racial disparities when compared to Berkeley’s residential population demographics.⁶

POPULATION-BASED ASSESSMENT

ODPA and the PAB reviewed stop demographics relative to Berkeley’s residential population demographics.

Population-based assessments are widely used within policing research because they provide a descriptive benchmark comparing:

- the racial and ethnic composition of individuals stopped; and

⁶ Population estimates referenced throughout this section were derived from the January 2026 U.S. Census Bureau American Community Survey (ACS) 5-Year Estimates for the City of Berkeley.

- the racial and ethnic composition of the city’s residential population.

The population-based comparison demonstrates substantial disproportionality between stop demographics and Berkeley’s residential demographics, particularly for Black/African American individuals.

Figure 10. Comparison of BPD Stop Demographics and Berkeley Residential Population

Race/Ethnicity	Percentage of Stops	Berkeley Residential Population*
Black/African American	31.9%	7.8%
White	31.1%	54.6%
Hispanic/Latine(x)	19.0%	11.8%
Asian	7.7%	20.6%
Multiracial	1.7%	Not Separately Reported
Pacific Islander	0.6%	0.3%
Native American	0.1%	0.4%

Source: 1. U.S. Census Bureau American Community Survey (ACS) 5-Year Estimates

In 2025, approximately half of all individuals stopped by the Berkeley Police Department were identified as non-Berkeley residents. Of all individuals stopped during the year, 2,246 individuals (49.5%) were identified as non-Berkeley residents, compared to 2,058 Berkeley residents (45.3%). Residency information was unknown or not recorded for an additional 236 individuals (5.2%).

The demographic composition of resident and non-resident stop populations also differed. Among Berkeley residents who were stopped, White individuals represented 37.5% of stops and Black/African American individuals represented 35.5% of stops. Among non-Berkeley residents, Hispanic/Latine(x) individuals accounted for 25.5% of stops compared to 11.7% among Berkeley residents, while individuals identified as Middle Eastern/South Asian represented 10.9% of non-resident stops compared to 6.4% among resident stops. Asian individuals similarly represented a larger proportion of non-resident stops than resident stops.

These findings suggest that the population exposed to police contact within Berkeley differs from the city's residential population and that exposure to enforcement activity is influenced by factors beyond residency.

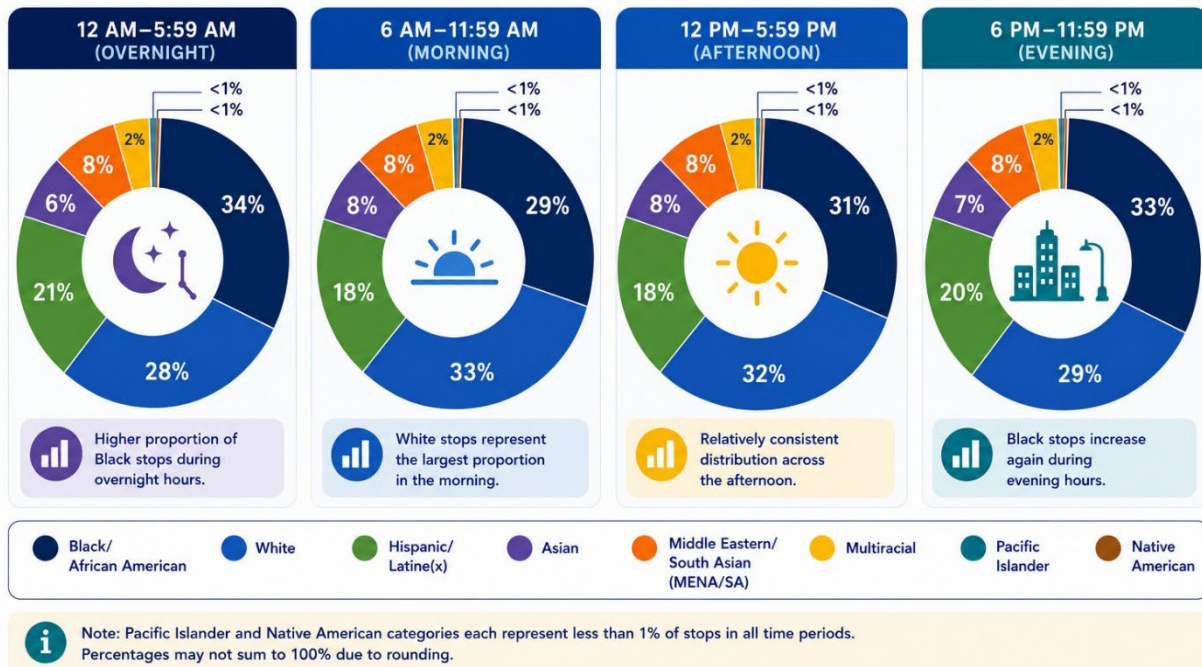
TEMPORAL DEMOGRAPHIC ANALYSIS

To supplement traditional population-based assessments, ODPa and the PAB reviewed whether racial and ethnic stop distributions remained relatively stable across differing operational time periods.

This analysis expands upon the veil-of-darkness methodology commonly used within policing research and the BPD by evaluating stop demographics across broader operational environments rather than solely daylight-versus-darkness conditions. The analysis reviewed stop activity across:

- overnight hours (12:00 a.m.–5:59 a.m.),
- morning hours (6:00 a.m.–11:59 a.m.),
- afternoon hours (12:00 p.m.–5:59 p.m.), and
- evening hours (6:00 p.m.–11:59 p.m.).

Figure 11. Racial Distribution of Stops Across Operational Time Periods, 2025



The analysis showed that racial and ethnic distributions remained comparatively stable across operational periods, with only moderate variation between daytime and nighttime stop activity.

Black/African American individuals represented approximately one-third of overnight and evening stop activity, while White individuals represented a somewhat larger proportion of daytime stop activity. Overall, however, demographic distributions remained relatively consistent across operational periods.

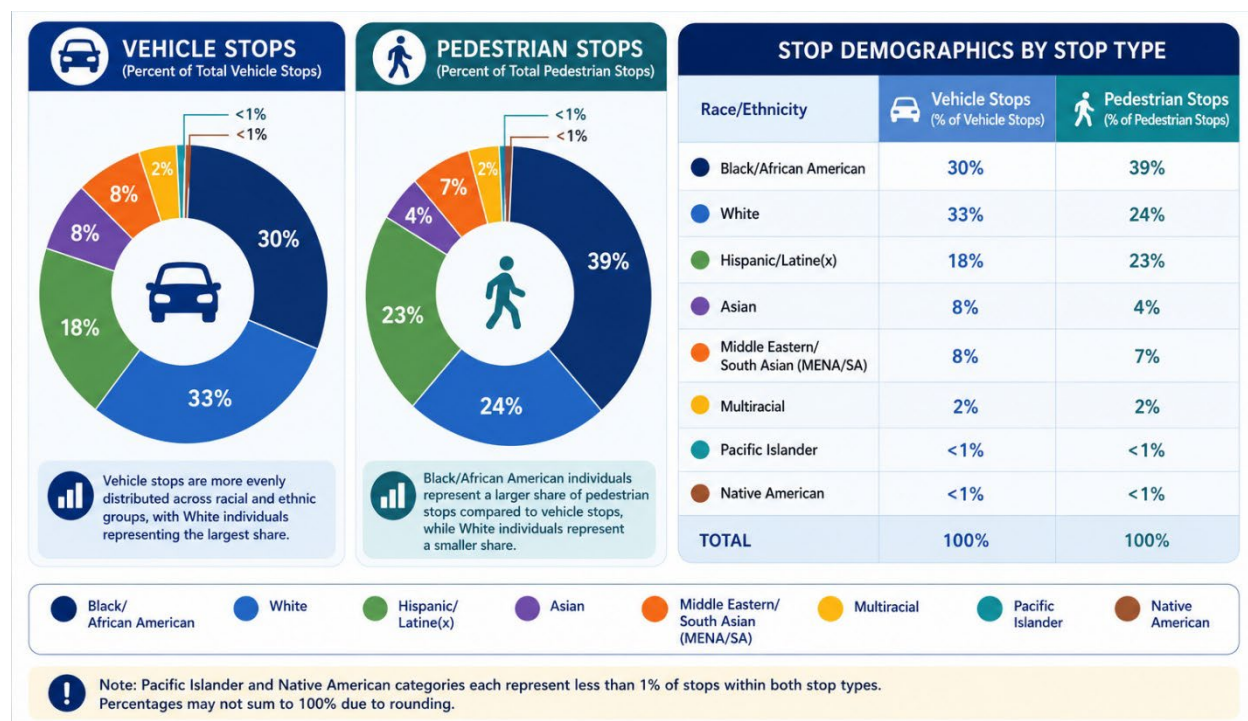
STOP-TYPE ANALYSIS

ODPA and the PAB additionally reviewed stop activity across major stop categories.

BPD’s annual report notes that approximately 61% of 2025 stops were discretionary in nature, while the remaining stops were associated with calls for service, investigations, or specific information known to officers prior to the stop.

Discretionary stops are generally considered the most analytically relevant category for implicit bias analysis because they involve greater levels of officer-initiated decision-making than reactive enforcement activity.

Figure 12. Stop Demographic by Stop Type, 2025



The analysis indicated that Black/African American individuals represented a larger proportion of pedestrian stop activity relative to vehicle stop activity, while White individuals represented a larger proportion of vehicle stop activity. Pedestrian stops are generally more influenced by:

- public-space exposure,



- homelessness-related interactions,
- behavioral health-related activity,
- complaint-driven policing,
- and neighborhood-level deployment patterns.

whereas vehicle stops are more directly associated with roadway exposure, commuter patterns, and traffic enforcement activity.

HOUSING STATUS CONTEXTUALIZATION

ODPA and the PAB additionally reviewed stop activity involving individuals perceived as unhoused. Approximately one in five stop records involved individuals perceived as unhoused.

Figure 13. Housing Status of Individuals Stopped, 2025

Housing Status	Stops (Raw Number)	Percentage (of Total Stops)
 Perceived Housed	3,603	79.4%
 Perceived Unhoused	937	20.6%
Total	4,540	100%

This finding is analytically significant because individuals experiencing homelessness are substantially more likely to experience police contact due to:

- increased time spent in public spaces,
- welfare checks,
- complaint-driven policing,
- behavioral health-related calls,

- service-related interactions,
- and quality-of-life-related enforcement activity.

These factors are widely recognized within homelessness and policing research as increasing exposure to police contact independent of officer bias alone.

Table 3. BPD Stops by Perceived Housing Status and Race/Ethnicity, 2025

Race/Ethnicity	Perceived Housed (79.4%) Percentage of Total Stops	Perceived Unhoused (20.6%) Percentage of Total Stops
Black/African American	29%	42%
White	33%	24%
Hispanic/Latine(x)	19%	18%
Asian	8%	3%
Middle Eastern/ South Asian	8%	9%
Multiracial	2%	2%
Pacific Islander	<1%	<1%
Native American	<1%	<1%
TOTAL	100%	100%

To further contextualize this issue, ODPa and the PAB reviewed racial and ethnic stop demographics separately for perceived housed and unhoused populations. According to the 2026 Point-in-Time Count, there are 880 unhoused individuals in Berkeley.⁷ In 2025, Berkeley Police Department stopped individuals perceived to be unhoused 937 times. In other words, the volume of stops involving perceived unhoused individuals (937) **exceeded** the entire unhoused population in Berkeley (approximately 880), indicating this population experiences a high volume of police contact relative to its size. Black/African American individuals in particular represented a substantially larger proportion of stop activity involving perceived unhoused individuals relative to the overall stop population (42%). While the Board has not evaluated the myriad factors that may have contributed

⁷ Source: 2026 Alameda County Homeless Point-in-Time Count: <https://health.alamedacountyca.gov/data-and-reports/point-in-time-count/>; The count in 2024 noted 844 unhoused individuals in Berkeley.

to this disparity, the Board recommends that the Council authorize a study to ascertain the causes.

POST-STOP OUTCOME DISPARITY ANALYSIS

ODPA and the PAB additionally reviewed post-stop search rates across racial and ethnic groups because outcome disparity analysis evaluates discretionary decisions occurring after police contact has already been initiated.

Search rates were calculated as:

$$\text{Search Rate} = \text{Individuals Searched} \div \text{Total Individuals Stopped}$$

Figure 14. Search Rates Following Police Stops by Race and Ethnicity, 2025



The analysis identified measurable variation in post-stop search rates across demographic groups. Black/African American individuals experienced the highest search rate among major racial and ethnic groups (17.2%), followed by White individuals (10.8%). Search rates for all other reported racial and ethnic groups were below the overall search rate of approximately 11%.

Because search-rate analysis focuses on individuals who have already been stopped, it is often considered analytically stronger than population-based benchmarking. Rather than comparing police activity to residential demographics, the analysis evaluates discretionary decisions made after police contact has occurred.


To provide additional context regarding search outcomes, ODPA and the PAB also examined search yields, sometimes referred to as "hit rates." Search yield measures the percentage of searches that resulted in contraband or evidence being located.

$\text{Search Yield (Hit Rate)} = \text{Searches Resulting in Contraband/Evidence Found} \div \text{Total Searches Conducted}$

Table 4. Search Yield (Hit Rate) by Perceived Race and Ethnicity

Percentage of searches resulting in contraband or evidence being found

Race/Ethnicity	Searches Conducted (Count)	Searches with Contraband/Evidence Found (Count)	Search Yield (Hit Rate) (Percentage)
Black/African American	250	158	63.2%
Hispanic/Latine(x)	64	40	62.5%
White	153	94	61.4%
Asian	15	9	60.0%
Multiracial	7	4	57.1%
Pacific Islander*	7	4	57.1%
Middle Eastern/South Asian*	11	5	45.5%
Native American*	—	—	<i>Insufficient Sample Size</i>
Overall	507	314	61.9%



Overall search yield was **61.9%**, meaning contraband or evidence was identified in approximately six out of every ten searches conducted.

Overall, contraband or evidence was located in 61.9% of searches conducted during 2025. Search yields were generally similar across several major racial and ethnic groups. Black/African American individuals had a search yield of 63.2%, Hispanic/Latine(x) individuals had a search yield of 62.5%, White individuals had a search yield of 61.4%, and Asian individuals had a search yield of 60.0%. Search yields for Multiracial and Pacific Islander individuals were 57.1%, while individuals identified as Middle Eastern/South Asian had a search yield of 45.5%. Several of these estimates were based on relatively small numbers of searches and should therefore be interpreted cautiously.

The search-yield findings provide important context for the search-rate disparities. While Black/African American individuals experienced the highest search rate, searches involving Black/African American individuals resulted in contraband or evidence being found at a rate generally comparable to searches involving White, Hispanic/Latine(x), and Asian individuals. More broadly, search yields among the largest demographic groups clustered within a relatively narrow range of approximately 60% to 63%.

FAIR AND IMPARTIAL POLICING: BPD STOP DATA, PROGRESS, AND CONTINUING CHALLENGES

The City of Berkeley's Fair and Impartial Policing framework was established in response to concerns regarding racial disparities in police stops, searches, and arrests and

recognized the need for ongoing evaluation of both policing practices and outcomes. In its 2024 Fair and Impartial Policing Implementation Report, the PAB found that while several policy reforms had been implemented, disparities in police contacts remained and continued monitoring was necessary to assess whether those reforms were contributing to meaningful change over time.

The 2025 stop data continue to reflect many of the patterns identified in the PAB's report. Black/African American individuals remained disproportionately represented in overall stop activity relative to Berkeley's residential population and represented a larger share of pedestrian stop activity and post-stop searches than other demographic groups. These findings indicate that the disparities that initially prompted the Fair and Impartial Policing initiative have not been fully resolved and continue to warrant attention.

At the same time, the 2025 analysis provides additional context regarding the factors associated with police contact. Nearly half of all individuals stopped during the reporting period were non-Berkeley residents, approximately one in five stop records involved individuals perceived as unhoused, and a meaningful number of police contacts involved behavioral health-related incidents, welfare checks, or service-oriented responses. The analysis also found that disparities varied across stop types, with pedestrian stop activity showing different demographic patterns than vehicle stops. Together, these findings suggest that police contact is influenced by a combination of enforcement practices, public safety responsibilities, housing instability, behavioral health needs, public-space exposure, commuter activity, and other factors that shape interactions between community members and law enforcement.

The Fair and Impartial Policing framework anticipated that reducing disparities would require more than policy changes alone. It envisioned an ongoing process of review, accountability, and continuous improvement informed by data and community engagement. The 2025 data reinforce the importance of that approach. While the City has expanded its ability to analyze and understand police-community interactions through more robust data collection and evaluation, the persistence of disparities demonstrates that continued work remains necessary. Advancing the goals of fair and impartial policing will require sustained attention to both policing practices and the broader social and community conditions that influence exposure to police contact.

BPD TRENDS AND PATTERNS REGARDING USE OF FORCE AND OFFICER INVOLVED SHOOTINGS

(Required by Charter Section 125(16)(B)(6))

In February 2021, the Berkeley Police Department (BPD) implemented a revised use-of-force policy (Policy 300) that places greater emphasis on de-escalation and establishes more comprehensive reporting requirements. The updated policy introduced a four-tiered force classification system, ranging from lower-level control techniques to the use of deadly force or incidents involving in-custody deaths. The classifications are defined as follows:

- Level 1: Includes non-injurious control techniques such as grabs, control holds, leverage, or the application of body weight to gain compliance. These actions may result in momentary discomfort but should not cause injury or generate a complaint of pain.
- Level 2: Applies when an officer points or deploys a firearm during an interaction, or when a Level 1 use of force results in more than momentary discomfort without causing injury or a complaint of pain.
- Level 3: Corresponds closely with the Department's prior reporting threshold and includes incidents involving weapon use, subject injury, or complaints of pain. It also encompasses incidents that would have otherwise been classified as Level 2, except officer body worn camera was not activated in a timely manner, prior to enforcement contact.
- Level 4: Any incident involving deadly force or any force likely to cause death or serious bodily injury.

Under BPD's previous policy, reporting requirements primarily focused on more serious force incidents involving injuries, complaints of pain, or weapon use, resulting in limited documentation of lower-level force that officers used more routinely. The revised policy significantly expanded reporting obligations by requiring officers to notify a supervisor and complete formal documentation for any use of force incident. The policy is also subject to annual review by both BPD and the Police Accountability Board (PAB).

USE OF FORCE LEVELS, OUTCOMES, AND DEMOGRAPHIC TRENDS

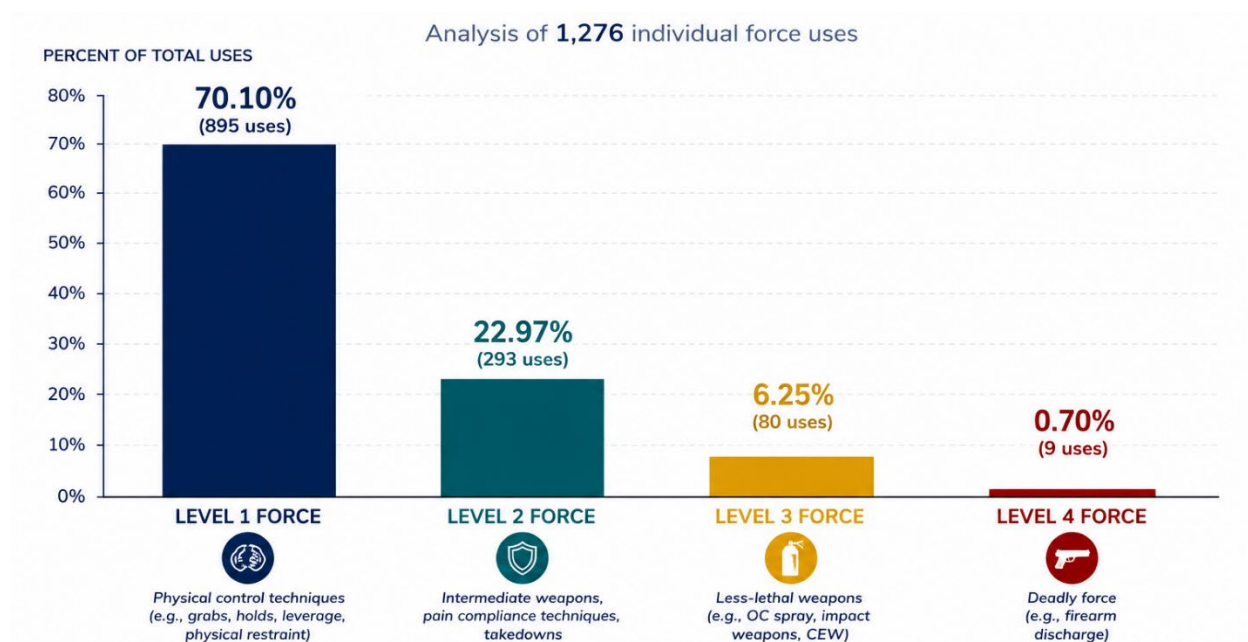
During 2025, the Berkeley Police Department (BPD) documented 276 reportable use of force incidents involving 315 individual subjects. Consistent with the Department's revised 2021 use-of-force policy, the data includes a broader range of reportable force applications than under prior reporting standards, including lower-level control techniques that previously may not have required formal documentation. As a result, the

data provides a more comprehensive view of officer force applications across the spectrum of police encounters.

Race/Ethnicity	Perceived Housed (79.4%) Percentage of Total Stops	Perceived Unhoused (20.6%) Percentage of Total Stops
Black/African American	29%	42%
White	33%	24%
Hispanic/Latine(x)	19%	18%
Asian	8%	3%
Middle Eastern/ South Asian	8%	9%
Multiracial	2%	2%
Pacific Islander	<1%	<1%
Native American	<1%	<1%
TOTAL	100%	100%

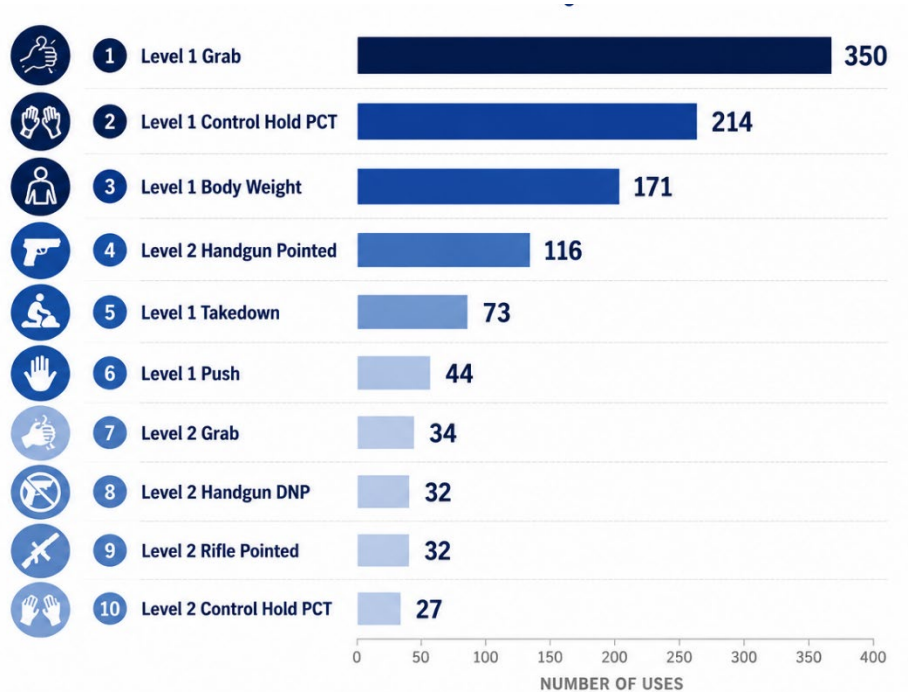
Analysis of the 2025 data shows that the overwhelming majority of reported force incidents involved lower-level force applications. Of the 1,276 individual force uses documented during the reporting period, approximately 70.1% were classified as Level 1 force, 22.97% as Level 2 force, and 6.92% as Level 3 or Level 4 force. The predominance of Level 1 force incidents is generally consistent with the Department’s expanded reporting framework, which requires documentation of lower-level physical control techniques (PCT) such as grabs, holds, leverage, and physical restraint methods.

Figure 15. Use of Force Incidents by Force Level, 2025



The distribution of force types further reflects the concentration of reported force incidents within lower-level force categories. The most frequently documented force application was Level 1 Grab (350 uses), followed by Level 1 Control Hold PCT (214 uses) and Level 1 Body Weight (171 uses). Together, these three techniques accounted for a substantial proportion of all reported force uses and are consistent with physical control methods intended to establish or maintain control of an individual while minimizing the likelihood of injury. The most frequently reported Level 2 force action was Handgun Pointed (116 uses). Other commonly reported force types included Level 1 Takedown (73 uses), Level 1 Push (44 uses), Level 2 Grab (34 uses), Level 2 Handgun – did not point (DNP) (32 uses), Level 2 Rifle Pointed (32 uses), and Level 2 Control Hold PCT (27 uses). Overall, the prevalence of these force types indicates that reported force incidents most often involved control and restraint techniques, while higher-level force applications occurred less frequently during the reporting period.

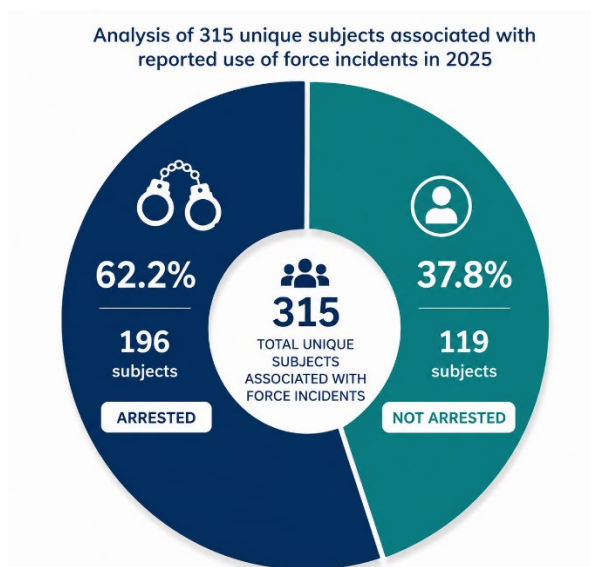
Figure 16. Most Common Use of Force Types Reported in 2025



The data further indicates that force was most frequently used in situations involving arrests, resistance, behavioral health crises, or combative behavior. The most commonly reported reasons for force included “Effect an Arrest” (537 documented force actions), followed by incidents involving “5150 Detention” (171), “Resisting Arrest” (152), “Combative” behavior (114), and “Assault on Officer” (81). These findings suggest that force was most often associated with custodial enforcement activity or incidents involving perceived threats to officers or public safety.

Among subjects associated with reported force incidents, approximately 62.2% were arrested, while 37.8% were not ultimately taken into custody. This distinction is significant because it demonstrates that force incidents are not limited exclusively to arrest situations and may also occur during behavioral health interventions, investigative detentions, or other police-citizen encounters.

Figure 17. Custodial Outcomes of Individuals Involved in Use of Force Incidents, 2025



Demographic analysis indicates that adult males represented the substantial majority of individuals subjected to force during the reporting period. Of the identifiable subjects included within the dataset, approximately 74.9% were male and 25.1% were female.

Analysis by race and ethnicity showed that Black individuals comprised the largest demographic group represented within the dataset, followed by White and Hispanic individuals. Specifically, the dataset identified 152 Black subjects, 83 White subjects, 55 Hispanic subjects, 19 individuals categorized as “Other,” and 6 Asian subjects. As with other forms of police enforcement data, these figures should be interpreted cautiously and within the broader context of calls for service, enforcement activity, officer deployment patterns, and situational variables not fully captured within administrative reporting systems. The demographic distribution of force incidents alone does not establish bias or misconduct but may identify areas warranting additional review, contextual analysis, or future policy discussion.

Table 5. Demographic Distribution of Subjects Involved in Use of Force Incidents

Race/Ethnicity	Number of Subjects	Percentage
Black	152	48.3%
White	83	26.3%
Hispanic	55	17.5%
Other	19	6.0%
Asian	6	1.9%
Total	315	100.0%

The age distribution of individuals subjected to force indicates that force incidents were concentrated primarily among adults between the ages of 30 and 49. Subjects between the ages of 30–39 represented the single largest age cohort (101 individuals), followed by individuals aged 18–29 (76), 50 and older (63), and 40–49 (57). Juvenile force incidents remained comparatively infrequent, with fewer than 10 identified subjects under the age of 18.

Table 6. Age Distribution of Individuals Associated with Use of Force Incidents, 2025

Age Group	Number of Subjects	Percentage
Under 18	9	2.9%
18–29	76	24.1%
30–39	101	32.1%
40–49	57	18.1%
50+	63	20.0%
Total	315	100.0%

The data also provides insight into behavioral and situational factors present during force incidents. A substantial number of incidents involved subjects identified as being under

the influence of drugs or alcohol, experiencing mental health crises, or otherwise exhibiting altered states. Incidents involving 5150 detentions and combative behavior accounted for a meaningful share of the Department’s overall force reporting activity, highlighting the continued intersection between police response responsibilities and behavioral health-related calls for service.

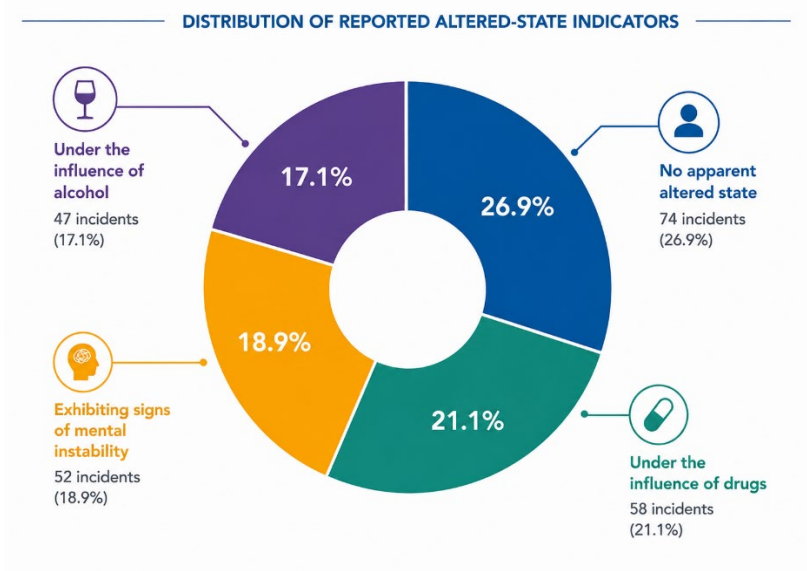
Figure 18. Behavioral and Situational Factors Associated with Use of Force Incidents, 2025



BEHAVIORAL AND MENTAL HEALTH FACTORS

Use of force was reported in incidents involving individuals perceived to be under the influence of alcohol (47 incidents), under the influence of drugs (58 incidents), exhibiting signs of mental instability (52 incidents), or displaying no apparent altered state (74 incidents).

Figure 19. Reported Altered-State Indicators in Use of Force Incidents, 2025



Reported altered-state indicators in 2025 reflect a range of conditions observed during use of force incidents. The most frequently reported category was incidents in which no apparent altered state was identified, accounting for 74 of 276 incidents, or approximately 26.8 percent.

Among incidents where an altered-state indicator was reported, drugs were identified in 58 incidents (21 percent), signs of mental instability in 52 incidents (18.8 percent), and alcohol involvement in 47 incidents (17 percent). These categories appeared at relatively similar frequencies across the dataset.

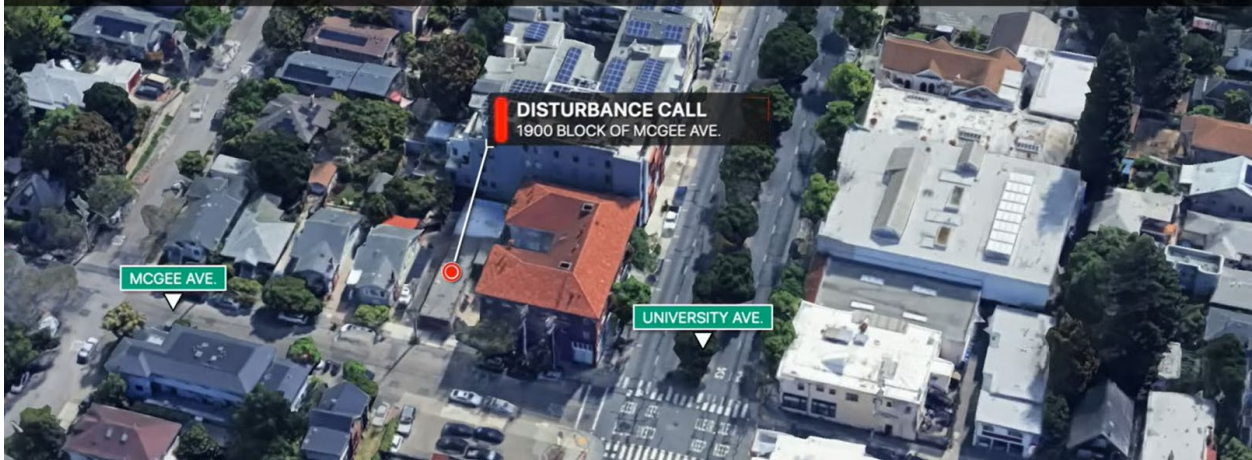
Because these indicators are based on officer observations and reporting classifications, they should be interpreted as descriptive incident characteristics rather than clinical or medical determinations.

OFFICER-INVOLVED SHOOTINGS

In 2025, the Berkeley Police Department reported one officer-involved shooting (OIS), classified under BPD policy as a Level 4 use of force incident. Officer-involved shootings represent the most serious category of force and are subject to multiple layers of administrative and criminal review due to their significance for public safety, accountability, and community trust.

The incident occurred on April 13, 2025, near the intersection of University Avenue and McGee Avenue following a reported domestic violence-related call for service. According to publicly released information from the Berkeley Police Department, officers responded to reports of a woman screaming for help inside a residence. Upon contacting the individual involved, officers reported that the subject made threats toward officers and displayed what appeared to be a firearm. Officers subsequently established a perimeter and engaged in efforts to communicate with and de-escalate the situation. During the encounter, the individual reportedly exited the residence again while armed and pointed a weapon toward officers, at which point an officer discharged their firearm, striking the individual. The individual was transported to a hospital in critical condition and survived the incident.

THE CALLER SAID HE HEARD A WOMAN SCREAMING AND BELIEVED A DOMESTIC DISTURBANCE WAS OCCURRING IN A NEIGHBORING APARTMENT UNIT.



Consistent with California Government Code section 7923.625, which governs the public release of records relating to officer-involved shootings and other critical incidents, the Berkeley Police Department subsequently released body-worn camera footage and related materials associated with the incident as part of its public transparency obligations.

BPD TRAINING AND EDUCATION

(Required by Charter Section 125(16)(B)(3))

In calendar year 2025, Berkeley Police Department personnel completed a total of 16,872.5 hours of training, more than double the 7,065 hours recorded in 2024, reflecting a 139% year-over-year increase. These hours were distributed across five primary categories:

- Tactical & Operational – 8,469 hours
- Management and Leadership – 3,945 hours
- Legal and Legislative – 2318 hours
- Conferences and Seminars – 1240 hours
- Technology, Data & Information Systems– 900.5 hours

The most frequently covered training topics included:

- Tactical Response – 2,692 hours
- Crisis Management and Response – 2,664 hours
- Firearms Training – 2,332 hours
- Leadership Development and Supervision – 2,280.5 hours
- Defensive Tactics – 1,965
- Employee Wellness and Support – 1,752

Approximately 54.4% of the Department's total training hours were specifically certified by the California POST.

Detailed BPD training and education data can be found in Appendix 3.

PROGRESS, CHALLENGES, AND FUTURE PRIORITIES

2025 was a year of continued progress and growth for the PAB as it advanced its mission of promoting transparency, accountability, and public trust through policy review, regulatory development, community engagement, and oversight activities. The year was characterized by significant progress across several key areas, including the development of research partnerships, the expansion of policy oversight efforts, and the continuation of community engagement initiatives. At the same time, the Board navigated resource constraints, operational challenges, and evolving public safety issues that affected its work. The accomplishments and challenges of 2025 informed the Board's priorities for 2026 as it continues its efforts to strengthen Berkeley's police accountability framework.

2025 ACCOMPLISHMENTS

EXPANDING POLICY REVIEW AND OVERSIGHT

The Board continued to fulfill its oversight responsibilities by reviewing policies, technologies, and practices affecting policing in Berkeley. During the year, the Board examined surveillance technology proposals, including fixed surveillance cameras, drones, and other public safety technologies, and provided recommendations to the City Council regarding their implementation and oversight.

The Board also reviewed military equipment matters, monitored implementation of the Berkeley Police Department's Early Intervention System, participated in discussions related to public safety technologies and procurement processes, evaluated vehicle pursuit policies, reviewed mutual aid agreements, and examined other issues affecting accountability and public trust.

These efforts reflected the Board's commitment to ensuring that policing policies and practices remain consistent with Berkeley's accountability framework, community expectations, and principles of transparency. spent a significant number of hours participating in the meet-and-confer process and collaborated with City stakeholders to review proposed regulatory provisions, provide feedback, and advance discussions aimed at establishing a comprehensive and sustainable framework for police accountability oversight. Progress made during 2025 helped move the regulations process closer to completion and positioned the Board to make finalization and implementation of the regulations its highest organizational priority for 2026. Once adopted, the regulations will provide greater clarity, consistency, transparency, and procedural guidance for complaint investigations and oversight activities.

STRENGTHENING COMMUNITY ENGAGEMENT

Community engagement remained a central component of the Board's work throughout 2025. Board members and ODPa staff participated in a variety of outreach and engagement activities designed to increase public awareness of police accountability processes and provide opportunities for community input.

These efforts included participation in community visioning sessions, discussions regarding immigration and sanctuary city policies, Juneteenth celebrations, Hispanic Heritage Month activities, demonstrations of emerging public safety technologies, and other community-focused events. The Board also expanded its public outreach efforts through a LinkedIn pilot program and continued working with community organizations and stakeholders throughout Berkeley, particularly those involved in the struggle to ensure the rights of immigrants and refugees.

Community feedback received throughout the year informed Board discussions on policy matters, transparency initiatives, and public accountability issues while helping identify opportunities to improve access to oversight resources and complaint processes.

BUILDING PARTNERSHIPS AND PROFESSIONAL COLLABORATION

The Board continued to strengthen relationships with community organizations, academic institutions, and civilian oversight agencies. These partnerships enhanced the Board's access to subject matter expertise, informed policy discussions, and supported its evaluation of emerging issues affecting police accountability and public trust.

As part of these efforts, the Board maintained engagement with the National Association for Civilian Oversight of Law Enforcement (NACOLE), collaborated with academic partners such as UC Berkeley Law's Criminal Law and Justice Center, and continued building relationships with professionals and organizations involved in oversight, accountability, and public safety reform. These connections provided valuable opportunities for information sharing, professional development, and the exchange of best practices in civilian oversight.

The Board's commitment to collaboration and community engagement also extended to the development of new educational and outreach initiatives. In the summer of 2025, the ODPa welcomed its first cohort of interns, hosting five YouthWorks interns and one intern from UC Berkeley's Public Service Center. Throughout the year, interns contributed to a variety of projects designed to enhance public awareness of police accountability and strengthen community engagement efforts. Their work included helping organize the ODPa's Use of Force Community Workshops, which provided residents with an

opportunity to learn about Berkeley's Use of Force Policy and engage in discussions regarding police accountability.

In addition to supporting outreach activities, interns assisted ODPA staff with research on public safety and police accountability issues while gaining practical experience in data analysis, research methods, and other technical skills relevant to public-sector oversight and policy work.

Building upon these partnerships and outreach efforts, the Board and ODPA also established a new collaboration with UC Berkeley's Social Sector Solutions program. Through this partnership, the Board and ODPA began evaluating existing outreach activities and developing recommendations for a long-term community engagement strategy aimed at increasing public awareness, strengthening relationships with community members, and expanding participation in police accountability discussions.

Collectively, these partnerships and collaborative initiatives expanded the Board's capacity to engage with the community, access specialized expertise, and incorporate emerging best practices into its work, further supporting its mission to promote effective civilian oversight, accountability, and public trust.

CHALLENGES ENCOUNTERED DURING 2025

PAB MEMBERSHIP, ODPA STAFFING AND RESOURCE CONSTRAINTS

The most significant challenge affecting the work of both the PAB and the ODPA during 2025 was limited organizational capacity resulting from staffing shortages and Board vacancies. Due to the City's hiring freeze, multiple authorized positions within the ODPA, including an investigator position and administrative support staff, remained vacant for much of the year. These vacancies reduced the Office's capacity to conduct investigations, support policy development, facilitate community engagement, and perform essential administrative functions, requiring existing staff to assume additional responsibilities to maintain core operations and support the Board's work.

The Board likewise experienced fluctuations in membership throughout the year due to vacancies and the lengthy appointment process required to fill them. The number of seated Board members ranged from six to eight, representing a reduction of up to 25% from full membership at various points during the year. Because vacancies often remained unfilled for extended periods, the Board's capacity to share oversight responsibilities, staff subcommittees, conduct policy reviews, and participate in community engagement activities was reduced. Additionally, the Board operated with only the minimum quorum required to conduct business at four of its fourteen meetings during 2025, representing approximately 29% of meetings held during the reporting period.

Despite these constraints, the PAB and ODPa continued to fulfill their core oversight responsibilities and maintain regular operations. However, reduced staffing and membership capacity affected the pace at which certain initiatives could be advanced and limited the Office's ability to undertake proactive policy reviews, expand outreach efforts, and pursue longer-term projects. Resource constraints also required difficult operational decisions, including prioritizing policy reviews and administratively closing certain complaints that were unlikely to be completed within required timeframes due to limited investigative capacity.

OPERATIONAL AND PROCEDURAL CHALLENGES

The Board also encountered operational challenges related to complaint investigations, policy review processes, and coordination with other City entities.

The PAB and ODPa experienced delays in obtaining records and investigative materials, which affected complaint timelines and the Board's ability to complete reviews as efficiently as desired. The Board also expressed concern regarding instances in which policies or public safety initiatives advanced through the City decision-making process before the Board had sufficient opportunity to complete its review and formulate recommendations. In certain instances, the Board was not able to provide input on significant departmental policy changes prior to their submission to Council. For example, the department's proposal to encrypt its radio transmissions was transmitted to Council without the opportunity for the Board to weigh in, despite significant public comment on the issue. As a body subject to the Brown Act, the Board's ability to deliberate and take action outside of properly noticed public meetings is limited. That limitation is compounded by the fact that the Charter does not authorize the Board to review a significant change to departmental policy prior to implementation. As a result, the Board was occasionally required to conduct expedited reviews of consequential and high-profile policies within constrained timeframes and after official action was already taken, reducing opportunities for more extensive discussion, analysis, and public input.

COMMUNITY ENGAGEMENT CHALLENGES

While the Board's hybrid meeting format helped maintain accessible opportunities for public participation, increasing public awareness of the Board's role and available accountability resources remained an ongoing challenge. The Board identified opportunities to strengthen engagement with communities that may be less familiar with police accountability processes, including immigrant communities, unhoused individuals, young people, and other historically underrepresented groups.

Levels of public participation varied considerably throughout the year and were often influenced by the specific issue under discussion, suggesting that awareness of the

Board and its work often remains tied to specific events or topics rather than ongoing engagement. This highlighted the need for a more comprehensive and sustained outreach strategy focused on increasing awareness of the Board's role, responsibilities, and available resources.

To address these challenges, the ODPa continued its partnership with UC Berkeley's Social Sector Solutions program to evaluate outreach efforts and identify opportunities to strengthen community engagement, improve public awareness, and expand participation in police accountability discussions.

PRIORITIES FOR 2026

Building upon the accomplishments and lessons learned during 2025, the Board identified several priorities for the coming year.

COMPLETE AND IMPLEMENT PERMANENT REGULATIONS

The Board's highest organizational priority for 2026 is completing the regulations process and supporting successful implementation of the final regulatory framework. Adoption of these regulations will establish clearer procedures governing complaint investigations, disciplinary reviews, and oversight activities while strengthening consistency, transparency, and accountability throughout the process.

STRENGTHEN POLICY REVIEW AND OVERSIGHT CAPACITY

The Board will continue working to improve its ability to review policies earlier in the decision-making process and before implementation, when practicable. Priority areas include surveillance technologies, mutual aid agreements, stop data, traffic enforcement practices, Fair and Impartial Policing reporting, and other matters within the Board's oversight authority.

The Board also intends to continue evaluating opportunities to improve complaint investigation timelines, strengthen accountability mechanisms, and ensure timely completion of its Charter-mandated responsibilities.

EXPAND COMMUNITY ENGAGEMENT AND PUBLIC AWARENESS

Building on outreach initiatives undertaken during 2025, the Board intends to expand public awareness of police accountability processes and increase engagement with communities that may be less familiar with available oversight resources.

Planned efforts include implementation of recommendations developed through the Social Sector Solutions partnership, continued participation in community events,

expansion of digital communication efforts, and strengthened collaboration with community organizations and stakeholders.

The Board seeks to increase public understanding of its role, improve awareness of complaint processes, and encourage broader participation in police accountability discussions.

IMPROVE ORGANIZATIONAL CAPACITY AND PERFORMANCE MONITORING

The Board will continue evaluating opportunities to improve operational effectiveness through enhanced policy tracking, records management, complaint timeline monitoring, and performance measurement. The Board also remains committed to advocating for the staffing and resources necessary to effectively fulfill its Charter-mandated responsibilities and support long-term organizational sustainability.

STRENGTHEN PARTNERSHIPS AND COLLABORATION

The Board will continue cultivating relationships with oversight agencies, academic institutions, community organizations, City leadership, and other stakeholders. These partnerships will support information sharing, strengthen policy analysis, provide access to specialized expertise, and enhance the Board's ability to respond to emerging issues affecting police accountability and public trust.

Through these efforts, the Board seeks to further promote transparency, accountability, and public confidence in Berkeley's police accountability system while continuing to fulfill its Charter-mandated responsibilities.

CONCLUSION

The work of the PAB and ODPa during 2025 reflects the ongoing effort to strengthen police accountability, transparency, and public trust in Berkeley. Through complaint investigations, policy review, data analysis, community engagement, and oversight of emerging public safety issues, the PAB and ODPa continued to fulfill their Charter responsibilities while contributing to broader discussions regarding policing, accountability, and community safety.

The year presented both opportunities and challenges. The Board advanced important policy discussions, continued progress toward permanent regulations governing complaint investigations, expanded partnerships with community and academic organizations, and maintained independent oversight of police practices and technologies. At the same time, staffing limitations, resource constraints, and evolving public safety issues required the Board and ODPa to carefully prioritize their work while continuing to meet their core obligations.

The findings and information presented throughout this report demonstrate that effective civilian oversight requires more than the review of individual complaints. Meaningful accountability depends upon ongoing examination of policies, practices, data, technologies, and systems that shape police operations and public interactions. It also requires sustained engagement with community members, transparency in government decision-making, and a willingness to evaluate both successes and areas for improvement.

As Berkeley moves into 2026, the PAB and ODPa remain committed to strengthening the City's police accountability framework through independent oversight, evidence-informed policy review, community engagement, and continuous evaluation of policing practices. The Board will continue working to ensure that accountability systems remain responsive to community concerns, adaptable to emerging challenges, and consistent with the principles of fairness, transparency, and public service.

The PAB and ODPa thank the residents of Berkeley, community organizations, City staff, elected officials, and members of the Berkeley Police Department who participated in the accountability process during the year. Through continued collaboration, constructive dialogue, and shared commitment to public trust, Berkeley can continue to build and strengthen a system of civilian oversight that serves both the community and the public interest.

--- END OF REPORT ---

GUIDING DOCUMENTS AND AUTHORITY

U.S. Constitution:

<https://www.archives.gov/founding-docs/constitution>

State of California Constitution:

<https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=CONS&tocTitle=+California+Constitution+-+CONS>

California Government Code:

<https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=GOV>

City of Berkeley Charter, Section 125. Police Accountability Board and Director of Police Accountability:

<https://berkeley.municipal.codes/Charter/125>

Interim Regulations for Handling Complaints Against Sworn Officers of the Police Department:

https://berkeleyca.gov/sites/default/files/2022-02/PAB-ODPA.Interim.Reggs_.Approved.2021-10-05.pdf

Berkeley Police Department Law Enforcement Manual

https://berkeleyca.gov/sites/default/files/2026-03/RELEASE_20260310_T164544_Berkeley%20PD%20Policy%20Manual.pdf

Police Accountability Board's Standing Rules:

https://berkeleyca.gov/sites/default/files/2022-02/PoliceAccountabilityBoard_StandingRules.pdf

City of Berkeley Commissioners' Manual, 2025 Edition:

<https://berkeleyca.gov/sites/default/files/documents/Commissioners%27%20%26%20Board%20Members%27%20Manual%202025%20Edition.pdf>

APPENDIX 1. 2025 POLICE ACCOUNTABILITY BOARD MEMBERS AND OFFICE OF THE DIRECTOR OF POLICE ACCOUNTABILITY STAFF

This appendix identifies the members of the Police Accountability Board and the Staff of the Office of the Director of Police Accountability who served during calendar year 2025. “Status” reflects whether the individual continues to serve with the Board or ODPa as of the publication of this report.

Police Accountability Board Members

Name	Role	Appointing Authority	Status
Joshua Cayetano	Chair	District 7	Current
Leah Wilson	Vice-Chair	District 5	Current
Alexander Mozes	Board Member	District 1	Former
Joshua Buswell-Charkow	Board Member	District 1	Current
David Williams	Board Member	District 2	Former
John E. Moore III	Board Member	District 3	Former
Macharia Edmonds	Board Member	District 3	Former
Kitty Calavita	Board Member	District 4	Former
Juliet Leftwich	Board Member	District 6	Former
Randy Wells	Board Member	District 8	Current

Office of the Director of Police Accountability Staff

Name	Role	Status
Hansel Aguilar	Director of Police Accountability	Former
Syed Mehdi	Data Analyst	Current
Jose Murillo	Policy Analyst	Current
Jayson Wechter	Investigator	Former
Daniel Weinberg	Investigator	Current

APPENDIX 2. INVESTIGATIVE PROCESSES AND PROCEDURES AND INVESTIGATION OUTCOMES

(Required by Charter Section 125(16)(B)(2))

The PAB and ODPa are responsible for receiving and addressing complaints of misconduct involving sworn members of the BPD, consistent with Section 125(18) of the City Charter and the PAB's Interim Regulations for Handling Complaints Against Sworn Officers of the Police Department. The following provides a step-by-step overview of that process.

Step 1 – Filing of a Complaint

Complaints may be submitted by individuals directly impacted by the alleged misconduct, eyewitnesses, or their authorized representatives. Community members may file a complaint through the ODPa's online Sivil Technologies portal, or by submitting a paper complaint in person or by mail. Complaints must generally be filed within 180 days of the incident, unless applicable tolling provisions apply. In lieu of a formal investigation, complainants may elect to pursue mediation, where appropriate.

Step 2 – Intake, Screening, and Investigation

Upon receipt, the Director conducts an initial review to determine whether the complaint meets established sufficiency standards. If accepted, a Notice of Complaint is issued to the subject officer(s) within twenty-eight (28) days. Investigations are to be completed within 120 to 195 days, depending on the circumstances of the case.

Investigations are conducted in a thorough, objective, and impartial manner and may include, but are not limited to:

- Interviews with complainants, witnesses, and involved officers
- Review of relevant materials, including reports, photographs, and video evidence
- Site visits to locations relevant to the incident

Step 3 – Findings and Recommendations

At the conclusion of the investigation, the Director prepares and submits a report to the PAB setting forth findings of fact and recommended determinations. The PAB may either accept the Director's recommendations, modify the ODPa's recommended findings, or direct that the matter proceed to a hearing.

If the PAB accepts the recommendations, the findings are transmitted to the Chief of Police, who may concur or disagree. In the event of disagreement, the matter may be referred to the City Manager for final determination.

If the PAB directs that a hearing be held, a three-member panel of the PAB convenes a closed-session hearing to conduct additional fact-finding. Both the complainant and the subject officer are required to provide testimony. Following deliberation, the panel renders findings on each allegation, which are then forwarded to the Chief of Police for consideration.

INVESTIGATIVE PROCESS OVERVIEW

The following diagram provides an overview of the process for handling complaints of misconduct involving sworn members of the BPD.



FINDINGS CATEGORIES

SUSTAINED	The allegation did occur and the action is not justified.
NOT SUSTAINED	The evidence fails to support the allegation; however, it has not been proven false.
UNFOUNDED	The alleged act did not occur.
EXONERATED	The alleged act did occur, but it was lawful, justified, and proper.
ADMINISTRATIVE CLOSURE	<p>Refers to an Administrative Closure of a complaint before a confidential personnel hearing is held. According to the POLICE ACCOUNTABILITY BOARD and OFFICE of the DIRECTOR OF POLICE ACCOUNTABILITY Interim Regulations for Handling Complaints Against Sworn Officers of the Police Department, the grounds upon which a complaint may be administratively closed include but are not limited to the following:</p> <ol style="list-style-type: none"> i. Complaint does not allege prima facie misconduct or is frivolous or retaliatory. ii. Request for closure by the complainant. iii. Unavailability of complainant where staff has attempted at least 3 telephone, electronic mail and/or regular mail contacts. Attempts to reach the complainant by telephone and/or mail shall be documented in the recommendation for Administrative Closure. iv. Mootness of the complaint including but not limited to situations where the subject officer's employment has been terminated or where the complaint has been resolved by other means. v. Failure of the complainant to cooperate, including but not limited to: refusal to submit to an interview, to make available essential evidence, to attend a hearing, and similar action or inaction by a complainant that compromises the integrity of the investigation or has a significant prejudicial effect. vi. Failure of ODP staff to timely complete its investigation, as set forth in Section II.C.1.
N/A	Not Applicable

N/R

[Berkeley Charter Section 125\(18\)\(k\)](#) provides the discretion to the Director of Police Accountability to request further review from the City Manager. In this case “N/R” means a subsequent review after receiving the Chief’s Tentative findings was not requested and the Chief’s findings become Final.

The following tables provide an overview of the findings and outcomes associated with cases closed during 2025. To protect the privacy of complainants, officers, and other involved parties, identifying information has been omitted. These tables do not include cases that were administratively closed and are limited to matters that received investigative findings or other substantive dispositions.

Case Number	2024-CI-0031		
Allegations	Allegation 1. DISCOURTESY (OFFICER 1, OFFICER 2) <i>Whether the subject officers failed to respond to the complainant’s allegations.</i> Allegation 2. DISCRIMINATION (OFFICER 1, OFFICER 2) <i>Whether subject officers discriminated against the complainant on the basis of gender, disability, or age.</i> Allegation 3. DISCOURTESY (OFFICER 2) <i>Whether the subject officer used abusive language when speaking with the complainant.</i> Allegation 4. IMPROPER OR INADEQUATE INVESTIGATION (OFFICER 1, OFFICER 2) <i>Whether the subject officers failed to investigate the complainant’s allegations.</i> Allegation 5. HARASSMENT (OFFICER 2) <i>Whether the subject officer harassed the complainant.</i> Allegation 6. IMPROPER POLICE PROCEDURES (OFFICER 1, OFFICER 2) <i>Whether the subject officers activated their body-worn cameras as required by policy.</i>		
DPA Findings	PAB Findings	BPD Findings	CMO Findings
1. UNFOUNDED 2. UNFOUNDED 3. SUSTAINED 4. SUSTAINED 5. UNFOUNDED 6. SUSTAINED	1. UNFOUNDED 2. UNFOUNDED 3. SUSTAINED 4. UNFOUNDED 5. UNFOUNDED 6. SUSTAINED	1. UNFOUNDED 2. UNFOUNDED 3. UNFOUNDED 4. UNFOUNDED 5. UNFOUNDED 6. NO FORMAL DISCIPLINE	1. UNFOUNDED 2. UNFOUNDED 3. UNFOUNDED 4. UNFOUNDED 5. UNFOUNDED

			6. NO FORMAL DISCIPLINE
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Case Number	2025-CI-0001		
Allegations	Allegation 1. FAILURE TO FOLLOW LAW/POLICY -- Improper parking in bicycle lane (OFFICER 1) <i>Whether the subject officer improperly parked in a bicycle lane.</i>		
DPA Findings	PAB Findings	BPD Findings	CMO Findings
1. EXONERATED	1. EXONERATED	1. EXONERATED	1. -N/R- 125(18)(K) DISCRETION INVOKED BY DPA TO NOT SEND TO CM FOR FINAL DECISION

Case Number	2025-CI-0004		
Allegations	Allegation 1. DISCOURTESY --Failure to respond (Officer 1) <i>Whether the subject officer failed to return the complainant's phone call.</i> Allegation 2. IMPROPER OR INADEQUATE INVESTIGATION --Failure to investigate or make a police report (Officer 1) <i>Whether the subject officer failed to investigate or make a police report.</i>		
DPA Findings	PAB Findings	BPD Findings	CMO Findings
1. NOT SUSTAINED 2. NOT SUSTAINED	1. NOT SUSTAINED 2. NOT SUSTAINED	1. NOT SUSTAINED 2. VACATED	1. -N/R- 125(18)(K) DISCRETION INVOKED BY DPA TO NOT SEND TO CM FOR FINAL DECISION

Case Number	2025-CI-0010		
Allegations	Allegation 1. DISCOURTESY --Failure to provide information (OFFICER 1) <i>Whether the subject officers failed to provide information about complainant's Miranda rights.</i> Allegation 2. DISCRIMINATION --Gender, disability, and race		

	<p>(OFFICER 1) <i>Whether the subject officers discriminated against the complainant based on gender, disability, or race.</i></p> <p>Allegation 3. HARASSMENT (OFFICER 1) <i>Whether the subject officers harassed the complainant.</i></p>		
DPA Findings	PAB Findings	BPD Findings	CMO Findings
1. EXONERATED 2. NOT SUSTAINED 3. NOT SUSTAINED	1. EXONERATED 2. NOT SUSTAINED 3. NOT SUSTAINED	1. EXONERATED 2. NOT SUSTAINED 3. NOT SUSTAINED	1. -N/R- 125(18)(K) DISCRETION INVOKED BY DPA TO NOT SEND TO CM FOR FINAL DECISION

Case Number	2025-CI-0013
Allegations	<p>1. DISCOURTESY -- Failure to provide information (OFFICER 1) <i>Whether the subject officer failed to provide the complainant with information.</i></p> <p>2. DISCRIMINATION --Race or ethnicity (OFFICER 1) <i>Whether the subject officer discriminated against the complainant.</i></p> <p>3. HARASSMENT (OFFICER 1) <i>Whether the subject officer harassed the complainant.</i></p> <p>4. IMPROPER OR INADEQUATE INVESTIGATION --Failure to investigate or make police report (OFFICER 1) <i>Whether the subject officer failed to properly investigate or make a police report.</i></p> <p>5. IMPROPER OR INADEQUATE INVESTIGATION --False or improper police report (OFFICER 1) <i>Whether the subject officer made a false police report.</i></p> <p>6. IMPROPER POLICE PROCEDURES --Damage to property (OFFICER 1) <i>Whether the subject officer damaged the complainant's property.</i></p> <p>7. IMPROPER SEARCH --Home (OFFICER 1) <i>Whether the subject officer improperly entered and searched the complainant's home.</i></p>

DPA Findings	PAB Findings	BPD Findings	CMO Findings
1. SUSTAINED 2. SUSTAINED 3. UNFOUNDED 4. SUSTAINED 5. SUSTAINED 6. NOT SUSTAINED 7. SUSTAINED	1. SUSTAINED 2. NO FURTHER ACTION 3. UNFOUNDED 4. SUSTAINED 5. SUSTAINED 6. NOT SUSTAINED 7. SUSTAINED	1. UNFOUNDED 2. UNFOUNDED 3. UNFOUNDED 4. UNFOUNDED 5. UNFOUNDED 6. UNFOUNDED 7. UNFOUNDED	1. NO FINAL DETERMINATION MADE DUE TO TIME CONSTRAINTS

Case Number	2025-CI-0014
Allegations	<p>1. DISCRIMINATION -- Race or ethnicity (OFFICER 1) <i>Whether the subject officer discriminated against the complainant.</i></p> <p>2. HARASSMENT (OFFICER 1) <i>Whether the subject officer failed to respond to the complainant.</i></p> <p>3. IMPROPER OR INADEQUATE INVESTIGATION -- Failure to investigate or make police report (OFFICER 1) <i>Whether the subject officer failed to properly investigate or make a police report.</i></p> <p>4. IMPROPER OR INADEQUATE INVESTIGATION --False or improper police report (OFFICER 1) <i>Whether the subject officer made a false police report.</i></p> <p>5. IMPROPER POLICE PROCEDURES --Damage to Property (OFFICER 1) <i>Whether the subject officer damaged the complainant's property.</i></p> <p>6. IMPROPER SEARCH --Home (OFFICER 1) <i>Whether the subject officer improperly entered and searched the complainant's home.</i></p>

DPA Findings	PAB Findings	BPD Findings	CMO Findings
1. SUSTAINED 2. UNFOUNDED 3. SUSTAINED 4. SUSTAINED 5. NOT SUSTAINED 6. SUSTAINED	1. SUSTAINED 2. UNFOUNDED 3. SUSTAINED 4. SUSTAINED 5. NOT SUSTAINED 6. SUSTAINED	1. UNFOUNDED 2. UNFOUNDED 3. UNFOUNDED 4. UNFOUNDED 5. UNFOUNDED 6. VACATED	1. NO FINAL DETERMINATION MADE DUE TO CHARTER-BOUND TIME

			CONSTRAINTS
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Case Number	2025-CI-0015		
Allegations	<p>Allegation 1. DISCOURTESY (OFFICER 1) <i>Whether subject officer(s) were discourteous to the complainant.</i></p> <p>Allegation 2. DISCRIMINATION --Disability, gender, race, ethnicity, or age (OFFICER 1, OFFICER 2, OFFICER 3, OFFICER 4) <i>Whether the subject officer(s) discriminated against the complainant.</i></p> <p>Allegation 3. HARASSMENT (OFFICER 1, OFFICER 2, OFFICER 3, OFFICER 4) <i>Whether subject officers failed to respond to the complainant.</i></p> <p>Allegation 4. IMPROPER DETENTION (OFFICER 1, OFFICER 2) <i>Whether subject officer(s) improperly detained the complainant.</i></p> <p>Allegation 5. IMPROPER OR INADEQUATE INVESTIGATION --Failure to investigate (OFFICER 1, OFFICER 2, OFFICER 3, OFFICER 4, OFFICER 5) <i>Whether the subject officer(s) failed to make a police report.</i></p> <p>Allegation 6. IMPROPER OR INADEQUATE INVESTIGATION --False or improper police report (OFFICER 1, OFFICER 2, OFFICER 3, OFFICER 4) <i>Whether subject officer(s) made a false or improper police report.</i></p> <p>Allegation 7. IMPROPER OR INADEQUATE INVESTIGATION (OFFICER 1, OFFICER 2, OFFICER 3) <i>Whether subject officer(s) conducted an improper or inadequate investigation of the assault.</i></p> <p>Allegation 8. IMPROPER OR INADEQUATE INVESTIGATION (OFFICER 2) <i>Whether subject officer(s) conducted an improper or inadequate investigation of the responding officers' investigation of the assault.</i></p> <p>Allegation 9. IMPROPER POLICE PROCEDURES (OFFICER 1, OFFICER 2, OFFICER 3, OFFICER 4) <i>Whether subject officer(s) failed to provide the complainant with medical assistance.</i></p>		
DPA Findings	PAB Findings	BPD Findings	CMO Findings
1. NOT SUSTAINED 2. NOT SUSTAINED 3. UNFOUNDED 4. UNFOUNDED 5. UNFOUNDED 6. UNFOUNDED 7. EXONERATED	1. NOT SUSTAINED 2. NOT SUSTAINED 3. UNFOUNDED 4. UNFOUNDED 5. UNFOUNDED 6. UNFOUNDED 7. EXONERATED	1. ADMINISTRATIVE CLOSURE	1. -N/R-125(18)(K) DISCRETION INVOKED BY DPA TO NOT SEND TO CM FOR FINAL DECISION

8. EXONERATED	8. EXONERATED		
9. UNFOUNDED	9. UNFOUNDED		

Case Number	2025-CI-0017		
Allegations	<p>1. DISCOURTESY -- Failure to Provide Information (OFFICER 1) <i>Whether the subject officers failed to provide information to the complainant.</i></p> <p>2. DISCOURTESY -- Abusive or obscene language (OFFICER 1) <i>Whether the subject officer was discourteous and used obscene, indecent, profane, or derogatory language towards the complainant.</i></p> <p>3. DISCOURTESY --Failure to respond (OFFICER 1) <i>Whether the subject officer was discourteous and failed to respond to a request for service from the complainant.</i></p> <p>4. HARASSMENT --Gender (OFFICER 1) <i>Whether the subject officer harassed the complainant.</i></p> <p>5. IMPROPER DETENTION (OFFICER 1) <i>Whether the subject officer(s) improperly detained the complainant.</i></p> <p>6. IMPROPER CITATION (OFFICER 1) <i>Whether the subject officer(s) improperly issued a citation to the complainant.</i></p> <p>7. IMPROPER POLICE PROCEDURES (OFFICER 1) <i>Whether the subject officer(s) failed to identify themselves to a member of the public.</i></p>		
DPA Findings	PAB Findings	BPD Findings	CMO Findings
1. SUSTAINED	1. SUSTAINED	1. UNFOUNDED	1. UNFOUNDED
2. SUSTAINED	2. SUSTAINED	2. UNFOUNDED	2. UNFOUNDED
3. UNFOUNDED	3. UNFOUNDED	3. UNFOUNDED	3. N/A
4. UNFOUNDED	4. UNFOUNDED	4. UNFOUNDED	4. N/A
5. UNFOUNDED	5. UNFOUNDED	5. EXONERATED	5. N/A
6. NOT SUSTAINED	6. NOT SUSTAINED	6. EXONERATED	6. EXONERATED
7. EXONERATED	7. EXONERATED	7. EXONERATED	7. EXONERATED

Case Number	2025-CI-0019		
Allegations	<p>1. DISCRIMINATION -- Disability, gender, race, nationality, religion</p>		

	<p>(OFFICER 1, OFFICER 2) <i>Whether the subject officer(s) discriminated against the complainant.</i></p> <p>2. IMPROPER OR INADEQUATE INVESTIGATION -- Failure to investigate or make police report (OFFICER 1, OFFICER 2) <i>Whether the subject officer(s) failed to investigate or make a police report.</i></p> <p>3. IMPROPER OR INADEQUATE INVESTIGATION --False or improper police report (OFFICER 1, OFFICER 2) <i>Whether the subject officers' actions resulted from Disability bias against the complainant.</i></p>		
DPA Findings	PAB Findings	BPD Findings	CMO Findings
<p>1. NOT SUSTAINED 2. UNFOUNDED 3. UNFOUNDED</p>	<p>1. NOT SUSTAINED 2. UNFOUNDED 3. UNFOUNDED</p>	<p>1. UNFOUNDED 2. UNFOUNDED 3. UNFOUNDED</p>	<p>1. -N/R- 125(18)(K) DISCRETION INVOKED BY DPA TO NOT SEND TO CM FOR FINAL DECISION</p>

APPENDIX 3. BPD TRAINING AND EDUCATION DATA

In calendar year 2025, Berkeley Police Department personnel completed a total of 16,872.5 hours of training, representing a 139% increase from the 7,065 training hours reported in 2024. These hours were distributed across five primary categories:

- Tactical and Operational – 8,469 hours
- Management and Leadership – 3,945 hours
- Legal and Legislative – 2,318 hours
- Conferences and Seminars – 1,240 hours
- Technology, Data and Information Systems – 900.5 hours

The most frequently covered training topics included:

- Tactical Response – 2,692 hours
- Crisis Management and Response – 2,664 hours
- Firearms Training – 2,332 hours
- Leadership Development and Supervision – 2,280.5 hours
- Defensive Tactics – 1,965 hours
- Employee Wellness and Support – 1,752 hours

Of the 149 training orders submitted to the Berkeley Police Department in 2025, 54.4% were certified by the California Commission on Peace Officer Standards and Training (POST), while 45.6% did not have a verifiable POST certification. POST-certified trainings accounted for the majority of training activity completed during the reporting period.

Table 1. POST-Certified Training Orders (2025)

Certification Status	Training Orders	Percentage
POST-Certified	81	54.4%
Non-POST Certified / No Verifiable Certification	68	45.6%
Total	149	100.0%

Figure 2: Post Certified (Y vs. N)

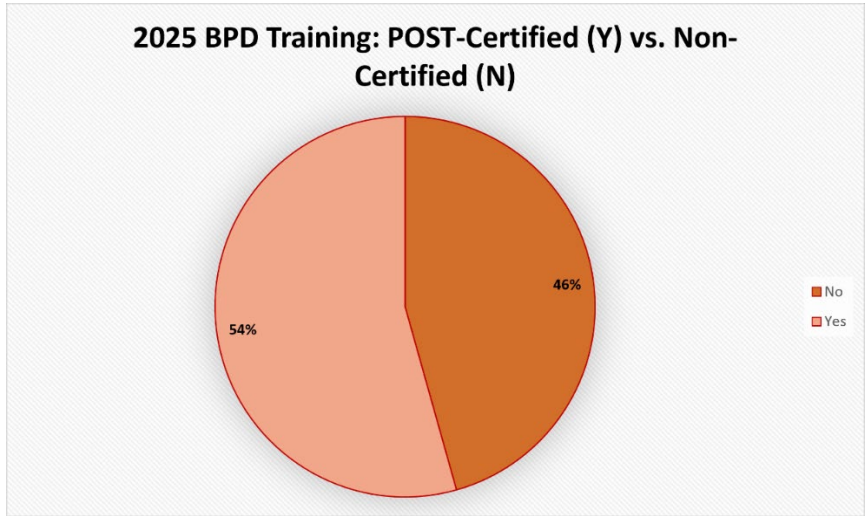
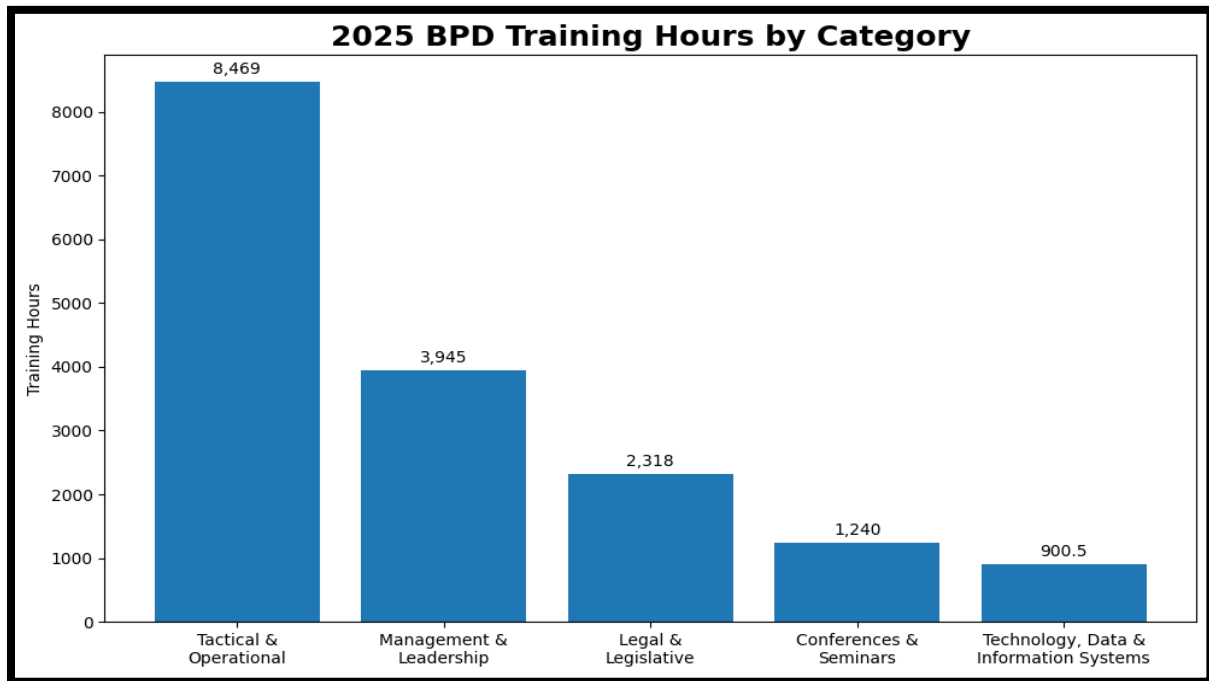


Table 2. BPD Training Hours by Primary Category (2025)

Training Category	Total Training Hours
Tactical & Operational	8,469
Management & Leadership	3,945
Legal & Legislative	2,318
Conferences & Seminars	1,240
Technology, Data & Information Systems	900.5
Total	16,872.5

Figure 3: BPD Training Categories Total Hours



This chart illustrates the distribution of 16,872.5 total training hours completed by Berkeley Police Department personnel in 2025—a 139% increase from the previous year's total of 7,065 hours. The majority of training hours were concentrated in the Tactical and Operational category (8,469 hours), which accounted for just over half of all training completed during the year. Management and Leadership training represented the second-largest category with 3,945 hours, followed by Legal and Legislative training with 2,318 hours. Conferences and Seminars accounted for 1,240 hours, while Technology, Data, and Information Systems training comprised 900.5 hours.

The following chart lists all training categories completed by Berkeley Police Department personnel in 2025, along with the total number of hours recorded for each. It includes training across operational, leadership, investigative, wellness, compliance, and technology-related subject areas and reflects how the Department's 16,872.5 total training hours were distributed among individual training topics.

Table 3. Distribution of BPD Training Hours by Training Subcategory (2025)

Training Subcategory	Total Training Hours
Tactical Response	2,692
Crisis Management & Response	2,664
Firearms	2,332
Leadership Development & Supervision	2,280.5
Defensive Tactics	1,965
Employee Wellness & Support	1,752
De-Escalation	1,230
Traffic Safety & Enforcement	600
Specialized Investigative Techniques	595
Jail Operations & Safety	224
Field Training Program	194
Property & Evidence Management	120
Intelligence & Analysis	80
Public Records, Legal Compliance & Accountability	80
Interagency Operations	64
Grand Total	16,872.5

Of the 16,872.5 total training hours completed across five categories and 15 training subcategories, a substantial portion consisted of training certified by the California Commission on Peace Officer Standards and Training (POST). Of the 149 training orders submitted by Berkeley Police Department personnel in 2025, 81 (54.4%) were verified as POST-certified. POST-certified training refers to instruction that meets statewide standards for law enforcement training in California and is officially recognized for

professional development, compliance, and continuing education requirements. The prevalence of POST-certified training reflects the Department's continued investment in maintaining professional standards and ensuring personnel receive training aligned with state-recognized best practices.