



FOR IMMEDIATE RELEASE

May 2, 2025

POLICE ACCOUNTABILITY BOARD TRANSMITS LETTER TO CITY COUNCIL AND CHIEF OF POLICE REGARDING BARRIERS TO REQUIRED OVERSIGHT REVIEW

BERKELEY, CA – On May 1, 2025, the Police Accountability Board (PAB) transmitted a formal letter to the Berkeley City Council, Chief of Police Jennifer Louis, and other relevant City stakeholders detailing concerns about barriers that have prevented the PAB from completing its legally mandated review of the Berkeley Police Department's 2024 Controlled Equipment Report.

Pursuant to the Police Equipment and Community Safety Ordinance (Berkeley Municipal Code Chapter 2.100 *et. seq.*),¹ the PAB is required to independently determine whether the Department's use of controlled equipment complies with standards designed to safeguard civil liberties, prevent excessive or gratuitous deployments, and avoid discriminatory impacts. Despite timely and specific records requests, the PAB was not provided access to key materials—such as body-worn camera footage and radio transmissions—necessary to complete its review.

The PAB reported it is unable to certify that BPD's use of controlled equipment complied with the standards codified in the Ordinance without the requested records. The letter, signed by PAB Chair Joshua Cayetano, responds to concerns raised by BPD about administrative workload, confidentiality, and scope. It emphasizes that PAB members are trained and sworn to uphold confidentiality under law and that the request was narrowly tailored to minimize the burden.

"The PAB cannot independently evaluate compliance or make informed determinations without access to the underlying materials that substantiate BPD's descriptions," the letter states.

It continues, "We respectfully caution the Council on accepting this year's (and any future) Controlled Equipment Report from BPD until it has complied with the PAB-mandated review codified in the Police Equipment and Community Safety Ordinance."

¹ Berkeley Municipal Code Chapter 2.100 *et. seq.*, "Police Equipment and Community Safety Ordinance": <https://berkeley.municipal.codes/BMC/2.100>

The letter also notes that similar concerns have been raised over the last three reporting cycles by current and former oversight officials, including the Director of Police Accountability and previous PAB Chairs, without resolution.

The PAB reaffirmed its commitment to working constructively with all City departments—including the Berkeley Police Department—to uphold transparency, accountability, and community safety in accordance with the City Charter and Municipal Code.

The full letter is available at:

<https://berkeleyca.gov/sites/default/files/documents/2025-05-01%20PAB%20Letter%20to%20Council-%20Impediments%20to%20PABs%20Review%20of%20the%202024%20Controlled%20Equipment%20Report.pdf>

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