



Brent Blackaby
Councilmember District 6

CONSENT CALENDAR
October 14, 2025

To: Honorable Mayor and Members of the City Council
From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor)
Subject: Urging Police Accountability Board Regulations Completion

RECOMMENDATION

Adopt a Resolution urging the Police Accountability Board (PAB), Berkeley Police Association (BPA), the Berkeley Police Department (BPD) and the City of Berkeley to complete negotiations on final PAB Regulations.

FINANCIAL IMPLICATIONS

None

CURRENT SITUATION AND ITS EFFECTS

In November 2020, Berkeley residents voted to create a Police Accountability Board (PAB). The PAB would increase the oversight of the Berkeley Police Department and expand the authority and autonomy of the former Police Review Commission. The PAB approved interim regulations, to enable the board to begin fulfilling its duties, and Council approved them in October 2021.

Since that time, final regulations have not come to City Council for approval as protracted negotiations have continued without stakeholders coming to agreement.

We trust that this negotiation process has been conducted in good faith. However, we also know that the PAB's work to create robust oversight of the Berkeley Police Department will be improved by approving final regulations. In addition, Berkeley's Police Officers should have finality and certainty about how personnel complaints will be handled, and Berkeley residents deserve to know that public safety is being maximized by a well-functioning relationship between PAB, BPD, and the City in handling complaints.

This item calls for a resolution to urge completion of the Police Accountability Board (PAB) Regulations.

BACKGROUND

In November 2020, the voters of Berkeley overwhelmingly passed Measure II, amending the City Charter to create the Police Accountability Board (PAB). The Charter was intended to create robust oversight of the Berkeley Police Department

(BPD) by expanding the authority and autonomy of the PAB's predecessor, the Police Review Commission (PRC).

The stated purpose of the PAB is "to promote public trust through independent, objective, civilian oversight of the Berkeley Police Department, provide community participation in setting and reviewing Police Department policies, practices, and procedures, and to provide a means for prompt, impartial and fair investigation of complaints brought by members of the public against sworn employees of the Berkeley Police Department." (Charter Article XVIII, Section 125(1).)

The Charter enumerates several powers and duties of the PAB, including the power and duty "to adopt rules and regulations necessary for the conduct of its business." (Charter Article XVIII, Section 125(3)(a)(6).)

The PAB approved the interim regulations, with a few changes, and Council approved the regulations in October 2021. Council deferred a decision on certain provisions, however, on the grounds that they would trigger meet and confer negotiations with the Berkeley Police Association (BPA).

After four years of negotiations, it is necessary to bring final regulations to the Council for adoption.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

No direct impact

CONTACT PERSON

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Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

DEADLINE FOR POLICE ACCOUNTABILITY BOARD REGULATIONS

WHEREAS, Berkeley voters overwhelmingly passed Measure II, amending the City Charter to create the Police Accountability Board (PAB) in November 2020; and

WHEREAS, the PAB would amplify the citizen oversight of the Berkeley Police Department and expand the authority and autonomy of the former Police Review Commission (PRC); and

WHEREAS, in October 2021, City Council approved the PAB's interim regulations, enabling the Police Accountability Board to begin fulfilling its duties; and

WHEREAS, since that time, 4 years later, final regulations have not come to City Council for approval as protracted negotiations have continued without stakeholders coming to agreement; and

WHEREAS, the PAB's work to create robust civilian oversight of the Berkeley Police Department would be improved by approving final regulations; and

WHEREAS, Berkeley Police Officers should have finality and certainty about how personnel complaints will be handled; and

WHEREAS, Berkeley residents deserve to know that public safety is being maximized by a well-functioning relationship between PAB, BPD and the City in handling complaints.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the PAB regulations process has been conducted in good faith.

BE IT FURTHER RESOLVED that Council urges the Police Accountability Board (PAB), Berkeley Police Association (BPA), the Berkeley Police Department (BPD) and the City of Berkeley to complete negotiations on final PAB Regulations.

BE IT FURTHER RESOLVED that Council requests a closed session meeting in 2025 to receive updates from the stakeholders on the state of negotiations and any outstanding issues.

