



**FOR IMMEDIATE RELEASE**

**October 28, 2025**

**DIRECTOR OF POLICE ACCOUNTABILITY TRANSMITS LETTER TO CITY COUNCIL REGARDING POLICE RADIO ENCRYPTION AND NEED FOR PUBLIC REVIEW**

BERKELEY, CA — On October 28, 2025, the Director of Police Accountability transmitted a formal letter to the Berkeley City Council outlining concerns about the process and potential impact surrounding the Berkeley Police Department’s (BPD) proposal to encrypt all police radio communications.

The letter emphasizes the importance of ensuring that proposed changes to public safety policies, practices, and procedures undergo appropriate public vetting, including through the Police Accountability Board (PAB), the Public Safety Policy Committee (PSPC), and community engagement tools such as “Berkeley Considers.”

Although current frameworks such as the City’s Berkeley Municipal Code (BMC) 2.99 “Acquisition and Use of Surveillance Technology” and BMC 2.100 “Police Equipment and Community Safety Ordinance” require pre-adoption review by oversight and Council bodies, no equivalent procedure exists for police radio encryption. However, the letter notes that the City Charter under Section 125(17)(a) requires all newly adopted departmental policies and policy revisions to be submitted to the Board within thirty (30) days of implementation.

The letter raises concerns that the encryption proposal was introduced through the Rules and Agenda Committee and advanced to the City Council consent calendar without prior PAB or PSPC review, creating the appearance of a non-transparent process.

The Director also cited language from the Berkeley Police Department’s staff report, which claimed that:

*“BPD officers and detectives have documented multiple incidents where suspects actively monitored unencrypted*

*radio traffic while committing crimes, most often in coordinated overnight commercial burglaries involving multiple suspects. Intelligence shared through regional partnerships confirms that this is widespread, organized, and in some cases involves armed offenders.” (Berkeley Police Department, Item 18: Authorization to Encrypt Berkeley Police Department Primary Radio Channels, 2025, p.1-2)*

However, the letter notes that no data or documentation has been provided to substantiate these claims, and questions remain regarding frequency, severity, and outcomes of such incidents.

While recognizing the legitimate concerns for officer safety, the Director notes that the balance between safety and transparency must be guided by dialogue informed by the data. The Director recommends that the Council:

- Move the item to the Action Calendar for open discussion;
- Refer the item to the Public Safety Policy Committee (PSPC) for analysis;
- Encourage collaboration between PSPC, BPD, the PAB, and ODPa;
- Utilize “Berkeley Considers” for structured community feedback; and
- Direct staff to produce a comparative report on how peer jurisdictions balance transparency and officer safety.

The letter concludes by reaffirming Berkeley’s leadership in community-centered oversight:

*“Before turning off the radios, we must first listen to the data, to our Charter-established oversight bodies, and to the people of Berkeley.”*

**The full letter is available at:**

[https://berkeleyca.gov/sites/default/files/documents/2025-10-28%20DPA%20Ltr%20to%20CoB%20Council-%20Radio%20Encryption%20Concerns\\_Final.pdf](https://berkeleyca.gov/sites/default/files/documents/2025-10-28%20DPA%20Ltr%20to%20CoB%20Council-%20Radio%20Encryption%20Concerns_Final.pdf)

**About the Police Accountability Board (PAB):**

The purpose of the Police Accountability Board 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 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.

**About the Office of the Director of Police Accountability (ODPA):**

The purpose of the Director of Police Accountability is to investigate complaints filed against sworn employees of the Berkeley Police Department, to reach an independent finding as to the facts, and to recommend corrective action where warranted. The Director of Police Accountability may also serve as the Secretary to the Police Accountability Board and assist the Board in carrying out the duties prescribed herein.

**For further information or inquiries, please contact:**

Hansel Alejandro Aguilar

Director of Police Accountability

[haquilar@berkeleyca.gov](mailto:haquilar@berkeleyca.gov)

510-981-4960

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