

**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING SUPPLEMENTAL PACKET
Wednesday, May 22, 2024
6:30 P.M.**

Board Members

John Moore III (Chair)
Kitty Calavita
Brent Blackaby
Alexander Mozes

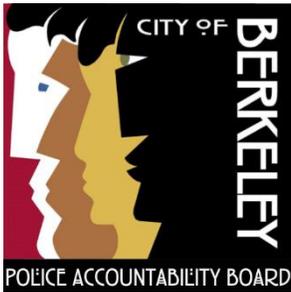
Leah Wilson (Vice-Chair)
Juliet Leftwich
Joshua Cayetano

MEETING LOCATION

2020 Milvia Street, Suite 250
Berkeley, CA 94704

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Item 9.a.: Memorandum from Vice-Chair Wilson to the PAB titled “[Recommendation] Request for additional FTE- PAB-focused analyst”



MEMORANDUM

To: Honorable Members of the Police Accountability Board

From: Leah Wilson, PAB Vice-Chair

Submitted by: Hansel Alejandro Aguilar, Director of Police Accountability 

Date: May 20, 2024

Subject: [Recommendation] Request for additional FTE- PAB-focused analyst

The Police Accountability Board (PAB) recently reviewed a budget proposal prepared by the Director of the Office of the Director of Police Accountability (ODPA). During that discussion, the PAB's role in the review process was unclear, specifically concerning the following questions:

- 1) is the PAB required to approve an ODPA budget proposal; and
- 2) to what extent should or must PAB feedback be considered when finalizing any ODPA budget submission.

I recently became aware of Berkeley Charter Section 125 4(b) which states:

The Board is authorized to propose a budget to the City Council for its operations, and the City Council may allocate to the Police Accountability Board and Director of Police Accountability, as the City Council determines resources allow, a budget sufficient to provide for a process that protects the rights of complainants and sworn employees of the Police Department, for the Board and its staff to carry out investigative and policy responsibilities stated herein, and to ensure the independence of the Board.

This charter provision gives the PAB explicit authority to propose a budget for its operations, separate and apart from any parallel budget request developed by the ODPA.

Pursuant to this authority I am asking the Board to approve a proposal to request a PAB-focused analyst position to support our work as part of the 2025-2026 budget process.

I have been on the PAB for nearly one year. During that time, I have participated on four subcommittees, and have co-authored two reports, one on the status of the implementation of Fair and Impartial Policing in Berkeley, the other on the Berkeley Police Department's 2025-2026 budget request. Notwithstanding the incredible effort and commitment of my colleagues on the PAB and the hard work of ODPA staff, these experiences have highlighted for me the limitations of our current operating paradigm which relies heavily on each member to engage appropriate stakeholders, conduct research, collect and analyze data, and write and copyedit, on a routine basis. Relying primarily on volunteers for the majority of subcommittee and PAB work is, in my view, inappropriate. Further, this model fails to support the type of capacity and infrastructure building that should be key objectives for both the PAB and the ODPA. Under a new model, the work product and processes of the PAB would not be driven by a rotating group of volunteers. Instead, a PAB-focused analyst overseen by a stable staff management team would develop and engage in systemized and standardized methods for supporting us in fulfilling our responsibilities, improving the long-term viability and effectiveness of both the PAB and the ODPA.

The following is a non-exhaustive list of proposed responsibilities for the PAB-focused analyst position:

- Identification and analysis of data.
- Research and writing including writing the first drafts of subcommittee and PAB reports and memoranda.
- Monitoring the progress of key BPD initiatives and City Council directives, regularly reporting to the PAB regarding same, and making recommendations as appropriate.
- Stakeholder engagement (primarily focused on institutional stakeholders).
- Generating regular update reports for the City Council and public.

In addition to these types of tasks, foundational work, such as the identification of comparable jurisdictions against which to assess both the BPD's performance and our own, could be the responsibility of the PAB-focused analyst.

Recommendation

If the Board agrees with my recommendation the PAB should ask the Director of the ODPA to transmit a request directly to the City Council to add 1 FTE PAB-focused analyst to the ODPA budget.

Communications

Murillo, Jose

From: Wendy Alfsen <wendyalfsen@gmail.com>
Sent: Saturday, May 18, 2024 1:00 PM
To: George Lippman; Barbara Atwell; Aguilar, Hansel; John Lindsay-Poland; Jennifer Tu; Office of the Director of Public Accountability
Subject: Fwd: Mutual aid ucpd berk

Follow Up Flag: Follow up
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PAB: I am not sure that PAB has any jurisdiction other than to congratulate BPD for staying out of the UCPD police action (because UCPD will not agree to BPD abiding by COB use of force/tear gas policies when BPD participating in the police action) If this action occurred in any way on Berkeley streets, this is a complaint that UCPD did not follow COB policies (perhaps violated state law) in responding to this first amendment protest, responding as though it was nothing more than a criminal trespass and illegal building entry. Calling for mutual aid by officers (NOT departments apparently) throughout Northern CA - can that be for a crime-in-progress? wasn't mutual aid called for a demonstration in progress? that is being classified as a riot or an 'occupation,' without any official determination/announcement of state of emergency by UCB or UC Chancellor or Governor or by COB.

Some 50 officers from CHP, various sheriffs and local police departments reportedly responded. Did anyone from BPD (or ACSO) respond? Under whose authority (not only was mutual aid call issued) were law enforcement operating? what weapons were used? COB has to report on all Military Equipment used in city limits -- doesn't that include equipment used by others?

Please investigate whether local, state or federal laws, constitutional rights (or policies were violated in this action by UCPD and others in law enforcement, as reported by SF Chronicle article

Burglary, vandalism charges for UC Berkeley occupiers; assault with deadly weapon possible
<https://www.sfchronicle.com/bayarea/article/12-protesters-arrested-following-occupation-uc-19464073.php>

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