

MEMORANDUM

Date: June 11, 2025

To: Honorable Members of the Budget and Finance Policy Committee

From: Hansel A. Aguilar, Director of Police Accountability (DPA) *Ha*
Jose D. Murillo, ODPA Policy Analyst *JM*

Subject: FY 2025 ODPA Budget and Staffing Information

The purpose of this memorandum is to transmit the requested budgetary and staffing information to the Budget and Finance Committee in advance of its meeting on June 12, 2025. In response to specific questions posed by the Committee Chair— (1) whether there are any additional vacancies not listed above, (2) what the primary deliverables and outcomes are for each vacant position, and (3) whether there are any budgetary considerations or requests warranting Council review—this memo provides a detailed response below, followed by a comprehensive overview of the department’s Fiscal Year (FY) 2025 budget, staffing, and operational priorities.

Direct Response to Committee Chair Inquiries

1. Are there any additional vacancies not listed above?

As of the date of this memorandum, there are no additional vacancies beyond the three identified: one (1) Associate Management Analyst and two (2) Police Accountability Investigator positions.

2. What are the primary deliverables and outcomes associated with each vacant position?

○ **Associate Management Analyst (Administrative)**

Primary deliverables include: managing departmental budgeting and procurement functions; maintaining operational records and compliance

documentation; supporting public meeting logistics and administrative coordination. Expected outcomes include improved workflow efficiency, compliance accuracy, and timely internal and external communications.

- **Police Accountability Investigator (2 positions)**

Primary deliverables include: conducting independent investigations into complaints involving sworn Berkeley Police Department (BPD) personnel, as required by Article XVIII of the City Charter; drafting investigative reports; and presenting findings to the Police Accountability Board. Outcomes include timely, thorough investigations, consistent application of procedural justice principles, and strengthened public trust in oversight processes.

3. Are there any budgetary considerations or requests you believe warrant Council review?

Yes. The Office respectfully requests Council review of the following:

- **Staffing Augmentation:**

The Office seeks Council consideration for the classification and funding of three proposed new roles:

- Deputy Director (Proposed Classification under review by Personnel Board):¹ To support operational oversight, personnel management, and internal coordination between the investigative, policy, and administrative units.
- Chief Investigator (Proposed Classification under review by Personnel Board):² To lead and supervise investigative staff, ensure investigative quality and timeliness, and serve as liaison with the Police Department and community regarding investigative standards.

¹

As noted in the DPA's June 2, 2025 memo to the Personnel Board, the DPA is currently coordinating with the newly appointed HR Director to review and discuss the proposed positions prior to bringing them back to the Personnel Board. Source:

<https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/~PBPacket-2025.06.02.pdf#Page=18>

² Ibid.

- Communications Specialist:³ To expand the Office’s outreach and engagement capacity, improve public-facing communications, and support transparency initiatives.
 - Senior Management Analyst:⁴ To support Board work to include (but not limited to) policy and data analysis and clerical support
- **Programmatic Funding for Outreach & Engagement:**

The Office currently supports public forums, Know Your Rights events, and other engagement activities using salary savings from unfilled positions. Dedicated funding would enable strategic and sustained outreach programming, particularly in underrepresented communities, without relying on vacancy savings.

Department Budget Overview

For Fiscal Year 2025, the Office of the Director of Police Accountability (ODPA) has a total budget of \$1,655,869, of which approximately 75% (\$1,245,033) is allocated to salaries and benefits.

The department is budgeted for 6.0 Full-Time Equivalent (FTE) positions:

- Director of Police Accountability (1 FTE)
- Associate Management Analyst (3 FTEs)

³ On June 3, 2024, the Personnel Board approved the revision of the Communications Specialist position to expand the reporting structure to allow for charter departments to utilize the classification for their communications and public information related needs. Source: https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/Personnel%20Board%20Packet-06.03.2024_0.pdf#Page=4

⁴ On May 22, 2024, the PAB unanimously voted to request that the Director of Police Accountability forward a recommendation to the City Council for a budget allocation to fund an additional Full-Time Employee (FTE)—a PAB Analyst—to support the Board’s expanding responsibilities. This request is intended to accompany the ODPA’s FY2025–2026 budget proposal: https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/2024-05-22%20PAB%20Regular%20Meeting%20Supp.Pkt_.pdf#Page=3

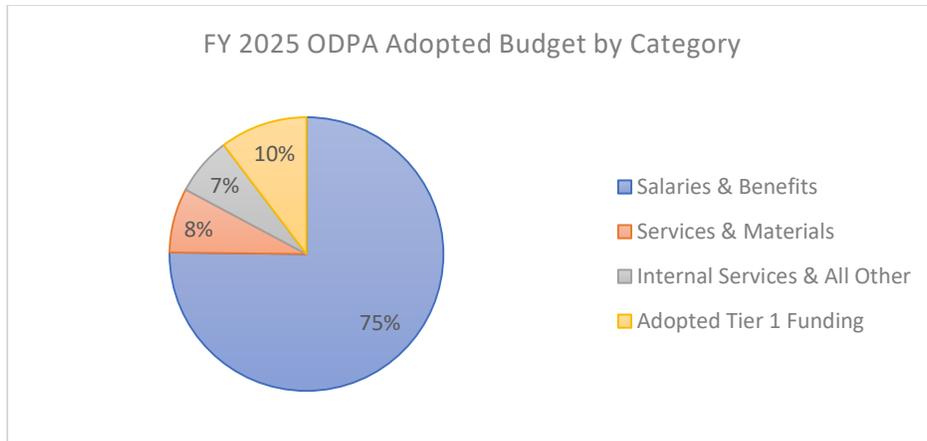
- Police Accountability Investigator (2 FTEs)

In addition to personnel costs, approximately 10% (\$171,022) of the approved FY 2025 budget was allocated to cover expenses associated with relocating the ODPa to 1900 Addison Street⁵. The estimated annual lease cost for the new office space at 1900 Addison Street includes rent, utilities, and maintenance. The lease has an initial term of ten (10) years with an estimated cost of approximately \$1,779,588.34. The transition to the ODPa’s new office space also included a one-time cost of approximately \$150,000 for initial setup, including necessary IT infrastructure, security upgrades, and furnishing. These one-time expenditures were covered by existing ODPa salary savings for FY 2023-2024. The July 23, 2024 ODPa staff report articulated the critical need for expanded and modernized office space to meet the department’s operational demands, including increased staffing, the need for confidential and secure workspaces, and alignment with professional and Charter-mandated standards for independent oversight. In response, the City Council demonstrated its strong commitment to transparent and effective civilian oversight by approving the lease at 1900 Addison Street. This investment reflects the City’s recognition that adequate physical infrastructure is essential to fulfilling the ODPa’s mission and advancing Berkeley’s Strategic Plan goals related to operational excellence, public trust, and equity.

ODPA-PAB FY 2025 ADOPTED BUDGET BY CATEGORY		
Category	Amount (\$)	% of Budget
Salaries & Benefits	1,245,033.00	75%
Services & Materials	126,136.00	8%
Internal Services & All Other	113,678.00	7%
Adopted Tier 1 Funding	171,022.00	10%
Total	1,655,869.00	100%

Source: City of Berkeley Adopted Budget FY 2025 - 2026 (Pg. 329)

⁵ July 23, 2024 ODPa Staff Report Titled “Lease of Office Space for the Office of the Director of Police Accountability (ODPA) at 1900 Addison Street”: <https://berkeleyca.gov/sites/default/files/documents/2024-07-23%20Item%2016%20Lease%20for%20Office%20Space%20for%20the%20Office.pdf>



Source: City of Berkeley Adopted Budget FY 2025 - 2026 (Pg. 329)

Vacant Positions

As of the date of this memorandum, the ODPa has **three (3) vacant positions**, outlined below:

1. Associate Management Analyst (Administrative)

- **Budgeted Amount:** \$172,848 (salary and benefits)
- **Vacant Since:** 6–8 months: The permanent position became vacant in November 8, 2024. From December 17, 2025 to April 25, 2025 the position was temporarily filled through AppleOne contract while the permanent selection was underway. Permanent selection is being finalized.
- **Operational Impact:** This position provides administrative support across all areas of the department, including budgeting, procurement, and recordkeeping. The vacancy has slowed these internal processes and increased the workload for remaining staff.

2. Police Accountability Investigator (1 of 2)

- **Budgeted Amount:** \$203,444 (salary and benefits)
- **Vacant Since:** 3–5 months. In February 2025, the ODPa requested to fill a vacant Investigator position, but the Human Resources Department determined that the eligibility list for the role had expired, delaying the permanent hiring process until a new list could be established.

To maintain continuity in its investigative work, the ODPa pursued temporary staffing options. In April 2025, the office engaged AppleOne to

temporarily cover Investigator functions. One temporary contractor has been onboarded and is actively working on case assignments, while a second contractor is currently undergoing screening. In parallel, the ODPa coordinated with the Human Resources Department to post and finalize a temporary City-hired Investigator position, not to exceed six months, while the permanent eligibility list is being redeveloped.

- **Operational Impact:** This role is essential to conducting investigations into complaints involving BPD personnel as required by Section 125(18) of the Berkeley City Charter. Complaints are currently being investigated by the Director of Police Accountability.

3. Police Accountability Investigator (2 of 2)

- **Budgeted Amount:** \$203,444 (salary and benefits)
- **Vacant Since:** 1 – 2 months. In April 2025, the ODPa submitted a second request to fill its other vacant Investigator position. As a result, the office was actively seeking to fill both permanent roles but was dependent on HR to proceed.
- **Operational Impact:** Similar to the above, this vacancy further reduces the department’s capacity to process complaints in a timely manner.

Expanded Analysis on Budgetary Considerations for Council Review

As noted earlier, the ODPa is requesting Council consideration for the classification and funding of four proposed new positions to support the responsibilities envisioned in the Charter: Deputy Director, Chief Investigator, Communications Specialist, and Senior Management Analyst. In practice, the ODPa has served as the de facto staff to the Police Accountability Board (PAB), taking on duties such as preparing agendas, staffing public meetings, managing subcommittees, and ensuring compliance with public records, minutes, and noticing requirements. These responsibilities are substantial and recurring—particularly because Charter Section 125(13)(a) mandates that the PAB establish a regular meeting schedule of at least 18 meetings per year.

According to the 2025 Commissioners’ & Board Members’ Manual,⁶ the meeting frequency for other commissions is determined individually by the City Council, with most

⁶ Commissioner’s & Board Members’ Manual 2025 Edition Background Information Rules and Procedures Amended and Officially Adopted by Resolution No. 71,677-N.S. Source:

commissions operating under Council-imposed limits.⁷ In contrast, the PAB’s meeting requirement is set by Charter, making it one of the most active public bodies in the City.

This high volume of meetings, along with ongoing standing and ad hoc subcommittee work, requires sustained staffing and continuous logistical support. As a result, ODPa’s limited resources are consistently divided between conducting independent investigations and providing administrative support for the Board.

This dual-role arrangement—where ODPa functions as both the investigative agency and administrative support for the PAB—was not explicitly envisioned by the Charter and may conflict with its intended structure, particularly in light of the strict mandates and deadlines established under Charter Section 125(18).

As noted in the DPA’s May 5th, 2025 staff report to the Personnel Board,⁸ the requested FTEs are intended to bolster these functions by providing the necessary infrastructure to fully carry out and streamline the responsibilities envisioned in the Charter. The proposed office structure is also designed to improve workload delegation across the office, enabling more efficient management of the increasing volume and complexity of responsibilities. Currently, the ODPa operates without a designated supervisory classification between the Director and the investigative, policy, and administrative staff. This absence hinders effective oversight, succession planning, and workload distribution—particularly in the Director’s absence. As complaints and policy work grow in scope and complexity, establishing internal leadership roles becomes critical. The proposed classifications for a Chief Investigator and a Deputy Director of Police Accountability are essential to supporting the operational demands and legal obligations of the office. These roles align with ODPa’s independent oversight mandate under Berkeley Charter Section 125 and are consistent with the personnel authority granted by Berkeley Municipal Code Section 4.04.110(f).

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

⁷ Most commissions are limited to 10 meetings per year set by Resolution No. 68,258-N.S. Sources: Ibid pg.52; <https://records.cityofberkeley.info/PublicAccess/api/Document/AT6ySOUiRtznSXCf7O1j4WW5956w74PoUUdb3fxT5fq8wgVszZK3zIS77OFFVsTuyHahnROIW7QyKeC6htBUgw8%3D/>

⁸ May 5, 2025 ODPa Staff Report to the Personnel Board Titled “Establish Classifications and Salary Range – Chief Investigator and Deputy Director of Police Accountability”: https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/Personnel%20Board-05-05-2025_1.pdf#Page=15