



MEMORANDUM

Date: February 24, 2026
To: Honorable Members of the Police Accountability Board (PAB)
From: Randy Wells, Board members
Subject: Follow up meeting with Arlo Malmberg and Lieutenant Christopher L. Bonaventure Re: Drones /UAS/Drone as First Responder (DFR)

Purpose

This memo summarizes a follow-up discussion with Arlo Malmberg and Lieutenant Bonaventure regarding the Berkeley Police Department's proposed Drone as First Responder (DFR) system. It is intended to provide the Police Accountability Board with a clear, decision-support overview focused on operational clarity—specifically the proposed processes and deployment protocols, data handling and retention practices, civil liberties and privacy safeguards, and the measurable performance criteria BPD intends to use to evaluate effectiveness. The discussion also addressed many of the questions previously submitted by Police Accountability Board members, City Council, and members of the public, with the stated purpose of responding in good faith, closing gaps in understanding, and ensuring decision-makers and the community have a clear view of how DFR would operate in practice. A separate table captures the specific factual inputs and program details.

The key takeaway: **BPD is positioning DFR as a practical, accountable “force multiplier” that improves response and triage, while operating under defined privacy/civil-liberties guardrails and measurable performance standards—and the follow-up meeting was a good-faith effort to directly address PAB, Council, and public questions so decision-makers can evaluate the program based on clear protocols and outcomes.**

Specific Questions Addressed:

1. In the Last year, how many times did BPD borrow drones from	Lieutenant Bonaventure stated that during calendar year 2025 , unmanned aircraft systems (“drones”) were borrowed from neighboring law enforcement agencies approximately ten (10) to twelve (12) times , and that during calendar year 2024 , drones
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<p>neighboring jurisdictions?</p>	<p>were borrowed approximately twenty (20) times, primarily to support identified Special Operation’s needs.</p>
<p>2. What vendors were considered?</p>	<p>Four (4) vendors were evaluated as part of BPD’s consideration of a Drone as First Responder (“DFR”) capability:</p> <ol style="list-style-type: none"> 1. Flock Safety 2. DroneSense (software provider) 3. BRINC drones 4. Skydio <p>BPD with Lieutenant Bonaventure leading convened a Drone Working Group comprised of four (4) sworn officers with prior UAS/drone operational experience to conduct the vendor review. In addition, neighboring law enforcement agencies, including departments with existing drone programs and those without, provided input and assisted the Working Group in evaluating vendor capabilities, operational fit, and program requirements.</p>
<p>3. What is the vendor selection process</p>	<p>Arlo Malmberg conducted a vendor selection process that included the following components:</p> <ul style="list-style-type: none"> • Consortium-based competitive procurement: BPD leveraged a consortium competitive bidding vehicle and subsequently negotiated contract terms with the selected vendor(s). • Technical compliance: Each vendor under consideration was required to meet the technical requirements as set forth in existing BPD policy. • Contract review and negotiation: Contract documents were edited and redlined as part of negotiations, and the City Attorney’s Office also reviewed the proposed terms for legal sufficiency and risk mitigation.
<p>4. Can a clear breakdown of total program costs be provided</p>	<p>At this time, the full cost of the program has not been finalized. In addition, if Council approves BPD’s proposal in March, a discount will be applied pursuant to the vendor’s offer/terms. Accordingly, BPD anticipates the total program cost will be lower than initially estimated, subject to final scoping, contracting, and confirmation of the applicable discount.</p>

<p>5. If funded by salary savings, will vacant sworn positions be permanently unfunded</p>	<p>If the drone program is approved, BPD has negotiated with the Berkeley Police Association (“BPA”) to freeze certain positions in order to fund the program. At least three (3) positions would remain unfunded under this arrangement.</p> <p>Accordingly, BPD represents that the program would result in net savings to the City’s General Fund, based on the cost offset created by the position freezes, subject to final budget adoption and implementation.</p>
<p>6. Is Council or BPD committing to reducing authorized positions if drones are adopted</p>	<p>Yes</p>
<p>7. Are we capping sworn staffing levels if we invest in drone technology</p>	<p>Yes</p>
<p>8. What measurable objectives are tied to improved response times?</p>	<p>1) Response time (DFR performance)</p> <ul style="list-style-type: none"> • Dispatch-to-launch time • Response Time <p>2) Number of calls cleared without an officer response (efficiency of resources)</p> <ul style="list-style-type: none"> • Number and percent of eligible calls closed/cleared based on drone assessment. <p>3) Investigative Quality</p> <ul style="list-style-type: none"> • Clearance rate (case outcomes) • Timing to clear calls (speed to resolution)
<p>9. How will the effectiveness of UAS be measured</p>	<p>The effectiveness of the BPD Drone as First Responder (“DFR”) program will be evaluated using the following performance criteria:</p> <p>Efficiency of Time</p> <ul style="list-style-type: none"> • Measure improvements in dispatch-to-launch time and dispatch-to-on-scene/first visual time (including median and 90th-percentile performance), and the percentage of incidents where the drone arrives before an officer unit.

	<p>Efficiency of Resource Allocation</p> <ul style="list-style-type: none"> • Measure the extent to which the drone enables appropriate call triage, including the number and percentage of incidents resolved or reclassified without requiring an in-person officer response, as well as reductions in unnecessary dispatches and officer time devoted to verification-type calls. <p>Subjects Located and Speed to Locate</p> <ul style="list-style-type: none"> • Measure the number of incidents in which the drone supports the location of involved persons or vehicles, and the time-to-locate (dispatch to confirmed location), including but not limited to: <ul style="list-style-type: none"> ○ Foot pursuits/foot chases ○ Stolen vehicle investigations and recoveries ○ Missing person searches
<p>10. What strategic goals are tied to this investment</p>	<p>The drone program is intended to advance the following strategic goals:</p> <ul style="list-style-type: none"> • Safe and Resilient City (Citywide Goal): Support rapid situational awareness and coordinated response capabilities that strengthen overall community resilience and public-safety outcomes. • Community Safety (with emphasis on business districts): Enhance preventative visibility and improve response effectiveness in and around Berkeley’s commercial corridors and business districts through faster assessment, improved coordination, and targeted deployment of resources. • Staffing: Recruitment and Retention: Improve operational conditions and workload efficiency in ways that support recruitment and retention. BPD has experienced staffing attrition, including the loss of one sergeant and two additional officers who departed to pursue opportunities with adjacent police departments offering stronger career pathways and advancement prospects.
<p>11. Why are there inconsistencies in authorized uses</p>	<p>An updated version was shared within the past week with Acting Director Jose Murillo and Chair Josh</p>

<p>across policies (13 vs. 14 uses)?</p>	<p>Cayetano at ARL Malmberg. The previously identified inconsistency should now be resolved.</p>
<p>12. Why is ‘mass gatherings or special events’ listed in one policy but not others?</p>	<p>An updated version was shared within the past week with Acting Director Jose Murillo and Chair Josh Cayetano at ARL Malmberg. The previously identified inconsistency should now be resolved.</p>
<p>13. Is flight path logging sufficient accountability</p>	<p>The drone’s flight path is logged immediately upon deployment, and the logging and retention process is written into policy to ensure transparency, and public accountability.</p>
<p>14. Can camera movement by restricted while in transit?</p>	<p>Yes—camera movement is restricted under certain operating modes, with additional safeguards intended to protect privacy.</p> <ul style="list-style-type: none"> • Default orientation: By default, the camera is set to face the horizon. Because the drone is an aircraft, the camera can be repositioned when piloted, but BPD’s operating posture is to minimize unnecessary down-looking surveillance. • Autopilot: Yes, in auto-pilot the camera movement is restricted/controlled consistent with programmed flight and camera parameters. • Manual flight: When manually flown, the camera shall remain oriented toward the horizon, absent a safety-related necessity that requires deviation (e.g., hazard identification, navigation, or other exigent safety considerations). <p>BPD has represented that these controls are intended to ensure that reasonable efforts are taken to protect individual privacy and to limit camera use to legitimate operational and safety purposes.</p>
<p>15. Can the 60-day data retention period be reduced?</p>	<p>Arlo Malmberg stated this retention period reflects standard policy and is BPD’s recommended timeframe based on the investigative value of the footage. It is shorter than the fixed-camera retention policy (currently 180 days) and represents BPD’s determination of what is appropriate for this specific tool—balancing the operational needs of officers and investigators without extending retention longer than necessary.</p>

<p>16. How will drones impact profiling by proxy?</p>	<p>Arlo and Lieutenant Bonaventure both stated Drones may reduce “profiling by proxy” when they are used as an initial, non-contact assessment tool i.e., the first evaluation of a call is conducted through an aerial view rather than an in-person officer contact.</p> <ul style="list-style-type: none"> • Reduced reliance on subjective in-person cues: A drone can provide objective, real-time situational information (e.g., whether a reported incident is occurring, number of people involved, direction of travel, presence of weapons or hazards) before any officer approaches, which can limit discretionary decisions driven by incomplete or secondhand descriptions. • Fewer unnecessary stops/contacts: If the drone verifies there is no in-progress event, the call may be cleared or downgraded without an officer response, reducing the number of encounters where biased assumptions can enter.
<p>17. How are first amendment activities protected from surveillance?</p>	<p>First Amendment–protected activity is safeguarded from surveillance through explicit policy limits, documented oversight, and performance measures that tie deployments to public-safety purpose—not expressive activity.</p> <p>Arlo and Lieutenant Bonaventure have indicated they are open to further recommendations to strengthen these safeguards and clarify any remaining ambiguity in policy or implementation.</p>
<p>18. How will drone data be preserved long-term?</p>	<p>Drone video data will be preserved consistent with BPD’s existing digital evidence procedures:</p> <ul style="list-style-type: none"> • Evidence capture and storage: Any drone video that is determined to have evidentiary value is downloaded and uploaded into BPD’s existing Evidence.com evidence management system, where it is maintained as part of the Department’s standard evidence repository. • Security and compliance: Evidence.com storage is represented as CJIS-compliant and maintained in accordance with applicable cybersecurity and criminal justice information security standards.

	<ul style="list-style-type: none">• No automatic sharing: There is no automatic dissemination or sharing of drone video or related data.• Controlled disclosures: Any request for access or release is evaluated on a case-by-case basis and handled under the same policies, approvals, and chain-of-custody controls that govern all other forms of evidence.
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