



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
WEDNESDAY, NOVEMBER 5, 2025
6:30 P.M.**

Board Members

Joshua Cayetano (Chair)	Leah Wilson (Vice-Chair)
Kitty Calavita	Juliet Leftwich
Randy Wells	Joshua Buswell-Charkow

MEETING LOCATION

Office of the Director of Police Accountability
1900 Addison Street, Floor 3
Berkeley, CA 94704

AGENDA

1. CALL TO ORDER AND ROLL CALL AT 6:31 PM

Present:	Board Member Joshua Cayetano (Chair) Board Member Leah Wilson (Vice Chair) Board Member Kitty Calavita Board Member Juliet Leftwich Board Member Randy Wells
Absent:	Board Member Buswell-Charkow ¹
ODPA Staff:	Hansel Aguilar, Director of Police Accountability Syed Mehdi, Data Analyst Jose Murillo, Policy Analyst Daniel Weinberg, Investigative Clerk
BPD Staff:	Jen Tate, Deputy Chief Lt. Bonaventure

¹ Board Member Buswell-Charkow was granted a Leave of Absence for the November 5th, 2025 PAB Regular Meeting.

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Calavita/Wilson) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

3. PUBLIC COMMENT

1 Physically Present Speakers

1 Virtually Present Speakers

4. APPROVAL OF MINUTES

a. Minutes for the Regular Meeting of September 17, 2025

Motion to approve the minutes for the Regular Meeting of September 17, 2025.

Moved/Second (Leftwich/Calavita) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

b. Minutes for the Special Meeting of September 29, 2025

Motion to approve the minutes for the Regular Meeting of September 29, 2025.

Moved/Second (Calavita/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells.

Noes: None. Abstain: Wilson. Absent: Buswell-Charkow.

5. ODPa STAFF REPORT

Director Aguilar provides a summary of the ODPa's participation in NACOLE 2025,² an overview of the "A Community Conversation – Una Charla para la Comunidad"³ event, and informs the PAB about ongoing discussions to maintain partnerships with local educational institutions, noting that these efforts will involve budget considerations.

6. CHAIR AND BOARD MEMBERS' REPORTS

Chair Cayetano reported attending City Council meetings to represent the PAB and comment on issues such as radio encryption, noting the Council's resolution to urge that parties conclude the regulation meet-and-confer process. He also attended the NACOLE conference, finding it valuable for networking and exploring strategies to strengthen civilian oversight. Board Member Leftwich shared information on Assembly Bill 847,⁴ which will

² 2025 Annual NACOLE Conference: https://www.nacole.org/2025_annual_conference

³ 10-10-2025 "Una Charla para la Comunidad" Video Recording: https://youtu.be/O_3HJfSSWjk?si=TJo-Xnoiqw4seoRy

⁴ California Assembly Bill 847: <https://legiscan.com/CA/text/AB847/id/3193782>

expand police record transparency for oversight bodies beginning in January 2026, and suggested inviting a representative from the LA County Sheriff Oversight Board to present on the topic.

7. CHIEF OF POLICE'S REPORT

Deputy Chief Tate updates the PAB on the BPD's new immigration-related policies, the status of radio encryption, enforcement of SB 627⁵ on face coverings, and ongoing collaboration with the PAB's subcommittee on arrest quotas. She also responds to questions from the Board.

8. SUBCOMMITTEE REPORTS

Subcommittees report on their activities since the last PAB regular meeting on September 17, 2025.

9. DISCUSSION AND ACTION ITEMS

- a. Discussion and action on a review of the Berkeley Police Department's Policy 415 "Immigration Law" and contracted vendors with a Sanctuary City exemption. (Cayetano)

The PAB deliberates on Chair Cayetano's letter and discusses the potential for a hearing at a future special meeting on the BPD's immigration policies. No formal action is taken by the PAB at this time.

- b. Discussion and action on Berkeley Police Department's Annual Surveillance Technology Report (Cayetano)

The PAB deliberates on Chair Cayetano's letter and discusses what topics they would like to communicate to Council regarding the Annual Surveillance Technology Report.

Motion to authorize Chair Cayetano to send a letter to the City Council, either prior to the November 10th Regular Council meeting or at a later appropriate time, to address procedural and substantive concerns regarding the Annual Surveillance Technology Report and to reiterate the PAB's opposition to the use of Flock..

Moved/Second (Calavita/Cayetano) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

- c. Discussion and action regarding the update on BPD's radio encryption request, which was approved at the October 28th Berkeley City Council regular meeting (ODPA)

Motion to delegate the authority to Chair Cayetano to draft and send a letter to the City Council regarding the BPD's transition to encrypted police radios. The letter should address the following:

⁵ Senate Bill 627: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB627

1. **Concerns regarding the process for transitioning to encrypted radios**
2. **Community concerns related to the lack of transparency in the transition**
3. **A notification that the PAB will revisit the issue in 2026.**

Moved/Second (Wilson/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

- d. Discussion and action regarding the proposed review of alternative vendors and technologies to Flock Safety (Cayetano)

Motion to request that the ODPa identify potential alternative vendors for fixed external surveillance cameras in light of the potential issues with Flock Safety.

Moved/Second (Cayetano/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

- e. Discussion and action on follow up to the ODPa's proposals considered by the City Council at their September 30th Regular Meeting as items 17 and 18 (Cayetano)
 - i. Resolution calling on the California state legislature to amend Government Code Section 12519 to allow heads of civilian oversight agencies to directly request investigative assistance from the Attorney General's Office
 - ii. Resolution directing the City Manager to work with the City Attorney's Office to establish a communications policy, corresponding training, and compliance mechanism to ensure impartiality and neutrality during the pendency of an active personnel investigation

The PAB receives an update on the ODPa's presentation and discusses next steps. No formal action was taken by the PAB.

- f. Discussion and action on the Fiscal Year 2027-2028 Biennial Budget Development (ODPA)

Motion to assign the review of the BPD budget to the Operations and Metrics Subcommittee.

Moved/Second (Wilson/Calavita) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

10. PUBLIC COMMENT

0 Physically Present Speakers

0 Virtually Present Speakers.

11. CLOSED SESSION (1 HOUR)

CLOSED SESSION ITEMS

Pursuant to the Court's order in *Berkeley Police Association v. City of Berkeley, et al.*, Alameda County Superior Court Case No. 2002-057569, the Board will recess into closed session to discuss and act on the following matter(s):

- a. Government Code § 54957
Public Employee Performance Evaluation
Title: Director of the Office of the Director of Police Accountability (ODPA)

No formal action was taken by the PAB.

- b. Case Updates and Recommendations Regarding Complaints Received by the ODPAs:

Motion to accept the ODPAs' recommendation for the administrative closure of ODPAs Complaint 2025-CI-0021.

Moved/Second (Wilson/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

Motion to accept the ODPAs' recommendation for the administrative closure of ODPAs Complaint 2025-CI-0031.

Moved/Second (Wilson/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

Motion to accept the ODPAs' recommendations in ODPAs Complaint 2025-CI-0015.

Moved/Second (Cayetano/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Wells, and Wilson.

Noes: None. Abstain: None. Absent: Buswell-Charkow.

END OF CLOSED SESSION

12. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Chair Cayetano announced the closed session actions.

13. ADJOURNMENT

Motion to adjourn. Moved/Second (Leftwich/Calavita). The meeting was adjourned at 9:53 PM by unanimous consent.

Minutes Approved On: 12/03/2025

Hansel A. Aguilar, Commission Secretary:

