



**POLICE ACCOUNTABILITY BOARD  
REGULAR MEETING AGENDA  
WEDNESDAY, JANUARY 21, 2026  
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

**MINUTES**

**1. CALL TO ORDER AND ROLL CALL AT 6:33 PM**

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

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<sup>1</sup> Vice Chair Wilson arrived after roll call at 6:36 PM.

## 2. APPROVAL OF AGENDA

### **Motion to approve the agenda with modifications, including moving Item 9G to Item 9C and tabling Item 9D.**

Moved/Second (Cayetano/Leftwich) Motion carried.

Ayes: Buswell-Charkow, Cayetano, Calavita, Leftwich and Wilson

Noes: None. Abstain: None. Absent: Wells.

## 3. PUBLIC COMMENT

*0 Physically Present Speakers*

*4 Virtually Present Speakers*

## 4. APPROVAL OF MINUTES

- a. Minutes for the Regular Meeting of January 7, 2026.

### **Motion to approve the minutes for the regular meeting of January 7, 2026.**

Moved/Second (Leftwich/Wilson) Motion carried.

Ayes: Buswell-Charkow, Cayetano, Calavita, Leftwich and Wilson

Noes: None. Abstain: None. Absent: Wells.

## 5. ODPa STAFF REPORT

Director Aguilar provided a brief status update on the City's ongoing budget process, including the City Council's request for a ten percent budget reduction across departments and the continuation of the citywide hiring freeze. Director Aguilar and Policy Analyst Murillo also shared information regarding upcoming NACOLE webinars<sup>2</sup> and the ODPa's involvement in NACOLE committees.<sup>3</sup>

## 6. CHAIR AND BOARD MEMBERS' REPORTS

No activities have been reported since the last PAB meeting on January 7, 2026

## 7. CHIEF OF POLICE'S REPORT (10 MINUTES)

Deputy Chief Tate provided updates regarding recent arrests, community engagement activities, staffing levels, and the BPD's strategic priorities for 2026. DC Tate also provided information regarding a recent community meeting on public safety technologies<sup>4</sup> and noted that responses to community questions would be posted on the Department's website.

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<sup>2</sup> NACOLE Series Webinars: <https://www.nacole.org/webinars>

<sup>3</sup> NACOLE Committee List: <https://www.nacole.org/committees>

<sup>4</sup> Event Details – BPD Community Conversation on Public Safety Technology:  
<https://berkeleyca.gov/community-recreation/events/community-conversation-public-safety-technology>

## 8. SUBCOMMITTEE REPORTS

Subcommittees report on their activities since the last PAB meeting on January 7, 2026.

### **Motion to add Board Member Buswell-Charkow to the Outreach and Engagement Subcommittee.**

Moved/Second (Cayetano/Leftwich) Motion carried.

Ayes: Buswell-Charkow, Cayetano, Calavita, Leftwich and Wilson

Noes: None. Abstain: None. Absent: Wells.

## 9. DISCUSSION AND ACTION ITEMS

- a. Election for the positions of Chair and Vice-Chair for the 2026 Calendar Year as outlined in Section 1(a) to Section 1(c) of the Standing Rules of the Police Accountability Board (ODPA)

### **Motion to re-elect Chair Cayetano and Vice Chair Wilson by acclamation.<sup>5</sup>**

Moved/Second (Cayetano/Leftwich) Motion carried.

Ayes: Buswell-Charkow, Cayetano, Calavita, Leftwich and Wilson

Noes: None. Abstain: None. Absent: Wells.

- b. Continued discussion and action on the proposed resolution to amend Berkeley City Council's 2020 direction to reinstate BPD's Use of Tear Gas in limited situations and lift the COVID-19 moratorium on the use of smoke and oleoresin capsicum (OC) spray (ODPA)

### **Motion to approve the letter with amendments incorporating the suggested changes and to delegate authority to the Chair and Vice Chair to implement those changes.**

Moved/Second (Cayetano/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Leftwich and Wilson

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

- c. Presentation of the ODPa 2026 Workplan and Preliminary Calendar of Events (ODPA)

**No action was taken.** Director Aguilar provided an update on work plan development, and a detailed presentation will be scheduled for a future PAB meeting.

- d. Discussion and action on the FY 2027 and 2028 Budget Process (ODPA)

### **Tabled for a future PAB meeting.**

- e. Discussion and action on the adoption of the updated draft of the PAB Policy Manual, reflecting PAB feedback from and after the December 3, 2025 PAB meeting, and on granting authority to the Vice-Chair to collaborate with ODPa staff to finalize the document, including making any necessary edits for accuracy and clarity. (Wilson)

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<sup>5</sup> Pursuant to Section 1(2)(d)(i) of the PAB's standing rules, "if there is only one nominee for a position, the presiding Chair may seek or move a vote by acclamation": [https://berkeleyca.gov/sites/default/files/2022-02/PoliceAccountabilityBoard\\_StandingRules.pdf](https://berkeleyca.gov/sites/default/files/2022-02/PoliceAccountabilityBoard_StandingRules.pdf)

**Motion to delegate authority to the Chair, Vice Chair, and Director to incorporate revisions, finalize the PAB Policy Manual, and submit it for legal review.**

Moved/Second (Wilson/Calavita) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Buswell-Charkow and Wilson

Noes: None. Abstain: None. Absent: Wells.

- f. Continued discussion and action on the annual review of the Use of Force Policy to reflect developing practices and procedures per SB 230 and BPD Policy 300.13 "Policy Review and Updates" (ODPA)
  - i. Update on the Review Timeline
  - ii. Appointment of the Reviewing Subcommittee or PAB Member

**Motion to forward the matter to the Policy Review Subcommittee.**

Moved/Second (Cayetano/Calavita) Motion carried.

Ayes: Cayetano, Calavita, Leftwich, Buswell-Charkow and Wilson

Noes: None. Abstain: None. Absent: Wells.

- g. Discussion and action on the updated proposal for the rescission and replacement of the Police Equipment and Community Safety Ordinance being considered by City Council on January 27, 2026 (Cayetano)

This item was addressed as Item 9.C during the meeting as part of the motion to approve the agenda.

**Motion to authorize the Chair to incorporate the edits discussed by the Board into the existing draft and send the letter to Council.**

Moved/Second (Cayetano/Leftwich) Motion carried.

Ayes: Cayetano, Calavita, Leftwich and Wilson

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

- h. Recap of the PAB's 2026 Strategic Planning Session (ODPA)

**No Action Taken.** Director Aguilar provided a brief recap of the Board's 2026 Strategic Planning Session.

**10. PUBLIC COMMENT**

*0 Physically Present Speakers*

*0 Virtually Present Speakers*

**11. CLOSED SESSION**

**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. Conference With Labor Negotiators; Government Code § 54957.6  
Designated representatives: Hansel Aguilar, Director of Police Accountability;

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Kitty Calavita and Julie Leftwich, Members, Police Accountability Board  
Regulations Subcommittee  
Employee organization: Berkeley Police Association

**The PAB received updates on the status of their permanent regulations for investigating complaints.**

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

The PAB took the following actions on the cases listed below:

ODPA Case No. 2025-CI-0020

**Motion regarding Allegation 1A.** Moved/Second (Cayetano/Leftwich) Motion carried.  
Ayes: Calavita, Leftwich, Wilson and Buswell-Charkow.  
Noes: None. Abstain: Cayetano. Absent: Wells.

**Motion regarding Allegations 1B and 1C.** Moved/Second (Leftwich/Calavita) Motion failed.  
Ayes: Calavita, Leftwich, and Wilson.  
Noes: Buswell-Charkow. Abstain: Cayetano. Absent: Wells.

**Motion regarding Allegation 2.** Moved/Second (Cayetano/Leftwich) Motion failed.  
Ayes: None.  
Noes: None. Abstain: Cayetano, Calavita, Leftwich, Wilson and Buswell-Charkow.  
Absent: Wells.

**Motion regarding Allegation 3.** Moved/Second (Cayetano/Leftwich) Motion carried.  
Ayes: Cayetano, Calavita, Leftwich, Wilson.  
Noes: None. Abstain: Buswell-Charkow. Absent: Wells.

ODPA Case No. 2025-CI-0025

**Motion to accept the ODPAs' recommendations in ODPAs Complaint 2025-CI-0025.**  
Moved/Second (Cayetano/Leftwich) Motion carried.  
Ayes: Cayetano, Calavita, Leftwich, Wilson and Buswell-Charkow.  
Noes: None. Abstain: None. Absent: Wells.

ODPA Case No. 2025-CI-0043

**No action taken.**

<b>END OF CLOSED SESSION</b>
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**12. ANNOUNCEMENT OF CLOSED SESSION ACTIONS**

Chair Cayetano announced the closed session actions.

**13. ADJOURNMENT**

Motion to adjourn. Moved/Second (Leftwich/Cayetano). The meeting was adjourned at 10:00 PM by unanimous consent.

Minutes Approved On: 02/11/2026

Jose Murillo, Commission Secretary

A handwritten signature in black ink, appearing to read "Jose Murillo", written in a cursive style.