



**BERKELEY CITY COUNCIL PUBLIC SAFETY COMMITTEE
SPECIAL MEETING MINUTES**

**Thursday, January 29, 2026
2:00 PM**

Redwood Room – 2180 Milvia Street, 6th Floor, Berkeley, CA 94704
Teleconference Location – 1619 Edith Street, Berkeley CA 94703

Committee Members:

Councilmembers Rashi Kesarwani, Shoshana O’Keefe, and Brent Blackaby
Alternate: Mayor Adena Ishii

This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 091 9781**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the Committee’s consideration and inclusion in the public record, email policycommittee@berkeleyca.gov. All Committee meetings are recorded.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting, however, if you are feeling sick, please do not attend the meeting in person.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

California Government Code Section 84308 (Levine Act) Parties to a proceeding involving a license, permit, or other entitlement for use are required to disclose if they made contributions over \$500 within the prior 12 months to any City employee or officer. Parties and participants with a financial interest are prohibited from making more than \$500 in contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above contribution disclosures and restrictions do not apply when the proceeding is competitively bid, or involves a personnel or labor contract. For more information, see Government Code Section 84308.

MINUTES

Roll Call: 2:02 p.m.

Present: Kesarwani, O'Keefe, Blackaby

Election of Chairperson

Action: M/S/C (Kesarwani/O'Keefe) to elect Councilmember Blackaby as Chairperson of the Public Safety Policy Committee.

Vote: All Ayes.

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - October 16, 2025

Action: M/S/C (O'Keefe/Blackaby) to approve the October 16, 2025 minutes.

Vote: All Ayes.

Committee Action Items

The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.

Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.

2. Resolution Rescinding Berkeley Police Department's Pepper Spray Reporting Requirement

From: Councilmember Kesarwani (Author)

Referred: November 17, 2025

Due: May 26, 2026

Recommendation: Adopt a resolution rescinding Berkeley Police Department's current required notification process for reporting pepper spray use after each incident. Further, recommend recording the use of pepper spray within the existing use of force reporting system to minimize the administrative burden on staff. The department's current transparency measures already provide the public with detailed data on all use of force incidents.

Financial Implications: None

Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110

Action: 54 speakers. M/S/C (Blackaby/O'Keefe) to send the item with a qualified positive recommendation to Council that includes 1) inviting Police Accountability Board review, 2) reaffirming the existing reporting requirements that remain in effect, and 3) direction to the Berkeley Police Department to work to maximize the availability of the reports through the Transparency Hub and the Annual Report.

Vote: All Ayes.

Committee Action Items

- 3. Resolution Rescinding Resolution No. 51,408-N.S. Restricting the Use of Air Support and Canine Units And Updating Mutual Aid Policies**
From: Councilmember Kesarwani (Author)
Referred: November 17, 2025
Due: May 26, 2026
Recommendation: Adopt a resolution to rescind Resolution No. 51,408-N.S. which currently restricts the use of helicopters and police canine units by the Berkeley Police Department (BPD) and to update policies authorizing BPD to deploy these resources through mutual aid agreements directly with external agencies. The revised policy framework will replace the prior requirement for City Manager approval with post-deployment notification, ensuring rapid and effective responses during critical incidents. The policy will continue to explicitly prohibit the use of canines for crowd control.
Financial Implications: See report
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
Action: 30 speakers. M/S/C (O'Keefe/Blackaby) to continue Item 3 and Item 4 to a future meeting.
Vote: All Ayes.

- 4. Resolution to Amend Berkeley City Council's 2020 Direction to Reinstate Berkeley Police Department's Use of Tear Gas in Limited Situations and Lift the COVID-19 Moratorium on the Use of Smoke and Oleoresin Capsicum (OC) Spray**
From: Councilmember Kesarwani (Author), Councilmember Humbert (Co-Sponsor)
Referred: January 5, 2026
Due: June 9, 2026
Recommendation: Adopt a resolution amending the Berkeley City Council's June 9, 2020 direction regarding smoke, OC spray, and tear gas to allow the Berkeley Police Department's Special Response Team (SRT) to use tear gas under circumstances in which there is a significant risk of injury or death, maintain the prohibition on the use of tear gas for crowd control, and lift the temporary moratorium on the use of smoke and OC spray.
Financial Implications: See report
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
Action: See action for Item 3.

Unscheduled Items

These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.

- None

Items for Future Agendas

- None

Adjournment

Action: M/S/C (O'Keefe/Blackaby) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 4:11 p.m.

I hereby certify that the foregoing is a true and correct record of the Public Safety Committee meeting held on January 29, 2026.

Wendy Sorensen, Assistant City Clerk

Communications

Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or policycommittee@berkeleyca.gov.