



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING MINUTES
WEDNESDAY, MARCH 11, 2026
6:30 P.M.**

Board Members

Joshua Cayetano (Chair)
Randy Wells

Leah Wilson (Vice-Chair)
Joshua Buswell-Charkow

MEETING LOCATION

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

MEETING MINUTES

1. CALL TO ORDER AND ROLL CALL AT 6:32 PM

Present: Board Member Joshua Cayetano (Chair)
Board Member Leah Wilson (Vice Chair)¹
Board Member Buswell-Charkow
Board Member Randy Wells

Absent: None

ODPA Staff: Jose Murillo, Acting Director of Police Accountability (DPA)
Syed Mehdi, Data Analyst
Daniel Weinberg, Investigator

BPD Staff: Lt. Coats
Deputy Chief Tate

¹ Vice Chair Wilson arrived after rollcall at 6:36 PM

2. APPROVAL OF AGENDA

Motion to approve the agenda

Moved/Second (Buswell-Charkow/Wells) Motion carried.

Ayes: Cayetano, Wells, Buswell-Charkow.

Noes: None. Abstain: None. Absent: Wilson.

Motion to move table Item 9C and 9D to the end of the Agenda.

Moved/Second (Cayetano/Wells) Motion carried.

Ayes: Cayetano, Wells, Buswell-Charkow, Wilson.

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

3. PUBLIC COMMENT

2 Physically Present Speakers

2 Virtually Present Speakers

4. APPROVAL OF MINUTES

- a. Minutes for the Regular Meeting of February 25, 2026.

Motion to approve the minutes for the Regular Meeting of February 25, 2026.

Moved/Second (Buswell-Charkow/Wilson) Motion carried.

Ayes: Wells, Buswell-Charkow, Wilson.

Noes: None. Abstain: Cayetano. Absent: None.

5. ODPa STAFF REPORT

Acting Director Murillo reported on the March 10, 2026 City Council meeting, during which the Council considered proposals related to pepper spray reporting requirements. He noted that several Council supplementals incorporated recommendations from the Police Accountability Board and that the Mayor's version was ultimately adopted with additional transparency reporting measures. He also reported that the appointment of the Interim Director of the Office of the Director of Police Accountability will be considered by the City Council on March 24, 2026, with a proposed start date of March 31, 2026.

6. CHAIR AND BOARD MEMBERS' REPORTS

No activities have been reported since the last PAB meeting on February 25, 2026.

7. CHIEF OF POLICE'S REPORT

Deputy Chief Tate reported that BPD leadership is currently focused on several initiatives directed by the City Council, including upcoming policy and technology discussions. Tate highlighted a community meeting scheduled for March 18 hosted by Mayor Ishii to discuss surveillance technologies that will be considered by the City Council at its March 24 meeting. Tate also noted that BPD recently circulated an updated version of Use of Force

Policy 300 to the PAB and indicated that the City Attorney's Office will review questions related to the policy's implementation.

8. SUBCOMMITTEE REPORTS

Subcommittees report on their activities since the last PAB meeting on February 25, 2026.

9. DISCUSSION AND ACTION ITEMS

- a. Discussion and action on the proposed policies and acquisition reports for unmanned aerial systems and drones as first responders (Wells) – (25 Minutes)

Review Deadline: March 11, 2026 (PAB meeting); the item will be presented to the City Council on March 24, 2026.

Motion to approve recommendations 1, 2, 6, 7 and 8.

Moved/Second (Cayetano/Wilson) Motion carried.

Ayes: Wells, Cayetano, Wilson.

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

Motion to adopt a friendly amendment to Recommendation 6 to reference the removal of six BPD positions.

Moved/Second (Cayetano/Wilson) Motion carried.

Ayes: Wells, Cayetano, Wilson.

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

Motion to approve Recommendation 3, bullets 1, 2 and bullet 4.

Moved/Second (Cayetano/Wells) Motion carried.

Ayes: Wells, Cayetano, Buswell-Charkow, Wilson.

Noes: None. Abstain: None. Absent: None

Motion to modify Recommendation 3, bullet 3 by removing the parenthetical language and approve the recommendation as modified.

Moved/Second (Wells/Wilson) Motion carried.

Ayes: Wells, Buswell-Charkow, Wilson.

Noes: Cayetano. Abstain: None. Absent: None

Motion to approve Recommendation 4 with revisions reflecting the agreed-upon audit provisions discussed by the Board.

Moved/Second (Cayetano/Wells) Motion carried.

Ayes: Wells, Buswell-Charkow, Wilson, Cayetano.

Noes: None. Abstain: None. Absent: None

Motion to revise recommendation 5 in line with 1) Tailoring data retention to authorized uses and 2) Risks related to potential misuse by federal immigration authorities.

Moved/Second (Cayetano/Wells) Motion carried.

Ayes: Wells, Buswell-Charkow, Wilson, Cayetano.

Noes: None. Abstain: None. Absent: None

Motion to approve Recommendation 9 (Subsection A and B)

Moved/Second (Cayetano/Wells) Motion carried.

Ayes: Wells, Wilson, Cayetano.

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

- b. Discussion and action on the proposed master service agreement with Flock Safety for various surveillance technologies (Wilson)

Review Deadline: March 11, 2026 (PAB meeting); the item will be presented to the City Council on March 24, 2026.

Motion to approve the Board letter with a friendly amendment to modify the reference from “federal agencies” to “non California agencies” and to add the Chair’s bullet regarding a private right of action to terminate access to data.

Moved/Second (Wilson/Cayetano) Motion carried.

Ayes: Wells, Cayetano, Wilson.

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

- c. Discussion and action on the proposed update to BPD Policy 351 “External Fixed Video Surveillance Cameras” (ODPA)

Review Deadline: March 11, 2026 (PAB meeting); the item will be presented to the City Council on March 24, 2026.

Motion to approve the Board letter to the City Council with modifications to change the recommendation on the CVS policy from “approve with modifications” to recommending that BPD take the specified actions outlined in the letter, and to revise the introductory paragraph to include context regarding the timing of the PAB’s receipt of the policy and the Board’s concerns regarding the review timeline.

Moved/Second (Wilson/Cayetano) Motion carried.

Ayes: Wells, Cayetano, Wilson, Buswell-Charkow.

Noes: Buswell-Charkow. None. Absent: None

- d. Discussion and action on the proposed policies and acquisition report for community video streams (ODPA)

Review Deadline: March 11, 2026 (PAB meeting); the item will be presented to the City Council on March 24, 2026.

Motion to apply the action taken in Item 9.c to the Community Video Streams policy and acquisition report.

Moved/Second (Wilson/Cayetano) Motion carried.

Ayes: Wells, Cayetano, Wilson, Buswell-Charkow.

Noes: None. None. Absent: None

- e. Discussion and action on the proposed resolution rescinding Resolution No. 51,408-N.S. restricting the use of air support and canine units and updating mutual aid policies (Cayetano)

Review Deadline: March 11, 2026 (PAB meeting); the item will be presented to the PSPC in late March. Exact date to be determined.

Motion directing staff to draft a letter to the Public Safety Policy Committee for its March 23 consideration of the item, expressing that the Board does not support the proposed rescission, raising concerns about access to tools without sufficient oversight and an emerging pattern of expanded authority, and emphasizing the importance of City Manager oversight with respect to helicopter use and related cost implications. The motion also delegated authority to the Chair to finalize the letter.

Moved/Second (Wilson/Wells) Motion carried.

Ayes: Wells, Cayetano, Wilson.

Noes: Buswell-Charkow. None. Absent: None

- f. Discussion and action on BPD Policy 300 "Use of Force" as updated on March 6, 2026 (Cayetano)

Motion to approve the Chair's letter to the City Council regarding the updated Use of Force Policy 300, with modifications to the final paragraph to reference the Police Accountability Board and to revise the second sentence to state that the Council should immediately direct action rather than respectfully request it.

Moved/Second (Wilson/Cayetano) Motion carried.

Ayes: Wells, Buswell-Charkow, Wilson, Cayetano.

Noes: None. Abstain: None. Absent: None

10. PUBLIC COMMENT

4 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: Leah Wilson, Designated PAB Representative;
Jose Murillo, Acting Director of Police Accountability
Employee organization: Berkeley Police Association

No action taken.

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

ODPA Case No. 2025-CI-0027

Motion to approve staff recommendations for all but one allegation in ODPa Complaint 2025-CI-0027.

Moved/Second (Wells/Wilson) Motion carried.

Ayes: Wells, Wilson, Cayetano and Buswell-Charkow.
Noes: None. Abstain: None. Absent: None

Motion to modify one allegation in ODPa Complaint 2025-CI-0027.

Moved/Second (Wilson/Wells) Motion carried.
Ayes: Wells, Wilson, Cayetano and Buswell-Charkow.
Noes: None. Abstain: None. Absent: None

Motion to modify the disciplinary recommendation's section of the report in ODPa Complaint 2025-CI-0027.

Moved/Second (Wilson/Cayetano) Motion carried.
Ayes: Wells, Wilson, Cayetano and Buswell-Charkow.
Noes: None. Abstain: None. Absent: None

END OF CLOSED SESSION

12. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Chair Cayetano Announced the closed session actions.

13. ADJOURNMENT AT 10:41 PM

Motion to adjourn. Moved/Second (Wilson/Wells). The meeting was adjourned at 10:41 PM by unanimous consent.

Minutes Approved On: 03/25/2026
Jose Murillo, Commission Secretary

