

Peace and
Justice
Commission

PEACE & JUSTICE COMMISSION MEETING
Monday, May 4, 2026 – 6:30 p.m.
South Berkeley Senior Center
2939 Ellis St. Berkeley, CA 94703

Minutes

Mayor Adena Ishii:
Andrea Cassidy
Vice-Chair

Rashi Kersarwani:
Selim Yasavul

Terry Taplin:
Adam Weisberg

Ben Bartlett:
Carole Marasovic

Igor Tregub:
Deborah Fink

Shoshana O'Keefe:
Nimrod Pitsker Elias

Brent Blackaby:
Robin Mencher

Cecilia Lunaparra:
Luke Taylor

Mark Humbert:
Ilene Lee

BUSD:

Appel- Grace Morizawa

Shanoski- Jeannette McNeil

Chang- Babak Sani

Vasudeo- George Lippman

Babitt- Pastor Dwayne L. Phillips- **Chair**

Clark- Judah Press

Meeting began at 6:30 PM with Chair Phillips presiding. Tasha Tervalon as Secretary

SECTION A. PRELIMINARY MATTERS

1. Call to Order and Roll Call

Present: Commissioners Phillips, Rothbart, Marasovic, Elias, Taylor, Tabb, Sani, Morizawa, Lippman, McNeil and Press

Arrived at 6:38: Commissioner Lee

Absent: None

Leave of Absence: Commissioner Cassidy, Yasavul, Weisburg, Fink and Mencher

2. Land Acknowledgement

3. Announcements
4. Review and approval of Agenda. Discussion and possible action.

Motion to approve the agenda

M/S/C: Taylor/Morizawa

Ayes: Commissioners Phillips, Rothbart, Marasovic, Elias, Taylor, Tabb, Sani, Morizawa, Lippman, McNeil and Press

Noes: None

Abstain: None

Absent: Commissioner Lee

Excused: Commissioners Cassidy, Yasavul, Weisburg, Fink and Mencher

5. Approval of Minutes: Minutes from April 6, 2026 Peace and Justice Commission Meeting

Motion to Approve the minutes from April 6, 2026 as amended.

M/S/C: Sani/McNeal

Ayes: Commissioners Phillips, Marasovic, Taylor, Sani, Morizawa, Lippman, McNeil and Press

Noes: None

Abstain: Commissioners Rothbart, Elias and Tabb

Absent: Commissioner Lee

Excused: Commissioners Cassidy, Yasavul, Weisburg, Fink and Mencher

6. Comments from the Public on non-agenda items. Public Comment is subject to time limits applicable to all speakers as necessary.

of Public Present: 3

of comments: 0

7. Commission Updates & Chairperson's Report

- The Chair reports on PJC activities and informal ad hoc subcommittees

8. Secretary's Report

SECTION B. DISCUSSION/ACTION ITEMS

1. Presentation from Police Accountability Board:

Presentation postponed to June meeting to accommodate Speakers schedule.

2. Declare Berkeley a Sanctuary City for Transgender and Gender Expansive People, and adopt a comprehensive set of policies to protect and support transgender, non-binary, and gender-nonconforming (TGNC) residents.

Motion to approve the item to Declare Berkeley a Sanctuary City for Transgender and Gender Expansive People, and adopt a comprehensive set of policies to protect and support transgender, non-binary, and gender-nonconforming (TGNC) residents as amended in Attachment A.

M/S/C: Taylor/Marasovic

Ayes: Commissioners Phillips, Rothbart, Marasovic, Elias, Taylor, Lee, Tabb, Sani, Morizawa, Lippman, McNeil and Press

Noes: None

Abstain: None

Excused: Commissioners Cassidy, Yasavul, Weisburg, Fink and Mencher

Public Comment: 1

3. Discuss City of Berkeley City manager proposed budget
- a. Budget and Finance Committee agenda April 16, 2026:
<https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/2026-04-16%20Agenda%20Packet%20-%20Budget.pdf>
 - b. Budget and Finance Committee Attachment April 16, 2026 (PowerPoint presentation) https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/Item%2002%20Budget%26Finance-FY2728%20Budget%20Update_04.16.26%20%283%29.pdf

Discussion item: no action taken.

Public Comment: 1

4. Peace and Justice Commission Annual Workplan discussion.

Discussion, no action taken.

SECTION D. ADJOURNMENT

Motion to adjourn at 9:20

M/S/C: McNeal/Taylor


Ayes: Commissioners Phillips, Rothbart, Marasovic, Elias, Taylor, Lee, Tabb, Sani, Morizawa, Lippman, McNeil and Press

Noes: None

Abstain: None

Excused: Commissioners Cassidy, Yasavul, Weisburg, Fink and Mencher

Respectfully Submitted,



Tasha Tervalon,
Secretary Peace and Justice Commission

Date

6/2/20

Attachment A

Peace and Justice Commission

~~[CONSENT-CONSENT CALENDAR OR ACTION]~~

~~CALENDAR-TBD~~

~~May 4th, 2026~~

~~DRAFT To: Honorable Mayor and Members of the City Council~~

~~From: Peace To: Honorable Mayor and Justice Members of the City Council~~

~~From: Submitted by: Rev. Dwayne Philips, Chair, Peace and Justice Commission~~

~~Submitted by: Rev. Dwayne Philips, Chair, Peace Subject: On Declaring Berkeley a Sanctuary City for and Justice Commission-Affording Legal Protections to Trans and Gender Expansive People in Berkeley~~

~~RECOMMENDATION Subject: On Declaring Berkeley a Sanctuary City for and Affording Legal Protections to Trans and Gender Expansive People in Berkeley~~

~~RECOMMENDATION That the City Council declare Berkeley a Sanctuary City for Transgender and Gender Expansive People, and adopt a comprehensive set of policies to protect and support transgender, non-binary, and gender-nonconforming (TGNC) residents through the following actions: That Refer to the City Council-declare Manager to review City of Berkeley data sharing and encryption practices to ensure compliance with SB 107 and SB 497, prohibiting the use of City resources—including staff time, equipment, and databases—in assisting out-of-state or federal agencies in investigating, detaining, or prosecuting individuals for seeking, providing, or assisting in lawful gender-affirming care; refer to the City Manager a Sanctuary-review of data encryption policies for the City for Transgender and Gender Expansive People, and adopt of Berkeley to prevent potential seizure of data that might nonconsensually “out” a TGNC person comprehensive set of policies to another jurisdiction; protect and support transgender, non-binary, and gender-nonconforming (TGNC) residents through the following actions:-~~

~~Refer-Continue current expansion of state law mandating gender-neutral restrooms by referring to the City Manager to update the review-City of Berkeley data sharing-Building Code, requiring all newly constructed or renovated commercial and encryption-practices-public buildings to ensure compliance-include gender-neutral or all-gender multi-stall facilities or all-gender single stall restrooms consistent with California AB 1732; SB 107 and SB 497, prohibiting the use of City resources—including staff time, equipment, and databases—in assisting out-of-state or federal agencies in investigating, detaining, or prosecuting individuals for seeking, providing, or assisting in lawful gender-affirming care; refer to the City Manager a review of data encryption policies for the City of Berkeley to prevent potential seizure of data that might nonconsensually “out” a TGNC person to another jurisdiction;-~~

~~Recommend to Council to refer Continue-current expansion of state law mandating gender-neutral restrooms-by-referring-to the City Manager Board of Library Trustees to update-develop a policy that books and materials related to gender identity and trans persons be available in the library consistent with the Berkeley Building Code, requiring all newly constructed or renovated commercial and public-Public buildings-Library’s adoption of the American Library Association’s Public Library’s policy to challenge censorship; include gender-neutral or all-gender multi-stall facilities or all-gender single stall restrooms consistent with California AB 1732;-~~

~~Recommend-Work with other East Bay cities to Council-explore the possibility of opening a trans shelter to which refer to the Board of Library Trustees to develop a policy that books and materials-related to gender identity and trans persons be available-individuals facing challenges in the-other shelters can be. library consistent with the Berkeley Public Library’s adoption of the American Library-Association’s Public Library’s policy to challenge censorship;-~~

~~Objective Rental Standards: Refer Work-with other East Bay cities to explore the possibility 4x4 Joint Task Force Committee on Housing (the 4X4) the development of opening a policy trans-shelter to prevent discrimination on the basis of gender identity or sexuality, which trans-individuals facing-challenges-could include a First in Time Ordinance, for residential rentals and accompanying enforcement mechanisms to prevent discrimination on other-the shelters-can-be-basis of gender identity or sexual orientation. This policy could require housing providers to:~~

~~Objective Rental Standards: Refer to-Publish all minimum screening criteria (e.g., credit, income, references) at the time 4x4 Joint Task Force Committee on Housing the development of listing; a-policy-to prevent discrimination on the basis of gender identity or sexuality, which could include a First in Time Ordinance, for residential rentals and accompanying enforcement mechanisms to prevent-~~

~~discrimination on the basis of gender identity or sexual orientation. This policy could require housing providers to;~~

~~Publish Date and time-stamp all completed applications; and minimum screening criteria (e.g., credit, income, references) at the time of listing;~~

~~Date and time-stamp all completed applications; and Offer tenancy to the first qualified applicant who meets the published criteria.~~

~~Offer tenancy-Recommend that Council refer to the 4x4 that first qualified applicant who meets the published criteria. Executive Director of the Rent Board write a letter to Berkeley landlords advising them of the rights of trans persons not to be discriminated against in tenancy;~~

~~Recommend that Council refer to the 4x4-City Manager that when the Executive Director-City sends the annual notice of the Rent Board write-license renewal to Berkeley businesses that a letter be included to Berkeley landlords advising them of the rights employers' obligations under SB1343 including that of trans persons-persons; not to be discriminated against in tenancy;~~

~~Recommend that Council refer to the City Manager that when the City Office of Economic Development sends-send the-a letter advising of employer's obligations under SB 1343 providing for protections of transgender employees and prospective employees and that such letter be sent out in coordination with annual notice of license renewal-renewal; to Berkeley businesses that a letter be included advising of employers' obligations under SB1343 including that of trans persons;~~

~~Access to Mental Health Services: Recommend that Council refer-prioritization of Mental Health Services MHSA monies (effectively the Behavioral Health Services Act (BHSA) funds as of July 1, 2026) to provide funding for the City Manager-Pacific Center and other TGNC-specific mental health lifelines. Should the state OAC not provide funding for these mental health trauma monies, we recommend that the Office-another source of monies Economic Development send a letter advising of employer's obligations under SB-1343 providing for protections of transfender employees and prospective employees and that such letter be identified to provide these LGBTQIA+ mental health services; sent out in coordination with annual notice of license renewal;~~

~~Access to Mental Health Services: Recommend that prioritization-Council refer to the City Manager to require that when inspections of Mental Health Services MHSA monies (effectively-workplaces are conducted for any reason, that the Behavioral Health Services Act (BHSA) funds as of July 1, 2026)-posting under SB1343 including trans rights, is in compliance; Have SB 1343 employer sexual harassment training requirements sent out to all Berkeley businesses in a flyer during license renewal. provide funding for the Pacific Center and other TGNC-specific mental health lifelines. Should the state OAC not provide funding for these mental health trauma monies, we recommend that another source of monies be identified to provide these LGBTQIA+ mental health services;~~

~~Recommend-Include an addendum in all city vendor contracts with the following language: "Contractor shall ensure that all services and benefits provided under this agreement Council refer to the City-Manager to require that when inspections of workplaces are administered conducted for any reason, that the posting under SB1343 including trans rights, is in compliance; Have SB-1343 employer sexual harassment training requirements sent out to all Berkeley businesses in a flyer during license renewal. gender-neutral manner. Contractor is prohibited from discriminating against any person on the basis of actual or perceived gender identity, including non-binary and transgender status, in the provision of services, facilities, or employment opportunities related to this City contract."~~

~~Update language Include an addendum in all the city code (ie. BMC 13.32.010) vendor contracts with the following language: "Contractor shall ensure that all services and benefits provided under this agreement are administered in a gender-neutral manner. Contractor is prohibited from discriminating-discriminates against any person on the basis of sex and actual or perceived gender (See Attachment 1). identity, including non-binary and transgender status, in the provision of services, facilities, or employment opportunities related to this City contract."~~

~~Update language in the city code (ie. BMC 13.32.010) that discriminates on the basis of sex and gender (highlighted below with suggested amendment).~~

SUMMARY

SUMMARY-

In response to an unprecedented federal assault on transgender rights, this recommendation codifies Berkeley's role as a haven. By declaring sanctuary status, Berkeley joins California cities including Sacramento and West Hollywood in refusing to comply with out-of-state "gender ideology" investigations. Berkeley continues its long tradition of standing at the vanguard of Civil Rights movements during moments of state-sanctioned bigotry. Many Berkeley departments have already taken steps, including Berkeley Parks opening gender-inclusive restrooms at Ohlone and Willard Parks.

~~This recommendation formalizes and expands accessibility and safety mechanisms throughout the city. In response to an unprecedented federal assault on transgender rights, this recommendation codifies Berkeley's role as a haven. By declaring sanctuary status, Berkeley joins California cities including Sacramento and West Hollywood in refusing to comply with out-of-state "gender ideology" investigations. Berkeley continues its long tradition of standing at the vanguard of Civil Rights movements during moments of state-sanctioned bigotry. Many Berkeley departments have already taken steps, including Berkeley Parks opening gender-inclusive restrooms at Ohlone and Willard Parks. This recommendation formalizes and expands accessibility and safety mechanisms throughout the city.~~

FISCAL IMPACTS OF RECOMMENDATION

~~FISCAL IMPACTS OF RECOMMENDATION~~ None to the General Fund. All recommended actions utilize regulatory updates, existing departmental staff time, or restricted funding sources. Mental health support is directed from MHSA/BHSA state allocations, and employment initiatives are to be funded through federal workforce grants or capital project budgets.

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CURRENT SITUATION AND ITS EFFECTS

~~CURRENT SITUATION AND ITS EFFECTS~~ The TGNC community is under a state of emergency due to coordinated federal actions since January 2025:

~~The Executive Order 14168 (signed Jan 20, 2025) redefined "sex" as a biological binary at conception for all federal agencies, stripping TGNC individuals community is under a state of emergency due-legal recognition in passports, federal housing, and healthcare. Executive Orders 14190, 14201, 14183, and 14187 each seek explicitly to coordinated federal actions since January 2025-erase transgender people from various areas of public and professional life.~~

~~A December Executive Order 14168 (signed Jan 20, 2025)-2025 CMS rule proposed denying Medicare/Medicaid funding redefined "sex" as a biological binary at conception for all federal agencies, stripping TGNC individuals of legal recognition in passports, federal housing, and healthcare. Executive Orders 14190, 14201, 14183, and 14187 each seek explicitly to any hospital providing gender-affirming care to minors. erase transgender people from various areas of public and professional life.~~

~~A December BPD reports indicate that hate crimes involving gender and sexual orientation were the second highest category of reported incidents in 2024, with anti-transgender events increasing statewide by 12.3% in 2025-2025., CMS rule proposed denying Medicare/Medicaid funding to any hospital providing gender-affirming care to minors.~~

~~The Pacific Center faces a critical funding expiration BPD reports indicate that hate crimes involving gender and sexual orientation were the second highest category of reported incidents in June 2026 as existing MHSA cycles transition to BHSA. 2024, with anti-transgender events increasing statewide by 12.3% in 2025.,~~

~~In response The Pacific Center faces a critical funding expiration in June 2026 as existing MHSA cycles transition to BHSA-threats from the Federal Government, many medical facilities throughout California have ended their gender affirming care services, endangering the lives of countless people, particularly trans youth.~~

~~In response-March 2026, Idaho recently passed the most extreme anti-trans bathroom ban in the country, with convictions leading to threats from the Federal Government, many years of incarceration; also in March, Kansas revoked drivers licenses for trans people and mandated medical facilities to report transgender patient data to throughout California have ended their gender affirming care services, endangering the lives-state, establishing a de facto registry of countless people, particularly trans youth-people~~

~~In March, 2026-Idaho recently passed the most extreme anti-trans bathroom ban in the country, with convictions leading to years of incarceration; also in March, Kansas revoked drivers licenses for trans people and mandated medical facilities to report transgender patient data to the state, establishing a de facto registry of trans people-~~

~~Precedence:~~

~~Precedence:~~

Multiple cities in California have taken similar steps to declare themselves havens for the trans community. West Hollywood in 2023, Sacramento and San Francisco in 2024, Richmond in 2025 and others all passed city resolutions reaffirming their commitment to the trans community and taking

measures to materially protect and support TGNC individuals. Berkeley has already declared itself a sanctuary city for immigrants and has committed significant resources to that important work in response to the Federal government's anti-immigrant stance.

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Rationale:

~~Rationale:~~ The federal characterization of gender-affirming care (GAC) as "junk science" is directly contradicted by the nation's leading medical authorities:

~~The American Academy of Pediatrics (AAP): Maintains that evidence-based GAC is medically necessary and life-saving. In December 2025, the AAP called federal restrictions a "baseless intrusion into characterization of gender-affirming care (GAC) as "junk science" is directly contradicted by the patient-physician relationship." nation's leading medical authorities:~~

~~American Medical Association Academy of Pediatrics (AAP): (AMA): Maintains Reaffirms that GAC—including hormones evidence-based GAC is medically necessary and social transition—is associated with significant decreases in anxiety, depression, and suicidal ideation. life-saving. In December 2025, the AAP called federal restrictions a "baseless intrusion into the patient-physician relationship."~~

~~The American Medical Psychological Association (AMA): (APA): Reaffirms issued a May 2025 statement criticizing the lack of transparency in federal reports and reaffirming that GAC—including hormones supportive mental health care and gender-affirming protocols social transition—is associated with significant significantly reduce decreases in anxiety, depression, and suicidal suicide ideation risk.~~

~~The American Psychological Association (APA): issued Research from UCLA's Williams Institute and local Bay Area studies (2025) shows that LGBTQI+ individuals face a 30% higher rate May 2025 statement criticizing the lack of housing instability. transparency in federal reports and reaffirming that supportive mental health care and gender-affirming protocols significantly reduce suicide risk.~~

~~Research from UCLA's Williams Institute and local A 2019 study of transwomen living in the Bay Area showed studies (2025) shows that that, LGBTQI+ individuals face a 30% higher rate for every instance of intersectional discrimination, odds of housing instability increased by 1.25%. In Berkeley, gender-nonconforming individuals in shelters report heightened acts of violence and theft when placed in facilities that do not respect their gender identity. Sanctuary status ensures these individuals are not just "housed," but safe.~~

~~A 2019 study of transwomen living in the Bay Area showed that, for every instance of intersectional discrimination, odds of housing instability increased by 1.25%. In Berkeley, gender-nonconforming individuals in shelters report heightened acts of violence and theft when placed in facilities that do not respect their gender identity. Sanctuary status ensures these individuals are not just "housed," but safe.~~

~~Studies show that 70% of transgender people have experienced denial of access, verbal harassment, or physical assault in gender-segregated facilities. Furthermore, research from the Williams Institute confirms that inclusive bathroom policies do not increase safety risks for cisgender people. Conversely, forcing TGNC individuals into non-aligned facilities increases their risk of being victimized by 2.5 times the rate of cisgender peers. Beyond the TGNC community, all-gender stalls provide essential safety for caregivers of a different gender (parents with children or assistants for people with disabilities) who otherwise face exclusion or harassment in binary-gendered spaces.~~

~~Studies show that 70% of transgender people have experienced denial of access, verbal harassment, or physical assault in gender-segregated facilities. Furthermore, research from the Williams Institute confirms that inclusive bathroom policies do not increase safety risks for cisgender people. Conversely, forcing TGNC individuals into non-aligned facilities increases their risk of being victimized by 2.5 times the rate of cisgender peers. Beyond the TGNC community, all-gender stalls provide essential safety for caregivers of a different gender (parents with children or assistants for people with disabilities) who otherwise face exclusion or harassment in binary-gendered spaces.~~

BACKGROUND

BACKGROUND On May 4th, 2026, the Peace and Justice Commission passed a motion as follows:

~~On May 4th, 2026, the Peace and Justice Commission passed a motion as follows:~~

~~To Motion to approve the item to Declare Berkeley a Sanctuary City for Transgender and Gender Expansive People, and adopt the above recommendation a comprehensive set of policies to protect and support transgender, non-binary, and gender-nonconforming (TGNC) residents as amended.~~

~~stated above.~~

~~M/S:~~

~~Yes:~~ M/S/C: Taylor/Marasovic

~~No:~~ Ayes: Commissioners Phillips, Rothbart, Marasovic, Elias, Taylor, Lee, Tabb, Sani, Morizawa, Lippman, McNeil and Press

~~Abstentions:~~ Noes: None

~~Abstain:~~ None ~~Leaves of Absence:~~

~~Absences:~~ Excused: Commissioners Cassidy, Yasavul, Weisburg, Fink and Mencher

~~ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS~~

~~To be determined by staff.~~

~~ALTERNATIVE ACTIONS CONSIDERED~~

~~ALTERNATIVE ACTIONS CONSIDERED~~ Because the challenges facing the TGNC community are myriad and vast, many possible actions were considered for inclusion in this recommendation. Those chosen strike the best balance between non-capital intensive policy change and important declarations in language that resist the narrative shift the Federal administration is seeking with regards to gender identity.

~~CITY MANAGER~~ Because the challenges facing the TGNC community are myriad and vast, many possible actions were considered for inclusion in this recommendation. Those chosen strike the best balance between non-capital intensive policy change and important declarations in language that resist the narrative shift the Federal administration is seeking with regards to gender identity.

~~CITY MANAGER~~ [The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission's Report. [OR] Refer to the budget process.]

~~CONTACT PERSON~~ [The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission's Report. [OR] Refer to the budget process.]

~~CONTACT PERSON~~ [Name], [Title], [Department], [Phone Number]

~~Attachments:~~ [Name], [Title], [Department], [Phone Number]

~~1:~~ BMC 13.32.010 – Adjustment ~~Attachments:~~ [Delete if there are NO Attachments]

~~1:~~ [Title or Description of Attachment]

~~2:~~ [Title or Description of Attachment]

~~Guidance for Referenced Materials and Attachments~~

Attachment 1 - BMC Adjustments

~~Attachment – BMC Adjustments~~

BMC 13.32.010 – Current

~~BMC 13.32.010 – Current~~

"It shall be either a misdemeanor or an infraction, in the discretion of the prosecutor, for any person to appear nude in any place open to the public or any place visible from a place open to the public. "Nude" within the meaning of this section means the absence of an opaque covering which covers the genitals, pubic hair, buttocks, perineum, anus or anal region of any person or any portion of the breast at or below the areola thereof of any female person."

~~"It shall be either a misdemeanor or an infraction, in the discretion of the prosecutor, for any person to appear nude in any place open to the public or any place visible from a place open to the public. "Nude" within the meaning of this section means the absence of an opaque covering which covers the genitals, pubic hair, buttocks, perineum, anus or anal region of any person or any portion of the breast at or below the areola thereof of any female person."~~

Amendment:

~~Amendment:~~ Eliminate "...or any portion of the breast at or below the areola thereof of any female person".

~~Eliminate "...or any portion of the breast at or below the areola thereof of any female person"~~