



**POLICE ACCOUNTABILITY BOARD
REGULAR MEETING AGENDA
Wednesday, March 13, 2024
6:30 P.M.**

Board Members

John Moore III (Chair)
Kitty Calavita
Brent Blackaby
Alexander Mozes

Leah Wilson (Vice-Chair)
Julie Leftwich
Joshua Cayetano

MEETING LOCATION

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA 94709
([Click here for Directions](#))

Item	Description	Page
-	Health and Safety Protocols for In-Person Meetings of Berkeley Boards and Commissions	1
2	March 13, 2024 Regular Meeting Agenda	4
4.a	Minutes for the Regular Meeting of February 28, 2024	9
4.b.	Minutes for the Special Meeting of March 2, 2024	16
5	ODPA Memo titled "Consolidated Analysis of Law Enforcement Agency Accreditation."	20
5.a	Presentation materials on the Commission on Accreditation for Law Enforcement Agencies' (CALEA) accreditation for Police Departments.	25

5.b	Presentation materials on the NYU School of Law's Policing Project's Sound, Accountable, Just, and Effective (SAJE) Policing Assessment for Police Departments.	51
9	List of the Current PAB Subcommittees	59
10.a.	ODPA Memo titled "Recap of the PAB's 2024 Strategic Planning Session"	63
Off Agenda Reports		
1	Legislative Updates Relevant to the PAB's Work	66

HEALTH AND SAFETY PROTOCOLS FOR IN-
PERSON MEETINGS OF BERKELEY BOARDS AND
COMMISSIONS

Health and Safety Protocols for In-Person Meetings of Berkeley Boards and Commissions February 2023

The policy below applies to in-person meetings of Berkeley Boards and Commissioners held in accordance with the Government Code (Brown Act) after the end of the State-declared emergency on February 28, 2023.

Issued By: City Manager's Office

Date: February 14, 2023

I. Vaccination Status

All attendees are encouraged to be fully up to date on their vaccinations, including any boosters for which they are eligible.

II. Health Status Precautions

For members of the public who are feeling sick, including but not limited to cough, shortness of breath or difficulty breathing, fever or chills, muscle or body aches, vomiting or diarrhea, or new loss of taste or smell, it is recommended that they do not attend the meeting in-person as a public health precaution. In these cases, the public may submit comments in writing in lieu of attending in-person.

If an in-person attendee has been in close contact, as defined below, with a person who has tested positive for COVID-19 in the past five days, they are advised to wear a well-fitting mask (N95s, KN95s, KF94s are best), test for COVID-19 3-5 days from last exposure, and consider submitting comments in writing in lieu of attending in-person.

Close contact is defined as someone sharing the same indoor airspace, e.g., home, clinic waiting room, airplane, etc., for a cumulative total of 15 minutes or more over a 24-hour period within 2 days before symptoms of the infected person appear (or before a positive test for asymptomatic individuals); or having contact with COVID-19 droplets (e.g., being coughed on while not wearing recommended personal protective equipment).

A voluntary sign-in sheet will be available at the meeting entry for in-person attendees. This will assist with contact tracing in case of COVID-19 contact resulting from the meeting.

Members of City Commissions are encouraged to take a rapid COVID-19 test on the day of the meeting.

Health and Safety Protocols for In-Person Meetings of Berkeley Boards and Commissions February 2023

III. Face Coverings/Mask

Face coverings or masks that cover both the nose and mouth are encouraged for all commissioners, staff, and attendees at an in-person City Commission meeting. Face coverings will be provided by the City and available for attendees to use at the meeting. Members of Commissions, city staff, and the public are encouraged to wear a mask at all times, except when speaking publicly from the dais or at the public comment podium, although masking is encouraged even when speaking.

IV. Physical Distancing

Currently, there are no physical distancing requirements in place by the State of California or the Local Health Officer for an indoor event similar to a Commission meeting.

Audience seating capacity will be at regular allowable levels per the Fire Code. Capacity limits will be posted at the meeting location. However, all attendees are requested to be respectful of the personal space of other attendees. An area of the public seating area will be designated as “distanced seating” to accommodate persons that need to distance for personal health reasons.

Distancing will be implemented for the dais as space allows.

V. Protocols for Teleconference Participation by Commissioners

Upon the repeal of the state-declared emergency, all standard Brown Act requirements will be in effect for Commissioners participating remotely due to an approved ADA accommodation. For Commissioners participating remotely, the agenda must be posted at the remote location, the remote location must be accessible to the public, and the public must be able to participate and give public comment from the remote location.

- A Commissioner at a remote location will follow the same health and safety protocols as in-person meetings.
- A Commissioner at a remote location may impose reasonable capacity limits at their location.

VI. Hand Washing/Sanitizing

Hand sanitizing stations are available at the meeting locations. The bathrooms have soap and water for handwashing.

VII. Air Flow/Circulation/Sanitizing

Air filtration devices are used at all meeting locations. Window ventilation may be used if weather conditions allow.

ITEM 2. - MARCH 13, 2024 REGULAR MEETING
AGENDA



POLICE ACCOUNTABILITY BOARD
REGULAR MEETING AGENDA
WEDNESDAY, MARCH 13, 2024
6:30 P.M.

Board Members

John Moore III (Chair)
Kitty Calavita
Brent Blackaby
Alexander Mozes

Leah Wilson (Vice-Chair)
Julie Leftwich
Joshua Cayetano

MEETING LOCATION

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA 94709
([Click here for Directions](#))

PUBLIC NOTICE

To access the meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device using this URL: <https://us02web.zoom.us/j/82653396072>. If you do not wish for your name to appear on the screen, use the drop-down menu and click on “rename” to rename yourself to be anonymous. To request to speak, use the “raise hand” icon on the screen. To join by phone: Dial **1 669 900 6833** and enter Meeting ID **826 5339 6072**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized.

LAND ACKNOWLEDGMENT

The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Chochen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.

AGENDA

1. **CALL TO ORDER AND ROLL CALL** (2 MINUTES)
2. **APPROVAL OF AGENDA** (2 MINUTES)
3. **PUBLIC COMMENT** (TBD)

Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on any matter within the Board's jurisdiction at this time.

4. **APPROVAL OF MINUTES** (5 MINUTES)
 - a. Minutes for the Regular Meeting of February 28, 2024
 - b. Minutes for the Special Meeting of March 2, 2024
5. **TRAINING: ASSESSING AND MONITORING THE PERFORMANCE AND COMPLIANCE OF POLICE DEPARTMENTS.** (1 HOUR)
 - a. Presentation on the Commission on Accreditation for Law Enforcement Agencies' (CALEA) accreditation for Police Departments. - (30 MINUTES)
 - b. Presentation on the NYU School of Law's Policing Project's Sound, Accountable, Just, and Effective (SAJE) Policing Assessment for Police Departments. - (30 MINUTES)

6. **ODPA STAFF REPORT** (10 MINUTES)

Announcements, updates, and other items.

7. **CHAIR AND BOARD MEMBERS' REPORTS** (10 MINUTES)

Announcements, updates, and other items.

8. CHIEF OF POLICE’S REPORT (TBD)

Crime/cases of interest, community engagement/department events, staffing, training, and other items of interest.

9. SUBCOMMITTEE REPORTS (TBD)

Report of activities and meeting schedule for all subcommittees, possible appointment or reassignment of members to subcommittees, and additional discussion and action as warranted for the subcommittees listed on the PAB’s Subcommittee List included in the agenda packet.

10. NEW BUSINESS (25 MINUTES)

- a. 2024 PAB Strategic Planning Session Recap and next steps (10 MINUTES)
- b. Follow-up discussion and next steps regarding the Berkeley Police Department’s Memorandum of Understanding (MOUs) with other agencies (15 MINUTES)

11. PUBLIC COMMENT

Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on any matter within the Board’s jurisdiction at this time.

12. 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. Case Updates Regarding Complaints Received by the ODPa:
 - 1. 2023-CI-0009
 - 2. 2023-CI-0012
 - 3. 2023-CI-0013
 - 4. 2024-CI-0001
 - 5. 2024-CI-0002
 - 6. 2024-CI-0003
 - 7. 2024-CI-0004
 - 8. 2024-CI-0005
 - 9. 2024-CI-0006

END OF CLOSED SESSION

13. ANNOUNCEMENT OF CLOSED SESSION ACTIONS (1 MINUTE)

14.ADJOURNMENT (1 MINUTE)

Off Agenda Reports

1. Legislative Updates Relevant to the PAB's Work

Communications Disclaimer

Communications to the Police Accountability Board, like all communications to Berkeley boards, commissions, or committees, are public records and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission, or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the Board Secretary. If you do not want your contact information included in the public record, do not include that information in your communication. Please contact the Board Secretary for further information.

Communication Access Information (A.R. 1.12)

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date.

SB 343 Disclaimer

Any writings or documents provided to a majority of the Board regarding any item on this agenda will be made available for public inspection at the Office of the Director of Police Accountability, located at 1947 Center Street, 5th Floor, Berkeley, CA.

Contact the Director of Police Accountability (Board Secretary) at:

1947 Center Street, 5th Floor, Berkeley, CA 94704

TEL: 510-981-4950 TDD: 510-981-6903 FAX: 510-981-4955

Website: <https://berkeleyca.gov/safety-health/police-accountability>

Email: dpa@berkeleyca.gov

ITEM 4.A. - MINUTES FOR THE REGULAR
MEETING OF FEBRUARY 28, 2024



POLICE ACCOUNTABILITY BOARD
REGULAR MEETING AGENDA
WEDNESDAY, FEBRUARY 28, 2024
6:30 P.M.

Board Members

John Moore III (Chair)
Kitty Calavita
Julie Leftwich
Joshua Cayetano

Leah Wilson (Vice-Chair)
Regina Harris
Brent Blackaby
Alexander Mozes

MEETING LOCATION

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA 94709
([Click here for Directions](#))

Meeting Recording: <https://youtu.be/NxHuuzJkFQQ>

Minutes

1. CALL TO ORDER AND ROLL CALL (2 MINUTES)

Present: Board Member John Moore (Chair).
Board Member Leah Wilson (Vice-Chair)
Board Member Regina Harris
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Brent Blackaby¹
Board Member Joshua Cayetano
Board Member Alexander Mozes

Absent: None.

ODPA Staff: Hansel Aguilar, Director of Police Accountability

¹ Board Member Blackaby joined the meeting shortly after roll call.

BPD Staff: Jayson Wechter, Investigator
Jose Murillo, Program Analyst
Keegan Horton, Investigator
Michelle Verger, Policy Analyst
Cpt. Tate
Lt. Montgomery

CAO Staff: Iris Mattes, Deputy City Attorney

CMO Staff: Dr. Carianna Arredondo, Assistant to the City Manager

2. APPROVAL OF AGENDA (2 MINUTES)

Motion to approve the agenda, with Item 10 "Legislative Updates" being presented after Item 11.e.

Moved/Second (Wilson/Harris) Motion carries.

Ayes: Calavita, Cayetano, Harris, Leftwich, Moore, Mozes and Wilson.

Noes: None. Abstain: None. Absent: Blackaby

3. PUBLIC COMMENT (TBD)

Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on any matter within the Board's jurisdiction at this time.

1 Physically Present Speaker.

0 Virtually Present Speakers.

4. APPROVAL OF MINUTES (5 MINUTES)

a. Minutes for the Regular Meeting of February 7, 2024

Motion to approve the minutes for the PAB's February 7th, 2024 Regular Meeting.

Moved/Second (Blackaby/Leftwich) Motion carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Mozes and Wilson.

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

5. ODPa STAFF REPORT (10 MINUTES)

Director Aguilar provides updates on staffing, training opportunities, and the ODPa's participation in the 2024 Berkeley Juneteenth Festival on Sunday, June 16, 2024.

6. CHAIR AND BOARD MEMBERS' REPORTS (10 MINUTES)

Chair Moore reports that he and Director Aguilar met with the newly formed UC Berkeley Police Accountability Board.

Board Member Harris announces that she is attending her last meeting before stepping down from the Board.

7. CHIEF OF POLICE’S REPORT (TBD)

Captain Tate reports on cases of interest, provides updates on staffing and recruitment/retention, and provides updates to PAB requests. She fields questions from Board Members.

8. DISCUSSION REGARDING THE CITY MANAGER'S IMPLEMENTATION OF THE CITY COUNCIL'S DIRECTIVE TO REVISE THE EARLY INTERVENTION SYSTEM POLICY OF THE BERKELEY POLICE DEPARTMENT (CAYETANO) – (20 MINUTES)

Motion to establish a subcommittee focused on Early Intervention System.

Moved/Second (Calavita/No Second) Motion failed.

Motion to accept recommendations 1 and 4 as presented in Board Member Cayetano’s memo titled “Establishing an Effective Early Intervention System as Directed by the City Council” is correct.

Moved/Second (Wilson/Mozes) Motion carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes and Wilson.

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

9. SUBCOMMITTEE REPORTS (TBD)

Activity reports are provided by the following subcommittees: Body-Worn Camera Subcommittee, Budget Subcommittee, Lexipol Subcommittee, and Commendations Subcommittee.

10. LEGISLATIVE AND POLICY UPDATES (25 MINUTES)

The item was postponed due to time constraints after initially being rescheduled to follow item 11.e.

11. NEW BUSINESS (Discussion and Action) (1 HOUR 5 MINUTES))

- a. Approval of the 2024 PAB Strategic Planning Session Retreat Agenda (LEFTWICH) – (5 MINUTES)

The board did not provide any further feedback on the agenda.

- b. Discussion and action regarding the City Council's directive to the City Manager to engage with the PAB on the proposal for additional security cameras, seeking feedback, and the PAB's response. (BLACKABY) - (15 MINUTES)

Motion to strike recommendations 1 and 3 in order to add more details to the data recommendations, and to reframe the introduction to be responsive to the City Council's directive to the City Manager to engage with the PAB on the proposal for additional security cameras, and to transmit that correspondence to Council with final approval to be done by the Chair.

Moved/Second (Blackaby/Cayetano) Motion carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, and Moore.

Noes: Wilson and Mozes. Abstain: None. Absent: None.

Motion to reconsider the vote.

Moved/Second (Blackaby/Calavita) Motion carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, and Mozes.

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

Motion to strike recommendations 1 and 3 in order to add more details to the data recommendations, and to reframe the introduction to be responsive to the City Council's directive to the City Manager to engage with the PAB on the proposal for additional security cameras, and to transmit that correspondence to Council with final approval to be done by the Chair, with the friendly amendment to rephrase recommendation 1 and move it to the end of the recommendation section.

Moved/Second (Blackaby/Mozes) Motion carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, and Mozes.

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

- c. Discussion and action regarding the Director of Police Accountability's observations and considerations for the PAB's review of Council Item 16. "Zoning Amendments for Berkeley Business; Amending Berkeley Municipal Code Title 23" (ODPA) – (15 MINUTES)

Motion to flag to the City Council and City Attorney the potential issues with the proposed changes to the Zoning Amendments for Berkeley Business, amending Berkeley Municipal Code Title 23, so that they may confirm the legality of reducing the role of police in public safety checks for businesses intending to sell alcohol.

Moved/Second (Blackaby/Mozes) Motion carries.

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, Mozes, and Wilson.

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

- d. Discussion and action regarding the review of the BPD's 2023 Annual Report on Police Equipment and Community Safety Ordinance as mandated by BMC 2.100.050 "Reports on the Use of Controlled Equipment" (ODPA) – (15 MINUTES)

After initial deliberation, the Board decided to bring back the item to a future meeting for further review.

- e. Discussion and action regarding the PAB's potential issuance of records subpoenas for records pertinent to the completion of the "Policies and Practices relating to the Downtown Task Force and Bike Unit Allegations" subcommittee's work." (MOORE) – (15 MINUTES)

Motion to issue a subpoena requesting the documents listed in the Director of Police Accountability's memorandum titled "Records pertinent to the completion of the 'Policies and Practices relating to the Downtown Task Force and Bike Unit Allegations' subcommittee," and further, that the Police Accountability Board empower the Director of Police Accountability to issue the subpoena on their behalf.

Moved/Second (Wilson/Cayetano)

Ayes: Blackaby, Calavita, Cayetano, Harris, Leftwich, Moore, and Wilson.

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

12. PUBLIC COMMENT (TBD)

Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on any matter within the Board's jurisdiction at this time.

1 Physically Present Speaker.

0 Virtually Present Speakers.

13. 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):

Item 13.a.1-13.a.10

Director Aguilar provides case updates to the Board.

END OF CLOSED SESSION

14. ANNOUNCEMENT OF CLOSED SESSION ACTIONS (1 MINUTE)

Chair Moore announces the closed session actions.

15. ADJOURNMENT (1 MINUTE)

Motion to adjourn.

Moved/Second (Harris/Cayetano) The meeting was adjourned at 9:40 PM by unanimous consent.

ITEM 4.B. - MINUTES FOR THE SPECIAL MEETING
OF MARCH 2, 2024



POLICE ACCOUNTABILITY BOARD

SPECIAL MEETING AGENDA

Saturday, March 2nd, 2024
9:30 AM to 4:30 PM

Board Members

John Moore III (Chair)
Kitty Calavita
Brent Blackaby
Alexander Mozes

Leah Wilson (Vice-Chair)
Julie Leftwich
Joshua Cayetano

MEETING LOCATION

North Berkeley Senior Center
1901 Hearst Avenue
Berkeley, CA 94709
([Click here for Directions](#))

Meeting Recording: <https://youtu.be/nzYAD69rpoY>

MINUTES

1. CALL TO ORDER AND ROLL CALL (9:35 AM)

Present: Board Member Leah Wilson (Vice-Chair)
Board Member Kitty Calavita
Board Member Juliet Leftwich
Board Member Brent Blackaby
Board Member Joshua Cayetano¹
Board Member Alexander Mozes

Absent: Board Member John Moore (Chair).

ODPA Staff: Hansel Aguilar, Director of Police Accountability
Jose Murillo, Program Analyst

Facilitator: Brian Corr,

¹ Board Member Cayetano arrived shortly after roll call.

2. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved/Second (Leftwich/Calavita)

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Mozes and Wilson.

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

3. PUBLIC COMMENT (TBD)

0 Physically Present Speakers

0 Virtually Present Speakers

4. FULL-DAY RETREAT PROGRAMMING FACILITATED BY BRIAN CORR

The program is took place from 9:35 a.m. to 4:30 p.m.

Motion to establish a Policy Committee to review discretionary policy, including the Lexipol policies, and replace the Lexipol subcommittee.

Moved/Second (KC/LW) Motion carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Mozes and Wilson.

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

Motion to delegate the initial review of policy required by BMC 2.99, BMC 2.100, BPD Policy 300 “Use of Force”, and BPD Policy 709.11 “Military Equipment” to the Office of the Director of Police Accountability, with any recommendations subject to the approval of the Board Moved/Second (JC/KC) Motion carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Mozes and Wilson.

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

Motion to create an Operations & Processes Subcommittee focused on improving workflows and reviewing meeting structures

Moved/Second (AM/LW) Motion carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Mozes and Wilson.

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

Motion to host a PAB/ODPA townhall (date TBD) to present the PAB/ODPA Annual Report and upcoming FIP & DTF Reports

Moved/Second (JC/AM) Motion carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Mozes and Wilson.

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

Motion to establish an outreach and engagement subcommittee which incorporates the commendations subcommittee

Moved/Second (BB/JC) Motion carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Mozes and Wilson.

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

Motion to expand the scope of the Budget Subcommittee to include the development of performance metrics.

Moved/Second (BB/LW) Motion carried.

Ayes: Blackaby, Calavita, Cayetano, Leftwich, Mozes and Wilson.

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

5. PUBLIC COMMENT (TBD)

0 Physically Present Speakers

0 Virtually Present Speakers

6. ADJOURNMENT (1 MINUTE)

Motion to adjourn.

Moved/Second (Wilson/Blackaby)

The meeting was adjourned at 4:35 PM by unanimous consent.

ITEM 5. - ODPA MEMO TITLED “CONSOLIDATED
ANALYSIS OF LAW ENFORCEMENT AGENCY
ACCREDITATION.”



MEMORANDUM

To: Honorable Members of the Police Accountability Board (PAB)
From: Hansel Aguilar, Director of Police Accountability
Michelle Verger, Policy Analyst
Date: 03/08/24
Subject: Consolidated Analysis of Law Enforcement Agency Accreditation

This memorandum presents a consolidated analysis of the literature on law enforcement agency accreditation, particularly through CALEA. Additionally, the memo provides information on alternative (or companion) tools to accreditation. The discussion is supported by relevant literature to guide the Board's consideration of potential recommendations for the Berkeley Police Department (BPD), City Manager, and or City Council pursuant to Berkeley Charter Sections 125(3)(a)(1)¹ and 125(21)².

KEY FINDINGS AND LITERATURE CITATIONS:

- **Definition and Impact of Accreditation:** Accreditation denotes compliance with best practices in law enforcement. The expected organizational improvements through accreditation are debated in academic circles.
 - **McCabe and Fajardo (2001)** found no significant differences in police professionalism between accredited and non-accredited departments, questioning the tangible benefits of CALEA accreditation.
 - **Burlingame & Baro (2005)** found that involvement in the CALEA accreditation process is shown to have a significant positive effect on the proportion of female officers in a large police agency.
 - **Hougland & Wolf (2016)** found that CALEA accreditation's effect on citizen complaints had no significant correlation, underscoring the necessity for more research to ascertain the effectiveness of law enforcement accreditation.

¹ This section states the PAB has the power and or duty: To advise and make recommendations to the public, City Council, and City Manager regarding the operation of the Berkeley Police Department, including all written policies, practices, and procedures in relation to the Berkeley Police Department;

² This section states the PAB is empowered: to review and make recommendations to the City Council regarding the Police Department budget. The Chief of Police shall submit a final budget proposal to the Board for review and recommendations, but the Board's failure to complete that review and make recommendations in a timely manner shall not delay the budget process.

- **Abner, Pnomariov & Kim (2022)** found CALEA accreditation has a positive and statistically significant association with the use of crime analysis at the 0.05 level.
- **Challenges with accreditation:** The CALEA accreditation process has received criticisms for its expense, demanding requirements, and inconclusive impacts on enhancing police department performance.
- **Alternatives or Companions to CALEA:** Alternative programs like NYU's SAJE³ focus on measurable policing outcomes and emphasize public accountability. SAJE's innovative approach, including a public-facing performance dashboard, can enhance engagement with the public and promote better community relations.
- **Predictors of Public Support for Police Accreditation: Abner (2022)** delves into the predictors of public support for police accreditation, examining various scenarios that include potential property tax increases and local police support for accreditation. Utilizing data from 998 U.S. adults and employing binary logistic regression, the research identifies key factors influencing public support. Individual factors such as age, education, race, and region, alongside community-level factors like perceptions of police performance and attitudes toward property taxes, significantly impact public support. The study highlights the complexity of garnering public support for police accreditation and suggests a nuanced approach considering both individual and community perspectives is essential for policy formulation and implementation in the realm of police reform.

CONCLUSION

The decision to adopt an accreditation model and or use a systematic assessment tool like SAJE should be meticulously weighed, considering both the literature, the BPD's specific objectives for enhancing community relations and operational efficacy, and the community goals as codified through the reimagining public safety framework, fair and impartial policing, and 21st Century policing principles.

RECOMMENDATIONS:

Considering the mixed evidence on accreditation's benefits and the potential of alternative and or companion programs, the Board may consider conducting further inquiry and engaging with relevant stakeholders to assess if these tools are a right fit for the community. Specifically, the PAB may consider:

1. **Conducting further research:** Following its review protocols in the Standing Rules of assigning to a specific Board member; delegating to staff, establishing a subcommittee (or referring to one); and or taking on as a full Board.
 - a. **Peer Review:** The PAB could contact CALEA-affiliated agencies and or those using SAJE to seek more information about its benefits. The PAB should get a clearer understanding of why the BPD moved away from accreditation.
 - b. **Evaluation of Alternatives:** BPD should assess programs like SAJE that prioritize public trust and operational transparency.
 - c. **Community Engagement:** Embrace strategies that foster transparency and involve the community in policing efforts.

³ <https://www.policingproject.org/saje-policing-assessment>

2. Making a formal recommendation to the relevant stakeholder/decision maker based on available information

Alternative actions include:

- 3. Considering this item for future PAB workplan or discussion**
- 4. Rejecting the consideration of this item**

SUGGESTED LITERATURE AND SOURCES FOR THE PAB:

Abner, G. (2022), "Predictors of public support for police accreditation", *Policing: An International Journal*, Vol. 45 No. 5, pp. 828-845

Abner, G., Merritt, C. C., & Boggs, R. (2023). How can we help law enforcement agencies learn? A look at CALEA police accreditation. *Policing: An International Journal*, 47(1), 1-15.

Abner, G., Ponomariov, B., & Kim, S. (2022). Does CALEA accreditation serve as a signal? A look at crime analysis. *Journal of Experimental Criminology*, 1-12.

Abner, G., & Rush, S. (2022). Assessing the correlates of CALEA accreditation: A state-of-the-art review. *Policing: An International Journal*, 45(5), 776–793. <https://doi.org/10.1108/pijpsm-02-2022-0032>

Alpert, G. P., & MacDonald, J. M. (2001). Police use of force: An analysis of organizational characteristics. *Justice Quarterly*, 18(2), 393–409. <https://doi.org/10.1080/07418820100094951>

Burlingame, D., & Baro, A. L. (2005). Women's representation and status in law enforcement: Does CALEA involvement make a difference? *Criminal Justice Policy Review*, 16(4), 391–411. <https://doi.org/10.1177/0887403405275319>

Carter, D. L., & Sapp, A. D. (1994). Issues and perspectives of law enforcement accreditation: A national study of police chiefs. *Journal of Criminal Justice*, 22(3), 195–204. [https://doi.org/10.1016/0047-2352\(94\)90016-7](https://doi.org/10.1016/0047-2352(94)90016-7)

Doerner, W. G., & Doerner, W. M. (2009). The diffusion of accreditation among Florida Police Agencies. *Policing: An International Journal of Police Strategies & Management*, 32(4), 781–798. <https://doi.org/10.1108/13639510911000812>

Doerner, W. M., & Doerner, W. G. (2012). Police accreditation and clearance rates. *Policing: An International Journal of Police Strategies & Management*, 35(1), 6–24. <https://doi.org/10.1108/13639511211215423>

Houglund, S., & Wolf, R. (2016a). Accreditation in police agencies. *The Police Journal: Theory, Practice and Principles*, 90(1), 40–54. <https://doi.org/10.1177/0032258x16671030>

Holliday, B.S. and Wagstaff, J.H. (2022), "The relationship between citizen oversight and procedural justice measures in policing: an exploratory study", *American Journal of Criminal Justice*, Vol.47, pp. 567-588.

Hughes, A. G., & Teodoro, M. P. (2012). Assessing Professionalism: Street-Level Attitudes and Agency Accreditation. *State and Local Government Review*, 45(1), 36–45.
<https://doi.org/10.1177/0160323x12466417>

McCabe K.A. & Fajardo R.G. (2001). *Law enforcement accreditation: A national comparison of accredited vs. nonaccredited agencies*. Office of Justice Programs. Office of Justice Programs.
<https://www.ojp.gov/ncjrs/virtual-library/abstracts/law-enforcement-accreditation-national-comparison-accredited-vs>

Sykes, G. W. (1994). Accreditation and community policing: Passing fads or basic reforms? *Journal of Contemporary Criminal Justice*, 10(1), 1–16.
<https://doi.org/10.1177/104398629401000102>

Teodoro, M. P., & Hughes, A. G. (2012). Socializer or Signal? how agency accreditation affects Organizational Culture. *Public Administration Review*, 72(4), 583–591.
<https://doi.org/10.1111/j.1540-6210.2012.02531.x>

The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA):
<https://www.calea.org/>

- <https://www.calea.org/calea-annual-reports/2022-calea-annual-report>
- <https://www.hayward-ca.gov/police-department/transparency/calea>
- [https://www.alamedacountysheriff.org/about-us/calea#:~:text=Since%201996%2C%20the%20Alameda%20County,CALEA\)%20Law%20Enforcement%20Accreditation%20program.](https://www.alamedacountysheriff.org/about-us/calea#:~:text=Since%201996%2C%20the%20Alameda%20County,CALEA)%20Law%20Enforcement%20Accreditation%20program.)
- <https://www.chp.ca.gov/home/about-us/accreditation/calea-accreditation>

International Association of Campus Law Enforcement Administrators. (IACLEA)
<https://www.iaclea.org/about>

NYU School of Law Policing Project

<https://www.policingproject.org/>

<https://www.policingproject.org/saje-policing-assessment>

ITEM 5.A. - PRESENTATION MATERIALS ON THE
COMMISSION ON ACCREDITATION FOR LAW
ENFORCEMENT AGENCIES' (CALEA)
ACCREDITATION FOR POLICE DEPARTMENTS.



CALIEA[®]

THE GOLD STANDARD IN PUBLIC SAFETY

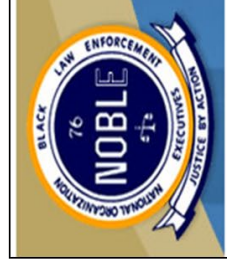


The Commission on Accreditation for Law Enforcement Agencies (CALEA)



Historical Perspectives

- Emerged as a solution to assist in the professional development of law enforcement in 1979 due to:
 - Periods of civil unrest
 - Lack of confidence in law enforcement
 - Desire to professionalize the vocation
 - Understanding the need of an independent authority
 - With support from the founding organizations.



Founding Organizations

- International Association of Chiefs of Police (IACP)
- National Organization of Black Law Enforcement Executives (NOBLE)
- National Sheriffs' Association (NSA)
- Police Executive Research Forum (PERF)



CALEA's Purpose

The CALEA Accreditation Process is a proven modern management model; once implemented, it presents the Chief Executive Officer (CEO), on a continuing basis, with a blueprint that promotes the efficient use of resources and improves service delivery—regardless of the size, geographic location, or functional responsibilities of the agency.



CALEA's Purpose

The accreditation programs provide public safety agencies an opportunity to “voluntarily” demonstrate that they meet an established set of professional standards.



CALEA's Purpose

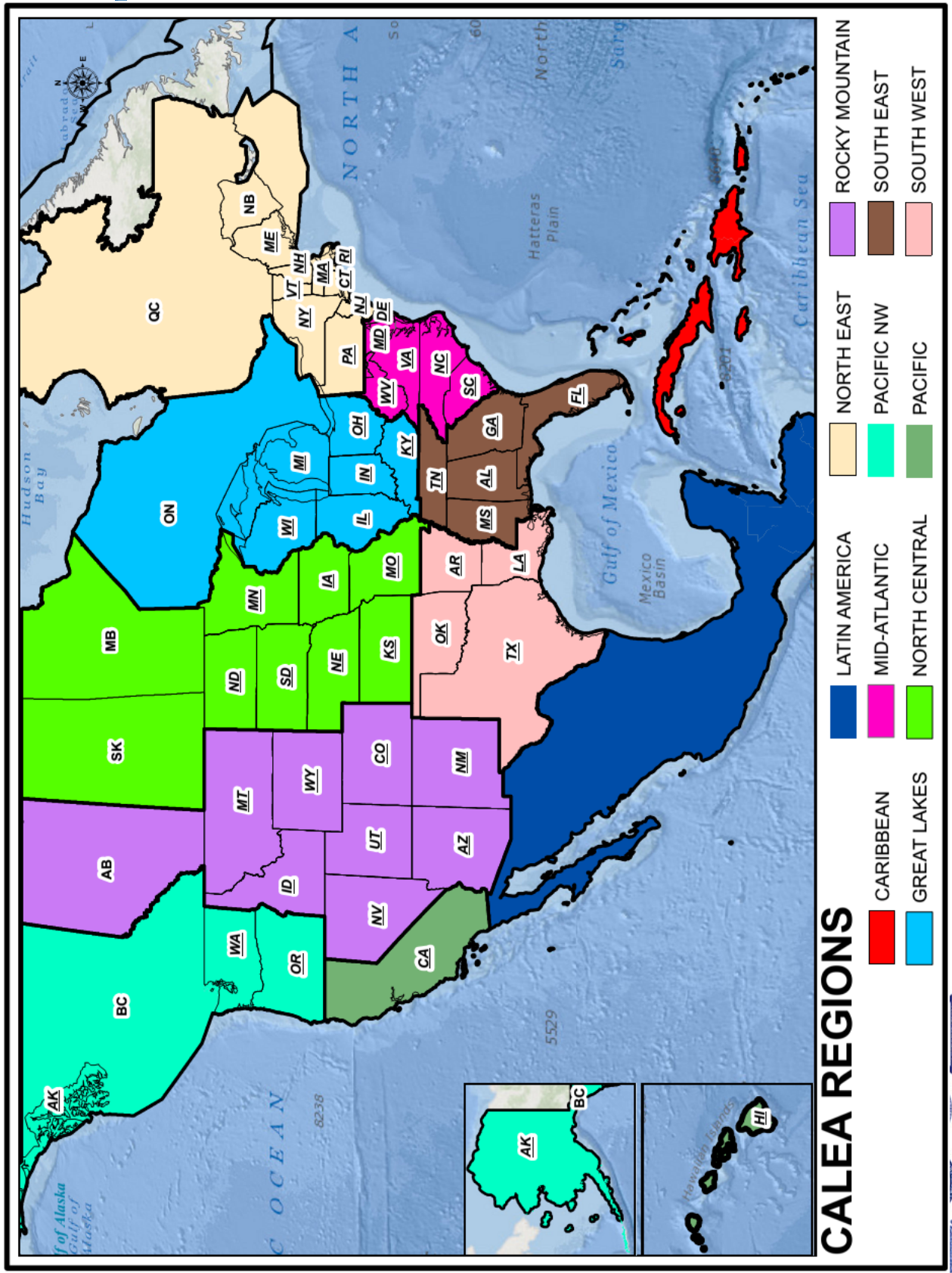
- To establish a body of professional standards and an accreditation process that:
- Requires an agency to develop a comprehensive set of written directives.
 - Provide the necessary reports and analyses that a CEO needs to make fact-based, informed management decisions.
 - Requires a preparedness program be put in place.
 - Are a means for developing or improving upon relationships with the community.
 - Strengthens an agency's accountability, both within the agency and within the community.
 - Can limit an agency's liability and risk exposure; and
 - Facilitates an agency's pursuit of professional excellence.



Organizational Structure

- 21 Commissioners are appointed by the founding associations for three-year terms.
- Commissioners come from a broad range of public safety professionals (Private, Public, and Academic industries).
- CALEA operates as an independent, nonprofit (501[c] 3) corporation, and maintains a professional staff managed by an Executive Director. The staff conducts all administrative and operational duties as directed by the Commission.





International Client Base

- Client agencies located in Canada, Mexico, US, and Barbados
- 1044 client agencies with a 95% retention rate.
- Clients include a wide variety of public safety agencies:
 - Federal
 - State (including state investigative agencies)
 - Transit (rail, airport, metro, port authority police)
 - Campus / University Police
 - Nuclear Site Security
 - City / County



Law Enforcement Program



Law Enforcement **Accreditation** (183) or
Law Enforcement **Advanced Accreditation** (461)

Eligibility-legally constituted with mandated
responsibility to enforce laws.

-Initial agreement is for 36 months



Standards Development

- Standards Review and Interpretation Committee (SRIC).
- Subject Matter Experts.
- Allows for input from clients.
- Applies best practices from professional practitioners.
- Strives to maintain a contemporary source for clients.



Process Overview

- Enroll in the Program(s)
- Conduct Self-Assessment (up to a 3-year process)
- Develop Policies, Procedures & Practices (Data tables)
- Conduct Initial Assessment When Ready
- Receive Report
- Commission Review
- Accreditation (If Approved)
- Maintenance of Process
- Reaccreditation, And So On



Process Overview

Self-Assessment:

Once an agency is enrolled in the LE program, it enters self-assessment. The agency has up to 36 months from the date a CALEA representative signs the Accreditation Agreement to complete self-assessment and schedule a site-based assessment.

The agency proceeds with self-assessment by complying with all applicable standards, developing proofs of compliance, and preparing for the site-based assessment. During this time, CALEA staff is available to provide guidance on the applicability of standards and attaining compliance.



Process Overview

Site-Based Assessment:

Once the agency notifies CALEA of its completion of the self-assessment phase and its desire to schedule its initial site-based assessment, staff will schedule a date that is mutually agreeable. A team of CALEA-trained Client Service Members first review standards folders remotely then Assessor(s) physically come the agency to determine compliance with standards through interviews, views agency operations and reports its findings to the Commission for final determination of accredited status.



Process Overview

Commission Review and Decision:

At each tri-annual CALEA Conference, the Commission’s Review Committees conduct hearings, which are open for public attendance, regarding the agency’s compliance to applicable standards. Designated agency representatives are invited to participate in this hearing. If satisfied the agency has met all compliance requirements, the Commission awards accreditation for a four-year period and is able to display the CALEA program’s “mark of excellence.”



Process Overview

Maintaining Compliance and Reaccreditation:

During its four-year accreditation award cycle, the agency must maintain compliance with applicable standards, maintain its proofs of compliance, and live by the *letter and spirit* of those standards. To retain its accredited status, the agency is required to submit to CALEA their appropriate accreditation continuation fees, as well as an annual report.

Process Overview

Remote Web-Based Assessment:

During each of the four years after the agency is awarded accreditation, Client Service Members (CSMs) will work with Accreditation Managers to identify files that will be reviewed in addition to time sensitive standards. CSMs will have access to the agencies files temporarily and will ensure compliance. Over the course of the four years, the CSM will have reviewed all the agencies' files and ensured compliance with all applicable standards. Also in the fourth year, the agency will host assessors for the onsite assessment. Reaccreditation occurs only after four annual remote web-based reviews, a fourth-year site-based assessment, and a hearing before the Commission.



4 YR Accreditation Cycle



Benefits of CALEA

- **Greater Accountability within the Agency**
CALEA standards give the CEO a proven management system of written directives, sound training, clearly defined lines of authority, and routine reports that support decision-making and resource allocation.
- **Reduced Risk and Liability Exposure**
Many agencies report a reduction in its liability insurance costs and/or reimbursement of accreditation fees.



Benefits of CALEA

- **Stronger Defense against Civil Lawsuits**
Accredited agencies are better able to defend themselves against civil lawsuits. Also, many agencies report a decline in legal actions against them, once they become accredited.
- **Staunch Support from Government Officials**
Accreditation provides objective evidence of an agency's commitment to excellence in leadership, resource management, and service-delivery. Thus, government officials are more confident in the agency's ability to operate efficiently and meet community needs.



Benefits of CALEA

- **Increased Community Advocacy**
Accreditation embodies the precepts of community-oriented policing. It creates a forum in which law enforcement agencies and citizens work together to prevent and control challenges confronting law enforcement and provides clear direction about community expectations.

Return on Investment

- Provides a management model for law enforcement administration and operations.
- Produces better trained public safety personnel.
- Can limit an agency's liability and risk exposure.
- Promotes greater accountability within the agency.
- Demonstrates verification of best practices.

Accreditation can be used in other ways to achieve agency objectives:

- Agency audits
- Device for organizational change
- Employee involvement strategy



CALEA

Questions?



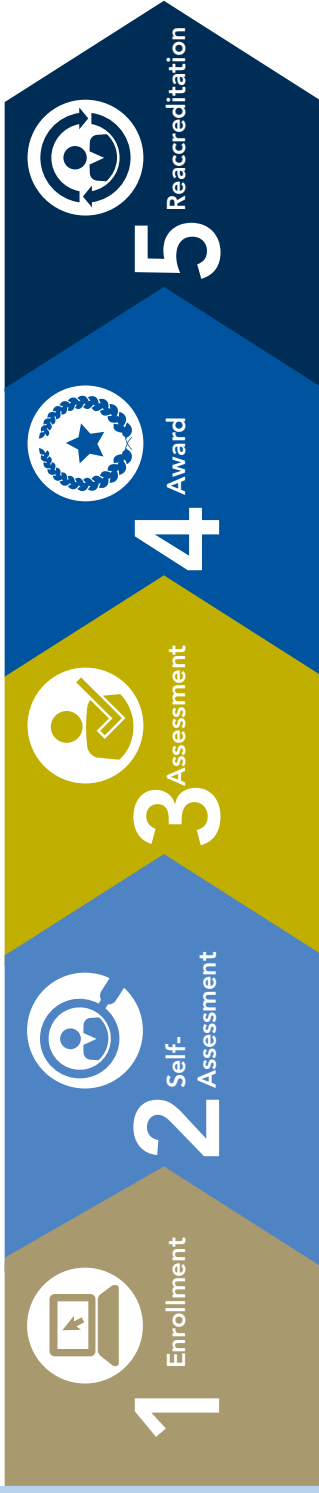
Accreditation Process Quick Guide

The CALEA 5-STEP Accreditation Process

We believe it's important for you to know what to expect, so we've put together this Quick Guide to provide an overview of the process. For a detailed description, please refer to the CALEA Guide to Successful Accreditation Management provided through PowerDMS™.

We suggest that your agency start by contacting the assigned [Regional Program Manager \(RPM\)](#) to discuss enrollment. Before enrolling, we recommend:

- Conversing with governing bodies and leadership for support and identifying financial or organizational issues
- Reviewing the agency's strengths, weaknesses, opportunities and threats (SWOT analysis)
- Planning for initial accreditation fees and continued financial support



1 Enrollment

2 Self-Assessment

3 Assessment

4 Award

5 Reaccreditation

Enrollment is your first step, and it's a simple one

- Contact RPM
- Access the enrollment section on the CALEA website to download forms
- Sign all enrollment forms and email to CALEA Staff

You'll have either 36 or 24 months to complete this step

- Develop relationship with RPM
- Create, modify written directive system
- Ensure practice and policy are working in concert
- Attend CALEA Conferences for accreditation
- PowerDMS™ training
- Identify key stakeholders
- Join an Accreditation Support Network
- Monitor standards for updates
- Generate proofs and include in accreditation files to verify compliance with standards
- Conduct initial informal review
- Contact RPM to schedule assessment

During this step, you'll prepare for a site-based assessment

- Coordinate with CALEA staff to prepare and submit agency information and assessment documentation
- Participate in remote web-based assessment of accreditation documentation
- Participate in site-based assessment report provided to agency

If compliance requirements are achieved, the Commission awards accreditation

- Attend the Commission Review Committee Hearing and Awards Banquet at the next CALEA Conference
- Transition to the reaccreditation model
- Promote achievement to the community

Reaccreditation is an ongoing quality performance review of the agency

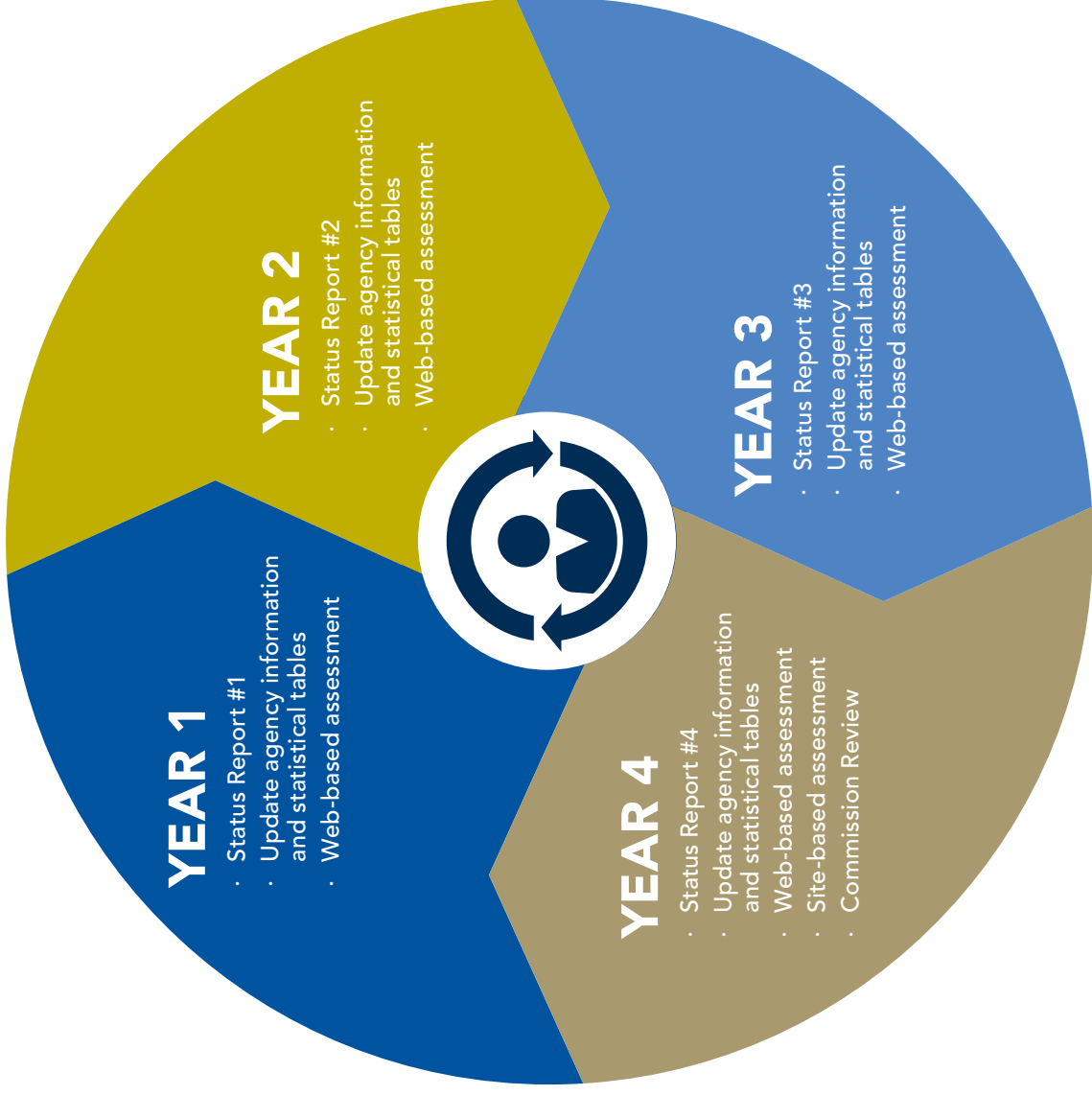
- Maintain agency information & statistical tables
 - Submit annual reports to CALEA
 - Participate in annual web-based assessment
- Also in the fourth year:
- Participate in site-based assessment

CONTINUOUS MAINTENANCE OF ACCREDITATION PROCESS



REACCREDITATION

the four-year review cycle



ITEM 5.B. - PRESENTATION MATERIALS ON THE
NYU SCHOOL OF LAW'S POLICING PROJECT'S
SOUND, ACCOUNTABLE, JUST, AND EFFECTIVE
(SAJE) POLICING ASSESSMENT FOR POLICE
DEPARTMENTS.

SAJE Policing Standards

Defining and measuring sound, accountable, just, effective policing.

I. SOUND POLICING

RECRUITMENT AND RETENTION

1. Agency's officers reflect the diversity of the communities they serve.
2. Agency recruitment and hiring processes aim to reach officers with the best qualifications for the job and who reflect the diversity of the communities they serve.
3. Hiring, promotion, and assignment are fair, competitive, and based on standards that reflect the requirements of the job.

TRAINING AND OFFICER PREPAREDNESS

4. Training and education are practical and informed by research and evidence.
5. Officers receive robust, structured training when they are promoted to supervisor roles or assigned to specialized units.
6. Officers receive ongoing in-service training throughout their careers that aims to maintain skills and address new challenges.
7. Agency invests in training that is effective, measures whether the training works, and changes or stops training that is not working.

PERSONNEL SAFETY AND WELLBEING

8. Agency ensures officer injuries and fatalities are low.
9. Agency implements policies and tactics to minimize risk and maximize officer and public safety.
10. Agency gives officers the equipment, tools, and support they need to be safe on the job.
11. Agency prioritizes officers' physical and mental health and offers support services and counseling.

INTERNAL OPERATIONS AND CULTURE

12. Supervisors hold officers accountable for adhering to laws and policies. Leadership holds supervisors accountable for the performance of the officers under their command.
13. Agency culture values and rewards community service, problem-solving, and ethical decision-making.
14. Agency promotes a culture of continuous improvement and learning.
15. Officers are satisfied with their job and agency leadership.
16. Union contracts are reasonable and do not protect officers from accountability for misconduct.

RESOURCE AVAILABILITY

17. Agency technology is modern, cost-effective, and appropriate for the agency's needs.
18. Agency uses its budget effectively and efficiently.

SAJE Policing Standards

Defining and measuring sound, accountable, just, effective policing.

II. ACCOUNTABLE POLICING

TRANSPARENCY AND DATA

19. Agency policies and priorities are accessible and transparent.
20. Agency is open about incidents of officer misconduct.
21. Agency is open about the surveillance technologies it uses.
22. Agency makes data about enforcement (including stops, searches, uses of force, and arrests) available to the public.
23. Agency investigative data collection and retention is reliable and respectful of personal liberty and privacy.
24. If an agency uses body cameras and/or dash cameras, the agency makes relevant footage available on its website within a reasonable timeframe following a critical incident.

DEMOCRATIC GOVERNANCE AND OVERSIGHT

25. Agency includes communities – especially communities that are most policed – in decision-making.
26. Agency is formally subject to front-end accountability.

ACCOUNTABILITY AND DISCIPLINE

27. Individuals can make complaints about officer misconduct easily and without interference, discouragement, or intimidation.
28. Agency's process for investigating and adjudicating officer misconduct is fair, thorough, transparent, and timely.
29. Agency proactively discloses officer impeachment evidence to the prosecutor's office.
30. Agency does not erase officer offenses over time, and keeps officer disciplinary records for a reasonable period after the officer separates from the agency.

SAJE Policing Standards

Defining and measuring sound, accountable, just, effective policing.

III. JUST POLICING

USE OF FORCE

31. Agency – through policy, training, and culture – requires that all uses of force be reasonable and necessary. Agency requires that force be used only when de-escalation is not possible.
32. Agency requires officers report all uses of force and displays of force.
33. Officers have a duty to intervene to prevent other officers from using excessive force.
34. Agency collects, analyzes, and uses comprehensive data about officer uses of force, including demographic data.

STOPS, SEARCHES, AND SEIZURES

35. Police stops and searches are done lawfully and only when necessary.
36. When a stop or search is necessary, it is done in a way that is procedurally just and respectful of personal liberty and privacy.
37. Agency collects and analyzes data on all stops, searches, arrests, and citations.

FIRST AMENDMENT

38. Agency respects rights of free expression and association.
39. Agency recognizes community groups' rights to organize and express discontent (such as marches, and public displays).
40. Officers respect the public's right to film police interactions..

INVESTIGATIVE PROCEDURES

41. Agency uses surveillance technology only when necessary for criminal investigations or other valid police purposes.
42. Agency uses confidential sources appropriately and only when necessary for a criminal investigation.
43. Investigative techniques reflect best practices, are designed to obtain true information, and are respectful of an individual's constitutional rights.
44. Discovery procedures are in line with state and local law and best practices.

SAJE Policing Standards

Defining and measuring sound, accountable, just, effective policing.

IV. EFFECTIVE POLICING

COMMUNITY ENGAGEMENT AND POLICING

45. All communities trust the policing agency and think the agency serves communities fairly. The agency partners with communities to co-produce public safety.
46. Community policing is the agency's fundamental approach to public safety and is the responsibility of all patrol officers, not just the responsibility of a dedicated unit.
47. Officers receive training on the communities they serve and how to work with and support them.
48. Officers positively interact with community members for reasons other than enforcing the law.

OTHER POLICING AND RESPONSE STRATEGIES

49. Agency strategies are based on scientific evidence, data, and information about community needs and challenges.
50. Agency aims to solve problems when it develops policing strategies.
51. Agency minimizes the impact of enforcing the law on individuals and the community and uses approaches other than law enforcement when appropriate.
52. Agency assigns resources based on calls for service and community needs.

INDIVIDUALS IN CRISIS/SUSCEPTIBLE TO VICTIMIZATION AND ABUSE

53. Officers interact with people who are living with mental health disorders, substance use disorders, or other behavioral health challenges in a way that is safe and appropriate.
54. Agency connects individuals experiencing mental health crises or other behavioral health challenges to community resources and social service providers when appropriate.
55. Officers responsibly and effectively interact with and respond to at-risk and marginalized groups.

SAJE Policing Assessment

Defining and measuring sound, accountable, just, and effective policing

The Policing Project at New York University School of Law, in partnership with Microsoft, and with funding from the Joyce Foundation and Microsoft’s Justice Reform Initiative, is building the SAJE Policing Assessment – a comprehensive tool to define and measure the characteristics of a sound, accountable, just, and effective policing agency. This much-needed resource helps police leaders and agencies, municipal leaders, and the communities they serve understand agency performance across a host of critical metrics.

SAJE Policing

How do you know if a policing agency is a “good” one?

This would seem an easy question to answer, but the lack of national standards, and conflicting notions of what police could and should do for their communities, complicates things. And even if we could agree about what “good” policing is – how would we determine whether an agency is measuring up?

In the absence of consensus, many jurisdictions turn to insufficient proxy measures to understand police performance, like crime rates or the number of citizen complaints. These proxies tell only a very narrow – sometimes inaccurate – part of the story. If we are to meet public demands for fundamental change around policing, policing agencies and the communities they serve need to know: what are we working towards, and how will we know when we get there?

We developed the SAJE Policing Assessment to answer those critical questions.

Defining and Measuring Standards

In order to measure whether a police department is “good” we first have to define what “good” means. We have created a series of pillars – and within them, standards – that together define what good policing looks like. This was done through rigorous application of a number of disciplines to what policing should look like ideally: constitutional law, civil liberties, racial equity, social science, democratic accountability, industry best practices, prior and current reform strategies, and most important – the perspectives of police leaders and communities themselves. We then vetted these standards across a broad range of thought leaders and police experts, ultimately agreeing on the following four pillars:

Sound Policing – *Is the policing agency well-managed?*

- Assessing recruitment and retention strategies; training quality and officer preparedness; personnel safety and wellbeing; internal operations and culture; resource availability, and relevant data collection.

Accountable Policing – *Is the policing agency accountable to the communities it serves?*

- Assessing organizational transparency and data availability; democratic governance and oversight; officer accountability and discipline; and relevant data.

Just Policing – *Is the policing agency respectful of civil liberties, equitable, and racially just?*

- Assessing uses of force; stops, searches, and seizures; demonstration responses and protection of First Amendment rights; investigative procedures; and relevant data.

Effective Policing – *Is the policing agency keeping the communities it serves safe?*

- Assessing community engagement and the co-production of public safety; policing and response strategies; responses to individuals in crisis and protection of individuals susceptible to victimization and abuse; and relevant data.

We then built teams of some of the country’s leading police practitioners, researchers, and community advocates to create a robust series of 100 direct and proxy metrics to measure these goals. We designed these metrics with the following principles in mind:

- 1) **Feasibility**: The assessment won’t work if no one wants to use it. We took great care to identify metrics that accurately measure the standards but did so in a way that would ease the burden of tool administration on agencies.
- 2) **Reasonable rigor**: The assessment won’t tell us anything if everyone fails. We did our best to define health in a way that advocates for improvements from the status quo but does not go so far that every agency likely would categorically fail.
- 3) **Adaptability**: What is healthy for the New York City Police Department is different than what is healthy for a police department in Bellevue, Nebraska. We built a series of basic minimum requirements towards which any agency should strive, but accounted for differences in needs, capacity, and resources beyond those basic minimums.

Ideally, jurisdictions administer the assessment annually. In that way, it is possible to observe change over time. It also may be a useful way for new agency leadership to get a baseline understanding of their agency.

The Tool: Web-Based Assessment

All questions in the assessment are answered with a simple “yes/no/not applicable,” with all questions oriented in the affirmative. Agencies will also be asked to upload documentation (e.g., relevant policies) to support their answers.

Microsoft generously has provided in-kind technical support for the assessment tool’s development and is creating a web-based system. This will further ease the burden on agencies completing the tool, support a national repository of SAJE responses, and include dynamic visualizations of results for agencies and communities alike.

Piloting the Tool

We recently completed our beta test of the assessment in the Tucson Police Department in partnership with Dr. Aili Malm of California State University Long Beach. Through this pilot, we refined our metrics and improved the efficiency of assessment administration, and we are creating an implementation guide to support replication. The implementation went so well that Chief Kasmar has invited us back to readminister the tool next year.

Community Vetting

We also partnered with a working group of Chicago and Washington DC community leaders and advocates to explore how best to leverage our work to inform local advocacy efforts and ensure communities are equipped with a clear understanding of what they could and should expect from their policing agency. Through a series of in-person forums, we also did a deep dive into the metrics in areas these leaders cared about most, and have refined the tool to more fully reflect their public safety priorities.

Next Steps

We are in the process of piloting the assessment and the web-based reporting tool in five additional agencies over the next year, and already have begun working in our next sites – Seattle WA, Washington DC, Tampa FL, Las Vegas NV, and Bellevue NE. Through this process, we will ensure our assessment is calibrated appropriately for agencies of varying size and capacity in different regions of the country and train additional neutral third-party evaluators.

ITEM 9. – LIST OF CURRENT PAB
SUBCOMMITTEES



SUBCOMMITTEES LIST
As of 03/02/2024

Subcommittee	Board Members	Chair	BPD Reps	Subcommittee Reports
Regulations Formed 7-7-21 Renewed 6-7-2023	Calavita Leftwich <u>Public members:</u> Kitt Saginor	N/A	Lt. Dan Montgomery	Report on Subcommittee Activities. Future reports will be presented within this column.
Fair & Impartial Policing Implementation Formed 8-4-21 Renewed 6-7-2023	Calavita Wilson <u>Public members:</u> George Lippman	Calavita	Sgt. Peter Lee	Report on Subcommittee Activities. Future reports will be presented within this column.
Surveillance Technology Policy Formed 6-7-2023	Calavita Moore	N/A	N/A	Report on Subcommittee Activities. Future reports will be presented within this column.

Policy and Practices relating to the Downtown Task Force and Bike Unit Allegations Formed 11-15-22	Calavita Moore	Calavita	N/A	Report on Subcommittee Activities. Future reports will be presented within this column.
Body-Worn Camera Policy Formed 03-15-23	Leftwich [Additional Members Required]	Leftwich	N/A	Report on Subcommittee Activities. Future reports will be presented within this column.
Conflict of Interest Formed 03-29-23	Leftwich Wilson	Leftwich	N/A	Report on Subcommittee Activities. Future reports will be presented within this column.
Policy Reviews Formed 11-08-2023 Scope Expanded 03-02-2024 Formally "Lexipol Review"	Leftwich Cayetano Mozes <u>Public members:</u> Kitt Saginor	Leftwich	N/A	Report on Subcommittee Activities. Future reports will be presented within this column.
Budget & Metrics Formed 11-08-2023 Scope Expanded 03-02-2024	Wilson Blackaby	N/A	N/A	Report on Subcommittee Activities. Future reports will be presented within this column.
Outreach & Engagement Formed 11-08-2023 Scope Expanded 03-02-2024 Formally "Commendations"	Moore Blackaby	N/A	N/A	Report on Subcommittee Activities. Future reports will be presented within this column.
Off-Duty Conduct	Cayetano [Additional Members Required]	N/A	Lt. Rittenhouse	Report on Subcommittee Activities. Future reports will be presented within this column.


<p>2024 PAB Strategic Planning Retreat</p>	<p>Leftwich Mozes</p>	<p>N/A</p>	<p>N/A</p>	<p>Report on Subcommittee Activities. Future reports will be presented within this column.</p>
<p>Operations & Processes Formed 03-02-2024</p>	<p>TBD</p>	<p>TBD</p>	<p>TBD</p>	<p>N/A</p>

ITEM 10. - ODPA MEMO TITLED "RECAP OF THE
PAB'S 2024 STRATEGIC PLANNING SESSION"



MEMORANDUM

To: Honorable Members of the Police Accountability Board (PAB)

From: Hansel Aguilar, Director of Police Accountability 
Jose Murillo, Program Analyst

Date: 03/08/24

Subject: Recap of the PAB's 2024 Strategic Planning Session

This memorandum aims to offer the Police Accountability Board (PAB) a summary of their strategic planning retreat held on March 2, 2024.

Summary

On March 2, 2024, the Police Accountability Board (hereinafter referred to as the "PAB" or "Board") convened a strategic planning session under the guidance of Brian Corr, a consultant from Cambridge Consulting and the Former President of NACOLE. Director Aguilar and Program Analyst Murillo, representing the Office of the Director of Police Accountability (ODPA), were present.

During the retreat, the Board discussed various strategic goals and priorities. These included:

- Enhancing community outreach and engagement.
- Formalizing procedures for policy and report evaluation.
- Addressing the future of policing and oversight in Berkeley.

There was a strong emphasis on the need to develop a stronger operational infrastructure to streamline the work of the PAB and the departments that support it.

Recognizing the importance of prioritization and efficiency, the Board explored methods to streamline operations for maximum effectiveness. This included considering the formation of subcommittees to handle specific tasks such as policy review and

operational improvements. Additionally, there were discussions about implementing clear guidelines and processes for policy review and decision-making.

As a result of their deliberations, the Board made the following motions:

1. Motion to establish a Policy Committee tasked with reviewing discretionary policies, including the Lexipol policies, and replacing the Lexipol subcommittee.
2. Motion to delegate the initial review of policies required by BMC 2.99, BMC 2.100, BPD Policy 300 "Use of Force", and BPD Policy 709.11 "Military Equipment" to the Office of the Director of Police Accountability, with any recommendations subject to the approval of the Board.
3. Motion to create an Operations & Processes Subcommittee focused on improving workflows and reviewing meeting structures.
4. Motion to establish an outreach and engagement subcommittee, which includes the commendations subcommittee.
5. Motion to expand the scope of the Budget Subcommittee to include the development of performance metrics.

These motions were passed unanimously and reflect the Board's commitment to enhancing accountability and effectiveness in its operations and engagement with the community.

OFF AGENDA REPORT:
LEGISLATIVE UPDATES RELEVANT TO THE PAB'S
WORK



MEMORANDUM

To: Police Accountability Board
From: Keegan Horton, ODPa Investigator *KH*
Michelle Verger, Policy Analyst *MV*
Date: March 8, 2024
Subject: Legislative Updates for PAB Regular Meeting March 13, 2024

State Policy Update¹

No update since the previous report.

Lexipol Policy Update

- 1101 Special Order: Complete removal of temporary order providing guidance while the use of force policy is being revised.
- 903 Transportation of Detainees: Addition of reference to BWC policy, recommendation to use an ambulance for ill or injured detainees, guidance for detainees in a WRAP, extraditions, and airplane transport. Removal of gendered language.

The City of Berkeley Policy Update

March 12, 2024 Consent Calendar Item 8. Align Training and Certification Differentials for Deputy Police Chief and Police Chief with Differentials for Berkeley Police Associate Members²

- **Recommendation:** Adopt a Resolution aligning the training and certification differentials for the Deputy Police Chief and Police Chief – specifically, for Crisis Intervention Training, the KIND Policing Differential, and POST certificates – with those of Berkeley Police Association members; specify that for Deputy Police Chief and Police Chief the POST certificates must be at the Management level; provide retiree medical benefits that BPA members and the Police Chief receive to the Deputy Police Chief as well.

¹ <https://post.ca.gov/Status-of-Current-Legislation>

² [Berkeley City Council Meeting Agenda Packet Tuesday, March 12, 2024](#). See page 67.

- **Rationale:** Aligning the training and certification differentials for Deputy Police Chief and Police Chief with those of Berkeley Police Association members will resolve salary compaction issues along the promotional ladder from Captain to Deputy Police Chief to Police Chief.