

ARGUMENT IN FAVOR OF MEASURE II

Berkeley police officers must be held to the highest standards of conduct. Measure II establishes an independent agency to investigate complaints and ensure effective civilian oversight of police conduct. This measure results from an unprecedented collaborative process between Berkeley Police, the Police Review Commission, and City Council.

The Charter Amendment replaces the Police Review Commission, established in 1973, with a new Police Accountability Board, with expanded powers to investigate police misconduct and provide civilian oversight.

A Director of Police Accountability would provide professional oversight and investigate complaints, make independent findings, and recommend corrective action. This is estimated to cost approximately \$300,000 per year, less than 0.5% of the Police Department's current budget. Other provisions include:

- extending the deadline for people to file and for the Board to review complaints (many complaints are not thoroughly investigated because the timeframe is far shorter than in other cities);
- adopting a more reasonable standard of proof for complaints (the current unreasonably high burden of proof is inconsistent with that of other cities);
- requiring officers to testify and city administration to provide relevant records;
- recommending discipline in cases of serious misconduct;
- using complaint and other information to propose policy changes to ensure fair and impartial policing, address racial inequities, and protect civil liberties;
- advising the City Council on the hiring of the Chief of Police with final approval remaining with the elected City Council.

The City Council would still have ultimate say over policing policy and the City Manager's Office would retain its authority over police department management.

Voting YES on Measure II will give the Police Accountability Board the authority and resources to thoroughly investigate misconduct allegations, propose discipline, and review police policies to protect civil rights and liberties and address racial and other disparities.

For a more accountable Berkeley, join us in voting YES on Measure II.

s/Elliot Halpern

Board Member ACLU Berkeley/North East Bay Chapter

s/David Muhammad
Executive Director, National Institute for Criminal Justice Reform

s/Ty Alper
Professor, U.C. Berkeley School of Law (For Identification Purposes Only); Vice-
President, Berkeley School Board

s/Mansour Id-Deen
President, Berkeley NAACP

s/Kitty Calavita
Chair, Berkeley Police Review Commission, Chancellor's Professor Emerita of
Criminology, Law & Society, UC Irvine (For Identification Purposes Only)