

PRC Priority List

As decided at the December 9, 2015 meeting
and revised to reflect subsequent action

Top Ten List (NOT in order of most votes)	Notes
Investigation into BPD response on Dec. 7 & 8, 2014	Subcommittee formed and meeting.
Revision of General Orders, incl. C-64, U-2, M-2	Subcommittee formed. 1 st meeting 2.18.16..
Body worn and dash cameras (Due date TBA)	Subcommittee formed and meeting.
Fair and Impartial Policing (includes racial profiling concerns; evaluation and review of recently-released stop data; review of CPE analysis, when released)	Subcommittee formed.
Policy review re Identification of race on traffic citations	Assign to F&I Policing Subcommittee.
G.O. W-1: Right to Watch	BPD to present at 2.24.16 meeting.
BPD acquisition of non-military armored vehicle	To be agendized.
Review of BOI procedures and underlying authority (Copley Press, PSOBRA, BPA v. COB, etc.)	Staff to prepare memo.
Review of pending regulation changes, and discussion of possible actions, including promulgation and implementation of agreed upon regulation changes and report to Council	Agendized for 1.27.16 and 2.10.16 meetings.
City Council directive of 1.26.16 to work with BPD on recommendations from reports re response to Dec. 2014 protests	To be discussed 2.10.16.
High priority; other action	
General Order regarding treatment of Transgender Persons	Subcommittee formed.
Additional items to be agendized	
McKinley Ave. Staging – policy review	Capt. Greenwood to return for final report 2.10.16 meeting.
Propose all BPD Use of Force Reports be sent to PRC within 21 days	Inquiry to City Attorney from PRC Officer 1.22.16.
Request for Intelligence report from Chief Meehan, as required under General Order C-1, for at least the last three years	BPD response pending.
Commissioner training on law and police procedures	Begin Spring 2016.

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Remaining items	
Outreach – community awareness of who the PRC is and what it does	
Policy review re Smoking Control Ordinance	On 7-15-15, PRC authorized further action as memorialized in 8-7-15 letter from PRC Officer to Chief expressing concerns and making requests.
Policy review of Citations to bicyclists running red lights	(A. Bernstein would like to add "Idaho stop" issue.)
How to read CAD reports	
Evaluation of City policies regarding seizure and storage of homeless persons' property	Policy complaint re Liberty City agendized 1.27.16 and 2.10.16.
Achieving agreement with BPD regarding consultation on all new and changes to G.O.s	
Protest guide on BPD website	
BPD budget review	
BPD preparedness and capacity	Comm. Roberts' item.
Media credentialing policy	Subcommittee formed but activity on hold (per discussion 1.27.16).

BPD AND PRC RECOMMENDATIONS FOLLOWING REVIEW/INVESTIGATION OF BPD RESPONSE DEC. 6, 2014
 (PRC recommendations edited for length)

Communication

Notes	BPD	PRC
GO C-64 subcomm.		<p>New Recommendation as a preamble to the Communication section: Police officers will seek to navigate complex and confusing crowd situations which may have mixed elements of legal and illegal, peaceful and violent behavior. Facilitation of free expression, de-escalation of tension, and peaceful conflict resolution are primary goals of police-crowd interaction.</p>
BPD task.	<p>Recommendation #1 We recommend the Department get clarity on the availability of regional radio interoperability for common encrypted radio channels to improve communications with mutual aid partners during large scale events.</p>	<p>BPD should investigate the availability of regional radio interoperability for common tactical and recorded radio channels to improve communications with mutual aid partners during large scale events; BPD should communicate directly with EBRCS and ask for a speedy resolution to these questions and any necessary training.</p>
GO C-64 subcomm. (and BPD task?)	<p>Recommendation #2 We recommend the Department use social media proactively before and during the event to communicate with participants. As dispersal orders are given over the loud speaker social media could be used to communicate more detailed information to the crowd.</p>	<p>PRC endorsed BPD's recommendation and added: all communications [via social media] be clearly identified as coming from BPD. We urge the City to adopt rules for BPD's use of social media as quickly as possible.</p>
GO C-64 subcomm.	<p>Recommendation #3 Explore the use of BPD Negotiators to enhance communication with the crowd and crowd leadership before and throughout the event.</p>	<p>The BPD should focus on enhancing tools for communication during a demonstration to ensure it is peaceful; the tools should include the use of BPD negotiators. PRC urges a focus on two-way communications to facilitate peaceful demonstrations.</p>
Agreement. BPD task.	<p>Recommendation #4 BPD should acquire a high quality mobile mounted public address system. This equipment would also be an asset during natural disasters.</p>	<p>The PRC endorsed BPD's Recommendation #4 as written.</p>

Tactical Command

Notes	BPD	PRC
GO C-64 subcomm.?	<p>Recommendation #5 Tactical command decision making and responsibility should be relocated from the Department Operations Center to the field. We recommend coordination of squad movements happen in the field.</p>	<p>The PRC endorsed BPD's Recommendation #4 as written.</p>
GO C-64 subcomm.	<p>Recommendation #6 Command should make efforts to ensure as much mission clarity as possible when resources are dispatched.</p>	<p><i>(This recommendation is an alternative to both #6 and #7.)</i> The PRC agrees that a lack of mission clarity hampered the BPD's success on December 6; specifically, a strategic lack of clarity. Deployments during demonstrations should include clear and specific objectives. Field Commanders should be given specific guidelines and priorities to consider in deployment decisions, including whether a given police action will improve the situation, or escalate tension and confrontation between police and protesters, and should make redeployment decisions proactively based on known situational awareness and the approved guidelines.</p>
GO C-64 subcomm.	<p>Recommendation #7 We recommend commanders in the field make redeployment decisions proactively based on known situational awareness.</p> <p>Recommendation #8 Opportunities for the police to deescalate from crowd control to crowd management tactics need to be recognized and seized.</p>	<p>1) The City considers non-violent demonstrations of concern about community issues to be positive and healthy activities and will interact with such events as ones to be facilitated, not as public safety threats.</p> <p>2) Heavily armed, massed police using crowd control tactics may inflame and incite rather than prevent violence. They can intimidate peaceful demonstrators and promote alienation and confrontation. The need for sufficient police resources must be balanced against the chilling effect of a large and visible police presence.</p> <p>3) As BPD orders call for protecting First Amendment activities, police must win the trust of the assembly that they can demonstrate in safety.</p> <p>4) Police interaction with a demonstration or other public event should begin in a crowd management posture, unless it starts as an illegal assembly. Under BPD policy, non-violent civil disobedience is not grounds for declaring an unlawful assembly. If police must move to a crowd control posture, the goal should be to de-escalate back down to crowd management. Police officers must make every effort to reduce tension and de-escalate conflict, with support from non-sworn City staff and elected/appointed officials.</p> <p>5) a) It is essential to recognize that all members of a crowd of demonstrators are not the same. b) Even when some in a crowd are violent or destructive, others are not. Once some become violent, the situation often turns chaotic, and many of the peaceful individuals may be blocked from leaving because the crowd is so large or because they are afraid they will move into a more dangerous position. c) This does not mean BPD cannot take enforcement action against the crowd as policy allows, but BPD shall seek to minimize the use of force against, and arrests of, innocent persons.</p>

Deployment

Notes	BPD	PRC
GO C-64 subcomm.	Recommendation #9 Deploy resources flexibly in crowd management roles designed to keep events peaceful.	<i>(This recommendation is an alternative to both #9 and #10.)</i> BPD should review its operational deployment of resources, such as bicycle, and parking enforcement officers, in crowd management roles to provide greater mobility, flexibility and accessibility. The review should focus on opportunities for the peaceful maintenance of events, crowd/departments communication and violent element identifications. BPD should develop training and resource proposals to achieve this end, and review them with the PRC.
GO C-64 subcomm.	Recommendation #10 Increase staffing of bicycle officers, motorcycle officers and parking enforcement officers for large scale crowd management events.	
Agreement - GO C-64 subcomm.	Recommendation #11 Deploy joint police and fire scout teams to manage small fires and scout medical calls.	The PRC endorsed BPD's Recommendation #11 as written.

Maneuver

GO C-64 subcomm.	Recommendation #12 Have a contingent of officers to move with the crowd, so that violent elements in the crowd will see a continuous police presence.	As an alternative to this Recommendation #12, reference is made to PRC Recommendations #8 and #9 above.
Agreement - GO C-64	Recommendation #13 Deploy squads with dedicated drivers who remain with the vehicles to facilitate maneuvers and vehicle security.	The PRC endorsed BPD's Recommendation #13 as written.

Situational Awareness

BPD task.	Recommendation #14 Explore technology that can improve the quality and timeliness of information available to decision makers.	Before BPD implements the use of any additional surveillance and data gathering technology, the use of that technology shall be brought to PRC and the City Council for approval.
Policy issue	Recommendation #15 Consider proposing changes to the City Council Resolution 51, 408-N.S., to permit the use of helicopters in instances of significant civil unrest.	The PRC recommends that the current City policy regarding the use of helicopters should be retained.

Dispersal Orders

Notes	BPD	PRC
GO C-64 subcomm.	<p>Recommendation #16 Issue fewer dispersal orders and record evidence that the crowd was able to hear the orders.</p>	<p>Consistent with existing policy, dispersal orders should be given only if there is clear evidence that the focus of the crowd has become violent. When a dispersal order is necessary, BPD should give several quality orders, make sure that they are audible to the entire crowd, and record the orders to establish that they were heard. If a crowd later reassembles in a different location, that new location must be reevaluated to determine if it is an unlawful assembly, and a new dispersal order given. BPD should discontinue the practice of continuous dispersal orders.</p>
GO C-64 subcomm.	<p>Recommendation #17 Revise the dispersal order script to include specific types of force that may be used to disperse the crowd including the use of CS gas.</p>	<p>Revise the dispersal order script to include specific types of force that may be used to disperse the crowd including the use of CS gas; the PRC should review the proposed new script before it becomes BPD policy.</p>

Use of Force

Notes	BPD	PRC
GO C-64, U-2 subcomm.	<p>Recommendation #18 We recommend that BPD review its policy regarding the use of CS gas and batons in crowd control situations.</p>	<p>BPD, with the PRC, should review its policy regarding the use of CS gas and batons during crowd control and crowd management, with particular attention to the kind of authorized baton strikes, to include the use of jabs, rakes or overhead strikes, and with the intent of putting substantial constraints on the use of CS gas in crowd control and crowd management.</p>
GO C-64, U-2, M-2 subcomm.	<p>Recommendation #19 Less Lethal operators should be briefed regarding the rules of engagement prior to deployment. Command should review the use of force as it relates to accomplishing mission objectives with less lethal operators, prior to deployment.</p>	<p>BPD's policy on the use of less-lethal munitions should be revised: they should only be direct-fired at a specific target, may never be used indiscriminately against a crowd or group, and may be used only against a specific individual engaged in conduct that poses an immediate threat of loss of life or serious bodily injury. Before deployment, Command should brief all less-lethal operators, including mutual aid responders, on the rules of engagement for the specific mission and on the use of force.</p>
Agreement- GO C-64 subcomm.	<p>Recommendation #20 Skirmish lines should be deployed only in situations where the use of force that may be necessary to enforce the line is warranted by the objective of deploying the line.</p>	<p>The PRC endorsed BPD's Recommendation #20 as written.</p>

Notes	BPD	PRC
GO C-64, U-2 subcomm.	<p>Recommendation #21 We recommend that the Department continue to train and reinforce disciplined use of baton strikes by officers to avoid striking people in no strike zones.</p>	<p>The numerous reports from peaceful and lawfully demonstrating civilians of being struck by batons are of significant concern. BPD, with the PRC, should review its policy on the use of batons during crowd control and crowd management, with particular attention to the kind of authorized baton strikes, including jabs and rakes. Overhead strikes should be prohibited in crowd control and crowd management.</p>
GO C-64, U-2 subcomm.	<p>Recommendation #22 Preparatory orders warning officers of the impending use of chemical agents should be announced over the radio.</p>	<p>The use of CS gas on December 6 is a cause of major concern, as it is unclear whether the crowd's actions warranted the initial and continued use, and how decisions were made to continue to deploy CS gas. BPD, with PRC, must review and revise the policy on CS gas use to delineate when and how CS gas may be used in crowd control.</p> <p>When CS gas is deployed, a public announcement regarding the impending use should be made, as well as a radio broadcast to all law enforcement personnel.</p>
GO C-64, U-2 subcomm.	<p>Recommendation #23 Prior to the planned deployment of CS Gas, medical aid should be on scene and available to respond to treat people who might be affected by CS Gas.</p>	<p>Prior to the planned deployment of CS Gas, medical aid should be on scene and available to respond to treat people who might be affected by CS Gas. An operational policy regarding the use of CS gas should be established that delineates a removal and transport process and provides for establishing a secure triage area to treat affected personnel and members of the public.</p>

Accountability

Agreement - GO C-64 subcomm.	<p>Recommendation #24 To comply with our existing policies an After Action Report (AAR) should be written after each incident even if only in summary form.</p>	<p>BPD should comply with its existing policies and an After Action Report (AAR) should be written after each incident, even if only in summary form, within 72 hours.</p>
GO C-64, U-2 subcomm.	<p>Recommendation #25 Improve accountability for the deployment and use of less lethal munitions and CS gas. Use of less lethal munitions should be recorded in the after action report and the policy should be updated to include this requirement.</p>	<p>To improve accountability, BPD and mutual aid responders should perform an inventory of less-lethal munitions and CS gas both before and after deployment in a crowd control situation and, whenever an officer uses less-lethal force during crowd control, that officer should prepare an individual report of such use within 72 hours.</p>

Training

Notes	BPD	PRC
<p>GO C-64 subcomm.?</p>	<p>Recommendation #26 All officers should continue to receive crowd management training every two years. We recommend the following trainings be developed:</p> <ul style="list-style-type: none"> • Commanders should conduct crowd management table top exercises, in addition to departmental training, to explore topics such as planning, command and control, mutual aid management, tactics, and operations center logistics. • All crowd management trainings should include legal update training in the area of crowd management case law as well as a review of first amendment case law. • Mobile Field Force training with regards to conducting targeted arrests. Including a tactical review of how to deploy in order to better support a mission of targeted arrests while maintaining the ability to transition into crowd control formations. <p>Train sufficient personnel to use higher quality camera systems to gather better video evidence at protests.</p>	<p>All officers should continue to receive crowd management training every two years. We recommend the following trainings be developed in conjunction with the PRC, and that these trainings include de-escalation tactics:</p> <p><i>[remainder of PRC recommendation same as BPD recommendation]</i></p>
<p>Agreement - GO C-64 subcomm.?</p>	<p>Recommendation #27 Commanders should attend training to improve their understanding of BPD's current capabilities and limitations in crowd management and control which should enhance planning and tactics.</p>	<p>The PRC endorsed BPD's Recommendation #27 as written.</p>
<p>BPD done; PRC to review</p>	<p>Recommendation #28 We recommend the creation of a document on BPD website which will provide information on how to conduct or participate in a protest in a safe and legal manner.</p>	<p>The PRC should work in collaboration with BPD to develop a website and other informational materials to inform the public about the BPD's approach to protests, ground rules for them, and details of the warning and dispersal system.</p>

Media

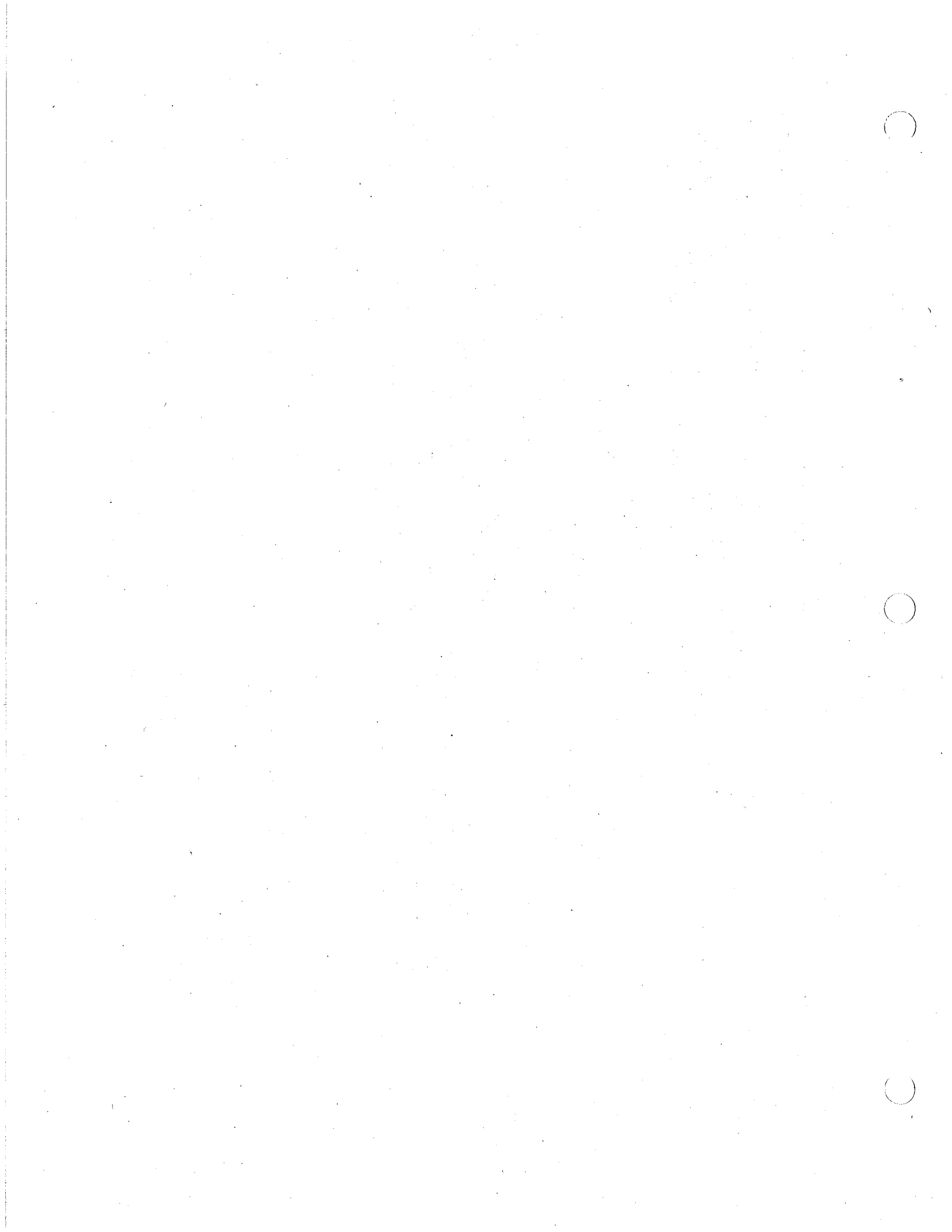
<p>PRC Media Credentialing Subcomm.</p>	<p>Recommendation #29 We recommend the BPD Public Information Officer investigate the viability of establishing a regional media credentialing system.</p> <p>Recommendation #30 We recommend the Department develop a collaborative training for press to enhance their safety and safeguard the First Amendment right of a free press.</p>	<p>(This recommendation is an alternative to both Recommendations #29 and #30 of the BPD.) This is a complicated issue that requires input from all stakeholders. It is the PRC's position that no policy should be implemented until the matter has been referred back to the PRC to establish a subcommittee to allow for a full discussion and formulation of a policy.</p>
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Equipment

Notes	BPD	PRC
<p>BPD has purchased new video cameras.</p> <p>Info-gathering for request to Council?</p>	<p>Recommendation #31 <i>We recommend the Department invest in quality video cameras, live stream capability and video capture software to improve situational awareness.</i></p>	<p>BPD needs to make better-informed decisions in crowd control situations; therefore, BPD needs access to real time surveillance tools. Gathering such information will require some degree of surveillance, which raises concerns regarding civilians' privacy. We recommend that the Council make a determination of what, if any, surveillance tools should be considered for use, and then refer the matter to the PRC to obtain community input and work with the BPD to establish the appropriate guidelines for such use.</p>
<p>Agreement – BPD to do</p>	<p>Recommendation #32 <i>The Department should investigate the use of body armor to be worn underneath a uniform of the day, to protect officers from projectiles while minimizing the projection of force to protestors.</i></p>	<p>The PRC endorsed BPD's Recommendation #32 as written.</p>

New Recommendation regarding mutual aid

Notes	PRC
<p>GO M-2 subcomm.</p>	<p>The conduct of mutual aid responders in their crowd control roles during the events of December 6 was a primary concern that the PRC heard from the public. The PRC believes that state law and existing mutual aid pacts require each agency to follow its own policies re use of force. We therefore believe that the BPD cannot enforce its use-of-force policies on mutual aid responders. We believe it is critical for BPD to communicate to mutual aid responders the values of the COB, including de-escalation tactics, before and during a crowd event. BPD should continue to review its briefing and communication practices to make every effort for mutual aid responders with our policies. We request that the BPD make specific recommendations on strategies and procedures to achieve these goals.</p>



Some Actions are Self Evident

when we take any one's food, shelter or clothing we are violating the human rights of that person

when we throw away these belongings without giving the person the resources, and transportation and time to pick up their belongings we have entered the phase of cruelty

when we intimidate and harass someone when no law is broken we cross the line and further break the civic covenant that this city has with all its residents "to serve and protect"
boona cheema

SFGATE <http://www.sfgate.com/news/article/Homeless-have-right-to-reclaim-property-3843236.php>

Homeless have right to reclaim property

By Bob Egelko Updated 10:48 am, Saturday, August 9, 2014



IMAGE 1 OF 8

Karen, a homeless person, (left) sits with a friend near the fountain at U.N. Plaza in San Francisco, Calif.

A city that seizes homeless people's property from a street or sidewalk must preserve it so that the owner has a chance to reclaim it, a federal appeals court ruled Wednesday.

"The government may not take property like a thief in the night; rather, it must announce its intentions and give the property owner a chance to argue against the taking," the Ninth U.S. Circuit Court of Appeals in San Francisco said.

The 2-1 decision, which has statewide implications, upheld a federal judge's order last year that allowed residents of Los Angeles' Skid Row to leave personal possessions on the sidewalk during brief absences to eat or use a restroom. Police could seize the property only if it was hazardous or appeared to have been abandoned, the court said, but must leave notice of where it was taken and give the owner up to 90 days to retrieve it.

In the Bay Area, homeless advocates said, those safeguards are often ignored in practice.

State law

When San Francisco police take property from a sidewalk or a homeless encampment, they bring it to the Department of Public Works yard at 2323 Cesar Chavez St., where it is supposed to be held for 90 days, a period specified by California law.

In fact, said Jennifer Friedenbach, executive director of the Coalition on Homelessness, many homeless people report seeing their clothing and even medicine thrown into dumpsters, and aren't told where police are taking the items they seize.

"It's pretty rare that people can actually get their property back," she said.

Not so, said Dariush Kayhan, superintendent of street environmental services at the Department of Public Works. Under a 2004 policy, police and city social workers inform homeless people that their property is at the department's yard, which is open around the clock and stores all items with bags and labels.

"We think we have a system that's working quite well," he said.

In Oakland, officials agreed in 2008 to allow homeless people to reclaim their property under the standards outlined in Wednesday's ruling, but police recently seized and destroyed items that the homeless kept in shopping carts outside a downtown county office building, said attorney Elisa Della-Piana of the East Bay Community Law Center.

Oakland is working on revisions to its policy, said Alex Katz, spokesman for City Attorney Barbara Parker.

"When it comes to homeless people, cities are often tempted to ignore state law," said Della-Piana, who helped homeless Fresno residents win a \$2.35 million settlement in 2008 for that city's destruction of their property.

Wednesday's ruling involved people who were allowed to live on the sidewalks in a Los Angeles area known as Skid Row under a 2007 legal settlement until the city could build adequate housing for them.

Items destroyed

The court said they typically kept their possessions in carts provided by social service organizations, but when they stepped away, police would seize and destroy the items, citing a local ordinance against leaving property on a sidewalk. That violated the constitutional ban on unreasonable seizures, Judge Kim Wardlaw said in the majority opinion.

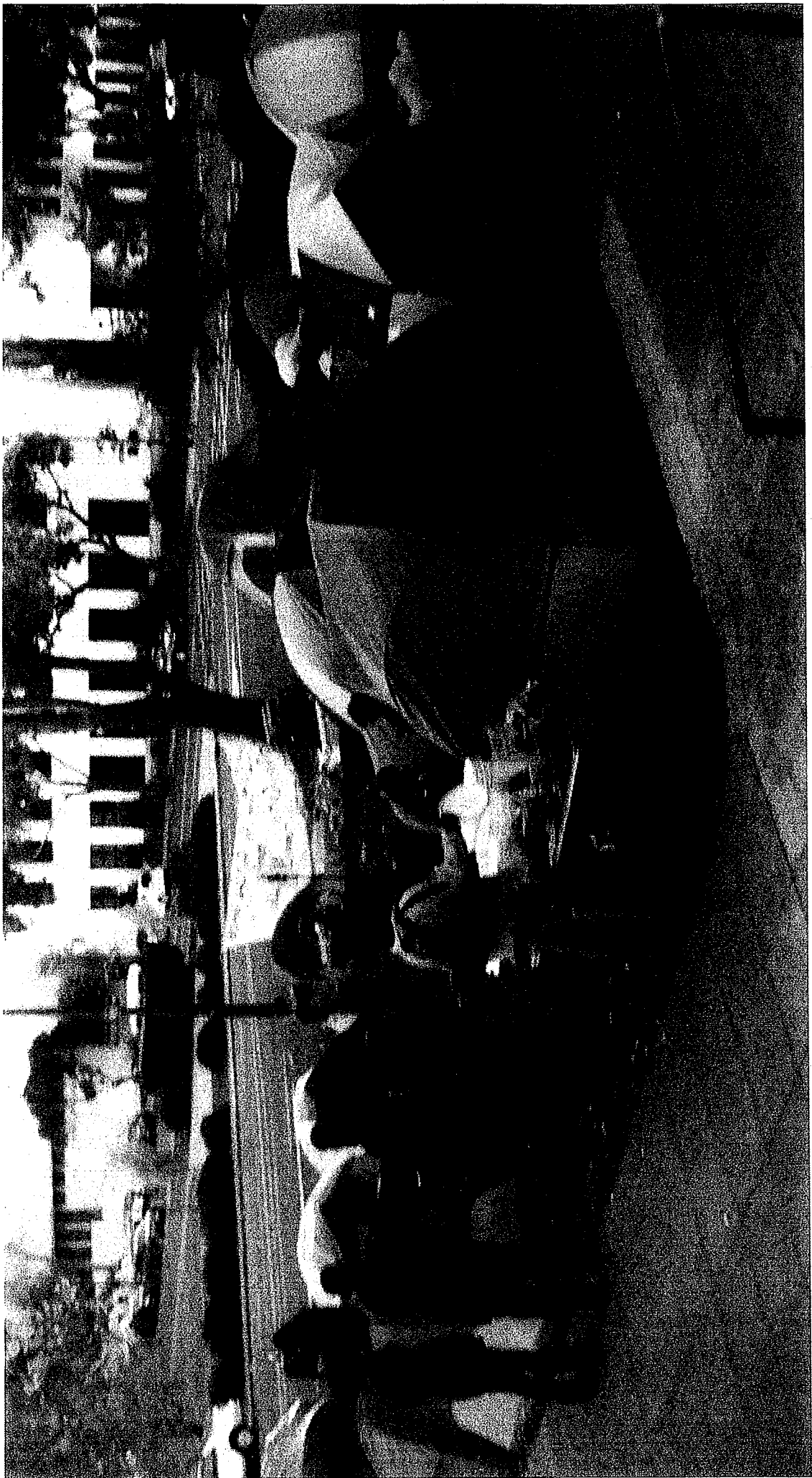
Dissenting Judge Consuelo Callahan said the Constitution does not recognize ownership rights in "unattended personal property left on public sidewalks."

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H E A R S T

THIS IS AN
OCCUPATION
NOT A
ENCAMPMENT



NO ALCOHOL
AND DRUGS







