

1 **Discussion section**

2 *From staff 10-13-15*

3
4 Baton use

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6 1. The numerous reports from civilians of being struck by batons as they were engaged
7 in peaceful, lawful demonstrations are a cause of significant concern. (Rec #21.)

8 These reports raise two categories of questions: whether this level of force was
9 justified; and whether batons were used properly. (GL)

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11 2. *Level of force.* Under current BPD policy, batons, as a form of non-lethal force, may be
12 used by an officer: (a) to protect themselves or another from person from physical
13 injury; (b) to restrain or subdue a resistant individual; or (c) to bring an unlawful
14 situation safely and effectively under control.¹ Additionally, in a crowd situation, only
15 reasonable force may be used if needed to disperse a crowd, make arrests, or move a
16 crowd from an area.² The PRC finds that the level of baton deployment on December
17 6 did not conform to policy as it was excessive and indiscriminate. (GL/staff.)

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19 3. *Methods of baton use.* BPD officers are trained to use batons on certain target areas
20 of a subject's body. The target and non-target areas are specified POST training
21 documents³ and reviewed in BPD Mobile Field Force training.⁴ Target areas are the
22 "center mass," arms, legs, and torso, with the heart to be avoided; non-target areas
23 are the head, neck, throat, heart, spine, kidneys and groin.⁵ (staff) Based on the
24 reports from civilians of baton strikes to the head area, it appears that officers violated
25 training orders in this regard. Moreover, although the BPD explained that the strikes
26 landing on non-target areas resulted from the subject's movements, the number of
27 reports of head strikes casts doubt on that explanation. (GL/staff.)

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31 ¹ General Order U-2, paragraph 19.

32 ² General Order C-64, paragraph 6.

33 ³ As stated by BPD in a PRC meeting.

34 ⁴ See BPD February 27, 2014 outline, "Defensive Tactics – Baton"; also, BPD Report
p. 52, Section O., Use of Batons.

⁵ Ibid.

1 McKinley Avenue Staging

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- 3 4. Two residents of the 2100 block of McKinley Avenue filed policy complaints with the
- 4 PRC, regarding the use of their street as a staging area for the law enforcement
- 5 personnel and their equipment that arrived in response to BPD's mutual aid request.
- 6 This block borders the west side of the parking lot adjacent to the Public Safety
- 7 Building. The complaints of the complainants and the neighbors included: the lack of
- 8 notice of the street closure and the reason for the closure; denial or severe curtailment
- 9 of residents' access to the street; the disrespectful and hostile attitude of police toward
- 10 residents; and the officers' late-night yelling, littering, and even urinating in the area.
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- 12 5. The PRC accepted the policy complaints at its January 14, 2015 meeting. In
- 13 response, Capt. Greenwood prepared a written report and made a presentation at the
- 14 PRC's March 11, 2015 meeting. He acknowledged that the BPD fell short on
- 15 communicating with the McKinley Street residents, and said that the department was
- 16 considering policies to mitigate or eliminate the residents' issues, such as alternate
- 17 staging sites; better communication with affected residents; and uniform protocols for
- 18 allowing access. In its report on the December 6 & 7 civil unrest, the BPD states that it
- 19 is in the process of revising General Order U-4 (Unusual Occurrences) to include
- 20 those and other policies to improve communication, transparency, and accountability.⁶
- 21 The Chief has informed the PRC Officer that the specific recommendations will be
- 22 forthcoming in the BPD's response to this report.
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6 BPD report, pp. 56-57. Also, one of the complainants noted an error on p. 56 of the

33 report. The first paragraph of this topic states that, "After three days [following December

34 6], a department representative met with neighbors . . ." when the first meeting with

neighbors did not occur until five days afterward.

1 **Discussion section**

2 *From Commissioner Bernstein 10-12-15*

3 **A. Overview**

4 In reviewing the events of December 6, certain overarching themes became apparent as
5 problem areas in the police response. These themes inform our recommendations, but we
6 believe they should also be discussed and considered in a larger context of understanding how
7 and where things went wrong in terms of the police response on December 6. The police
8 response to the events on December 6 was deeply troubling. The PRC does not question that
9 there were elements of the crowd that engaged in dangerous and disruptive conduct. However,
10 the tactics employed by the police - including what appear to us to be the excessive use of less
11 lethal force, including baton strikes and CS gas - did little to de-escalate the crowd, and
12 arguably antagonized members of the community who had been demonstrating peacefully.

13 The PRC also notes that many of the problems experienced by BPD on December 6
14 could have been anticipated and prevented by far earlier, timelier preparation by BPD. We
15 believe that the incidences that arose on December 6 shed some light on the need for more
16 proactive thinking on the part of BPD command staff. We live in a sophisticated, diverse urban
17 environment. Many types of civil unrest or social or political actions can occur at any time.
18 Street protests can be expected in Berkeley. We expect our police department to be trained,
19 equipped and managed astutely and effectively, using best practices to deal with these
20 situations as safely as possible for officers, protesters and the community at large.

21 Based on our review it is clear that the BPD needs to reevaluate its tactics and policies
22 in the following arenas:

23 **Crowd management:** specifically de-escalation tactics.

24 The BPD's approach on December 6, 2014, focused too heavily from the start on crowd
25 control, when the emphasis should have been on crowd management. The crowd control
26 posture resulted from an assumption that the protesters were largely motivated by those
27 promoting an "FTP" event and associated with violent action. To the contrary, while focus of the
28 protests was on the actions of police across the country, the vast majority of protesters intended
29 to march peacefully. It is imperative that BPD continue to develop tools and techniques to
30 assist officers in navigating complex and confusing crowd situations which may have mixed
31 elements of legal and illegal, peaceful and violent behavior.

32 The City considers non-violent demonstrations of concern about community issues to be
33 positive and healthy activities. Therefore, the City should interact with such demonstrations
34 primarily as events to be facilitated, rather than as threats to public safety. Facilitation of free
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1 expression, de-escalation of tension, and peaceful resolution of conflict are primary goals of
2 police interaction with crowds. To advance and make meaningful its goal of protecting First
3 Amendment rights of freedom of speech and assembly,¹ police must win the trust of the
4 assembly that they can demonstrate in safety. Heavily armed, massed police using crowd
5 control tactics may inflame an assembly and incite rather than prevent violent clashes. They can
6 intimidate peaceful demonstrators and promote alienation and confrontation. [cite to study if
7 available now.] Retired San Francisco police chief Tony Ribera "said law enforcement agencies
8 are usually most successful at handling demonstrations when they approach with a non-
9 confrontational stance and ramp up when necessary. 'It's hard to have a confrontational
10 situation, then pull back from that.'"² The need for sufficient police resources must also be
11 balanced against the chilling effect of a large and visible police presence.³

12 That some members of a crowd engage in violence or destruction of property should not
13 be allowed to taint the entire demonstration. BPD should develop and employ tactics that
14 protect the freedom of expression of the peaceful demonstrators, as well as their physical
15 safety. The PRC believes that the use of kettling, gassing, and running the demonstrators on
16 December 6 were counterproductive and antagonistic to the peaceful demonstrators. Moreover,
17 BPD must develop tactics to allow them to work with the vast majority of the demonstrators who
18 are peaceful, in order to contain and isolate the minority who are engaging in violence and
19 vandalism.

20 **Less Lethal Force:** How to create more accountability in the use of less lethal munitions, and
21 establish clearer guidelines for use of less lethal force in crowd control including but not limited
22 to CS gas, baton strikes and firing of bean bag rounds.

23 BPD staff told the PRC that they were unable to report how much CS gas or other less-
24 lethal munitions they or mutual aid responders used. However, it can be discerned from other
25 BPD materials that a significant amount of less-lethal ordnance was expended on December 6.
26 The inability of the BPD to account for how much CS gas and other less-lethal munitions were
27 used is troubling. While the PRC agrees with the BPD that accountability for the deployment
28 and use of less-lethal munitions should be improved, the PRC would also like to see an
29 accounting by mutual aid responders. (staff)

30 The available anecdotal information suggests that a large quantity of CS gas was used
31 on December 6. A December 7 BPD email states that "Last night's rioting consumed the vast
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33 ¹ BPD General Order C-64, para. 22.

34 ² See: <http://www.sfgate.com/bayarea/article/Police-often-provoke-protest-violence-UC-5704918.php>. (Aug. 22, 2014.)

-- ³ OPD Crowd Control policy, Sec. III.C.2, p. 4.

1 majority” of their on-hand supply of CS gas and 40 mm less lethal ammo, and requests that
2 departments supply “as much as you are willing to loan us”⁴ The Hayward police reported that a
3 count of their specialty impact munitions and chemical agents revealed a need to restock
4 inventory.⁵ (GL) One Alameda police officer reported shooting 10 muzzle blasts of CS gas and
5 throwing one CS canister, while another deployed five CS canisters; six other officers deployed
6 one CS canister each.⁶

7 The PRC is concerned that the use of CS gas on December 6 was excessive.
8 Additionally, given the failures in the recording equipment, It is unclear what prompted the
9 decision to use CS gas at the specific time and location, and how decisions were made to
10 continue to deploy CS gas, and whether the continued use was necessary. Given the existing
11 record, the PRC is concerned that the use of CS gas was arbitrary, and was not based on the
12 necessary understanding of the situation on the ground. The PRC is concerned that confusing
13 and conflicting orders by different squads of law enforcement made it impossible for protesters
14 to comply with orders at or near the time CS gas was deployed, and this confusion may have
15 contributed to the apparent failure to disperse or agitation of members of the crowd.
16 Additionally, the deployment of CS gas in densely populated neighborhoods poses a significant
17 risk to not only to non-violent protestors, but also bystanders, and the residents of the
18 surrounding neighborhoods.⁷ In addition to concerns about the quantity of gas that was used,
19 the PRC is concerned about BPD’s lack of attention to ensuring medical care was readily
20 available for those exposed to the gas.

21 The PRC believes that Berkeley is out of step with its neighbors on the use of CS gas.
22 The San Francisco Police Dept. does not use tear gas.⁸ According to the Oakland Crowd
23 Control and Crowd Management Policy, “Chemical agents can produce serious injuries or even
24 death,” and officers are to “use the minimum amount of chemical agent needed to obtain
25 compliance.”⁹ Further, “The use of hand-thrown chemical agents or pyrotechnic gas dispersal
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27 ⁴ December 7, 2014 email from Lt. Frankel to undisclosed recipients.

28 ⁵ Hayward Police Department Special Response Unit, After Action Report – SRU
29 Operation # 14-14, page 7.

30 ⁶ Alameda Police Report, various references.

31 ⁷ Anonymous/Transgender person, PRC Meeting, December 10, 2014 (This Berkeley
32 resident resides near Telegraph and Peoples Park and told the PRC that tear gas went into the
33 apartment via open windows and caused food, dishes, and linens to be thrown out.).

34 ⁸ <http://www.sfgate.com/bayarea/article/Police-often-provoke-protest-violence-UC-5704918.php>. Also, Capt. Theresa Gracie told the PRC Officer in a May 13, 2015 phone
conversation that SFPD has not used tear gas in the 20 years she has been with the
department.

⁹ Oakland PD Crowd Control Policy, Sec. V.H.4.b. and V.H.4.c.

1 devices may present a risk of permanent loss of hearing or serious bodily injury from shrapnel.
2 Said devices shall be deployed to explode at a safe distance from the crowd . . ."¹⁰ The PRC is
3 concerned that BPD's use of force policies do not includes similar language, which addresses
4 the significant concerns associated with the use of these types of less lethal munitions.

5 The PRC considered whether to recommend a ban on the use of CS gas for crowd
6 control purposes, but a majority of Commissioners do not support such a ban. Most felt that the
7 BPD should be able to resort to CS gas in crowd management if needed. All Commissioners
8 feel strongly, however, that if CS gas is allowed, policies be revised to limit its use to narrowly
9 prescribed circumstances. Moreover, the Commissioners were unanimous in their opinion that if
10 CS gas is to be deployed to disperse a crowd, then its possible use should be made explicitly
11 clear in a dispersal order, and medical aid should be arranged for in advance of deployment.

12 BPD told the PRC that they were unable to report on how much less-lethal munition the
13 department expended. We do know that officers fired one less-lethal foam baton round shortly
14 after 6:30 pm on MLK Jr. Way near Addison Street. Another report around 11:15 pm states
15 "Fred's Market, man shot w/ projectile BFD loaded w/ rig." The subject was transported to Alta
16 Bates.¹¹ (GL) Hayward police reported a need to restock their specialty impact munitions, but
17 did not specify how much was used.¹² (staff) No other information has been made available
18 regarding the use of less-lethal munitions.

19 Similarly to our concerns with the use of CS gas, the PRC is concerned that the use less
20 lethal munitions on December 6 was excessive. and that the absence of a contemporaneous
21 record makes it impossible to ascertain what prompted the decision to deploy. We are also
22 concerned that Berkeley's policy regarding the use of less lethal munitions in crowd control
23 situations is not in keeping with best practices, and need to be revised. Under Oakland policy,
24 less-lethal munitions "shall not be used for crowd management, crowd control or crowd
25 dispersal during demonstrations or crowd events,"¹³ and they "shall be used only when other
26 means of arrest are unsafe and when the individual can be targeted without endangering other
27 crowd members or bystanders."¹⁴ Berkeley has no such restrictions. The PRC is
28 recommending a revision of BPD's policy on using less-lethal munitions, to minimize the risk
29 that innocent persons will be hit. (staff)

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31 ¹⁰ Oakland PD Crowd Control Policy, Sec. V.H.5.b.

32 ¹¹ Cites needed. CAD Report? Baton round mentioned in BPD report, p. 21 without a time
33 given.

34 ¹² Hayward Police Dept. Special Response Unit After Action Report – SRU Operation #14-
14.

¹³ OPD Crowd Control Policy, Sec. VI.F.2.

¹⁴ OPD Crowd Control Policy

1 Finally, the PRC believes that the After Action Report should be prepared in a timely
2 fashion, within 72 hours, and that each officer who uses force in a crowd management situation
3 should prepare an individual report detailing the force used, and explaining why that level of
4 force was necessary.

5 **Technology:** How to assure it is both operable and responsive to the needs of the
6 mission.

7 There were a number of technological failures that contributed to the problems in the
8 police response to December 6, and all of which evince a lack of foresight, testing and built in
9 redundancies. BPD did not adequately test the East Bay Regional Communication System
10 (EBRCS) for use in large-scale multijurisdictional actions. EBRCS is designed to have specific
11 radio channels to be used for multi-agency actions.¹⁵ However, some of agencies lines were
12 encrypted and others were not. The failure of EBRCS meant that BPD was not able to
13 communicate with the mutual aid responders.

14 Additionally, BPD also failed to either record or maintain any of the radio communication
15 from December 6 between BPD itself. The loss of this contemporaneous recording of the
16 department's observations and actions has had a significant impact on the ability to both
17 reconstruct and test the recollections of those involved. No redundancies had been established
18 to maintain these communications in the event the system failed.

19 BPD's video capacities were also inadequate, with batteries that did not charge, and
20 cameras with that produced very poor quality images. The communication system available to
21 broadcast to the crowd was also inadequate, and limited the efficacy of the crowd dispersal
22 orders.

23 **Mutual Aid:** How to increase accountability and better assure conduct of responders is
24 in keeping with Berkeley's values and rules of engagement.

25 The role of mutual aid responders was an area of major concern for the PRC. The PRC
26 recognized that mutual aid responders are accountable to their own policies and procedures
27 regarding the use of force. However, clearly more needs to be done to establish the rules of
28 engagement that BPD wishes to follow, and to emphasize the focus on crowd management,
29 and de-escalation. The PRC believes that establishing a policy of accounting for less lethals
30 before and after the incident, whenever practicable, will help increase accountability.

31 **Media:** How to avoid limitations on media access and better assure the safety of
32 members of the media in escalating, crowd-control situations.

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¹⁵ BPD Report, page 46, paragraph 4.

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CONCLUSION

The PRC wishes to recognize the candor of the self-examination that the BPD undertook in its review of the events of December. This posture on the part of BPD is critical, and gives us great faith that we will be able to learn from the mistakes in December. However, it is clear from PRC's independent review as well as BPD's report that the BPD wa not in a full state of readiness to adequately respond on December 6, and accordingly that certain BPD policies, practices, tactics and operational procedures need to be revised. It is critical that this review and the necessary corrections be implemented in a timely fashion. Toward that end, we urge the council to establish benchmarks by which these issues are to have been addressed by the Department.

To: PRC for consideration at its Aug 14 meeting
From: Terry Roberts
Re: Revised narrative recommended for inclusion in the Discussion Section
Date: Oct 14, 2015

I sent much of the below narrative to the PRC on July 12, 2015 and Sept. 7, 2015. I want to amend the wording somewhat to better correspond to the latest report drafts. Rather than just respond to BPD's recommendations I believe a bigger picture look at the department and how it is managed is important. Therefore, I recommend that we include the narrative below in the Discussions Section.

BPD's Overall Preparation and Planning

It is important that the city's view of the events of December 6 & 7 also address some bigger picture questions about whether some of the problems experienced could have been anticipated and prevented by far earlier, timelier preparation by BPD. Looking at these issues sheds light on how the department is managed and if it is thinking proactively rather than reactively.

We live in a sophisticated, diverse, urban environment. Many types of civil unrest or social or political actions can occur at any time. Street protests can be expected in Berkeley. We expect our police department to be trained, equipped, and managed astutely and effectively, using best practices to deal with these situations as safely as possible for both officers and protestors.

Issues and Questions

Has BPD studied and learned from industry best practices and other agencies? If so, why weren't some of BPD's December 6 & 7 report recommendations addressed long before the protests occurred? Has BPD done adequate training internally, done table top exercises, coordinated effectively with other mutual aid agencies, obtained critical, state of the art equipment, and established a clear incident command management decision making plan for various types of incidents? If not, why not?

Several of BPD's December 6 & 7 report recommendations (Rec) fall under the category "why weren't these issues addressed sooner", including but not limited to:

Rec#1....getting clarity on availability of regional radio inoperability...to improve communications with mutual aid partners...

Rec #2....use of social media

Rec #3....explore use of BPD negotiators for this type of crowd management

Rec #4....acquire high quality mobile public address system

Rec #6....make efforts to ensure mission clarity

Rec #14...explore technology to improve decision making

Rec #21...training re: disciplined use of baton strikes

Rec #22...warning to officers of impeding chemical agent use

Rec #24...comply with existing policy regarding filing after action reports

Rec #26...ensure and increase the level of officer training

Rec #27...ensure that commanders attend training

Rec #32...investigate the use of body armor...to protect officers from projectiles

The PRC believes that the Rec's cited above should be expected to occur in BPD's normal line of duty since they can be anticipated and are needed to prepare the department and its officers in advance for a variety of possible incidents, rather than being discovered as lessons learned from an emergency action. What are the "best policing practices" in preparing for similar situations? Why weren't the above and similar preparations made far earlier as part of the normal course of BPD business? Is BPD fully ready to respond to the next major incident? What are BPD's deficiencies compared to best practices and when will they be addressed?

While BPD should receive our gratitude for doing a vital and difficult job, all departments have room for improvement. Expecting BPD to implement the kinds of changes and strategies noted above very early as part of best practices is critical to successful outcomes. Being proactive rather than reactive should be a high priority BPD strategy. What should be done to ensure that this foresight and preparation happens in the future so that BPD is fully supported in its efforts, but in the end is held accountable for its actions resulting from inadequate planning and preparation?

It is clear from BPD's above recommendations that on December 6 and 7 BPD was not in a full state of readiness to adequately respond, and accordingly that certain BPD policies, practices, tactics and operational procedures need to be revised.

Specific Recommendation to the Council (Can be included in recommendations section)

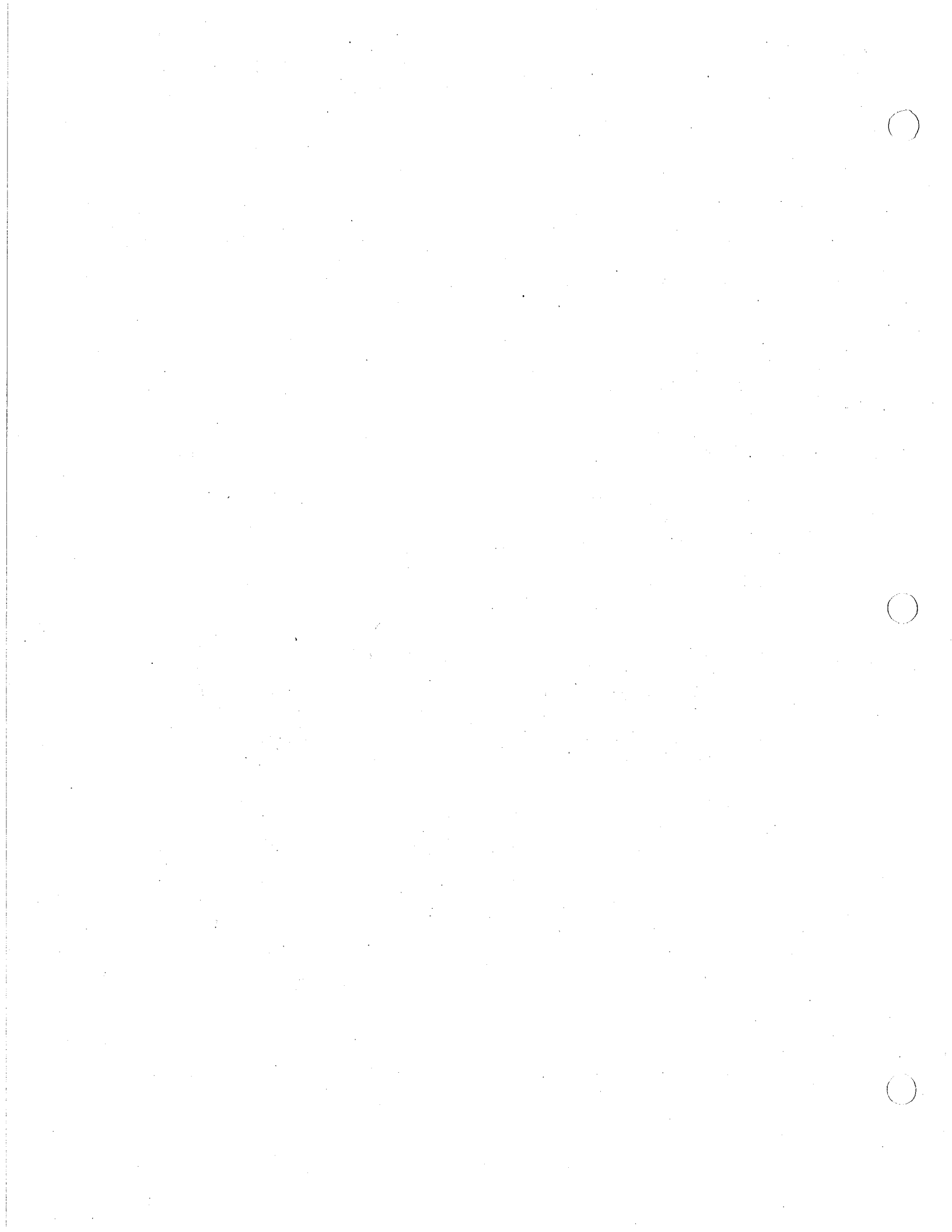
The PRC recommends that the City Council direct BPD to submit a report on its state of readiness to respond and effectively manage key emergency management situations by comparing BPD's state of readiness to "best policing practices" including but not limited to training, equipment, organizational structure and sufficiency, management and mission clarity, and related policies, procedures, and tactics. Since these incidents can happen at any time, the report is urgent should be scheduled for submittal to the Council at the earliest possible date.

To: PRC
Re: PRC Dec 6 report
By Terry Roberts
Oct 14, 2015

This is my pending list for items that may not already be captured in our specific recommendations relating directly to the BPD report recommendations. Commissioners may have other additions.

Other PRC Recommendations:

1. That PRC be involved in follow up review and actions re: policies, procedures, practices, tactics, and training to implement all Council-approved BPD recommendations.
2. That BPD recommend a schedule for response and implementation for all Council- approved items within 30 days after approval and provide a quarterly update as to progress on each recommendation.
3. That BPD develop specific strategies and policies, using pre-incident briefings, pathfinders or other means, to improve mutual aid agencies' response in complying with Berkeley's values for use of force during an incident.
4. That BPD revise baton use policies, procedures, and training to ensure that a repeat of Dec 6 baton use tactics do not reoccur.
5. That staging area locations and procedures be revised to minimize community impacts
6. That the City Council direct BPD to submit a report on its state of readiness to respond and effectively manage key emergency management situations by comparing BPD's state of readiness to "best policing practices" including but not limited to training, equipment, organizational structure and sufficiency, management and mission clarity, and related policies, procedures, and tactics. Since these incidents can happen at any time, the report is urgent should be scheduled for submittal to the Council at the earliest possible date.
7. That the PRC track and measure implementation results
 - Is approved schedule is being met?
 - Quality review and evaluation of proposed revisions and outcomes.
8. Other???????



4. RECOMMENDATIONS

[This section needs introductory language, perhaps something like: The PRC reviewed the 32 recommendations of the Berkeley Police Department in its post-incident report (pp. 3 – 8). The PRC agrees with some of the recommendations, but for most, proposes alternative recommendations of its own, and proposes [two] additional recommendations. These recommendations are informed by the PRC's findings and have their basis in the analyses found in the Discussion Section of this report.]

[This section may be further revised if some of the language is moved to the Discussion section; these revisions would be organizational only, not substantive. Proposed language to be moved is shown in dotted underline. Dates next to PRC recommendations will be removed for the final report; they have been included for reference only as you have worked through these recommendations.]

Communication

- ***New Recommendation as a preamble to the Communication section***

PRC (6.24.15)

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 resolution of conflict are primary goals of police interaction with crowds.

- ***Recommendation #1***

BPD

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.

PRC (6.24.15)

We recommend the Department investigate and determine the availability of regional radio interoperability for common tactical and recorded radio channels to improve communications with mutual aid partners during large scale events, and that the department communicate directly with EBRCS and ask for a speedy resolution to these questions and any appropriate training that is necessary.

- ***Recommendation #2***

BPD

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.

PRC (6.24.15)

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; all communications 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.

- **Recommendation #3**

BPD

Explore the use of BPD Negotiators to enhance communication with the crowd and crowd leadership before and throughout the event.

PRC (6.24.15)

The BPD should focus on enhancing tools for communication during the course of a demonstration to ensure it is peaceful, and that the tools include the use of BPD negotiators; the PRC urges a focus on two-way communications to facilitate peaceful demonstrations.

- **Recommendation #4**

BPD

BPD should acquire a high quality mobile mounted public address system. This equipment would also be an asset during natural disasters.

PRC (6.24.15)

The PRC endorsed BPD's Recommendation #4 as written.

Tactical Command

- **Recommendation #5**

BPD

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.

PRC (6.24.15)

The PRC endorsed BPD's Recommendation #5 as written.

- **Recommendation #6**

BPD

Command should make efforts to ensure as much mission clarity as possible

when resources are dispatched.

PRC (7.22.15)

(This recommendation is an alternative to both Recommendations #6 and #7 of the BPD.)

The PRC agrees that a lack of mission clarity hampered the BPD's success on December 6, but where the BPD sees lack of clarity as a tactical confusion about the priority of specific tasks, we find 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 when making 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.

- ***Recommendation #7***

BPD

We recommend commanders in the field make redeployment decisions proactively based on known situational awareness.

PRC (7.22.15)

(See PRC Recommendation to #6 above.)

- ***Recommendation #8***

BPD

Opportunities for the police to deescalate from crowd control to crowd management tactics need to be recognized and seized.

PRC (7.15.15)

1) The City considers non-violent demonstrations of concern about community issues to be positive and healthy activities. The City will interact with such demonstrations primarily as events to be facilitated rather than as threats to public safety.

2) Heavily armed, massed police using crowd control tactics may inflame an assembly and incite rather than prevent violent clashes. They can intimidate peaceful demonstrators and promote alienation and confrontation.¹ The need for sufficient police resources must also be

¹ "Tony Ribera, San Francisco police chief from 1992 to 1996, said law enforcement agencies are usually most successful at handling demonstrations when they approach with a non-confrontational stance and ramp up when necessary. 'It's hard to have a confrontational situation, then pull back from that.'" See: <http://www.sfgate.com/bayarea/article/Police-often-provoke-protest-violence-UC-5704918.php>.

balanced against the chilling effect of a large and visible police presence.²

3) BPD orders call for protecting First Amendment activities (freedom of speech and assembly).³ For this protection to have meaning, police must win the trust of the assembly that they can demonstrate in safety.

4) Police interaction with a demonstration or other public event should begin with a posture of crowd management, unless the event commences as an illegal assembly. Current BPD policy requires that a clear and present danger of imminent violence as a prerequisite for declaration of an illegal assembly, making it clear that non-violent civil disobedience is not grounds for such a declaration.⁴ 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.

5) a) It is essential to recognize that all members of a crowd of demonstrators are not the same.

b) Even when some members of a crowd engage in violence or destruction of property, other members of the crowd are not participating in those acts. Once some members of a crowd become violent, the situation often turns chaotic, and many individuals in the crowd who do not want to participate in the violent or destructive acts may be blocked from leaving the scene because the crowd is so large or because they are afraid they will move into a position of heightened danger.

c) This understanding does not mean BPD cannot take enforcement action against the crowd as allowed under BPD policy, but BPD shall seek to minimize the risk that force and arrests may be directed at innocent persons.

Deployment

- **Recommendation #9**

BPD

Deploy resources flexibly in crowd management roles designed to keep events peaceful.

PRC (7.22.15)

(This recommendation is an alternative to both Recommendations #9 and #10 of the BPD.)

² OPD Crowd Control policy.

³ Berkeley General Order C-64 Crowd Control, paragraph 26.

⁴ Berkeley General Order C-64 Crowd Control, paragraph 62.

BPD should review its operational deployment of its resources, such as bicycle, and parking enforcement officers, in crowd management roles in order to provide greater mobility, flexibility and accessibility. The review should focus on areas of opportunity focusing on the peaceful maintenance of events, crowd/department communication and violent element identifications. Training and resource proposals should be developed by BPD to achieve this end and should be reviewed with the PRC.

- **Recommendation #10**

BPD

Increase staffing of bicycle officers, motorcycle officers and parking enforcement officers for large scale crowd management events.

PRC (7.22.15)

(See PRC Recommendation to #9 above.)

- **Recommendation #11**

BPD

Deploy joint police and fire scout teams to manage small fires and scout medical calls.

PRC (7.22.15)

The PRC endorsed BPD's Recommendation #11 as written.

Maneuver

- **Recommendation #12**

BPD

Have a contingent of officers to move with the crowd, so that violent elements in the crowd will see a continuous police presence.

PRC (7.29.15)

As an alternative to this Recommendation #12, reference is made to PRC Recommendations #8 and #9 above.

- **Recommendation #13**

BPD

Deploy squads with dedicated drivers who remain with the vehicles to facilitate maneuvers and vehicle security.

PRC (7.22.15)

The PRC endorsed BPD's Recommendation #13 as written.

Situational Awareness

• **Recommendation #14**

BPD

Explore technology that can improve the quality and timeliness of information available to decision makers.

PRC (6.24.15)

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.

• **Recommendation #15**

BPD

Consider proposing changes to the City Council Resolution 51,408-N.S., to permit the use of helicopters in instances of significant civil unrest.

PRC (8.12.15)

The PRC recommends that the current City policy regarding the use of helicopters should be retained.

Dispersal Orders

• **Recommendation #16**

BPD

Issue fewer dispersal orders and record evidence that the crowd was able to hear the orders.

PRC (7.22.15)

Consistent with existing policy, dispersal orders should only be given if there is clear evidence that the focus of the crowd has become violent. If and when it is determined that a dispersal order is necessary, several quality dispersal orders should be given. BPD should record the orders to establish that the orders were audible to the crowd. BPD should take appropriate steps to ensure that a dispersal order is audible throughout the entire crowd. After an initial dispersal order has been given, if a crowd reassembles in a different location, that new location must be reevaluated

to determine if it is an unlawful assembly, and a new dispersal order must be given. We specifically recommend that BPD discontinue the practice of continuous dispersal orders.

- **Recommendation #17**

BPD

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.

PRC (7.29.15)

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.

Use of Force

- **Recommendation #18**

BPD

We recommend that BPD review its policy regarding the use of CS gas and batons in crowd control situations.

PRC (7.29.15)

BPD, in conjunction with the PRC, should review its policy regarding the use of CS gas and batons during crowd control and crowd management situations. Particular attention should be given 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.

- **Recommendation #19**

BPD

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.

PRC (8.12.15)

The PRC recommends that BPD's policy regarding the use of less-lethal munitions be revised to reflect that less-lethal weapons should only be direct-fired at a specific target, may never be used indiscriminately against a crowd or group of persons, 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. All less-lethal operators, including mutual aid responders, should be briefed regarding the rules of engagement for the

specific mission prior to deployment. Command should review the use of force with all operators, including mutual aid responders, as it relates to accomplishing mission objectives prior to deployment.

- **Recommendation #20**

BPD

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.

PRC (7.22.15)

The PRC endorsed BPD's Recommendation #20 as written.

- **Recommendation #21**

BPD

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.

PRC (8.12.15)

The numerous reports from citizens of being struck by batons as they were engaged in peaceful, lawful demonstrations are a cause of significant concern. BPD, in conjunction with the PRC, should review its policy regarding the use of batons during crowd control and crowd management situations. Particular attention should be given to the kind of authorized baton strikes, to include the use of jabs and rakes. Overhead strikes should be prohibited in crowd control and crowd management.

- **Recommendation #22**

BPD

Preparatory orders warning officers of the impending use of chemical agents should be announced over the radio.

PRC (9.9.15)

The use of CS gas on December 6 is a cause of major concern. Not only is it unclear whether the actions of the crowd warranted such use, it is unclear how decisions were made to continue to deploy CS gas, and whether the continued use was necessary. Careful review of the policies regarding both the initial use of CS gas and its continued deployment must be undertaken by the BPD in conjunction with the PRC. New policies need to be drafted more carefully delineating when and how CS gas should be used in crowd management and control situations.

If and 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.

- **Recommendation #23**

BPD

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.

PRC (9.9.15)

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. The PRC recommends that an operational policy regarding the use of CS gas be established delineating a removal and transport process as well as establishing a secure triage area for the treatment of affected personnel and members of the public.

Accountability

- **Recommendation #24**

BPD

To comply with our existing policies an After Action Report (AAR) should be written after each incident even if only in summary form.

PRC (7.22.15)

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.

- **Recommendation #25**

BPD

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.

PRC (9.16.15)

To improve accountability for the deployment and use of less-lethal munitions and CS gas, the PRC recommends that BPD and mutual aid responders 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 in a crowd control situation, that officer is responsible for preparing an individual report of such use within 72 hours.

Training

- **Recommendation #26**

BPD

All officers should continue to receive crowd management training every two years. We recommend the following trainings be developed:

- *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.*
- *Train sufficient personnel to use higher quality camera systems to gather better video evidence at protests.*

PRC (9.16.15)

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:

- **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.**
- **Train sufficient personnel to use higher quality camera systems to gather better video evidence at protests.**

- **Recommendation #27**

BPD

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.

PRC (9.16.15)

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.

- **Recommendation #28**

BPD

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.

PRC (9.16.15)

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.

Media

- **Recommendation #29**

BPD

We recommend the BPD Public Information Officer investigate the viability of establishing a regional media credentialing system.

PRC (10.8.15)

(This recommendation is an alternative to both Recommendations #29 and #30 or 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.

- **Recommendation #30**

BPD

We recommend the Department develop a collaborative training for press to enhance their safety and safeguard the First Amendment right of a free press.

PRC (10.8.15)

(See PRC Recommendation to #29 above.)

Equipment

- **Recommendation #31**

BPD

We recommend the Department invest in quality video cameras, live stream capability and video capture software to improve situational awareness.

PRC (9.16.15)

The PRC recognizes the need for the Department to make better-informed decisions in crowd control situations. Therefore, the department needs access to real time surveillance tools. Gathering such information will require some degree of surveillance, which raises concerns regarding citizens' 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.

- **Recommendation #32**

BPD

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.

PRC (9.16.15)

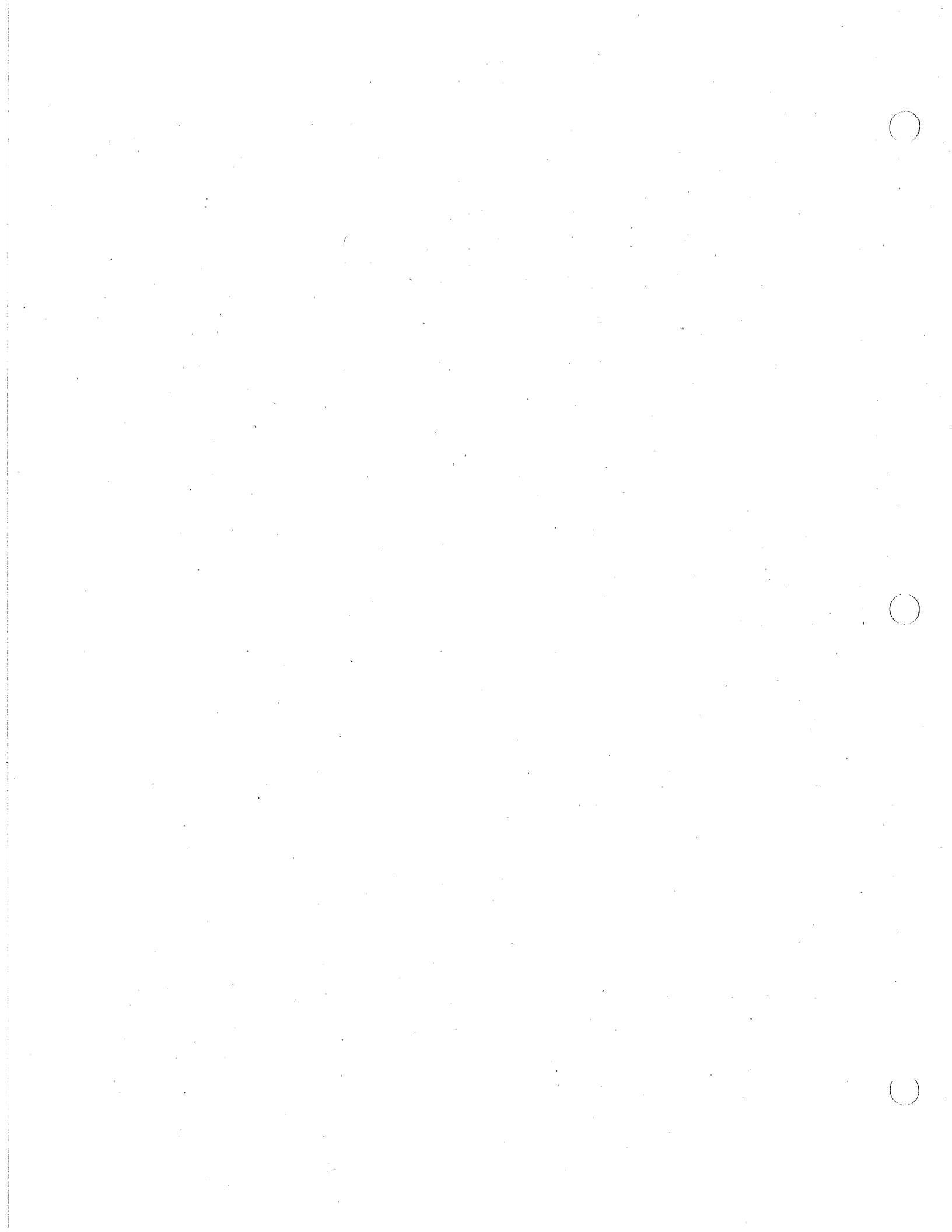
The PRC endorsed BPD's Recommendation #32 as written.

- **New Recommendation regarding mutual aid**

PRC (10.8.15)

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.



Lee, Katherine

From: Martinez, Maritza
Sent: Wednesday, October 14, 2015 9:06 AM
To: Lee, Katherine
Subject: FW: Stephen Pitcher Policy Complaint

From: Stephen Pitcher [mailto:pitchbat@gmail.com]
Sent: Tuesday, October 13, 2015 9:49 PM
To: PRC (Police Review Commission) <prcmailbox@ci.berkeley.ca.us>
Subject: Stephen Pitcher Policy Complaint

Hello. I was told that my Policy Complaint would be addressed at the meeting on Wednesday October 14. I fully intended to be there, but I have an important rehearsal at that time and can't get out of it. Here are a few additional considerations I would have mentioned orally had I been able to attend:

—In the **eighteen** blocks (roughly 1 mile) between University Avenue and the termination of Milvia at Ashby, there are **twelve** stop signs. There is one stretch in which there is a stop sign **every block**. As is usual in the case of these so-called "bicycle boulevards," the bicyclist is the last element given consideration. The arrangement is designed entirely for the convenience of motorists, who hate having bicyclists on Shattuck. In any case, with 12 stop signs in 18 blocks, expecting a bicyclist to stop at every single one of them is preposterous. Both times I was being ticketed, bicyclists sailed through the very stop sign for which I was being cited, without even pausing. In all the years I've been riding on Milvia, where there is almost no automotive traffic, I've never seen a bicyclist stop at a stop sign. And I don't think their failure to stop threatened anyone in any way, at any time.

—There are barricades at Milvia and Dwight, south of which minimal traffic becomes pretty much zero traffic. It is there that a bicyclist really feels free to just check both ways at each stop sign and then go on through. (Both times I was cited, the only other vehicle on the road was the police officer's.) I was cited both times at Parker and Milvia, the **very first** street south of the barricades, where the officers could be sure a bicyclist would start feeling secure in passing through the stop signs. It was about as obvious a stake-out as it is possible to have.

—In designating a street a "bicycle boulevard" and barricading it from automotive traffic, particularly when it's a street right between two extremely busy and narrow main arterials, the City has created a veritable magnet for bicyclists. We all take (in my case, *took*) Milvia for a dream come true: no cars! We're not in their way, they're not in our way: safe at last! So it gets heavily used by cyclists. When police officers are detailed to go out and ticket bicyclists on this idyllic stretch of city street it is tantamount to stocking a pond with fish and then getting out your fishing pole and capitalizing on the abundance you've created. First you lure the bicyclists onto this road, then once you've got them there it's a walk in the park to ticket one after another of them (or, in my case, the same one twice) as they understandably fail to stop at every one of the dozen stop signs along the way. It was a shameless and immoral use of police time. As I said in my complaint, if the police department needs money that bad, they should have a fashion show.

—Both officers were unpleasant. I realize that they were acting on instruction, but what they were doing was inexcusable. The sole function of the police is to protect the public and to promote safety. Going through a stop sign on a completely uninhabited "bicycle boulevard" at 10 mph is not the remotest threat either to the public or to anyone's safety. Both officers were intelligent-seeming, and knew perfectly well that what they were doing could not remotely be described as a legitimate police function. I would have expected them to be at least a bit sympathetic when, for example, in the first instance I asked the officer if he thought it was reasonable to designate as a bicycle boulevard a street that had stop signs on every block. But he just looked at me coldly and said "Yes." End of discussion. If Berkeley is attempting to cultivate a sense of rapport between its police and its citizenry, these men, who personified the sort of complete power which cannot be questioned and need not even pretend to be reasonable, are not advancing that cause.

I could go on at length, because this pair of arrests has me seething, but I'll cut it off. I am a 61-year-old who has been a tax-paying member of the workforce since I was 17. I have never owned a car, and while I loathe boasting, I do think that attacking people who are among the few not actively damaging the environment, and charging unemployed people like myself \$238 for riding 10 mph through a stop sign on an abandoned street, and being snotty about it too, is just not the kind of behavior i would want my tax dollars to support.

My approval rating of the Berkeley Police has just gotten about as low as it can get.

Thank you.

Stephen Pitcher

Lee, Katherine

From: Alison Bernstein <alibernstein@gmail.com>
Sent: Monday, October 12, 2015 6:37 PM
To: Lee, Katherine
Subject: Urban Shield

Please pass on to commissioners:

Although I will not be present for the discussion of urban shield, I found some interesting links that I encourage commissioners to review:

First, here is the link to the 2105 seminars and presenters:

<http://ustraining.acso.net/>

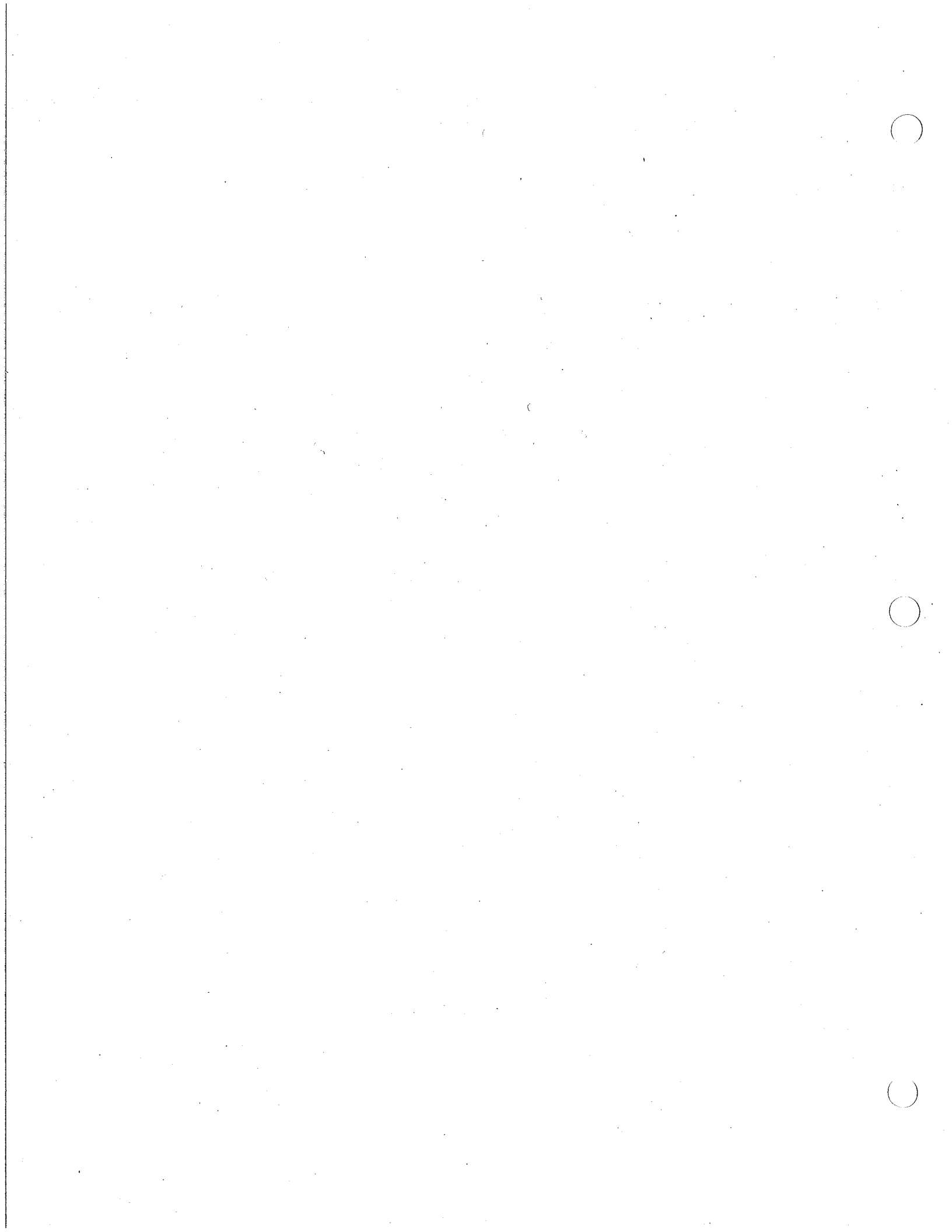
<https://www.urbanshield.org/images/pdf/US2015SCREENSpeakerBrochure.pdf>

Here is also a KALW report that I think laid out the issues of training and militarization:

<http://kalw.org/post/urban-shield-training-or-militarization-first-responders#stream/0>

Best,

Alison



Lee, Katherine

From: J. George Lippman <george@igc.org>
Sent: Monday, October 12, 2015 1:24 PM
To: Lee, Katherine
Cc: Norris, Byron
Subject: Urban Shield articles for distribution to PRC members

Kathy,

Can you please forward the articles on Urban Shield to the commissioners?

Thanks,

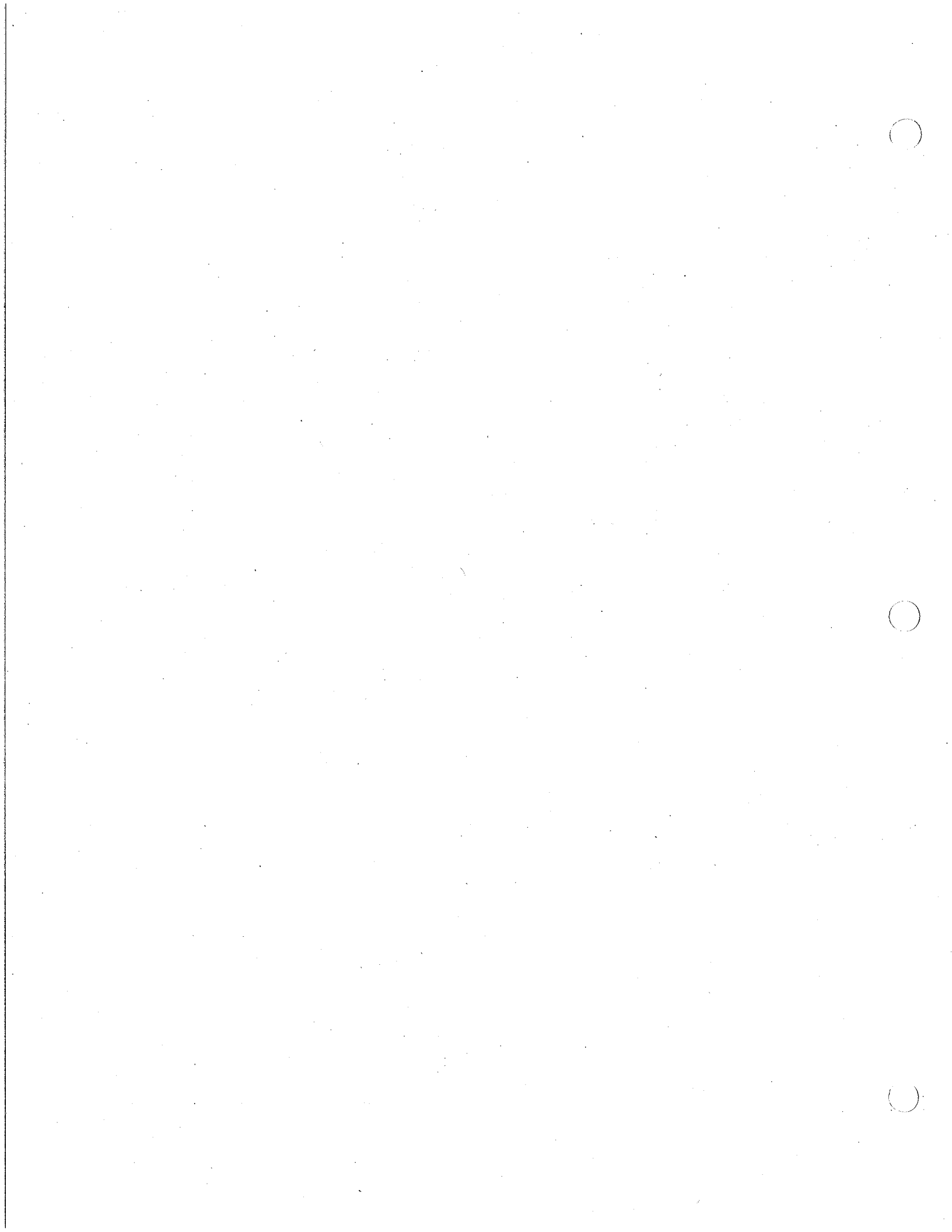
George Lippman

Mother Jones magazine:

<http://www.motherjones.com/politics/2014/10/swat-warrior-cops-police-militarization-urban-shield>

Street Spirit newspaper:

<http://www.thestreetspirit.org/the-movement-to-stop-the-militarization-of-police/>



The Making of the Warrior Cop

Drones, sniper rifles, armored vehicles, and a billion-dollar credit line. 72 hours with the nation's top SWAT teams.

By [Shane Bauer](#) | Thu Oct. 23, 2014 6:00 AM EDT

Social Title:

Inside the billion-dollar industry that turned local cops into SEAL Team Six.

Social Dek:

Do police really need grenade launchers?

Story and Photos by Shane Bauer | Thurs Oct. 23, 2014 6:00 AM ET

By 7:30 on Thursday morning, the capacious ground-floor convention center of the Oakland Marriott was filled with SWAT teams. Mostly men, mostly white, dressed in camouflage or black fatigues, they stood in groups of eight or ten, some eating pastries, others sticking to coffee and a dip of tobacco. A few wandered the expo hall, stopping by booths to test the feel of armored vests, boot knives, and sniper rifles, grab swag like grenade-shaped stress balls, or drop tickets into a box for a raffle of iPhone covers and pistols.

"Want to see the new toy?" a vendor asked a police officer in camo. He handed him a pamphlet for his company, Shield Defense Systems. "This will blind anyone for 10 minutes. Imagine, walk into a bar fight, blind everyone, then figure out what's going on. Some guys on drugs, you can put three slugs in their chest and it won't stop them. But blind him, and I guarantee you he'll calm down." The device attached to a gun and sent out a frequency that the vendor said temporarily scrambled its target's ocular fluid. The vendor turned to me—conspicuous for my lack of fatigues—and insisted the device caused no permanent damage (hence the name Z-Ro, as in "zero damage"), though he said it would probably make you nauseous. He expected it to be on the market this coming January.

The expo hall was just a warm-up to the main event: Starting at 5 a.m. on Saturday, 35 SWAT teams would compete in a two-day training exercise around the San Francisco Bay Area. The winning team would take home a trophy and the glory of having unseated the reigning SWAT champion—Berkeley, California.

What we saw at the SWAT convention before being kicked out.

Organizers of the conference, [known as Urban Shield \[1\]](#), said it was the largest first-responder training in the world; now in its eighth year, it has drawn teams from places as far-flung as Singapore, South Korea, Israel, and Bahrain. Each group would go through 35 tactical scenarios over 48 hours, with no breaks except the occasional catnap. An airplane was lined up for busting

a gun smuggler, and a cargo ship would be seized by a terrorist after a make-believe earthquake. A "militant atheist extremist group" would take hostages at a church.

The event was paid for mostly by the Department of Homeland Security, but more than 100 corporations threw in money too, up to \$25,000 each. In many of the scenarios, teams would try out the latest equipment on offer from Urban Shield's corporate sponsors—Verizon, Motorola, SIG Sauer. Many were military supply companies—FirstSpear, for example, was founded by former soldiers to make body armor and bandoliers for "US and allied warfighters." Here, they sold their stuff to cops. Then there were "platinum sponsors" like Uber, which gave police discount black-car rides for the weekend.

Urban Shield was started in 2007 by an Alameda County assistant sheriff named James Baker. In 2011, he told me, Homeland Security asked him to bring the event to other parts of the country, so he started a company, the Cytel Group, that would put on Urban Shield in Boston, Austin, and Dallas. "Urban Shield is a program that gets everybody working together" to respond to crises, he said. Baker's firm has also received \$500,000 in state funds [2] to write guidelines for SWAT teams, on things like how much gear each team is required to have. When I spoke to him, he was in Kenya, where he had been contracted by the State Department to organize an Urban Shield-like training.

Gear on display ranged from T-shirts and night-vision scopes to tactical vests and high-powered rifles.

This summer, images of armored vehicles and police pointing semi-automatic rifles at demonstrators in Ferguson, Missouri, set off a debate over what journalist Radley Balko [3] has termed the "rise of the warrior cop [4]." A National Public Radio analysis [5] found that since 2006, the Pentagon has given local cops some \$1.9 billion worth of equipment—including 600 mine-resistant, ambush-protected vehicles (MRAPs), 80,000 assault rifles, 200 grenade launchers, and 12,000 bayonets (yes, bayonets). But those totals pale in comparison to the amount of gear purchased from private companies. The Ferguson Police Department, for example, received some computers, utility trucks, and blankets from the military—but all that battle gear you saw on TV was bought from corporations like the ones pitching their wares at Urban Shield. Outfitting America's warrior cops, it turns out, is a major business, and one fueled in large part by the federal Department of Homeland Security. The Department of Defense has given \$5.1 billion worth of equipment to state and local police departments since 1997, with even rural counties acquiring things like grenade launchers and armored personnel carriers. But Homeland Security has handed out grants worth eight times as much—\$41 billion since 2002. The money is earmarked for counterterrorism, but DHS specifies that once acquired, the equipment can be used for any other law-enforcement purpose, from shutting down protests to serving warrants and executing home searches.

All that battle gear you saw in Ferguson was acquired not from the military, but from private companies like the ones touting their wares at Urban Shield.

For the vendors at Urban Shield, the task at hand was showing that these arsenals needed further beefing up. Semi-automatic rifles, for example, were once reserved mostly for SWAT teams and the military. Now they are standard squad car guns. At the Patriot Ordnance Factory booth, a vendor showed off the POF 308, a 14.5-inch military-style semi-automatic rifle that, he emphasized, fish and game officers used to shoot bears. An article in a gun magazine by a fish and game warden boasts that it's also handy for raiding pot farms and fighting "narcoterrorists." The vendor showed me the slightly smaller .223-caliber semi-automatics they'd started selling to the California Highway Patrol a year ago, for use in vehicle takedowns on the freeway. "The United States will forever be a nation of ready militia," the company's website said. For \$5,100, it sold limited-edition, rotating bronze sculptures of a man in a tricorn hat, posed as though in battle, a sword on his belt, a tattered Colonial flag waving behind him, a POF semi-automatic rifle in his hand.

Farther down the hall, Homeland Security's Science and Technology Directorate was showcasing a drone. It not only captured video, but was designed to drop objects at specified GPS coordinates, "like *Hunger Games*, if you will," a representative from Robotics Research, DHS's contractor on the project, told me. Buzzing around her booth was a cylindrical, remote-controlled robot that sold for \$1,100. If the robot was too big to fit into, say, a building's ventilation system, the police could make a smaller body on-site using a 3-D printer, then transfer the electric wiring.

Robots were popular in the convention hall. QinetiQ's 20-pound Dragon Runner looked a bit like WALL-E, with treads like a tank and an arm that could be maneuvered like a miniature crane. Its pamphlet said it was meant for "some of the most hazardous conditions and terrains found on earth, from desert and mountain combat situations in the Middle East and Central Asia, to the streets of Europe and the United States."

One of the most popular booths belonged to Tactical Electronics. A man extended a pole 20 feet into the air to demonstrate a special camera used for peering into windows. They sold cameras that could be slipped under doors and others made for strapping onto a dog, relaying video to a screen on the user's wrist. They also had a device for steering the animal with vibrations to which it was trained to respond.

The event felt surprisingly open at first—vendors talked to me freely and I could sit in on workshops—but by the second day, I started noticing cops whispering to each other while looking in my direction. Some came over to feel me out, asking what I thought of the term "militarization." One of them worked for the Northern California Regional Intelligence Center, a Homeland Security project to coordinate intelligence from local cops and federal agencies like the FBI. As I flipped through the counterterrorism handbook at his booth, he snatched it away. "That's for law enforcement only," he said. He told me he knew who I was.

The mission of the center is to "detect, prevent, investigate and respond to criminal and terrorist activity." When another reporter, Julia Carrie Wong, visited their office during the convention, she found them tracking tweets [6] from the few hundred protesters gathered outside.

SWAT teams were created for extreme situations like mass shootings or hostage taking. But today, the highly armed units more commonly serve warrants.

From inside the hall, cops watched warily as the demonstrators chanted slogans about Ferguson. "If I see someone with an upside-down flag, I'm going to punch him in the face," one said to his team. Nearby, a vendor sold shirts with slogans of his own. One bore the image of a Spartan helmet and the phrase "Destruction cometh; and they shall seek peace, and there shall be none." His most popular shirt read "This Is My Peace Sign"; it showed crosshairs centered on what I briefly took to be a person with his hands up, though it was actually an AR-15 sight.

He told me to make sure I remembered one thing: We are sheep and police are the sheepdogs. They protect us, and they kill the wolves. I pointed at the shirt and asked, "The person in the sight, is that the flock or the wolf?"

"If he's in the crosshairs, it's gonna be the wolf," he said. "It's gonna be the bad guy."

Special Weapons and Tactics teams were created in the late 1960s for extreme scenarios like saving hostages and taking down active shooters. But police departments soon began deploying them in more mundane situations. In 1984, just 40 percent of SWAT teams were serving warrants. By 2012, the number was 79 percent. In all, the number of SWAT raids across the country has increased 20-fold since the 1980s, going from 3,000 per year to at least 60,000. And SWAT teams are no longer limited to large cities: In the mid-1980s, only 20 percent of towns with populations between 25,000 and 50,000 had such teams. By 2007, 80 percent did.

Much of the increase has been driven by the drug war, says David Klingler, a former Los Angeles cop and a professor of criminal justice at the University of Missouri-St. Louis. "If we didn't think that drugs were the most evil thing in the history of God's green earth," he says, "and weren't running hither and yon trying to catch people with dope in their house, none of this would have happened."

Today, 85 percent of SWAT operations are for "choice-driven raids on people's private residences," Peter Kraska, an Eastern Kentucky University researcher who studies tactical policing, said in a recent Senate hearing [7]. According to a study released by the American Civil Liberties Union [8] earlier this year, 62 percent of SWAT deployments were for drug raids. The study found that in these raids, drugs were found only half of the time. When weapons were "believed to be present," they were not found in half of the cases for which the outcome was known.

Several vendors showcased drones, like this one designed to do reconnaissance.

The study also found that while white people were more likely to be involved in the types of scenarios SWAT teams were intended for—like hostage or active-shooter situations—71 percent of today's SWAT raids (when race was known) target people of color. The racial disparity can be

much higher in some places: In Burlington, North Carolina, the study notes, African Americans are 47 times more likely to be affected by SWAT raids than whites.

SWAT officers have even come to be used to conduct "saturation patrol," where extra police are deployed in a specific neighborhood. One SWAT commander told Kraska, "The key to our success is that we're an elite crime fighting team that's not bogged down in the regular bureaucracy. We focus on quality of life issues like illegal parking, loud music, bums, troubles."

Standing in the expo hall near a booth where a charity was selling raffle tickets for an AR-15, I spoke with Sergeant JD Nelson, the spokesman for both Urban Shield and the Alameda County Sheriff's Office. He was chatty and amicable. I asked him what he thought when people said the United States was becoming a police state. "I think there is some validity to that," he said, explaining that "there's some violent people out there. You turn on the news any given night and something terrible has happened. If you got a guy that's wanting to do some harm and you have a choice between riding in a Crown Victoria or *that*"—he pointed to a huge black truck that looked like an armored personnel carrier—"you're going to choose that every time."

Jeremy Johnson, the tactical vehicle specialist at the Armored Group, sounded a similar note when he showed me the company's ballistic armored tactical transport vehicle, or BATT. With a blast-resistant floor and a Batman-style insignia on its grill, it was designed to stop .50-caliber rounds and had front-mounted battering rams for busting into buildings, a 360-degree rotating turret, and sniper rifle mounts on the doors. The Armored Group sells the vehicles worldwide from offices in countries like Libya, Nigeria, and the United Arab Emirates.

"Some of these trucks do look intimidating," Johnson said. "They should. You don't want to pull up a Chevy Chevette in front of the house and say, 'Here, we're gonna get you.' You're not gonna get the effect you want."

This was a common theme: Since the bad guys are well armed, police need better defenses and an intimidating appearance. And it's true that guns on the street have gotten bigger—but it's also true that being a cop today is the safest it has been since 1964. The most dangerous year in recent decades was 1973, when there were 134 felony killings of police officers in the line of duty. By 2012, that number had dropped to 47. Some of that might be because police are better protected, but they are also not being attacked as often: Assaults on cops are down 45 percent since their peak in 1971. Indeed, violent crime overall is down in America—it has fallen by nearly half since 1991.

In the end, the driving factor behind the police arms race may be not so much greater risk, but greater spending. This year, Homeland Security will give out \$1.6 billion to state agencies and local police departments for counterterrorism and disaster preparedness. The Armored Group, Johnson told me, has its own grant-writing specialist to help police departments get the funds for its \$100,000 to \$300,000 vehicles. Police departments, the company's website points out [9], also have the option of using "funds from assets seized in criminal activities"—money, cars, and other property—so long as the vehicle will be used for "drug enforcement in some capacity." Forfeiture funds are a huge pot of money: The Washington Post found [10] that in 2012, \$4.6

billion in cash and goods was seized by police, in many cases without any criminal charges. And unlike Homeland Security dollars, forfeiture funds can be used to buy firearms.

Johnson said his vehicles were appropriate to use whenever police faced a "threat of violence," from an active-shooter situation to a street protest. A rogue group of demonstrators might be armed, he said. They may "look innocent, which is great," but they might also shoot at police. "No one wants to think about it, but it happens. We've seen it." He couldn't name an example, but advised me to "go back to the news footage."

Johnson didn't think "militarization" was an accurate term for what was happening with police. "They're not buying a lot of things that would be considered military, in my opinion. Do they wear fatigues? Some of them do. Why is that? Well, a lot of that stuff's proven by the military that it works. [But] it's totally different training, it's totally different scenarios."

Or not so different. A 2007 study found that 49 percent of police departments surveyed used active-duty military personnel, including special-forces troops, to train their SWAT teams. One of the teams competing in Urban Shield was from the US Marine Corps. When the training event kicked off Saturday morning, I sat in an Amtrak train in Oakland as they came through in combat gear shouting at the pretend civilians to "put your fucking hands up! Anyone who puts their hands down will get fucking shot! Don't fucking move!" Even though they were just shooting little plastic bullets, my heart was pounding. Afterward, I asked a Marine why they trained in exercises designed for police. "To learn different tactics," he said. "You have some of the best guys out there, and they give their input and we take that back with us and teach our Marines."

So the most powerful military in the world is taking cues from cops? "It's interesting that we've had a lot of conversations on the militarization of the police, but you could make the same argument for the police-ization of the military," said Nelson, the Urban Shield spokesman. The modern military is in the business of occupation, he said, of getting governments up and running. When the military fights insurgents, it is "almost acting like a police force."

The Marines weren't the only nonpolice team competing for the trophy at Urban Shield. The California Department of Corrections had a SWAT team present—its leader, Lieutenant Adam Dennis, told me the corrections department is actually the largest SWAT agency in the state, with 495 officers across 19 locations. They work as prison guards by day and are trained to do hostage rescue. Much of their SWAT work, though, doesn't happen inside prisons, but with local police in communities where the prisons are located, Dennis said. The team this year, from Susanville, California, worked with police in the town of fewer than 16,000 people to do "warrants, drug eradication, narcotic surveillance—stuff like that." Their training at Urban Shield—where they did mock assaults on jetliners—was meant to inform their work back home. "The tactics you use to take anything down, whether it's a building, a plane, a train, an automobile—the tactics don't change," Dennis said. "It's all the same."

Other agencies fielding SWAT teams include NASA, the National Park Service, and the University of California-Berkeley, whose team I watched in a training exercise in Foster City. The scenario was this: A Muslim man had been fired from his job. He'd come back to his workplace, the participants were told, "screaming that he wanted to hurt the Jews for what they

have done to him and his people." He had been known to "visit pro-jihadist websites and anti-Semitic websites and many websites that instructed on how to build different types of weapons of mass destruction." Detectives had found literature at his home proposing jihad against Israel. Now he was inside a classroom, holding a Jewish ex-coworker hostage.

When the SWAT team busted into the classroom, the commander shouted, "Gentlemen, we have a chemical!" A five-gallon bucket sat next to the Muslim hostage taker, liquid bubbling over toward the feet of the captive. The hostage was a dummy (or "smarty," as they preferred to call it) with a sign taped to him that read "Alive but bleeding!!!!!" The team of eight burst in and trained their guns on the assailant, getting him to put his hands up as they dragged the hostage out. Then they pulled the terrorist out too, leaving the chemical to ooze onto the floor. That, they explained later, was for hazmat to deal with.

The UC-Berkeley team formed in 1992, their commander, Lieutenant Eric Tejada, told me, after a mentally disturbed, machete-wielding woman busted into the chancellor's house [11] on campus at 6 a.m. Today, he said, "most of what we do is high-risk warrants," mostly going off campus to find suspects in muggings of students.

Watch the University of California SWAT team in action.

I left the training site feeling unsettled. If you were the hostage in a real-life version of one of these scenarios, would you want someone to come and save you? Of course you would. If you were a cop, would you want to be protected against anything that might come your way? Of course. And yet, nearly every SWAT cop I talked to at Urban Shield was spending most of his time doing drug busts, searching houses, and serving warrants.

"When equipment is requested for SWAT teams, it's common to talk about the threat of terrorism [and] other rare but highly dangerous situations like hostage taking, barricaded suspects, and riots," David Alan Sklansky, a Stanford law professor who studies criminal law and policing, told me. "But the majority of times that SWAT teams have been deployed, it's been for more conventional kinds of operations."

[12]

Also Read: [SWAT Teams Killed These Innocent People in Their Homes](#) [12]

"SWAT teams definitely have legitimate uses," he added. "But like lots of other things, when they are sitting around they can wind up getting used when they are not required and may do more harm than good."

The next morning, my colleague Prashanth Kamalakanthan and I showed up at the Port of Oakland for a Bay Bridge training exercise. Each team in the competition had been on the move for more than 24 hours. Teams had been taking a boat out into the bay and climbing up into the underbelly of the bridge to disrupt a fake IED. We were planning to film the exercise, but when we arrived, the site manager told us that wouldn't be possible. We could tag along, but no video.

I sighed, frustrated. When we'd applied for press passes, the sheriff's department had welcomed our presence. They even encouraged us to film, noting that video did a better job than photos to "depict the hard work and dedication displayed." But the day before we'd driven two hours to observe a raid on a pretend bomb factory only to be turned away, and now this. As we got ready to leave, we stopped by the trailer of HaloDrop, a robotics company that was displaying video screens, drones, and 3-D printers inside. They had intended to use their drones for recon on the bridge, but the sheriff's office was still waiting for FAA approval to fly drones in the county.

After filming an interview with the HaloDrop representative, we discussed our plans for the rest of the day. Should we watch South Korea do an assault on an armored truck, then head over to see the prison guards evict a right-wing sovereign citizens group? As we talked, the HaloDrop vendor approached. "I'm not getting a good feeling from you guys," he said. He warned us not to use the interview we'd just conducted. He had experience with the courts, he said. "I'll just leave it at that."

A few minutes later, a police officer came up to us in the parking lot and asked us to hand over our media badges. His captain had called, he said, and told him we had been filming at an unauthorized location. Where was that? I asked. "I don't know. I assume it's this site."

Hours later, I got ahold of Sergeant Nelson, the Urban Shield spokesman. He said we'd been kicked out for "taking photos of an unauthorized area."

"What area?" I asked.

"I don't know. I assume it was the Bay Bridge."

"We were not even near the Bay Bridge."

"I don't know what to tell you," he said.

It seemed pointless to argue that, in the United States, photographing a bridge does not require police authorization.

Source URL: <http://www.motherjones.com/politics/2014/10/swat-warrior-cops-police-militarization-urban-shield>

Links:

[1] <https://www.urbanshield.org/>

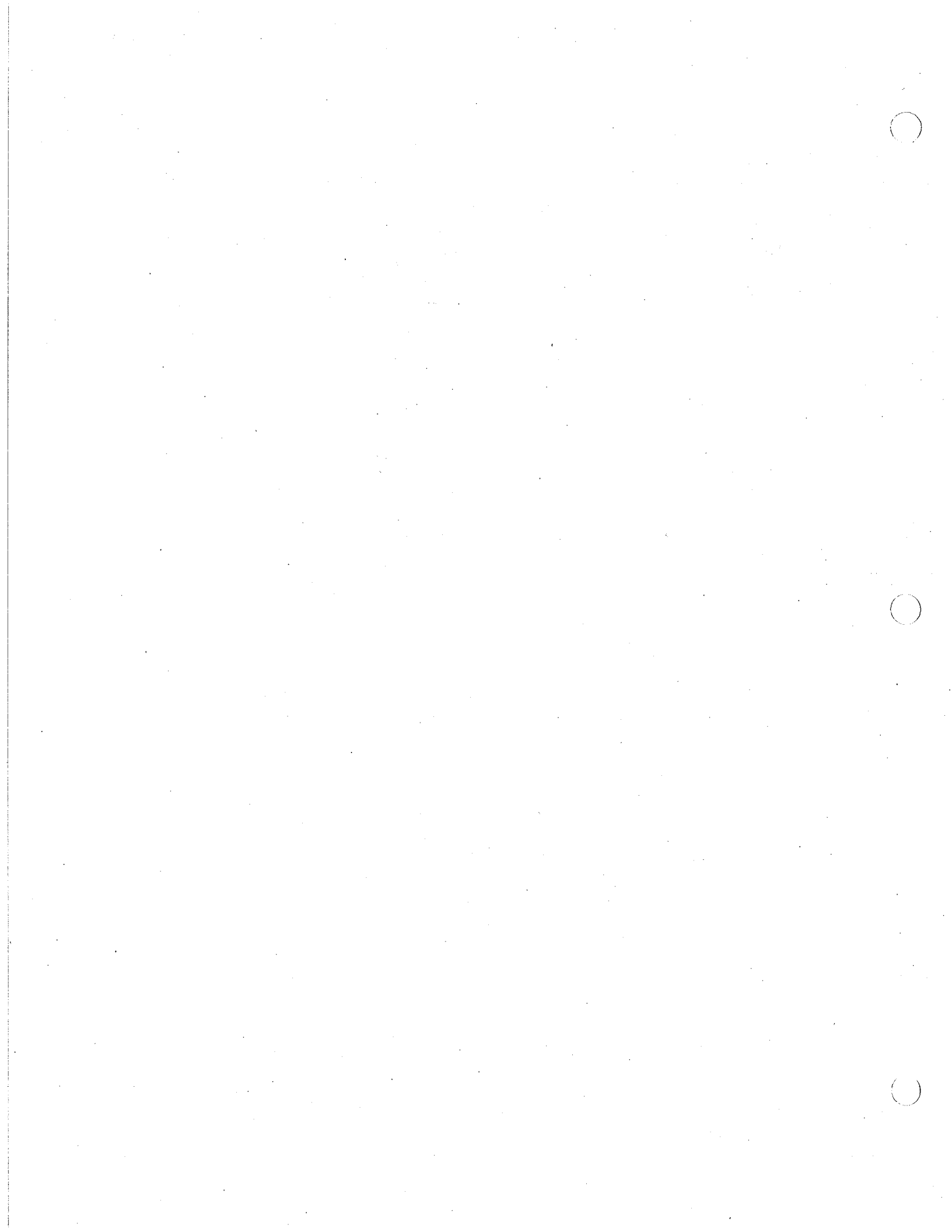
[2] http://www.insidebayarea.com/oakland/ci_20498364/alameda-county-sheriffs-swat-team-travels-jordan

[3] <http://www.washingtonpost.com/people/radley-balko>

[4] <http://www.barnesandnoble.com/w/rise-of-the-warrior-cop-radley-balko/1113024804?ean=9781610392112>

[5] <http://www.npr.org/2014/09/02/342494225/mraps-and-bayonets-what-we-know-about-the-pentagons-1033-program>

- [6] <http://juliacarriewong.com/2014/09/15/militarized-cops-pretend-to-fight-terrorists-in-oakland/>
- [7] <http://www.c-span.org/video/?321337-1/hearing-militarization-police-forces>
- [8] <http://www.motherjones.com/documents/1307598-aclu-report-war-comes-home>
- [9] <http://www.swat-vehicles.com/?q=forfeiture.php>
- [10] <http://www.washingtonpost.com/sf/investigative/2014/09/06/stop-and-seize/?hpid=z3>
- [11] <http://www.nytimes.com/1992/08/26/us/police-kill-protester-at-berkeley-in-break-in-at-chancellor-s-home.html>
- [12] <http://www.motherjones.com/politics/2014/10/swat-raid-casualties>





STREET SPIRIT

A publication of the American Friends Service Committee
JUSTICE NEWS & HOMELESS BLUES IN THE BAY AREA

The Movement to Stop the Militarization of Police

At Urban Shield's vendor expo, a hundred companies sell military grade weapons and surveillance equipment to local police departments. As much as organizers claim Urban Shield is about saving lives, the focus on guns and death is overwhelming. City agencies should not participate in an exercise that militarizes the police.

[photo omitted] "Humanize Not Militarize." The AFSC art exhibit shows the effects of militarism from Urban Shield exercises to Ferguson, Missouri, to Gaza.

by John Lindsay-Poland

The use by police of military tactics and equipment in the East Bay is no accident. Federal and local funding and equipment flow to law enforcement throughout the country, and the Bay Area is no exception.

San Francisco applied to the Pentagon to get a wheeled tank, known as a Mine-Resistant Ambush-Protected vehicle.

Berkeley deployed a SWAT team in full military gear to a residential neighborhood in response to a robbery of \$40 from a laundromat.

In the promotional video for the federally funded Urban Shield exercises, simulations of violent confrontations with police commandos are accompanied by dramatic Hollywood music, as if this were a movie for our entertainment.

Urban Shield is a vendor expo for military equipment and a massive exercise for SWAT teams and other agencies, hosted each fall by the Alameda County Sheriff's Department. It's the largest such "tactical exercise" in the country.

Taking place this year on September 11, it involved at least three dozen police SWAT teams from the Bay Area, as well as from other states and nations. The exercise is funded by grants from the Department of Homeland Security as part of the Urban Areas Security Initiative (UASI), a national program of more than \$500 million a year.

SWAT Teams and militarized scenarios

This year, the large-scale scenarios included a terrorist attack on a bicycle tunnel in Marin County, an explosion at Levi's Stadium in Sunnyvale (where the Super Bowl will be played next year), and a hostage situation at the Pebble Beach golf tournament in Monterey County. SWAT teams also competed for 48 hours straight in dozens of other "tactical [i.e. militarized] scenarios."

In addition, Urban Shield seeks to prepare police, fire and medical personnel for non-criminal emergencies, such as the collapse of buildings and rail and ferry boat accidents. But Urban Shield's SWAT teams and scenarios of militarized policing are more numerous than all fire, medical and explosive disposal teams and exercises combined.

While most SWAT teams are from the Bay Area, they have come from as far as Israel, Bahrain, Qatar, Brazil, Guam, South Korea and Singapore.

The emphasis on SWAT teams as the response to emergencies — including natural disasters — as well as the exclusive focus on worst-case violent scenarios, obscures and diminishes resources for responding to the ordinary emergencies community members face every day: inaccessible housing and medical care, militarized and underfunded schools, racist violence and violence against women, fossil-fuel dependent and expensive transportation, food insecurity, etc.

It also reinforces an attitude that police are at war in their own communities, with people of color, homeless, poor and mentally disabled persons bearing the brunt.

For most operations of SWAT teams are not in response to emergencies. According to a study by the American Civil Liberties Union, 79 percent of SWAT team deployments in 2011-2012 were to serve search warrants, mostly for drugs. More than half the people impacted by SWAT raids — where the race of individuals was known — were African Americans.

[photo omitted] A new poster art exhibit by the AFSC shows the effects of military violence in foreign and domestic settings.

Military grade weapons and surveillance

At Urban Shield's vendor expo, a hundred companies sell military grade weapons and surveillance equipment to local police departments. These include companies doing business in the occupied territories of Palestine, such as Motorola, 3M, FLIR, iRobot, Exelis (formerly ITT), and Safariland.

The literature and T-shirts displayed at the vendor event illustrate the thinking offered at Urban Shield. These include American Spartan Apparel, whose T-shirts say things like: "That Which Does Not Kill Me... Should Run" and "Keep Calm and Return Fire" and "Destruction Cometh: And They Shall Seek Peace, and There Shall Be None" — many of them with skulls and crossbones and guns.

How exactly do these sentiments help prepare publicly funded agencies to save lives? As much as people want to say Urban Shield is about saving lives, the focus on guns and death is overwhelming. Moreover, the emergency scenarios in the SWAT exercises do not reward de-escalation of conflict.

Urban Shield is run by a tight network of Sheriff's Department veterans and cronies. The major contractor for the exercise, at least in other cities in past years, was Cytel Group, run by ex-Alameda County Sheriff's Department staff.

Several of the companies vending their wares at the expo have been generous campaign contributors to Sheriff Ahern's re-election bids. 511 Tactical, for example, gave \$35,159 worth of contributions to Ahern's campaign in August 2011 and is a "Title-level Sponsor" of Urban Shield.

[photo omitted] Theater groups occupied street intersections in downtown Oakland in protest of Urban Shield exercises and police repression.

Corizon Health, a "Platinum Sponsor," also profits from health services in prisons, and contributed \$55,000 to Ahern's Campaign Committee from 2011 to 2013. That is more than his campaign spent in all of 2014. Adamson Police Products, a "Triple Diamond Sponsor" of Urban Shield 2015, gave \$17,300 to Ahern's campaign committee between 2009 and 2013.

While Urban Shield is funded by a federal grant to the Alameda County Sheriff's Department, it does not fund the pay, including overtime, of city and county agencies participating in these exercises, which commit substantial amounts in overtime pay not covered by UASI grants.

Sheriff's Department sergeants and deputies cost about \$81-\$97 per hour for overtime. For 48-hour continuous exercises on the weekend by teams of eight and more staff, this cost alone is significant: at least \$34,000.

In 2012, activists in Oakland began organizing to push back against Urban Shield, which had been headquartered at the city-run Marriott Hotel in downtown Oakland. They formed a coalition of organizations, including American Friends Service Committee, Critical Resistance, War Resisters League, Arab Resource Organizing Center, Oscar Grant Committee, CodePink, Oakland Privacy Working Group, and others, as well as families of people killed by police.

The coalition organized street protests at the Marriott, joined by a feeder march by families of police murder victims.

[photo omitted] Many artists are finding creative ways to speak out against the lethal violence of destructive weapons technology.

Protests against Urban Shield

Last year, protests were energized by the response in Ferguson, Missouri, to the killing of Michael Brown. Buddhists sat in engaged meditation in front of the Marriott Hotel's doors.

Congresswoman Barbara Lee reportedly urged then-Mayor Jean Quan to cancel the contract to host the event in Oakland. After all, Oakland has a policy against gun-selling in its jurisdiction. Why should it then sponsor an event for vendors to sell military gadgetry?

Mother Jones magazine published an extensive report on Urban Shield, after its reporter was thrown out by Urban Shield's media flacks.

Ultimately, Oakland did kick out Urban Shield. In response, the Sheriff's Department moved the event this year to the county fairgrounds in suburban Pleasanton. A Pleasanton police officer only recently killed John Deming, Jr., an unarmed young man in July.

Joined by more groups this year, including Black Alliance for Just Immigration and the Mount Diablo Justice and Peace Center, the coalition in a short period organized teach-ins in Walnut Creek and Oakland, as well as a surprise drop of a banner over Interstate 680 in Pleasanton, that read "War Games in Pleasanton?"

The centerpiece event was a protest on the first day of Urban Shield, on September 11, part of a contest over the meaning of terror, who is impacted, and how to respond. Marching through downtown Oakland to the Alameda Sheriff's office, theater groups occupied street intersections and enacted repression by police of Black, Filipino, Mexican and Arab communities and their responses. Oakland police stayed away.

SWAT raid on her home

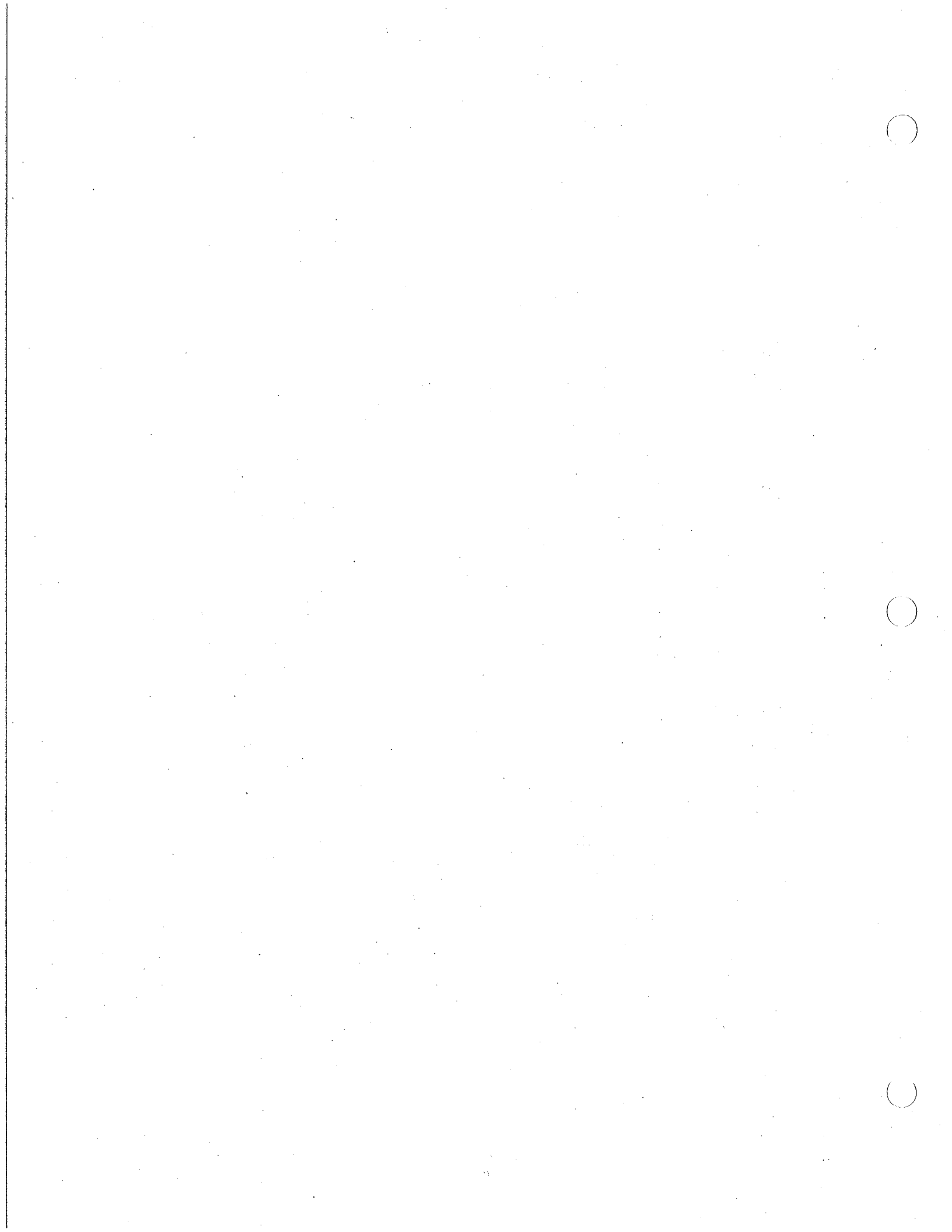
In powerful testimony in the shadow of the Sheriff's office on Lakeside Drive, a local 13-year-old girl described a SWAT raid on her home. "As soon as I hit the door, I opened it, and they started screaming at me, telling me to put my hands up. Pointing rifles at me. And I look around, and it seemed like a movie. I couldn't believe it." She was brave beyond words to describe her experience in public.

Alameda County should not be hosting this large event, which involves not only nine Bay Area counties, but teams from beyond the Bay Area and the United States. But neither should individual city agencies participate in an exercise that militarizes emergency responses and ordinary policing. Our communities badly need other kinds of security, instead of fortifying the state's violent responses to protest and crisis.

On September 29, activists spoke against Urban Shield at a meeting of the Alameda County Board of Supervisors, while also opposing the Sheriff's proposed use of federal UASI funds to acquire new phone surveillance equipment. The contract with Harris Corporation would prohibit the county from disclosing even what the equipment is — a non-disclosure agreement imposed in other cities for use of the "Stingray."

Stingray technology mimics the signal from a cell phone tower to capture data from all cell phones within a wide area. In a small victory for activists, the Board of Supervisors postponed their decision on the Harris contract to allow more time for public input.

John Lindsay-Poland is the Wage Peace Coordinator for American Friends Service Committee in San Francisco. He can be reached at jlindsay-poland@afsc.org. Thanks to researchers who contributed to this article, including Dalit Baum and Mike Katz-Lacabe.





Welcome to the Urban Shield Training Seminar Registration Site. Please complete all of the Registrant Information boxes below and indicate the presentations you wish to attend by clicking on the box associated with the training session.

Registrant Information:

Last Name:	<input type="text"/>	First Name:	<input type="text"/>
Rank/Title:	<input type="text"/>	Company/Agency:	<input type="text"/>
Phone:	<input type="text"/>	Email:	<input type="text"/>

Available Training Seminars:

- Domestic & Global Trends in the Use of Improvised Explosive Devices (IEDs) and an Introduction to the DHS Office for Bombing Prevention** 127 of 300 Seats Filled

Speaker(s): [Robert Whitehurst, Multi-Jurisdictional IED Security Planning \(MJIEDSP\) Unit Chief, Office for Bombing Prevention Protective Security Coordination Division, Dept. of Homeland Security](#) (Click name for Bio)
 Time: 0800 - 0900 Building B on September 11th, 2015

Description: The "Domestic & Global Trends in the Use of Improvised Explosive Devices (IEDs) and an Introduction to the DHS-Office for Bombing Prevention" is a presentation on the effects, trends and tactics of the use of Improvised Explosive Devices (IED) as a strategic weapon on the Domestic and Global front. This includes a review of recent events as well as an introduction to device construction and explosive effects. Case studies, sting operations and projected outcomes will be presented as well. Further, an introduction to the DHS-Office for Bombing Prevention's mission, focus areas and means of providing assistance to State and local emergency services and private stakeholders will also be provided.

- The Police Foundation's review of the Bank of the West robbery and hostage taking** 172 of 400 Seats Filled

Speaker(s): [Rick Brazier, retired Chief, Sacramento Police Department](#) and [Eric Jones, Chief of Police, Stockton Police Department](#) (Click name for Bio)
 Time: 0900 - 1030 Building C on September 11th, 2015

Description: July 16, 2014, Stockton, CA, Bank Robbery. Three hostages, and a mobile pursuit. Over 62 minutes, three bank robbers led Stockton PD on a violent, terrifying 63-mile chase over both winding residential streets and wide-open freeways that sometimes hit 120 miles per hour. For much of the time, one of the bank robbers sprayed AK-47 rounds out the back window of the vehicle, disabling 14 police vehicles, including the department's BearCat. When the ordeal finally came to an end, one hostage was shot by the suspects and tossed out of the vehicle, another hostage suffered serious injuries after jumping out of the SUV at 50 miles per hour, and Misty Holt-Singh, a 41-year-old mother of two, was dead -- accidentally killed by the police in the shootout that included 600-plus rounds from more than 30 officers. Police also killed two of the three bank robbers. Somehow, a third was uninjured, most likely because he used Holt-Singh as a shield.

- Regional Catastrophic Plans** 79 of 300 Seats Filled

Speaker(s): [Janell Myhre, Regional Program Manager, UASI](#) (Click name for Bio)
 Time: 0915 - 1015 Building B on September 11th, 2015

Description: Are we ready to respond to and recover from a 7.9 catastrophic earthquake in the San Francisco Bay Area? What activities are necessary to transport, identify, process and manage over 6,000 expected fatalities from cradle to grave, as well as the needs of related family members? How will local government agencies coordinate to open and staff temporary shelters for over 1.8 million people projected to be seeking such accommodations within 72 hours, accompanied by over 360,000 companion animals? What operational objectives must be considered to serve the projected 11,600 individuals with disabilities and access and functional needs? Which agencies will work together to receive incoming responders and transport outgoing evacuees? What resources are needed to establish logistics points of distribution operations necessary to receive and distribute life sustaining commodities from FEMA to assist affected populations? Which tools and regional organizations can we work with to engage our private sector partners to restore critical lifelines and re-establish supply chains such as transportation, water and fuel? This presentation will discuss these topics and provide an overview of the eight regional catastrophic earthquake plans written for the Bay Area Urban Areas Security Initiative (UASI) twelve counties and three major metropolitan cities. The multi-agency coordination necessary to respond to and restore the lifestyles of over 2 million people expected to be directly affected by lack of potable water, electricity and access to food and shelter will be discussed. Selected clips of the eight regional catastrophic plan companion Just in Time EOC training videos will be shown. Elements of one or more of these catastrophic plans are exercised each year in Urban Shield's Yellow Command. Lessons learned from Yellow Command exercises and actions being taken to improve regional capabilities will be shared.

- Nuclear threat devices with an emphasis on how easily they might be smuggled into the U.S.** 76 of 300 Seats Filled

Speaker(s): [Dr. Gary Richter](#) (Click name for Bio)
 Time: 1030 - 1130 Building B on September 11th, 2015

Description: Dr. Richter will focus on nuclear threat devices and the ease with which they can be smuggled into the United States and transported.

Isla Vista Mass Murder (UC Santa Barbara)

174 of 400 Seats Filled

Speaker(s): [Kelly A. Moore, Lieutenant, Santa Barbara County Sheriff's Office](#), [Kevin Huddle, Sergeant, Santa Barbara County Sheriff's Office](#) and [Joe Schmidt, Detective, Santa Barbara County Sheriff's Office](#) (Click name for Bio)
Time: 1100 - 1230 Building C on September 11th, 2015

Description: On May 23, 2014, Elliot Roger, a Santa Barbara City College student living in the college community of Isla Vista, went on a murderous rampage. During his rampage, Roger killed 6 innocent people and injured 14 others before killing himself. He executed his plan to kill as many people as possible by use of firearms, knives and his vehicle. Three of his victims were killed with a semi-automatic handgun and three of his victims were killed ambush style with a large hunting knife. Seven of those injured were injured while he drove his vehicle around the college community shooting from his vehicle; the other seven injured were intentionally struck by his vehicle as he drove through the community. This event caused the largest investigation in Santa Barbara County history. The investigation included six homicides, 20 attempted homicides, four officer involved shootings, and 17 crime scenes. Additionally, the investigation involved the management and coordination of 164 Santa Barbara Sheriff's Office personnel, and 100 plus personnel from 10 different agencies, including: UC Santa Barbara PD, CHP, State Parks, Santa Barbara PD, Santa Barbara District Attorney's Office, ATF, FBI, California DOJ, Santa Barbara County Fire, and American Medical Response.

 Understanding the Rad/Nuke Terrorism Threat: Knowing the Adversary

61 of 300 Seats Filled

Speaker(s): [John Sawyer, Commercialization Director National Consortium for the Study of Terrorism & Responses to Terrorism \(START\)](#) (Click name for Bio)
Time: 1200 - 1300 Building B on September 11th, 2015

Description: A radiological or nuclear (rad/nuke) terrorist attack on the U.S. homeland would potentially produce catastrophic consequences, but is also a highly unlikely event. Gauging the appropriate level of preparation for countering this threat is made even more difficult by the classification level of intelligence on specific threats, if and when they exist. Therefore, a useful starting point is to examine the motivations, capabilities and opportunities of potential adversaries to acquire, transport and/or use rad/nuke weapons. START has identified over 1,300 violent extremist and criminal organizations and produced detailed profiles on over 150 of the most concerning groups. In addition, START has developed several tools for evaluating how likely each of these specific adversaries would be to pursue rad/nuke weapons, how they would acquire and field a rad/nuke weapon, and how successful they would be. This presentation will enable participants to better evaluate the general and local rad/nuke risks by providing a conceptual framework for understanding rad/nuke terrorist threats, detailed information on specific high-threat adversaries, and an introduction to START's analytical tools for assessing the rad/nuke threat.

 Aurora Colorado Theatre Massacre

160 of 400 Seats Filled

Speaker(s): [James Puscian, Division Chief, Aurora Police Department](#) and [Mike Dailey, Commander, District 2, Aurora Police Department](#) (Click name for Bio)
Time: 1330 - 1530 Building C on September 11th, 2015

Description: On July 20, 2012, a mass shooting occurred inside of a Century 16 movie theater in Aurora, Colorado, during a midnight screening of the film The Dark Knight Rises. A gunman, dressed in tactical clothing, set off tear gas grenades and shot into the audience with multiple firearms. Twelve people were killed and 70 others were injured; the largest number of casualties in a shooting in the United States. The sole assailant, James Eagan Holmes, was arrested in his car, parked outside the cinema, minutes later. It was the deadliest shooting in Colorado since the Columbine High School massacre in 1999. Prior to the shooting, Holmes rigged his apartment with homemade explosives, which were defused by a bomb squad one day after the shooting. The shooting prompted an increase in security at movie theaters across the United States that was screening the same film, in fear of copycat crimes. The shooting also led to a spike in gun sales in Colorado, as well as political debates about gun control in the United States.

 Large Scale Event Planning – Superbowl 2017, Santa Clara

73 of 300 Seats Filled

Speaker(s): [Phil Cooke, Captain, Santa Clara Police Department](#) (Click name for Bio)
Time: 1400 - 1530 Building B on September 11th, 2015

Description: Super Bowl 50 is a world-wide wide event attended and watch by millions of people. A large scale event requires planning and the assistance of multiple agencies, public and private to insure a successful and safe event. The presentation will identify many of the concerns to be addressed, and the coordination necessary to organize the many entities involved in a high profile event.

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Tuesday | September 15, 2015

0730 – 0900 HOURS CHECK-IN (FRONT OF BUILDING A)

0800 – 0900 HOURS | CLASS #1 | BUILDING B

DOMESTIC & GLOBAL TRENDS IN THE USE OF IMPROVISED EXPLOSIVE DEVICES (IEDS) AND AN INTRODUCTION TO THE DHS OFFICE FOR BOMBING PREVENTION

The "Domestic & Global Trends in the Use of Improvised Explosive Devices (IEDs) and an Introduction to the DHS-Office for Bombing Prevention" is a presentation on the effects, trends and tactics of the use of Improvised Explosive Devices (IED) as a strategic weapon on the Domestic and Global front. This includes a review of recent events as well as an introduction to device construction and explosive effects. Case studies, sting operations and projected outcomes will be presented as well. Further, an introduction to the DHS-Office for Bombing Prevention's mission, focus areas and means of providing assistance to State and local emergency services and private stakeholders will also be provided.



Robert Whitehurst Multi-Jurisdictional IED Security Planning (MJIEDSP) Unit Chief

Office for Bombing Prevention Protective Security Coordination Division,
Dept. of Homeland Security

Mr. Whitehurst currently supports the DHS Office for Bombing Prevention, a component of the Department of Homeland Security (DHS) Protective Security Coordination Division. OBP provides leadership and coordination within DHS on explosive threat and countermeasures, while working with Federal, State, and local government partners to enhance and integrate national capabilities to combat explosive attacks.

As an explosives specialist and the Unit Chief for the Multi-Jurisdiction Improvised Explosive Device Security Planning (MJIEDSP) Program, Mr. Whitehurst navigates OBP's MJIEDSP program to enhance awareness of Improvised Explosive Devices (IEDs) threats, incidents, and their implications, through promoting counter-IED principles and planning. All of which increases the capability and capacity of our Nation to conduct critical bombing prevention functions. In this role he provides subject matter expertise, technical experience and keen analytical insight to effectively accomplish OBP's mission. Mr. Whitehurst is also responsible for participating on various inter-agency IED working groups, and providing subject matter expertise on policy efforts to counter IEDs.

Mr. Robert Whitehurst is a recognized subject matter expert in the terrorist use of explosives with over 19 years of experience in Explosive Ordnance Disposal (EOD). Eleven of those years were spent with US Air Force Explosive Ordnance Disposal teams wherein he garnered a tremendous working knowledge of the threats associated with IEDs while serving six years as an EOD Team Leader. Prior to joining DHS, Mr. Whitehurst served as the EOD Program Manager for Headquarters, Air Force Global Strike Command, America's premier combat-ready force for nuclear deterrence and global strike operations. In addition, he spent 11 years in the USAF Explosive Ordnance Disposal Program where he had several key operational deployments including service in two wars, Operation Enduring Freedom-Afghanistan and Operation Iraqi Freedom-Iraq. Both of his combat deployments had him serving as an EOD Team Leader, participating in over 200 combat operations and safely neutralizing over 250 IEDs amongst other unique missions, all of which earning him a Bronze Star.

0900 – 0915 HOURS BREAK / VENDOR SHOW

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0915 – 1015 HOURS | CLASS #2 | BUILDING B

REGIONAL CATASTROPHIC PLANS

Are you ready to respond to and recover from a 7.9 catastrophic earthquake in the San Francisco Bay Area? What activities are necessary to transport, identify, process and manage over 6,000 expected fatalities from cradle to grave, as well as the needs of related family members? How will local government agencies coordinate to open and staff temporary shelters for over 1.8 million people projected to be seeking such accommodations within 72 hours, accompanied by over 360,000 companion animals? What operational objectives must be considered to serve the projected 11,600 individuals with disabilities and access and functional needs? Which agencies will work together to receive incoming responders and transport outgoing evacuees? What resources are needed to establish logistics points of distribution operations necessary to receive and distribute life sustaining commodities from FEMA to assist affected populations? Which tools and regional organizations can we work with to engage our private sector partners to restore critical lifelines and re-establish supply chains such as transportation, water and fuel?

This presentation will discuss these topics and provide an overview of the eight regional catastrophic earthquake plans written for the Bay Area Urban Areas Security Initiative (BAUASI) twelve counties and three major metropolitan cities. The multi-agency coordination necessary to respond to and restore the lifestyles of over 2 million people expected to be directly affected by lack of potable water, electricity and access to food and shelter will be discussed. Selected clips of the eight regional catastrophic plan companion "Just in Time" EOC training videos will be shown. Elements of one or more of these catastrophic plans are exercised each year in Urban Shield's Yellow Command. Lessons learned from Yellow Command exercises and actions being taken to improve regional capabilities will be shared.



Janell Myhre Regional Program Manager
BAUASI

Ms. Myhre has over fifteen years of experience in public safety and emergency management with regional and local government jurisdictions and organizations. She specializes in regional catastrophic planning, exercise design and facilitation, and disaster management. Ms. Myhre has served in numerous leadership positions in the San Francisco Bay Area emergency management field, including the Director of the Santa Clara County Office of Emergency Services and Regional Catastrophic Plan Writer for Marin and Sonoma Counties. She has served as Deputy Planning Chief, Liaison Officer, Public Information Officer, Volunteer Unit Leader, Disaster Plan Technical Specialist and Agency Rep in one US Coast Guard Area Command, two Federal oil spill Unified Commands and over twelve Emergency Operations Center (EOC) activations.

Ms. Myhre has lectured, designed and/or participated in over 30 exercises at the local, state and federal levels including discussion workshops, tabletop, functional and full-scale events. She has provided key leadership to the design and implementation of the Alameda County Urban Shield's Yellow Command exercise since its inception.

Ms. Myhre is the primary author of the nation's first oil spill volunteer plan, used in the Deep Water Horizon incident. Ms. Myhre was honored with the 2011 California Emergency Services Association (CESA) Platinum Award for outstanding contributions in the Emergency Management Field and the 2010 CESA Coastal Chapter William Singer Award for excellence in plan writing and regional coordination in the San Francisco Bay Area. In 2012, Janell received a US Coast Guard/California Department of Fish and Game Bay Area Committee recognition award for her outstanding leadership in the protection of oil spills in the San Francisco Bay. For her contributions to the nation's first oil spill plan for volunteers, she is the recipient of the Certificate of Merit from the Commandant of the United States Coast Guard.

1015 – 1030 HOURS BREAK / VENDOR SHOW

1030 – 1130 HOURS | CLASS #3 | BUILDING B

NUCLEAR THREAT DEVICES WITH AN EMPHASIS ON HOW EASILY THEY MIGHT BE SMUGGLED INTO THE U.S.

Dr. Richter will focus on nuclear threat devices and the ease with which they can be smuggled into the United States and transported



Dr. Gary Richter

BS from MSU 1977. MS from MSU 1979. PhD from UT 1983.

Dr. Richter worked at Sandia National Laboratories from 1983 to 2014, as an international security analyst experienced in nuclear weapons, design, nuclear weapons security, and nuclear weapons dismantlement.

Dr. Richter also worked for many years as an intelligence analyst specializing in understanding the technical skills and weapons manufacturing capabilities of various terrorist groups.

Dr. Richter lived in Siberia for several years while involved in nuclear weapons decommissioning work.

1130 – 1200 HOURS BREAK / VENDOR SHOW

1200 – 1300 HOURS | CLASS #4 | BUILDING B**UNDERSTANDING THE RAD/NUKE TERRORISM THREAT: KNOWING THE ADVERSARY**

A radiological or nuclear (rad/nuke) terrorist attack on the U.S. homeland would potentially produce catastrophic consequences, but is also a highly unlikely event. Gauging the appropriate level of preparation for countering this threat is made even more difficult by the classification level of intelligence on specific threats, if and when they exist. Therefore, a useful starting point is to understand who the potential adversaries are then what their motivations, capabilities, and opportunities are to acquire, transport, and/or use rad/nuke weapons. To that end, START has identified over 1,300 violent extremist and criminal organizations and produced detailed profiles on over 150 of the most concerning groups. Further, START has developed several tools to help evaluate the likelihood of specific adversaries pursuing or transporting rad/nuke weapons, how they would acquire and field a rad/nuke weapon, and how successful they would be.

In this presentation, Dr. Sawyer will introduce analytical tools for assessing the rad/nuke threat, provide detailed information on specific high-threat adversaries, and offer a conceptual framework for understanding rad/nuke terrorist threats. As a result, participants will be able to better evaluate the general and local rad/nuke risks.

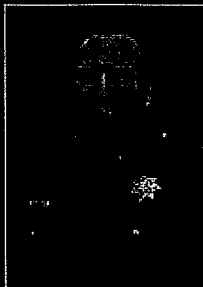
**John Sawyer** Commercialization Director

National Consortium for the Study of Terrorism & Responses to Terrorism (START)

Dr. John Sawyer is the Commercialization Director and a senior researcher at START, a Center of Excellence established by the Department of Homeland Security Science and Technology Directorate. Dr. Sawyer co-founded START's Unconventional Weapons and Technology Division (UWT), which is dedicated to applying the behavioral and social sciences to understanding non-state actors' pursuit and use of chemical, biological, radiological or nuclear (CBRN) or emerging technology weapons. He helped to develop most of UWT's data collections and assessment tools, including: 1. Profiles of Incidents Involving CBRN by Non-State Actors (POICN) – the most rigorous and comprehensive open-source database of politically-motivated CBRN incidents linked to longitudinal data on perpetrator and technology attributes; 2. RN Smuggling Threat Assessment Tool (RN-STAT) – a versatile tool for evaluating and ranking the RN threat posed by specific adversaries based on their motivations, capabilities and opportunities; 3. Future Attacks by RN Adversaries (FARNA) -- a model for forecasting adversaries' pursuit and use of RN weapons; and 4. Transnational Illicit Trafficking (TransIT) – a geospatial route optimization and chokepoint identification tool for smuggling RN weapons into the United States. In addition to unconventional weapons, Dr. Sawyer's research areas include non-state actor deterrence and influence and individual-level radicalization. As Commercialization Director, Dr. Sawyer is primarily focused on putting cutting-edge research findings to use by expanding START's training portfolio.

1300 – 1400 HOURS LUNCH / VENDOR SHOW (SOUTH SIDE, BUILDING A)**1400 – 1530 HOURS | CLASS #5 | BUILDING B****LARGE SCALE EVENT PLANNING: SUPER BOWL 50, SANTA CLARA**

Super Bowl 50 is a world-wide event attended and watched by millions of people. A large scale event requires planning and the assistance of multiple agencies, public and private to insure a successful and safe event. The presentation will identify many of the concerns to be addressed, and the coordination necessary to organize the many entities involved in a high profile event.

**Phil Cooke** Captain

Santa Clara Police Department

Captain Phil Cooke has over 28 years of Law Enforcement Experience, including 26 years with Santa Clara Police Department.

Captain Cooke is currently the Special Operations Division Commander for the Santa Clara Police Department, which includes supervising law enforcement activity at Levi's Stadium. Captain Cooke has been designated as Santa Clara PD's lead for Super Bowl 50 planning and will be the game day Incident Commander.

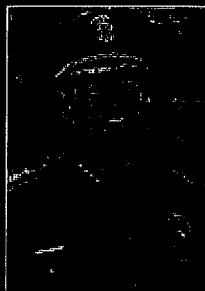
Captain Cooke spent the bulk of his career as an investigator and has worked a variety of assignments including narcotics, sexual assaults, homicides, and property crimes. Captain Cooke has also served as the Special Response Team (SWAT) Commander, and spent many years as a hostage negotiator.

Captain Cooke is a lifetime member of the California Narcotics Officers Association (CNOA) and is a graduate of the FBI National Academy, session 245.

0900 – 1030 HOURS | CLASS #6 | BUILDING C

THE POLICE FOUNDATION'S REVIEW OF THE BANK OF THE WEST ROBBERY AND HOSTAGE TAKING

July 2014, Stockton, CA, Bank Robbery, Three hostages, and a mobile pursuit. Over 62 minutes, three bank robbers led Stockton PD on a violent, terrifying 63-mile chase over both winding residential streets and wide-open freeways that sometimes hit 120 miles per hour. For much of the time, one of the bank robbers sprayed AK-47 rounds out the back window of the vehicle, disabling 14 police vehicles, including the department's BearCat. When the ordeal finally came to an end, one hostage was shot by the suspects and tossed out of the vehicle, another hostage suffered serious injuries after jumping out of the SUV at 50 miles per hour, and Misty Holt-Singh, a 41-year-old mother of two, was dead -- accidentally killed by the police in the shootout that included 600-plus rounds from more than 30 officers. Police also killed two of the three bank robbers. Somehow, a third was uninjured, most likely because he used Holt-Singh as a shield.

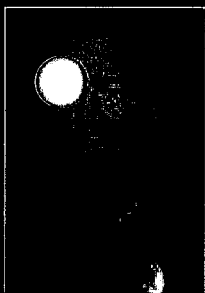


Rick Braziel Retired Chief
Sacramento Police Department

Rick was a member of the Sacramento Police Department for over 33 years, including five years as Chief. Rick consults and instructs in Teambuilding, Communication Skills, Community Policing, and Leadership. Rick is an Executive Fellow at the Police Foundation. He was the lead investigator in the review of the police response to Christopher Dorner. He was part of a team reviewing the riots in Ferguson, Missouri, and is the team lead in the St. Louis County Police Collaborative Reform Initiative. Rick also completed a review of the Stockton Police response to the Bank of the West robbery and hostage taking.

Rick received his Bachelor of Arts and Master of Arts degrees in Communication Studies from California State University, Sacramento. In 2008, Rick received a Master of Arts in Security Studies (Homeland Security and Defense) from the U.S. Naval Postgraduate School. His thesis resulted in a \$3.1 million grant toward the creation of communities of learning.

Rick is co-author of the book, *COP TALK: ESSENTIAL COMMUNICATION SKILLS FOR COMMUNITY POLICING*.



Eric Jones I Chief of Police
Stockton Police Department

Chief Jones began his career with the Stockton Police Department in 1993, as a Police Officer. He worked as a Patrol Officer, and Department Trainer and Instructor, promoting to Sergeant in 1999. In March 2003, he promoted to the rank of Lieutenant and was a Watch Commander and Internal Affairs Commander. Chief Jones became a Police Captain in 2005, and he created the Department's Emergency Services (and Homeland Security) Unit. Chief Jones was appointed as Deputy Chief of Police in March 2008. He worked and oversaw numerous police programs, such as the Explosive Ordnance Detail, Critical Incident Investigations, Canine Program, Mobile Command Post Team, SWAT, and the Crisis Negotiations Team. In September 2011, Chief Jones was promoted to Assistant Chief of Police, and then in March 2012, he was appointed as the 49th Chief of Police for the Stockton Police Department.

Chief Jones holds a Bachelor's Degree in Criminal Justice from California State University, Sacramento, and a Master's Degree in Public Administration from National University. He also completed the Harvard Kennedy School Program for Senior Executives in State and Local Government and is a member of the FBI/NA Law Enforcement Executive Development Association (State Session IV, National Session #73).

1030 – 1100 HOURS BREAK / VENDOR SHOW (SOUTH SIDE, BUILDING A)

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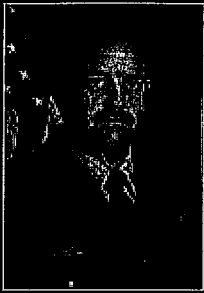
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For more information contact
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1100 – 1230 HOURS | CLASS #7 | BUILDING C**ISLA VISTA MASS MURDER: UC SANTA BARBARA**

On May 23, 2014, Elliot Roger, a Santa Barbara City College student living in the college community of Isla Vista, went on a murderous rampage. During his rampage, Roger killed 6 innocent people and injured 14 others before killing himself. He executed his plan to kill as many people as possible by use of firearms, knives and his vehicle. Three of his victims were killed with a semi-automatic handgun and three of his victims were killed ambush style with a large hunting knife. Seven of those injured were injured while he drove his vehicle around the college community shooting from his vehicle; the other seven injured were intentionally struck by his vehicle as he drove through the community.

This event caused the largest investigation in Santa Barbara County history. The investigation included six homicides, 20 attempted homicides, four officer involved shootings, and 17 crime scenes. Additionally, the investigation involved the management and coordination of 164 Santa Barbara Sheriff's Office personnel, and 100 plus personnel from 10 different agencies, including: UC Santa Barbara PD, CHP, State Parks, Santa Barbara PD, Santa Barbara District Attorney's Office, ATF, FBI, California DOJ, Santa Barbara County Fire, and American Medical Response.



Kelly A. Moore Lieutenant
Santa Barbara County Sheriff's Office

Kelly Moore is currently a lieutenant with the Santa Barbara County Sheriff's Office and assigned to the Criminal Investigations Division. Lieutenant Moore holds an Associate's degree in Police Administration and a Bachelor's of Arts degree in Business Administration. He joined the Santa Barbara County Sheriff's Office in 1984, as a Corrections Officer. In 1988, he joined the Carpinteria Police Department where he served as a patrol officer, a detective and a Police Corporal. In 1992, he returned to the Santa Barbara County Sheriff's Office where he was assigned as a detective, a member of the Gang Enforcement Team, a narcotics detective, an academy staff officer, and a Human Resources investigator. In 2002, he was promoted to sergeant and assigned to Human Resources, then patrol. In 2009, Lieutenant Moore was promoted to the rank of lieutenant and assigned to the Criminal Investigations Division and managed the investigative support units. He was then assigned to the Patrol Division where he managed the contract for the city of Carpinteria and the Coastal Operations Bureau. In 2013, he was reassigned to the Criminal Investigations Division, where he is currently assigned.



Kevin Huddle Sergeant
Santa Barbara County Sheriff's Office

Sergeant Kevin Huddle is a 17-year veteran with the Santa Barbara County Sheriff's Office, currently assigned to the Major Crimes Unit in the Detective Bureau. He has held assignments in Patrol, Field Training Officer, Special Enforcement Team (SWAT), and a Background Investigator. In 2007, he was promoted to Sergeant and has worked in patrol, motors, and now in his current assignment, as a supervisor in the Detective Bureau. He earned a Bachelor of Science degree in Criminal Justice from the California State University at Long Beach.



Joe Schmidt Detective
Santa Barbara County Sheriff's Office

Detective Joe Schmidt is a 10-year veteran of the Santa Barbara County Sheriff's Department. He initially worked patrol out of the Goleta Valley Patrol Bureau until he was promoted to detective in 2009. While assigned to the Criminal Investigations Division, Detective Schmidt investigated a variety of crimes such as robbery, burglary, sex crimes, officer involved shootings and homicide. He was assigned as the lead investigator in the Isla Vista mass murder that occurred on May 23, 2014. Detective Schmidt is currently assigned to the Gang Enforcement Unit, and is a member of the Special Enforcement Team (SWAT). He holds a Bachelor of Arts in Sociology from the University of California, Santa Barbara.

1230 – 1330 HOURS LUNCH / VENDOR SHOW (SOUTH SIDE, BUILDING A)

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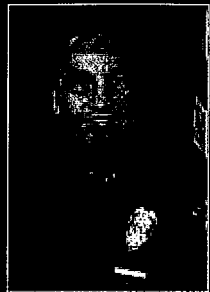
1330 – 1530 HOURS | CLASS #8 | BUILDING C

AURORA COLORADO THEATRE MASSACRE

On July 20, 2012, shortly after midnight a 25-year-old male exited Theater 9 of the Century 16 Theater in Aurora Colorado through the emergency exit door. He went to his car, donned tactical gear and a gasmask, and armed himself with a shotgun, rifle, pistol, and tear gas. He re-entered the theater through the emergency exit, which he had propped open, tossed teargas into the audience and began shooting. In less than five minutes, he shot or otherwise wounded 70 innocent people, killing 12 of them. He was apprehended shortly after he again exited through the emergency exit. Many of the wounded that night were also carried out of that same exit and triaged near where the now in custody shooter was parked. Over 25 of these wounded were transported to area hospitals in police vehicles.

Not only had the shooter attacked the theater, but also he had set a trap for first responders and/or his neighbors. Prior to leaving for the theater that night, he had booby-trapped his apartment with gasoline, black powder, trip wires and a remote detonator. He had set his radio to play very loud music at midnight. This was to draw neighbors and/or police to his apartment to set off the devices.

This presentation will cover some of the steps the shooter took to prepare for his assault, some recordings of radio transmissions from the incident, and will recognize some of the heroism of everyday people just out to enjoy a movie. It will also discuss some of the issues related to rendering the apartment safe along with the aftermath that affected, and still affects, the community and responders.



James Puscian

Division Chief
Aurora Police Department

Division Chief Jim Puscian joined the Aurora Police Department in July 1994. As an officer, he performed duties in patrol, and as a Police Area Representative. Jim was promoted to the rank of Agent in 2000, and served as the Department's Special Events Coordinator.

Agent Puscian promoted to Sergeant in May 2001, and spent a brief time at the District 1 and 2 stations before he was recalled to active duty following the 9-11 attacks on our nation. Jim returned to the Police Department in late 2002, and was assigned to Patrol in District 1.

In January 2004, he received a promotion to Lieutenant and was assigned to swing shift patrol in District 1. He moved to the Sector Lieutenant position in District 2 in 2005. Puscian was selected to command the Police Academy in 2006 and 2007, and then served as the Commanding Officer of the Professional Standards Section in 2008 and 2009.

In August 2009, Lieutenant Puscian promoted to Captain and was assigned as the Executive Officer for District 2. In late 2010, he moved to the Executive Officer position in District 1 and in the fall of 2012, he was assigned as the Commanding Officer for the Special Operations Bureau.

In January 2014, Jim was appointed to the rank of Commander and assigned as the Commander Officer of the Investigations Bureau. In June 2014, he was assigned as the Acting Division Chief for the Investigative Division. In April 2015, Chief Metz appointed Jim a Division Chief, and assigned him as the chief of the newly created Compliance and Professional Standards Division.

Jim served four years in the United States Air Force, followed by 19 years in the Air Force Reserve. He retired from the reserves in 2004.

Division Chief Puscian holds a Bachelor of Arts degree in Criminal Justice and a Master of Science degree in Organizational Leadership. Additionally, he received leadership training through the Leaders in Police Organizations (LPO) course, along with senior police executive training at the Senior Management Institute for Police (SMIP), and the FBI National Academy (FBINA).



Mike Dailey

Commander, District 2
Aurora Police Department

Commander Michael Dailey joined the Aurora Police Department in 1996 as a lateral officer from the Englewood, Colorado Police Department. He served as a patrol officer, field training officer, Direct Action Response Team officer as well as a member of the department's SWAT team.

In 2003, he was promoted to the rank of Sergeant, where he supervised in patrol, DART and SWAT.

He was promoted to Lieutenant in 2008, where he served as a Patrol Commander in District 1 and later as the Sector Lieutenant for District 2, overseeing problem solving policing initiatives for the district.

In 2010, The Chief of Police temporarily assigned Dailey as the Commander of the Narcotics Section. In 2011, he was assigned as the Operations Support Section Commander and oversaw SWAT and K-9 operations.

Dailey served as a platoon leader for Aurora Police Officers assigned to the Democratic National Convention in 2008 and was one of the first command officers on scene within minutes of the Century 16 Theater shootings in 2012.

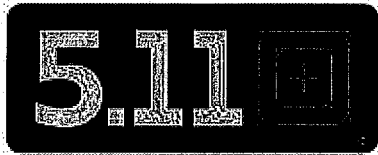
In 2014 he was promoted to the rank of Captain and served as the Commander of the Tech Services Bureau.

In April of 2015 he was promoted to the rank of Commander and was assigned to command District 2.

He holds a B.A. degree from the University of Phoenix, and has attended the IACP Leadership in Police Organizations and is currently an instructor for this program throughout the state on behalf of the Colorado Association of Chiefs of Police. He has also attended the Public Safety Leadership Program offered through the University of Denver.

Commander Dailey is the recipient of the department's Life Saving Award, Meritorious Service Award, as well as the Medal of Honor.

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Morning Edition from NPR

Urban Shield: Training or militarization for first responders?

By SANDHYA DIRKS · OCT 6, 2014

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- [photo omitted]
Inside the Urban Shield trade show

Sandhya Dirks

For the past eight years, one weekend in late summer brings first responders from across the country and around the world -- firemen, medics, SWAT teams and police officers -- to Alameda County for Urban Shield, one of the largest law enforcement training exercises in the country.

Urban Shield throws these first responders into simulated scenarios out of the direst headlines: terrorist attacks, downed planes, and catastrophic natural disasters. The situations are all mock events, complete with actors and even stage makeup, but these trained, professional first responders treat them as if they are real.

The Alameda County Sheriffs' Office, which runs the event, says it is first-hand training for our worst nightmares. But the event is also under attack, for being a model for militarization of the police. Critics say Urban Shield does not just help first responders prepare for the worst; they claim it is also training law enforcement for war against citizens.

Scenarios and Simulations

If you spend any time around Urban Shield, there is one word you hear a lot: *scenario*.

[photo omitted]

Urban Shield training exercise at Moffett Field

Credit Sandhya Dirks

"The scenario today is: a terrorist event happens, here at Moffett Field, with repercussions around the entire Bay Area," says Corinne Bartshire. Bartshire is with the Bay Area Urban Areas Security Initiative, an organization funded by the federal government to coordinate homeland security in the region.

Bartshire is explaining why Moffett Federal Field in the South Bay looks today like a scene out of a Hollywood summer blockbuster -- with a mock terrorist event, and a real SWAT team. But she's keeping quiet about the details.

"I don't know what you are connected to -- I don't want to spoil any secrets," she says jokingly.

About a dozen men wearing what look like gas masks and army fatigues are creeping along a line of caution tape. They are an actual SWAT team from Monterey County. The men turn the corner and enter into one of the ramshackle buildings, a dusty old barracks, that seems long-abandoned. They have no idea what's going to happen inside.

That, in fact, is the point: to put them through their paces by simulating a real attack. Inside, mock terrorists armed with fake guns lie in wait with mock hostages. The SWAT team has to figure out who is who, rescue the innocent, and capture -- or shoot -- the guilty.

Inside the building, orders are yelled. Someone shouts out that the scenario is active. Then, the sound of screams and the rat-a-tat of gunfire can be heard.

About fifteen long minutes later the SWAT team emerges from the building, weapons drawn, with fake terrorists in handcuffs. They have completed this part of the training, but it's not over yet. This particular scenario is also testing how the police interact with the media, and how well they can control the information that spreads like wildfire in the mock cyberspace Urban Shield has created.

Ethan Baker played a mock terrorist who was killed during the raid. Now, he's filming a video manifesto, set to be released after his "death."

"Brothers," Baker says, looking directly into the camera. "Today is the day for action, it is the day of rage today. We take out our grievances on those that have impressed them upon us. We will strike down upon you, we will be back."

Baker laughs at the strange role he is playing: "This will end up on the internet. I'll be a terrorist forever." But he has no need to worry -- the fake "twitter" and "facebook" this video are posted to are part of a closed system.

Ironically, Baker's real job is in anti-terrorism. Still, he says playing a mock terrorist conjured up some very honest adrenaline.

"The weapons are heavy," Baker says. "They feel real. Everything feels real. You're in a dirty old building, the team came in -- after they shot me, threw me down, it's bird poop in there. You know your face is in bird poop, you're lying there -- everything's real except you're not bleeding."

Does Urban Shield = Police Militarization?

Simulations like this are taking place at satellite locations across the Bay Area including the Oakland airport, local community colleges, and the Golden Gate Bridge.

While those scenarios play out, the Oakland convention center at the downtown Marriott Hotel is playing host to the Urban Shield trade show. SWAT teams and first responders roam through aisles packed with vendors selling everything from weapons to riot gear.

Outside of the hotel on Broadway, protesters are gathering, taking over the street. They are here

[photo omitted]

Protestors outside of the Urban Shield trade show

Credit Sandhya Dirks

with a firm message: Stop Urban Shield.

Their chants also contain cheers of victory: Oakland mayor Jean Quan has said this will be the last year the Urban Shield trade show will be hosted in the city.

But Urban Shield will still have a home in Alameda County, and that is why the protesters are still out here. They see the entire event as a training ground that turns police into an urban army -- the same militarization they say was on display in Ferguson, Missouri after a police officer shot and killed unarmed African American teen Michael Brown. In Ferguson, protesters took to the streets and the police cracked down with tanks and riot gear. Here in Oakland, police stand at the edges, watching the crowd cheer on speakers like Reggie Johnson.

"When you take officers who are supposed to protect and serve normal citizens, and you give them military training, then you are not training them to deal with citizens. They are only training them to deal with us as enemy combatants," Johnson says.

Urban Shield officials say their training is all about disaster prep, but activists like Tara Tabassi are not buying that argument. Tabassi says the same companies that make the weapons of war are now marketing directly to local law enforcement -- turning the military-industrial complex into the police-industrial complex.

"What's difficult about that," Tabassi says, "is if it was really about emergency responders and rapid response, we wouldn't be finding tanks, tear gas, assault rifles."

[photo omitted]

A SWAT team takes in equipment at the Urban Shield trade show.

Credit Sandhya Dirks

Inside the hotel, amidst the buzz of the trade show, Alameda County Sheriff's Office spokesman J.D. Nelson says that these days, police are tasked with protecting the public from domestic terrorism and mass shootings. Nelson says someone needs to be prepared to protect citizens. After all, he asks, what is the alternative?

"If that's going to be your course and say you don't want the police to be militarized and we're going to wait for the military to handle those problems," Nelson says, "I don't think the people would be acceptable to that."

But what about scenarios that are not terrorism or mass shootings, like the protests in Ferguson? J.D. Nelson says police face an increasingly dangerous landscape across the spectrum.

"What would seem to be docile situations turn very violent very quickly nowadays; the propensity of violence and guns in the communities is far greater than it was even 20 years ago. I understand people say, 'Well, you didn't talk to me very nicely at first. Well that's because they might be a little bit on edge, because bad things happen, and do happen.'"

But does a more militarized police force help increase -- even engender-- a more violent response from an equally anxious public?

“That’s a valid point,” says Nelson. “I think the watershed moment was the North Hollywood shootout where the police were woefully outgunned.”

I heard it more than once during the weekend, that this was a ground zero moment for police militarization: the 1997 North Hollywood shootout in Los Angeles.

Two men armed with illegally-modified automatic weapons robbed a bank in Laurel Canyon. The cops couldn’t match their firepower, so officers had to commandeer AR-15 rifles from a local gun dealer. When all was said and done, the robbers were dead and seven civilians and eleven police officers lay injured.

J.D. Nelson says that kind of situation is unacceptable. “I think as a society that people say, ‘We can’t have that. The police cannot get outgunned and be victims.’”

Police access to heavier-caliber weapons is no longer difficult. In fact, inside the Urban Shield trade show, one of the raffle prizes was an AR-15.

In addition to guns and gear, there are also tools aimed at crowd control. Alameda Sheriff’s detective Pat Smythe points to a huge speaker standing in the middle of the convention center floor.

Smythe says it is a noise continuation device, “for maybe some riot situation. What this device does is it projects this very loud, high-pitched noise, very loud, to where if you didn’t have ear protection it would cause you to want to leave. We would be hurting right now, if it was on.”

Theater of War

On the last day of Urban Shield, I find myself inside a literal theater of war -- in an actual theater at Las Positas Community College in Livermore. This scenario has a domestic terrorist group storming the stage where a judge was giving a speech. The terrorists have attempted to assassinate the judge, shooting at everyone.

It’s dark and smoky, and the lights are flickering.

[photo omitted]

Urban Shield training scenario

Credit Sandhya Dirks

You can just make out the shapes of detached prosthetic limbs and the supine bodies of actors playing dead scattered across the stage. Sitting in the balcony with law enforcement officials and a film crew from HBO, I watch as a SWAT team from Texas heads into the lower level seats and makes their way to the stage. They not only have to treat the wounded, making tourniquets and doing triage, they also have to navigate the terrorists that are still there.

Urban Shield proponents say a scenario like this -- a shooting in a theater -- could happen at anytime. They say being prepared is the best weapon against chaos. But critics say practicing war games and raffling off rifles normalizes a military response from cops. And when you normalize something— you make it the norm. It seems safety, like so many things, is in the eye of the beholder.

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Basic needs must be met

We need money for affordable housing, food stamps, universal health care, education and job creation.

By reducing the military budget for foreign wars and for the militarization of our police, money can be freed up for those forced into poverty and then terrorized by the police so they fear to protest their condition.

The corporations and their Republican allies are not going to voluntarily cut the military budget and the Homeland Security programs which are militarizing our police. But we can start at the grass roots level by demanding our city councils opt out of the U.S. Department of Homeland Security's Urban Areas Security Initiative (UASI) program, which includes the Urban Shield convention and urban warfare training, as well as its companion program, the Northern California Regional Intelligence Center (NCRIC) coordinated by the FBI's Bay Area Joint Terrorism Task Force.

NCRIC is the fusion data center to which our local police send suspicious activity reports (SARs). Examples of reports sent by the Berkeley police on persons stopped for traffic violations showed SARs were sent to NCRIC not for a raggedy taillight, but because these persons made anti-government remarks. This is a violation of their constitutionally lawful right to free speech.

The Berkeley City Council, Alameda and Santa Clara counties, and other jurisdictions have discontinued cooperating with Homeland Security's Secure Communities program, under which jailed undocumented persons are held beyond their release date so that the U.S. Immigration Department can pick them up, detain them indefinitely and/or deport them. If city councils can do this, they also can opt out of these other Homeland Security programs: UASI and NCRIC.

Moving the Urban Shield convention from one location to another will not stop police departments from shopping for free military equipment and taking part in urban warfare training. Demand that your city council cuts ties with this police state apparatus.

Gene Bernardi
Berkeley

Bernardi is a member of Berkeleyans Organizing for Liberty Defense

THE BERKELEY VOICE

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"... were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter."

— Thomas Jefferson, 1787

FRIDAY, FEBRUARY 6, 2015



POLICE MILITARIZATION BY

HOMELAND SECURITY

TASERS

WITH THE URBAN AREAS SECURITY INITIATIVE

SHACKLES

TEAR GAS

LASER CANNONS

ARMOURD TANKS

DRONES

STUN GUNS

GRENADE LAUNCHERS

URBAN WARRE TRAINING

URBAN WARRE TRAINING

PHILADELPHIA

NEW YORK

BOSTON

BALTIMORE

D.C.

CINCINNATI

CHARLOTTESVILLE

GREENSBORO

MEMPHIS

ATLANTA

CHARLESTON

ST. LOUIS

LITTLE ROCK

FERGUSON

KANSAS CITY

LOUISVILLE

TOLEDO

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DETROIT

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PORTLAND

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SAN FRANCISCO

BERKELEY

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SANTA FE

DENVER

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See over *