

Police-Community Relations

Berkeley Police Department

April 26, 2016



Police-Community Relations

Overview

- Body-Worn Cameras
- Training in Racial Sensitivity
- Engagement with Center for Policing Equity
- BHS Law & Social Justice Pathway
- BTA School Resource Officer
- Restorative Justice
- Community Engagement
- Drug Task Force



Police-Community Relations

MORE AGENCIES ADOPTING BODY CAMERAS

According to a survey of 48 law enforcement agencies, 31 have deployed or approved body cameras, and 29 have policies calling for the cameras to run as much as possible.

Alameda County	Mandatory activation	
	Equipped	Equipped
Berkeley	Planning	Equipped
Emeryville	✓	Evaluating
Fremont	✓	✓
Hayward	✓	✓
Livermore	✓	✓
Newark	✓	✓
Oakland	✓	✓
Piedmont	✓	✓
Pleasanton	✓	✓
San Leandro	✓	Testing
Union City	✓	Testing
Alameda County Sheriff's Office	✓	Planning
Contra Costa County		
Antioch	Planning	Planning
Brentwood	✓	✓
Danville	Approved	✓
El Cerrito	Planning	✓
Lafayette	✓	✓
Moraga	✓	None
Oakley	None	None
Orinda	None	✓
Pittsburg	✓	Evaluating
Richmond	✓	Planning
San Pablo	Planning	None
San Ramon	Testing	Testing
Walnut Creek	Planning	None
BART police	✓	None
Peninsula and San Francisco		
Belmont	✓	✓
Brisbane	Planning	Planning
Burlingame	None	None
Daly City	None	None
Menlo Park	✓	✓
Pacifica	✓	Evaluating
Redwood City	✓	Planning
San Bruno	✓	None
San Francisco	Testing	Testing
So. San Francisco	None	None

Source: Law enforcement agencies' responses to staff survey, available public information

BAY AREA NEWS GROUP



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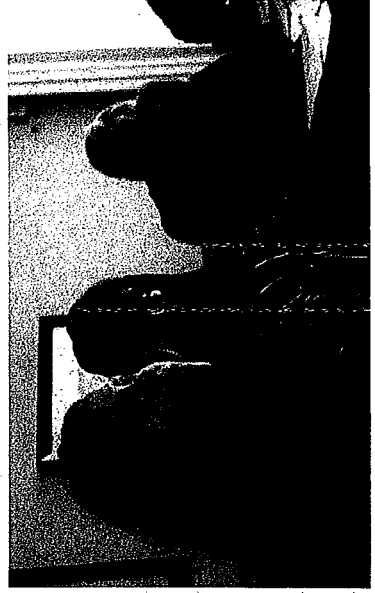
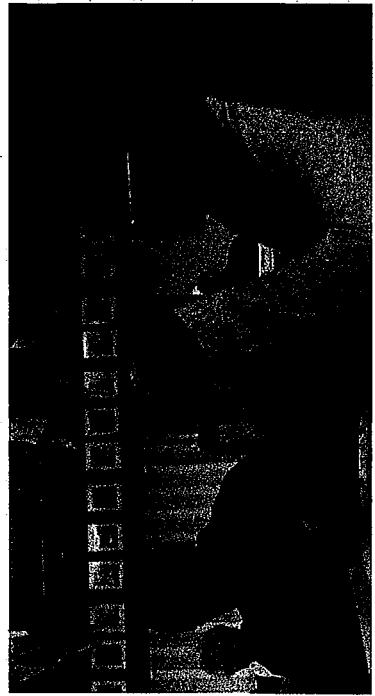
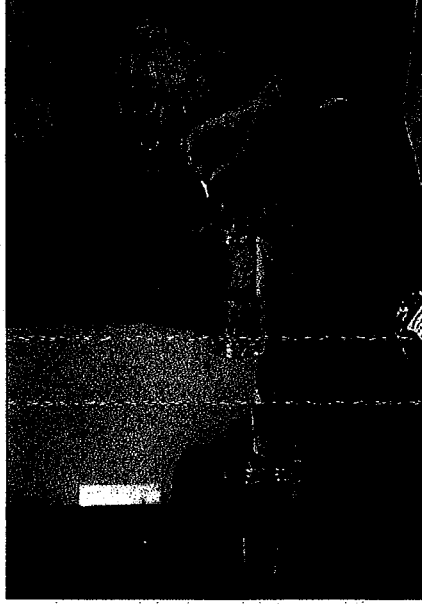
Body-Worn Cameras

- March, 2014—Council Directed Study of BWC
- January, 2015—Information Item to Council Jan 27, 2015
- 2016—BPD Working Group
- BPD working with PRC to develop policy
 - Due to Council on July 27, 2016



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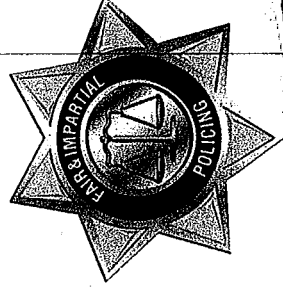
Training in Racial Sensitivity



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Training in Racial Sensitivity

- 2010 – Began Community/Police Fair and Impartial Policing (FIP) Training
- 2012 – Second Community/Police FIP Training
- 2014 – Third Community/Police FIP Training
- 2014 – Four BPD Officers Become Certified FIP Trainers
- 2015 – Citywide Diversity and Inclusion Training



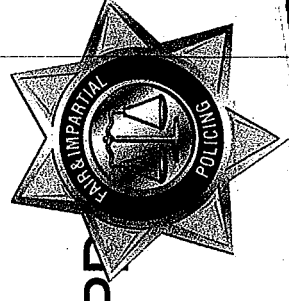
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Training in Racial Sensitivity

- 2015 – All members of Department FIP Trained
- 2016 – Government Alliance on Race and Equity
- 2016 – Fourth Community/Police FIP Training

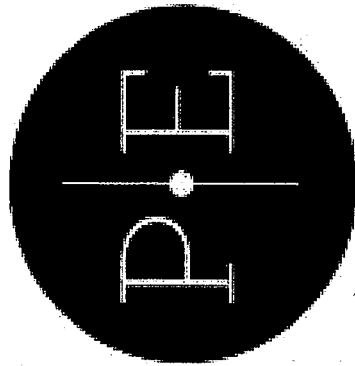
• FIP Evaluations:

- “I am a better police officer and person having attended this training.”
- “Learned a lot about FIP and practices of the BPP”
- “Great course that needs to be presented across the nation.”



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Engage with the Center for Policing Equity (CPE)



Center For

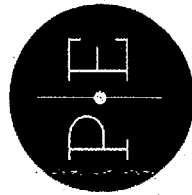
POLICING EQUITY

UNIVERSITY OF CALIFORNIA LOS ANGELES



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**How can an agency
address bias?**

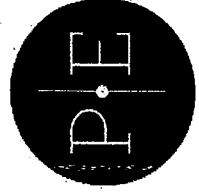


Center For
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Comprehensive Effort to Reduce Bias

- Organizational Diversity
- Stringent Hiring Standards
- Collection of Traffic and Pedestrian Stop Data
- Public Sharing of Traffic and Pedestrian Stop Data
- Expert Training
- Strong Supervision
- Community Partnerships
- Modern Policy
- Expert Analysis of Data—CPE



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Police-Community Relations

Law and Social Justice Career Pathway



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Law and Social Justice Career Pathway

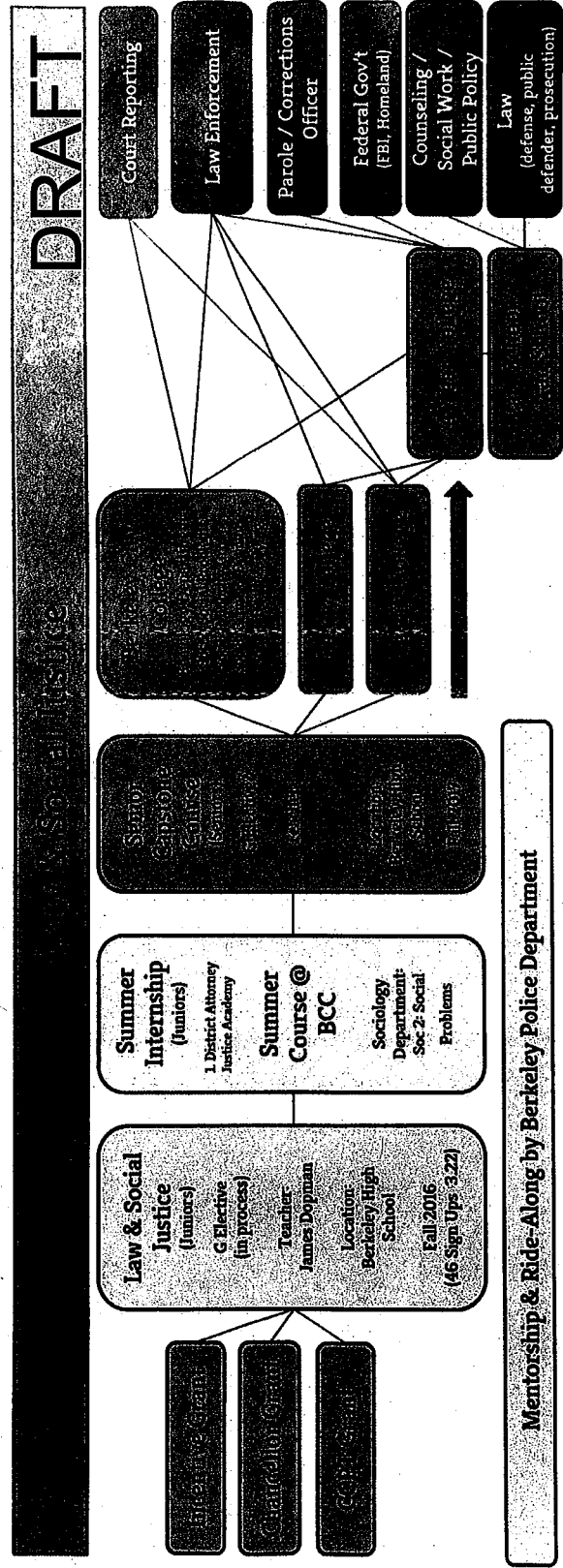
- Class designed as two year course
- Education Pathway
 - To College... To Career
- First Class beginning Fall, 2016
- Signups higher than class capacity
- Curriculum development in process



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Law and Social Justice Career Pathway

DRAFT Flowchart



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School Resource Officer (SRO)



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School Resource Officer (SRO)

- Mid-sized cities average 5.5 SROs per/100,000 population
- Berkeley previously had SROs working at BHS, middle and elementary schools
- Currently, one SRO assigned to BHS
- Awarded grant SRO grant from DOJ
- BUSD declined grant



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Restorative Justice

BUSD & Juvenile Probation diversion programs designed to change negative behaviors by bringing victims and offenders together to discuss the impacts of problem behaviors.

- BHS & BUSD Programs
- Probation Programs
- BPD Referrals



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Restorative Justice

BHS

- Restorative Justice program
 - Alternative to expulsion
 - Occasionally involves the SRO

BUSD

- SEEDS Community Resolution Center
- School Attendance Review Board



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Restorative Justice

Juvenile Probation Department Programs

- Berkeley Youth Alternative
- Community Works
- The COPS Program
- Center Force Youth Court



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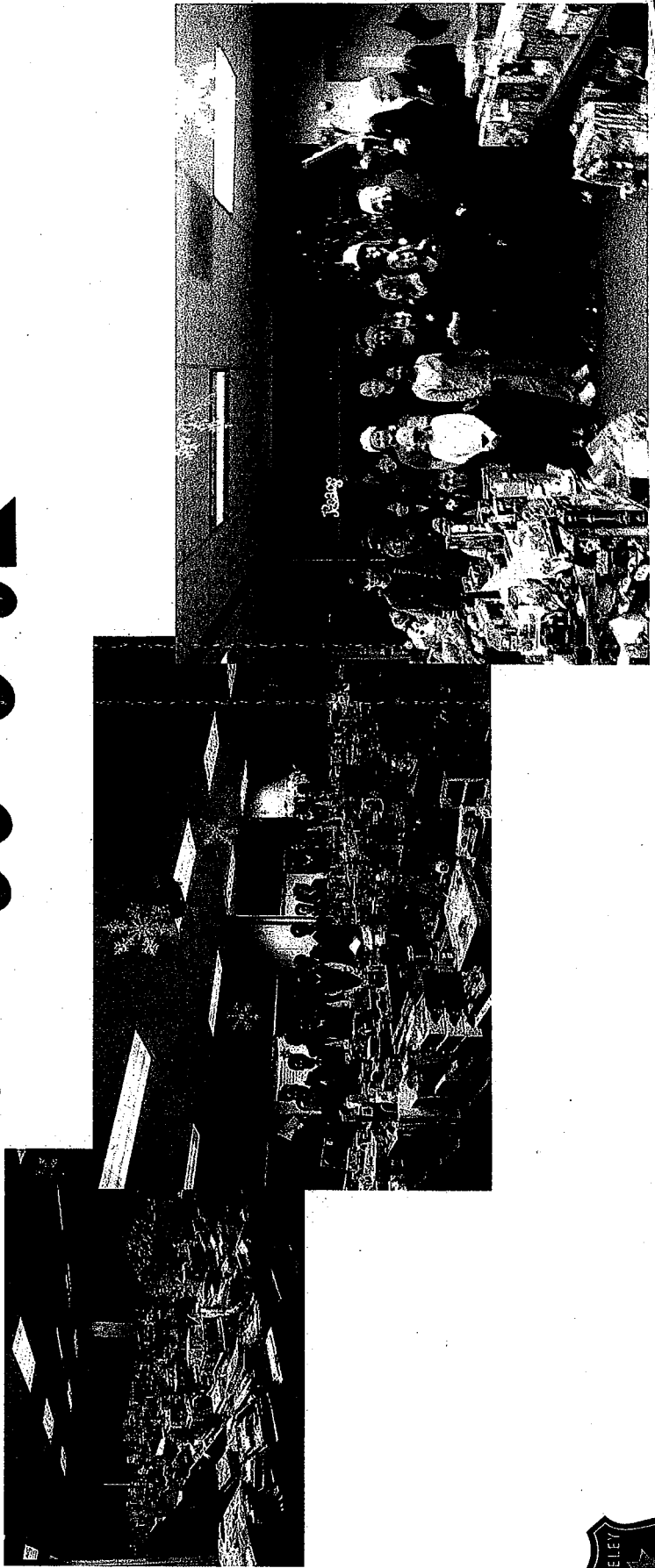
Community Engagement

- Juneteenth
- PSB Open House
- Emergency Prep Fair
- Solano Stroll
- College & Career Week
- BYA Crab Feed
- MLK Community Breakfast
- Toys for Tots
- Red Cross Blood Drive
- Bark Around the Block
- Battle of the Badges
- Telegraph Foot Patrol
- Twilight Basketball
- Social Media
- Pints for Paws
- Martial Arts Training and Scholarships (MATS)
- National Night Out
- Torch Run for Special Olympics
- Neighborhood Meetings



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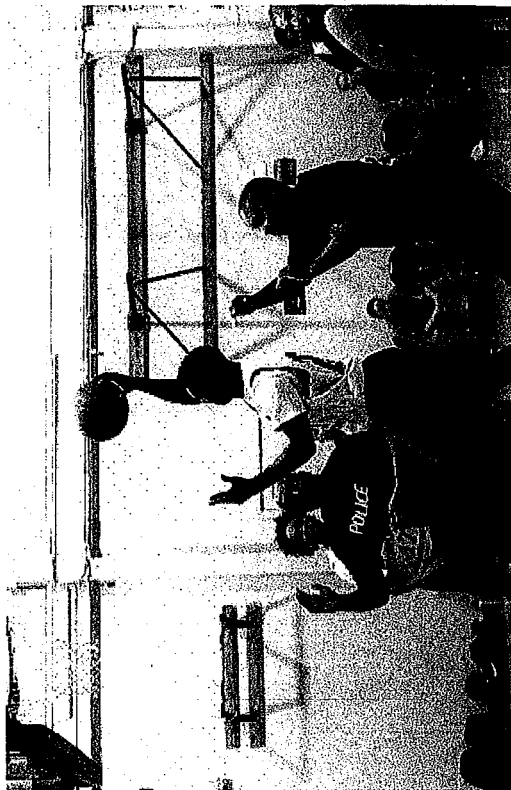
TOYS FOR TOTS SM



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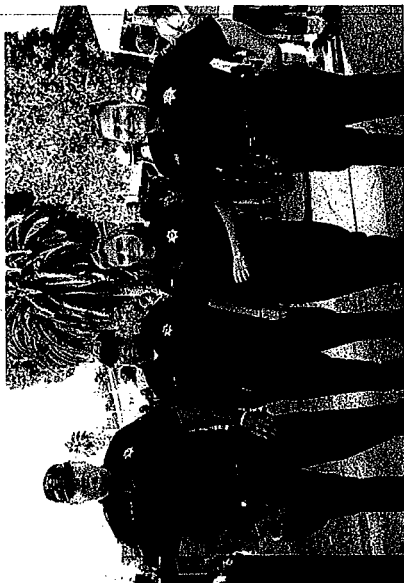
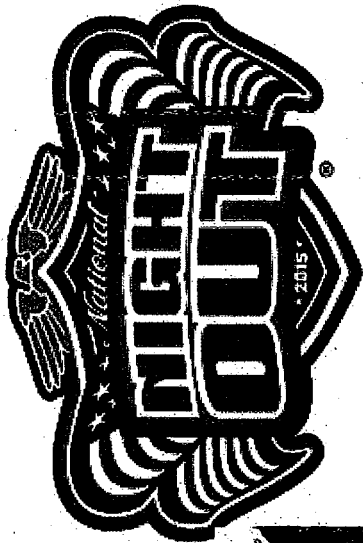


Twilight Basketball



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National Night Out



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Drug Task Force

- 1980's – Significant Open Air Drug Markets and Associated Violence
 - Drug Task Force Created
 - 3 Sergeants, 15 Officers
- 2000's-2010's — Continual Decline in Open Air Drug Markets
 - Drug Task Force Staffing
 - 1 Sergeant, 2 Officers
- 2016 – Drug Task Force Retired



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Berkeley Police Department Strategic Plan

- Employee Outreach
 - Command Staff Input
 - Facilitated Focus Groups
 - Internal Survey
- Community Outreach
 - Community Survey
 - Neighborhood Meetings
- Coordination with COB Strategic Planning Process



Police-Community Relations

BERKELEY POLICE DEPARTMENT

- Reducing Crime and Keeping Berkeley Safe
- Responding to Community Concerns
- Building Community Trust
- Engaging Positively with Youth
- Reflecting Berkeley Values



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Questions?



COMPLAINT DEADLINES REPORT

INVESTIGATIONS									
NO.	Filed Date	Incident Date	Notice of Allegations Due (20 Bus. Day)	Notice of Allegations Issued	BOI Packet (80 days)	BOI Packet Issued	BOI Findings Report Goal (105 days)	120 DAYS From Date Filed	STATUS
2385	10/19/15	Sep-15	11/16/15	11/13/15	*tbd		tbd	2/16/16	*tollod for criminal case
2391	01/25/16	Nov-15	02/22/16	02/01/16	04/14/16	04/20/16	05/09/16	05/24/16	BOI 5-5
2394	02/10/16	Jan-16	03/09/16	02/23/16	04/30/16	04/27/16	05/25/16	06/09/16	BOI 5-18
2395	03/09/16	Feb-16	04/06/16	03/16/16	05/28/16		06/22/16	07/07/16	Investigation
2397	03/18/16	Feb-16	04/15/16	03/28/16	06/06/16		07/01/16	07/16/16	Investigation

MEDIATION									
NO.	Filed Date	Date of Election	Notice of Election to Officer Due	Notice of Election Issued	Officer Agreed to Mediation	SEEDS Referral Date	Date of Mediation	Notice of Closure to Comm.	STATUS
2392	02/08/16	Mar-16	03/18/16	03/11/16	Y	03/23/16	n/a	4/27/16	Admin Closure 4/27
2396	03/10/16	Mar-16	03/17/16	03/14/16	Y	03/31/16			

POLICY REVIEWS							
NO.	Filed Date	Notice of Complaint to BPD	Due to Comm. (50 days or next mtg.)	Initial Commission Meeting Date	Commission Resolved Y/N	Admin. Closure Due	STATUS
2377	06/22/15	07/10/14	07/22/15	07/08/15	n		Investigation
2384	09/21/15	09/23/15	10/21/15	10/14/15	n		Investigation

CALOCA APPEALS									
NO.	Officer Appeal Filed	PRC Records Due (60 days)	PRC Records Filed	Officer Brief Filed Y/N	PRC Brief Due	PRC Brief File Date	OAH Hearing Date	OAH Decision Due	STATUS
2380	11/25/15	01/24/16	01/20/16	N	05/19/16		06/02/16	08/01/16	

Do I need a permit to have a protest, march, demonstration or rally?

Berkeley Municipal Code (BMC) 13.44 requires event organizers apply for and obtain a permit from the City to conduct a street event. This includes any march, demonstration, assembly, parade, festival, street fair, concert or any other gathering which takes place in a public street or right-of-way.

If the event applicant wishes to utilize amplified sound, a sound permit will also be required.

For more detailed information on applying for an event permit, we ask that you use these links:

[City of Berkeley Event Policies and Procedures](#)

[City of Berkeley Street Event Permit Planning Guide](#)

[Berkeley Municipal Code relating to permits for StreetEvents](#)

After completing the required paperwork, please file it at the:

Recreation Customer Service Hub - Willard

2701 Telegraph Ave.

Berkeley, CA 94705

510-981-5150

Consequences of unpermitted events

Per BMC13.44.130, an intentional violation of this Chapter is a misdemeanor.

Question ^: What's an intentional violation defined as? Knowing a permit was needed and not doing so?

Should I call the police in advance of my event?

We would like to talk with organizers when you are planning your event. We can help you plan safe routes, provide safety tips, prepare to facilitate your event and answer any questions you might have about police response. We can also establish a liaison (point of contact person) with your leadership, should you need help during the event. We recommend regular communication with the police liaison during the event. Please contact the Berkeley police Special Events Coordinator ahead of your event. They can be reached by calling (510) 981-5821.

Reflection: In general this seems reasonable and supportive. It does beg the question - is it necessary? The language says, "We would like to" but do *I have to*? Nothing seems to say you have to.

How can the police help?

Given enough notice, the Police Department may provide police officers or parking enforcement officers to control traffic to facilitate the protest or march. Additionally, the Berkeley Police Department may assign officers to safeguard First Amendment activity. Officers may join the protest on bikes or on foot.

Reflection: I suspect this is well intentioned and helpful. I don't find any reason to be at odds with it...that said, transparency around officers "joining the protest" seems to be a point of communal contention.

How can organizers improve protester participant safety?

Establish safety monitors for crowd management and security. Discourage dangerous items from being brought to the event (any item that can be used as a projectile or weapon). Make organizers and safety monitors identifiable by wearing brightly colored matching armbands, hats or shirts. Inform your police liaison

Question: Are these the only things that call for a grounds to issue a dispersal order?

What if I am not part of the protest? Do I have to leave the area?

Yes. After a dispersal order is issued, anyone within earshot of the order is required by law to leave the area to comply with the order. You are no longer allowed to remain together as a group. The order also applies to those present who are not members of the group protesting, are just curious bystanders, or did not participate in any of the activity that led to the issuance of the dispersal order.

Reflection: This is just standard information on how a dispersal order works.

What will happen if I don't disperse?

The police may make arrests for failure to disperse per California Penal Code section 409. Depending on the circumstances, you may be cited or booked into jail and charged with a crime. If necessary, the police may use reasonable physical force to disperse the crowd. This may include the use of police batons, less than lethal foam baton rounds, and CS gas (tear gas). These uses of force can cause physical discomfort, significant pain and potential injury.

Reflection: Fair warning about what to expect - if protest goes from march to planned civil disobedience.

Should I try to stop people who are looting, lighting fires, causing damage or fighting?

We do not recommend physically confronting these elements in a crowd. This can be extremely dangerous. Crowding around looters only slows police response. We recommend peaceful protesters back away and call the police. Be a good witness, use your camera phones and, when possible get good pictures or videos of the suspects. This is only helpful if you share the video with the police department or make it available online.

BPD wants you to have safe protests. This may mean violent elements need to be arrested and removed from the crowd. Violations of laws may result in detentions, citations, or arrests. Do not interfere with officers trying to detain people or make arrests. No matter how chaotic the scene surrounding an arrest may appear, please keep your distance and allow the officers to safely place someone in custody. While in public, it is your Constitutional right to film or photograph officers taking action.

Reflection: This seems like a useful bit of information...especially around right to watch.

Why do the police want to keep protests off of the freeway and train tracks?

Entering a freeway or railroad right of way can be extremely dangerous. Entering the freeway could lead to collisions between motorists and protesters and also between motorists trying to stop abruptly. At speed, these collisions could cause serious damage, injury or prove fatal. Trains are large and may appear slow but can move deceptively fast. Trains can take over a mile to stop once the engineer sees a problem on the track and applies the brakes. However, when arriving in Berkeley, engineers may not have a mile long line of sight. For these reasons, entering the freeway or train tracks can be extremely dangerous and is not advised.

Reflection: Yea. Sensible.

What do I need to know regarding labor actions?

Protesters may not block driveways or deny worker or vehicle access to businesses. Protesters may not enter private property. Once asked to leave, noncompliant protesters are subject to citation or arrest for trespassing.

Event Planning Checklist

The Berkeley Police and City of Berkeley want to facilitate the safe expression of constitutionally protected speech. We want to work in partnership with you to hold a safe and peaceful event. The following items are things that we recommend you do to ensure a safe event.

Go to City of Berkeley Website

- Download and complete forms
- File them at the Recreation Department

Contact the Police Department and Provide:

- Purpose of protest
- Date(s) and time of event
- Location(s)
- Route of march, if planned
- Estimated attendance
- Organizing person or group
- Number of organizers
- How to identify and contact organizers/monitors at the event (hats, shirts, armbands)
- What will they be wearing?
- Will they have mobile phones?
- Do you want symbolic arrests?
- If so, where and when?

When advertising on social media

- Inform people of date, time and location
- Encourage peaceful expression and lawful behavior by attendees
- Discourage certain items from being brought to the event

During the Event

- Make organizers/monitors visible through clearly identifiable clothing
- Coordinate at the event with uniformed bicycle officers, they will help facilitate the event
- Stay on your planned march route, if applicable
- Maintain communication with officers throughout the event and notify them of any change in plans

Reflection: Interesting bit around the symbolic arrests component. That said, this checklist seems very concise and straight-forward.