



Police Review Commission (PRC)

**POLICE REVIEW COMMISSION  
REGULAR MEETING  
AGENDA**

**Wednesday, July 24, 2019  
7:00 P.M.**

**South Berkeley Senior Center  
2939 Ellis Street, Berkeley**

- 1. CALL TO ORDER & ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. PUBLIC COMMENT**

*(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers. They may comment on items on the agenda or any matter within the PRC's jurisdiction at this time.)*

- 4. APPROVAL OF MINUTES**  
Regular Meeting of July 10, 2019

- 5. CHAIR'S REPORT**

- 6. PRC OFFICER'S REPORT**  
Status of complaints, other items.

- 7. CHIEF OF POLICE'S REPORT**  
Crime, budget, staffing, training updates, other items.

- 8. SUBCOMMITTEE REPORTS (discussion & action)**

Report of activities and meeting scheduling for all Subcommittees, possible appointment of new members to all Subcommittees, and additional discussion and action as noted for specific Subcommittees:

- a. Lexipol Policies Subcommittee - update from July 18 and July 24 meetings.
- b. MOU Compendium Subcommittee
- c. Standard of Proof Subcommittee

- d. Probation & Parole Questioning Subcommittee – update from July 18 meeting.
- e. Use of Force Subcommittee

**9. OLD BUSINESS (discussion & action)**

- a. Review and approve the following Surveillance Use Policies and Surveillance Acquisition Reports under Surveillance Technology Use & Community Safety Ordinance, revised by BPD following discussion on June 12, 2019:  
 1301 – Global Positioning System (GPS) Tracking Devices (Use Policy) and Appendix A (Acquisition Report)  
*(Additional materials may be delivered.)*
- b. Policy Complaint #2455: Decide whether to accept policy complaint based on additional information received and, if accepted, determine how to proceed.

**10. NEW BUSINESS (discussion & action)**

- a. Review, revision, and approval of PRC's 2019-2020 Work Plan.  
 From: PRC Officer
- b. Review Standing Rule C.2. enacted January 23, 2019, limiting the number of items a Commissioner may have on one agenda, to one.  
 From: Commission
- c. PRC participation in National Night Out on Tuesday, August 6, 2019.  
 From: Commissioner Perezvelez
- d. Lexipol Policies for review and approval.  
 From: Lexipol Subcommittee

Lexipol #	G.O. (if any)	Title
319	H-04	Hate Crimes
322	E-12	Information Technology Use
333	A-50	Private Person's Arrests

*(See separate packet.)*

**11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS**

Attached

**12. PUBLIC COMMENT**

*(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on the agenda at this time.)*

**Closed Session**

Pursuant to the Court's order in *Berkeley Police Association v. City of Berkeley, et al.*, Alameda County Superior Court Case No. 2002 057569, the PRC will recess into closed session to discuss and take action on the following matter(s):

**13. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE IN COMPLAINT #2456**

**End of Closed Session**

**14. ANNOUNCEMENT OF CLOSED SESSION ACTION**

**15. ADJOURNMENT**

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** Communication Access Information (A.R.1.12)**

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Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Police Review Commission, located at 1947 Center Street, 1st floor, during regular business hours.

Contact the Police Review Commission at (510) 981-4950 or [prc@cityofberkeley.info](mailto:prc@cityofberkeley.info).



# PRC REGULAR MEETING ATTACHMENTS

## July 24, 2019

### MINUTES

July 10, 2019 Regular Meeting Draft Minutes Page 7

### AGENDA-RELATED

- Item 8** – Subcommittee List updated 7-11-19. Page 13
- Item 8.a.** – 7-17-19 email from PRC Officer re List of policies being considered by Lexipol subcommittee. Page 15
- Item 9.a.** – 6-21-19 email from Sgt. Speelman: Updated Surveillance Policies. Page 17
- Item 9.a.** – BPD Policy 1301, Surveillance Use Policy – GPS Tracking Devices. Page 19
- Item 9.a.** – 1301 Appendix A, BPD Surveillance Acquisition Report – GPS Trackers. Page 21
- Item 9.a.** – Berkeley Municipal Code, Chapter 2.99: Acquisition and Use of Surveillance Technology. Page 23
- Item 9.b.** – Policy Complaint #2455. Page 31
- Item 9.b.** – 7-17-19 memo from PRC staff to PRC Officer re Supplement to Policy Complaint, PRC Complaint #2455; Complainant Elaine Williams Bloom. Page 33
- Item 10.a.** – Draft PRC 2019-2010 Work Plan. Page 35
- Item 10.a.** – PRC priority and tasks list. Page 41
- Item 10.a.** – 4-19-19 email from the City Clerk’s Dept. re FY 19-20 Commission Work Plan Reminder. Page 43
- Item 10.a.** – Approved PRC 2018-2019 Work Plan. Page 45
- Item 10.b.** – PRC Standing Rules (As of February 14, 2019), p.1. Page 49
- Item 10.c.** – National Night Out 2019 – City of Berkeley Event Information. Page 51

**COMMUNICATION(S)**

City Council Annotated Agenda of July 9, 2019. Page 53  
*Item 18a.* Law Enforcement Use of Restraint Devices in the City of  
Berkeley, from Mental Health Commission.  
*Item 18b.* Companion Report: Law Enforcement Use of Restraint  
Devices in the City of Berkeley.

7-11-19 email re Berkeley Regional Housing Survey & Housing Page 57  
Workshop.



Police Review Commission (PRC)

DRAFT

**POLICE REVIEW COMMISSION  
REGULAR MEETING  
MINUTES**

*(draft)*

**Wednesday, July 10, 2019  
7:00 P.M.**

**South Berkeley Senior Center  
2939 Ellis Street, Berkeley**

**1. CALL TO ORDER & ROLL CALL BY CHAIR PEREZVELEZ AT 7:08 P.M.**

**Present:** Commissioner George Perezvelez (Chair)  
Commissioner Gwen Allamby (Vice-Chair)  
Commissioner Kitty Calavita  
Commissioner Michael Chang  
Commissioner LaMonte Earnest  
Commissioner Sahana Matthews (left 8:25 p.m.)  
Commissioner Elisa Mikiten  
Commissioner Ismail Ramsey  
Commissioner Terry Roberts

**Absent:** None

**PRC Staff:** Katherine J. Lee, PRC Officer

**BPD Staff:** Lt. Peter Hong, Sgt. Cesar Melero

**2. APPROVAL OF AGENDA**

**Motion to approve the agenda.**

**Moved/Second (Allamby/Roberts) Motion Carried**

**Ayes:** Allamby, Calavita, Chang, Earnest, Matthews, Mikiten, Perezvelez, Ramsey, and Roberts.

**Noes:** None

**Abstain:** None

**Absent:** None

**3. PUBLIC COMMENT**

There were 2 speakers.

#### 4. APPROVAL OF MINUTES

**Motion to approve the Regular Meeting minutes of June 26, 2019**

**Moved/Second (Allamby/Calavita) Motion Carried**

**Ayes:** Allamby, Calavita, Chang, Earnest, Matthews, Mikiten, Perezvelez, Ramsey, and Roberts.

**Noes:** None

**Abstain:** None

**Absent:** None

#### 5. CHAIR'S REPORT

*(Heard following Item #6.)*

Chair Perezvelez reported:

-- At the Council meeting discussion on spit hoods, he spoke at public comment in individual capacity.

-- The state Senate passed SB392, re use of force.

-- Commissioner Mikiten will attend NACOLE conference courtesy of PRC; others encouraged to attend if they can. Chair Perezvelez attending IACP in October courtesy of BPD.

#### 6. PRC OFFICER'S REPORT

PRC Officer:

-- introduced new Commissioner Michael Chang, who replaced Ari Yampolsky; Comm. Change said a few words about himself.

-- distributed and went over the current case deadlines report.

-- reported on City Council's discussion of spit hoods at its meeting last night (July 9) and that three separate motions all failed.

#### 7. CHIEF OF POLICE'S REPORT

Lt. Hong reported on behalf of Chief Greenwood:

-- Currently 161 sworn including 3 who graduated from academy this week. 4 will start academy in next several weeks. One lateral starting late July; 4 laterals currently in background.

-- Yesterday most recent recruitment for entry-level officers closed. 232 total applications; of those, 189 met minimum qualifications, nearly double the number from the last process. Of those, 105 were leads generated by recruitment team, showing the team has been active and effective.

-- Epic Recruitment ad campaign -- looking forward to results.

-- Council last night re spit hoods. Chief submitted a Supplemental 2 report [which PRC Officer distributed at tonight's meeting]. Appreciate presence of PRC Officer and Chair Perezvelez. 3 motions; all failed. But will issue revised policy replacing "while" for "when," and language acknowledging trauma.



- Tonight appreciate consideration of Surveillance policies. Drafts incorporate changes from last mtg. Once accepted, will make report to City Attorney's office.
- Last week, the lawsuit over police actions following the June 20, 2017, was dismissed with prejudice.
- Coffee With a Cop will be held Sat. July 20 at Nabolom Bakery
- BPD members joined SFPD at the Pride parade and staffed a recruitment booth. Lt. Hong answered questions from Commissioners.

**8. SUBCOMMITTEE REPORTS (discussion & action)**

Report of activities and meeting scheduling for all Subcommittees, possible appointment of new members to all Subcommittees, and additional discussion and action as noted for specific Subcommittees:

- a. Lexipol Policies Subcommittee – Met today and got through 3 more policies.
- b. MOU Compendium Subcommittee – still waiting for answers from Chief.
- c. Standard of Proof Subcommittee – waiting for results of meet-and-confer.
- d. Probation & Parole Questioning Subcommittee – next meeting July 11 at 11:00 a.m. Hope to have something to commission soon.

**9. OLD BUSINESS (discussion & action)**

- a. Consider recommending to the City Council that it endorse Senate Bill 233, prohibiting the arrest of a person for certain sex crimes if that person is reporting sexual assault, human trafficking, or other violent crimes.

*Discussed; no action taken due to lack of time to bring to Council and likely passage in Legislature.*

- b. Report from Commissioner Mikiten on the Mental Health Commission meeting of May 23, 2019, and possible joint request to the City Council for increased funding for the mobile crisis unit or other mental health services.

*Report given; no action.*

- c. Consider establishing a subcommittee to review the BPD's Use of Force policy.

**Motion to establish a Use of Force Policy Subcommittee**

**Moved/Second (Allamby/Mikiten) Motion Carried**

**Ayes: Allamby, Calavita, Chang, Earnest, Matthews, Mikiten, Perezvelez, Ramsey, and Roberts.**

**Noes: None**

**Abstain: None**

**Absent: None**

d. Lexipol Policies for review and approval (from March 13, 2019 PRC meeting.)

Lexipol #	G.O. (if any)	Title
605		Brady Material Disclosure
702		Vehicle Maintenance
705		Personal Protective Equipment
902		Prison Rape Elimination
1000		Recruitment and Selection
1004		Anti-Retaliation
1005		Reporting of Employee Convictions
1025		Nepotism and Conflicting Relationships

**Motion to approve Lexipol Policies 605, 702, 705, 902, 100, 1004, 1005, and 1025, based on the recommendation of the Lexipol Policies Subcommittee. Moved/Second (Roberts/Calavita) Motion Carried**

**Ayes:** Allamby, Calavita, Chang, Earnest, Mikiten, Perezvelez, Ramsey, and Roberts.

**Noes:** None

**Abstain:** None

**Absent:** Matthews

**10. NEW BUSINESS (discussion & action)**

- a. Review and approve the following Surveillance Use Policies and Surveillance Acquisition Reports under Surveillance Technology Use & Community Safety Ordinance, revised by BPD following discussion on June 12, 2019:

1300 – Body Worn Camera (BWC) Surveillance Use Policy

1300 – BWC Acquisition Report

1301 – Global Positioning System (GPS) Trackers Acquisition Report

1302 – Automated License Plate Reader (ALPR) Surveillance Use Policy

**Motion to have these policies reviewed by the Lexipol Subcommittee and then bring them back to the PRC.**

Moved (Allamby) Motion failed for lack of second.

**Motion to approval of the four policies based on Chief's responses**

Moved/Second (Mikiten/Perezvelez)

**Substitute motion to approve Policy 1300 but note that the PRC still maintains its objection to Data Access section 1300.4, and stand by its prior recommendation that officers should not be able to view recorded footage until after they have written an Initial report, with the opportunity to write a supplemental report after viewing the footage.**

Moved/Second (Ramsey/Perezvelez) Motion Carried

**Ayes:** Allamby, Calavita, Chang, Perezvelez, Ramsey, and Roberts.

**Noes:** None

**Abstain:** Earnest, Mikiten

**Absent:** Matthews

(No action taken on 1301 pending clarification of scope.)

By general consent, the Commission referred Policy 1302 to the Lexipol Subcommittee for further review.

- b. Policy Complaint #2455: Decide whether to accept policy complaint and, if accepted, determine how to proceed.

**Motion to have the PRC Officer to get more details about the complainant's complaint, thank complainant for sharing her concerns, and report back to the PRC, to then decide whether to open a policy complaint.**

Moved/Second (Mikiten/Calavita) Motion Carried

Ayes: Allamby, Calavita, Chang, Earnest, Mikiten, Perezvelez, Ramsey, and Roberts.

Noes: None

Abstain: None

Absent: Matthews

#### 11. ANNOUNCEMENTS, ATTACHMENTS & COMMUNICATIONS

-- Comm. Roberts announced his resignation as of the end of July.

-- PRC Officer reminded Commissioners that the next regular meeting, July 24, will be the last meeting before the August break. PRC will meet 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays in Sept., not 2<sup>nd</sup> and 4<sup>th</sup>, due to NACOLE Conference last week of that month.

#### 12. PUBLIC COMMENT

There was 1 speaker.

### Closed Session

Pursuant to the Court's order in *Berkeley Police Association v. City of Berkeley, et al.*, Alameda County Superior Court Case No. 2002 057569, the PRC will recess into closed session to discuss and take action on the following matter(s):

#### 13. RECOMMENDATION FOR ADMINISTRATIVE CLOSURE IN COMPLAINT #2454 DUE TO FRIVOLOUS NATURE OF COMPLAINT

**Motion to approve Complaint #2454 for administrative closure.**

Moved/Second (Calavita/Roberts) Motion Carried

Ayes: Allamby, Calavita, Chang, Earnest, Mikiten, Perezvelez, Ramsey, and Roberts.

Noes: None

Abstain: None

Absent: Matthews

### End of Closed Session

#### 14. ANNOUNCEMENT OF CLOSED SESSION ACTION

The vote to approve administrative closure of complaint #2454 was announced.

**15. ADJOURNMENT**

**Motion to adjourn the meeting.**

**Moved/Second (Mikiten/Ramsey) Motion Carried**

**Ayes: Allamby, Calavita, Chang, Earnest, Mikiten, Perezvelez, Ramsey, and Roberts.**

**Noes: None**

**Abstain: None**

**Absent: Matthews**

**The meeting was adjourned at 9:53 p.m.**

**POLICE REVIEW COMMISSION  
SUBCOMMITTEES LIST  
Updated 7-11-19**

<b>Subcommittee</b>	<b>Commissioners</b>	<b>Chair</b>	<b>BPD Reps</b>
<b>Lexipol Policies</b> Formed 5-23-18 Renewed 5-22-19	Perezvelez Ramsey Roberts	Perezvelez	Sgt. Samantha Speelman Capt. Rico Roller
<b>MOU Compendium</b> Formed 2-13-19	Allamby Mikiten Perezvelez	Perezvelez	
<b>Standard of Proof</b> Formed 4-10-19	Calavita Mikiten Ramsey		
<b>Probation &amp; Parole Questioning</b> Formed 5-8-19	Allamby Calavita Roberts	Calavita	Lt. Daniel Montgomery
<b>Use of Force Policy</b> Formed 7-10-19			



**Lee, Katherine**

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**From:** Lee, Katherine  
**Sent:** Wednesday, July 17, 2019 2:21 PM  
**To:** Lee, Katherine  
**Subject:** List of policies being considered by Lexipol subcommittee

Dear Commissioners,

A request was made at your meeting last week for a list of policies for review by the Lexipol Subcommittee. Here is a link to the list that I maintain to keep track of where the policies are in our process:

[https://www.cityofberkeley.info/uploadedFiles/Police\\_Review\\_Commission/Commissions/2019/2019-07-10-Lexipol-Policies-list-n-review-status.pdf](https://www.cityofberkeley.info/uploadedFiles/Police_Review_Commission/Commissions/2019/2019-07-10-Lexipol-Policies-list-n-review-status.pdf)

It does not yet reflect the Subcommittee or full Commission actions taken on July 10.

-Kathy

Katherine J. Lee  
Police Review Commission Officer  
City of Berkeley  
510.981.4960





Lee, Katherine

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**From:** Speelman, Samantha M.  
**Sent:** Friday, June 21, 2019 12:18 PM  
**To:** Lee, Katherine  
**Cc:** Greenwood, Andrew; Roller, Rico  
**Subject:** Updated Surveillance Policies  
**Attachments:** 1300 BWC Surveillance Policy DRAFT (2).docx; 1300 BWC Acquisition Report DRAFT (2).docx; 1301 GPS Acquisition Report DRAFT (2).docx; 1302 ALPR Surveillance Policy DRAFT (2).docx

Hi Kathy,

Here are the updated versions of 4 of the surveillance policies. The changes are described below and visible with track changes in the docs...

1. **1300 – BWC Surveillance Policy**
  - 1300.1 : First sentence: “This Surveillance.... BMC 2.99, and incorporates **by reference** language...”
2. **1300 – BWC Appendix A: (Acquisition Report)**
  - E. Mitigation - Renumber this numbered list, from 3-9 to **1-7**
  - G. Data Security, 1<sup>st</sup> para. “In circumstances when the officer cannot... take custody of the BWC and be responsible for **transferring** the data **into the digital evidence management system.**”
3. **1301 – GPS Appendix A (Acquisition Report)**
  - B. Purpose - “The trackers are utilized.... Court order, or with **the consent of the property owner or agent as described below.**”
4. **1302 – ALPR Surveillance Policy**
  - 1302.1 - First sentence: “This Surveillance Use ... incorporates **by reference** language from ... “
  - 1302.2 - (b) “An ALPR may be used ~~in conjunction with any routine~~ **to support a patrol operation or criminal investigation.**”
  - 1302.5 (d) (Sentence needs a period at the end.)
  - 1302.9 para 1 - Add this sentence: ALPR data is subject to the provisions of BPD Policy 415, and hence may not be shared with federal immigration enforcement officials.

Thanks,  
Sam

Sgt. S. Speelman, #S-12  
Berkeley Police Department  
Professional Standards Bureau  
Phone: 510.981.5974

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## Surveillance Use Policy - GPS Tracking Devices

### 1301.1 PURPOSE

Global Positioning System (GPS) tracking devices designed to track the movements of vehicles, bicycles, cargo, machinery, and other items. GPS trackers are utilized during active criminal investigations and shall be used pursuant to a lawfully issued search warrant, court order or with consent.

### 1301.2 AUTHORIZED USE

GPS trackers shall only be used pursuant to a valid search warrant; pursuant to court-ordered parole or probation conditions, if applicable; or with consent of the owner of the object to which the GPS tracker is attached.

GPS trackers shall only be utilized for law enforcement purposes.

### 1301.3 DATA COLLECTION

Location data may be obtained through the use of a GPS Tracker.

### 1301.4 DATA ACCESS

Access to GPS tracking data shall be limited to Berkeley Police Department (BPD) personnel utilizing the GPS Tracker(s) for active criminal investigations. Information may be shared in accordance with 1301.9 below.

### 1301.5 DATA PROTECTION

The data from the GPS tracker is encrypted by the vendor. The data is only accessible through a secure website to BPD personnel who have been granted security access.

### 1301.6 CIVIL LIBERTIES AND RIGHTS PROTECTION:

The Berkeley Police Department is dedicated to the most efficient utilization of its resources and services in its public safety endeavors. The Berkeley Police Department recognizes the need to protect its ownership and control over shared information and to protect the privacy and civil liberties of the public, in accordance with federal and state law. The procedures described within this policy (Data Access, Data Protection, Data Retention, Public Access and Third Party Data Sharing) protect against the unauthorized use of GPS tracker data. These procedures ensure the data is not used in a way that would violate or infringe upon anyone's civil rights and/or liberties, including but not limited to potentially disparate or adverse impacts on any communities or groups.

### 1301.7 DATA RETENTION

Data is stored electronically by the host company for 90 days, and then it is purged.

Printed data shall be kept in accordance with applicable laws, BPD policies that do not conflict with applicable law or court order, and/or as specified in a search warrant.

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**1301.8 PUBLIC ACCESS**

Data collected and used in a police report shall be made available to the public in accordance with department policy and applicable state or federal law.

**1301.9 THIRD-PARTY DATA-SHARING**

Data collected from the GPS trackers may be shared with the following:

- (a) The District Attorney's Office for use as evidence to aid in prosecution, in accordance with laws governing evidence;
- (b) Other law enforcement personnel as part of an active criminal investigation;
- (c) Other third parties, pursuant to a Court Order.

**1301.10 TRAINING**

Training for the operation of the GPS trackers shall be provided by BPD personnel. All BPD personnel shall be provided with this Surveillance Use Policy.

**1301.11 AUDITING AND OVERSIGHT**

Division Captains or their designee shall ensure compliance with this Surveillance Use Policy.

**1301.12 MAINTENANCE**

GPS trackers shall only be obtained with the permission of the Investigations Division Captain or his/her designee. The Investigations Division Captain or his/her designee will ensure the trackers are returned when the mission/investigation is completed.

## GPS TRACKING DEVICES

### A. DESCRIPTION

Global Positioning System (GPS) trackers are devices designed to track the movements of vehicles, bicycles, cargo, machinery, and/or individuals.

The Berkeley Police Department currently uses two types of GPS Tracking Devices. The manufacturer, 3SI Security System, describes them as follows:

1. The "Slap-n-Track" (SNT) tracker tracks vehicles, cargo, and other large assets for long deployments. Offers extended battery life, rugged and weatherproof housing, and optional magnets - per the manufacturer.
2. The "Electronic Stake Out" (ESO) tracker offers Law Enforcement miniaturized and covertly packaged GPS Tracking Solutions to target property crimes, especially pattern crimes, in their local jurisdictions.

### B. PURPOSE

The purpose of GPS trackers is to enhance the quality of active investigations. The trackers are utilized during active investigations and shall be used pursuant to a lawfully issued search warrant, court order, or with the consent of the property owner or agent as described below.

### C. LOCATION

GPS tracking devices shall be deployed in locations consistent with the authority granted by consent or a lawfully issued search warrant or court order.

### D. IMPACT

The Berkeley Police Department is dedicated to the most efficient utilization of its resources and services in its public safety endeavors. The Berkeley Police Department recognizes the need to protect its ownership and control over shared information and to protect the privacy and civil liberties of the public, in accordance with federal and state law. The procedures utilized with GPS trackers help to ensure unauthorized use of its data. The policies ensure the data is not used in a way that would violate or infringe upon anyone's civil rights and/or liberties, including but not limited to potentially disparate or adverse impacts on any communities or groups.

### E. MITIGATION

Data from a GPS tracker is encrypted from the vendor. Data shall be maintained in a secure, non-public location, such as locations requiring security access or badge access, thereby safeguarding the public from any impacts identified in subsection (D).

### F. DATA TYPES AND SOURCES

Location data is obtained through the use of a GPS Tracker.

Latitude and longitude data is captured and stored indefinitely by 3SI when both types of trackers are used. This data is only shared with the District Attorney's Office for prosecution purposes.

**G. DATA SECURITY**

Data from a GPS tracker is encrypted from the vendor. Data shall be maintained in a secure, non-public location, such as locations requiring security access or badge access. In addition, Captains for Divisions utilizing GPS trackers are responsible for ensuring compliance with the procedures for utilizing GPS Trackers.

**H. FISCAL COST**

The initial cost of the GPS trackers totaled \$4,335.

- Between 2015-present BPD purchased 5 GPS "ESO" trackers for \$2,250 (\$450 each).
- In 2017 BPD purchased 3 GPS "SNT" trackers for \$2,085 (\$695 each).

The annual cost for the GPS data service totals \$1,920.

- The annual data service for the five ESO trackers is \$1,020 (\$204 each).
- The annual data service for the three SNT trackers is \$900 (\$300 each).

Personnel costs are minimal in that the GPS trackers are used as a resource during normal working hours.

GPS trackers are funded through the Investigations Division's general budget.

**I. THIRD PARTY DEPENDENCE AND ACCESS**

Data collected from the GPS trackers may be shared with the following:

- a. The District Attorney's Office for use as evidence to aid in prosecution, in accordance with laws governing evidence;
- b. Other law enforcement offices as part of a criminal investigation;
- c. Other third parties, pursuant to a Court Order.

**J. ALTERNATIVES**

None.

**K. EXPERIENCE OF OTHER ENTITIES**

The use of GPS technology is common amongst law enforcement agencies throughout the country.

## Chapter 2.99

### ACQUISITION AND USE OF SURVEILLANCE TECHNOLOGY

#### Sections:

- 2.99.010 Purposes
- 2.99.020 Definitions
- 2.99.030 City Council Approval Requirement
- 2.99.040 Temporary Acquisition and Use of Surveillance Equipment
- 2.99.050 Compliance for Existing Surveillance Technology
- 2.99.060 Determination by City Council that Benefits Outweigh Costs and Concerns
- 2.99.070 Oversight Following City Council Approval
- 2.99.080 Public Access to Surveillance Technology Contracts
- 2.99.090 Enforcement
- 2.99.100 Whistleblower Protections
- 2.99.110 Severability

#### 2.99.010 Purposes

A. Through the enactment of this Chapter, the City seeks to establish a thoughtful process regarding the procurement and use of Surveillance Technology that carefully balances the City's interest in protecting public safety with its interest in protecting the privacy and civil rights of its community members.

B. Transparency is essential when the City is considering procurement and use of Surveillance Technology.

C. Although such technology may be beneficial to public order and safety, it has the potential to put both privacy and civil liberties at risk.

D. Decisions relating to Surveillance Technology should occur with strong consideration of the impact such technologies may have on civil rights and civil liberties, as with all rights guaranteed by the California and United States Constitutions.

E. Surveillance Technology may involve immediate, as well as ongoing, financial costs. Before the City acquires any Surveillance Technology, it must evaluate all costs associated with the procurement, installation, use and maintenance of the technology.

F. Decisions regarding whether and how Surveillance Technologies should be funded, acquired, or used should be governed by the City Council as the elected representatives of the City.

G. In addition to applicable local, state, and federal law, legally enforceable safeguards, including robust transparency, oversight, and accountability measures, are important in the protection of civil rights and civil liberties.

H. Data reporting measures will enable the City Council and public to confirm that mandated civil rights and civil liberties safeguards have been strictly observed. (Ord. 7592-NS § 2 (part), 2018)

## **2.99.020 Definitions**

The following definitions apply to this Chapter:

1. "Surveillance Technology" means an electronic device, system utilizing an electronic device, or similar technological tool used, designed, or primarily intended to collect audio, electronic, visual, location, thermal, olfactory, biometric, or similar information specifically associated with, or capable of being associated with, any individual or group. Examples of covered Surveillance Technology include, but are not limited to: cell site simulators (Stingrays); automatic license plate readers; body worn cameras; gunshot detectors (ShotSpotter); facial recognition software; thermal imaging systems, except as allowed under Section 1(d); social media analytics software; gait analysis software; and video cameras that record audio or video and can remotely transmit or can be remotely accessed.

"Surveillance Technology" does not include the following devices or hardware, unless they have been equipped with, or are modified to become or include, a Surveillance Technology as defined in Section 1 (above):

- a. Routine office hardware, such as televisions, computers, and printers, that is in widespread public use and will not be used for any surveillance functions;
- b. Handheld Parking Citation Devices, that do not automatically read license plates;
- c. Manually-operated, portable digital cameras, audio recorders, and video recorders that are not to be used remotely and whose functionality is limited to manually capturing, viewing, editing and downloading video and/or audio recordings, but not including body worn cameras;
- d. Devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles or thermal imaging cameras used for fire operations, search and rescue operations and missing person searches, and equipment used in active searches for wanted suspects;
- e. Manually-operated technological devices that are not designed and will not be used to surreptitiously collect surveillance data, such as two-way radios, email systems and city-issued cell phones;
- f. Municipal agency databases;
- g. Medical equipment used to diagnose, treat, or prevent disease or injury, including electrocardiogram machines;





- b. Purpose: Information on the proposed purpose(s) for the Surveillance Technology;
  - c. Location: The general location(s) it may be deployed and reasons for deployment;
  - d. Impact: An assessment identifying potential impacts on civil liberties and civil rights including but not limited to potential disparate or adverse impacts on any communities or groups;
  - e. Mitigation: Information regarding technical and procedural measures that can be implemented to appropriately safeguard the public from any impacts identified in subsection (d);
  - f. Data Types and Sources: A list of the sources of data proposed to be collected, analyzed, or processed by the Surveillance Technology, including "open source" data;
  - g. Data Security: Information about the steps that can be taken to ensure adequate security measures to safeguard the data collected or generated from unauthorized access or disclosure;
  - h. Fiscal Cost: The fiscal costs for the Surveillance Technology, including initial purchase, personnel and other ongoing costs, including to the extent practicable costs associated with compliance with this and other reporting and oversight requirements, as well as any current or potential sources of funding;
  - i. Third Party Dependence and Access: Whether use or maintenance of the technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis, and whether a third party may have access to such data or may have the right to sell or otherwise share the data in aggregated, disaggregated, raw or any other formats;
  - j. Alternatives: A summary and general assessment of potentially viable alternative methods (whether involving the use of a new technology or not), if any, considered before deciding to propose acquiring the Surveillance Technology; and
  - k. Experience of Other Entities: To the extent such information is available, a summary of the experience of comparable government entities with the proposed technology, including any unanticipated financial or community costs and benefits, experienced by such other entities.
4. "Surveillance Use Policy" means a publicly-released and legally-enforceable policy for use of each type of the Surveillance Technology that shall reflect the Surveillance Acquisition Report produced for that Surveillance Technology and that at a minimum specifies the following:
- a. Purpose: The specific purpose(s) that the Surveillance Technology is intended to advance;

- b. **Authorized Use:** The uses that are authorized, the rules and processes required prior to such use, and the uses that are prohibited;
  - c. **Data Collection:** Information collection that is allowed and prohibited. Where applicable, list any data sources the technology will rely upon, including "open source" data;
  - d. **Data Access:** A general description of the title and position of the employees and entities authorized to access or use the collected information, and the rules and processes required prior to access or use of the information, and a description of any and all of the vendor's rights to access and use, sell or otherwise share information for any purpose;
  - e. **Data Protection:** A general description of the safeguards that protect information from unauthorized access, including encryption and access control mechanisms, and safeguards that exist to protect data at the vendor level;
  - f. **Civil Liberties and Rights Protection:** A general description of the safeguards that protect against the use of the Surveillance Technology and any data resulting from its use in a way that violates or infringes on civil rights and liberties, including but not limited to potential disparate or adverse impacts on any communities or groups;
  - g. **Data Retention:** The time period, if any, for which information collected by the surveillance technology will be routinely retained, the reason such retention period is appropriate to further the purpose(s), the process by which the information is regularly deleted after that period lapses, and the specific conditions that must be met to retain information beyond such period;
  - h. **Public Access:** How collected information may be accessed or used by members of the public;
  - i. **Third Party Data Sharing:** If and how other City or non-City Entities can access or use the information, including any required justification or legal standard necessary to do so and any obligations imposed on the recipient of the information;
  - j. **Training:** Training required for any employee authorized to use the Surveillance Technology or to access information collected;
  - k. **Auditing and Oversight:** Mechanisms to ensure that the Surveillance Use Policy is followed, technical measures to monitor for misuse, and the legally enforceable sanctions for intentional violations of the policy; and
  - l. **Maintenance:** The mechanisms and procedures to ensure maintenance of the security and integrity of the Surveillance Technology and collected information.
5. "Exigent Circumstances" means the City Manager's good faith belief that an emergency involving imminent danger of death or serious physical injury to any

person, or imminent danger of significant property damage, requires use of the Surveillance Technology or the information it provides. (Ord. 7592-NS § 2 (part), 2018)

### **2.99.030 City Council Approval Requirement**

1. The City Manager must obtain City Council approval, except in Exigent Circumstances, by placing an item on the Action Calendar at a duly noticed meeting of the City Council prior to any of the following:

- a. Seeking, soliciting, or accepting grant funds for the purchase of, or in-kind or other donations of, Surveillance Technology;
- b. Acquiring new Surveillance Technology, including but not limited to procuring such technology without the exchange of monies or consideration;
- c. Using new Surveillance Technology, or using Surveillance Technology previously approved by the City Council for a purpose, or in a manner not previously approved by the City Council; or
- d. Entering into an agreement with a non-City entity to acquire, share or otherwise use Surveillance Technology or the information it provides, or expanding a vendor's permission to share or otherwise use Surveillance Technology or the information it provides.

2. The City Manager must present a Surveillance Use Policy for each Surveillance Technology to the Police Review Commission, prior to adoption by the City Council. The Police Review Commission shall also be provided with the corresponding Surveillance Acquisition Report that had been presented to council for that Surveillance Technology. No later than 30 days after receiving a Surveillance Use Policy for review, the Police Review Commission must vote to recommend approval of the policy, object to the proposal, recommend modifications, or take no action. Neither opposition to approval of such a policy, nor failure by the Police Review Commission to act, shall prohibit the City Manager from proceeding with its own review and potential adoption.

3. The City Manager must submit for review a Surveillance Acquisition Report and obtain City Council approval of a Surveillance Use Policy prior to engaging in any of the activities described in subsections (1) (a)-(d). (Ord. 7592-NS § 2 (part), 2018)

### **2.99.040 Temporary Acquisition and Use of Surveillance Equipment**

Notwithstanding the provisions of this Chapter, the City Manager may borrow, acquire and/or temporarily use Surveillance Technology in Exigent Circumstances without following the requirements in Sections 2.99.030 and 2.99.040. However, if the City Manager borrows, acquires or temporarily uses Surveillance Technology in Exigent Circumstances he or she must take all of the following actions:

1. Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstance, unless such information is confidential or privileged;

2. If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed Surveillance Acquisition Report and Surveillance Use Policy, as applicable, to the City Council within 90 days following the borrowing, acquisition or temporary use, and receive approval, as applicable, from the City Council pursuant to Sections 2.99.030 and 2.99.040; and

3. Include the Surveillance Technology in the City Manager's next annual Surveillance Technology Report. (Ord. 7592-NS § 2 (part), 2018)

#### **2.99.050 Compliance for Existing Surveillance Technology**

The City Manager shall submit to the Action Calendar for the first City Council meeting in November of 2018 a Surveillance Acquisition Report and a proposed Surveillance Use Policy for each Surveillance Technology possessed or used prior to the effective date of the ordinance codified in this Chapter. (Ord. 7592-NS § 2 (part), 2018)

#### **2.99.060 Determination by City Council that Benefits Outweigh Costs and Concerns**

The City Council shall only approve any action described in Section 2.99.030, 2.99.040, or Section 2.99.050 of this Chapter after making a determination that the benefits to the community of the Surveillance Technology, used according to its Surveillance Use Policy, outweigh the costs; that the proposal will appropriately safeguard civil liberties and civil rights to the maximum extent possible while serving its intended purposes; and that, in the City Council's judgment, no feasible alternative with similar utility and a lesser impact on civil rights or civil liberties could be implemented. (Ord. 7592-NS § 2 (part), 2018)

#### **2.99.070 Oversight Following City Council Approval**

The City Manager must submit to the Council Action Calendar a written Surveillance Technology Report, covering all of the City's Surveillance Technologies, annually at the first regular Council meeting in November. After review of the Surveillance Technology Report, Council may make modifications to Surveillance Use Policies. (Ord. 7592-NS § 2 (part), 2018)

#### **2.99.080 Public Access to Surveillance Technology Contracts**

To the extent permitted by law, the City shall continue to make available to the public all of its surveillance-related contracts, including related non-disclosure agreements, if any. (Ord. 7592-NS § 2 (part), 2018)

### **2.99.090 Enforcement**

This Chapter does not confer any rights upon any person or entity other than the City Council to cancel or suspend a contract for a Surveillance Technology. The Chapter does not provide a private right of action upon any person or entity to seek injunctive relief against the City or any employee unless that person or entity has first provided written notice to the City Manager by serving the City Clerk, regarding the specific alleged violations of this Chapter. If a specific alleged violation is not remedied within 90 days of that written notice, a person or entity may seek injunctive relief in a court of competent jurisdiction. If the alleged violation is substantiated and subsequently cured, a notice shall be posted in a conspicuous manner on the City's website that describes, to the extent permissible by law, the corrective measures taken to address the violation. If it is shown that the violation is the result of arbitrary or capricious action by the City or an employee or agent thereof in his or her official capacity, the prevailing complainant in an action for relief may collect from the City reasonable attorney's fees in an amount not to exceed \$15,000 if he or she is personally obligated to pay such fees. (Ord. 7592-NS § 2 (part), 2018)

### **2.99.100 Whistleblower Protections**

All provisions of Berkeley's Protection of Whistleblowers Workplace Policy, as promulgated by the City Manager on November 2, 2016 and including any updates or replacements thereto, shall apply. (Ord. 7592-NS § 2 (part), 2018)

### **2.99.110 Severability**

If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance, is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause and phrase of this Chapter, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases is declared invalid or unconstitutional. (Ord. 7592-NS § 2 (part), 2018)



# POLICY COMPLAINT FORM

Police Review Commission (PRC)  
 1947 Center Street, 1<sup>st</sup> Floor, Berkeley, CA 94704  
 Website: [www.ci.berkeley.ca.us/prc/](http://www.ci.berkeley.ca.us/prc/)  
 E-mail: [prc@ci.berkeley.ca.us](mailto:prc@ci.berkeley.ca.us)  
 Phone: (510) 981-4950 TDD: (510) 981-6903 Fax: (510) 981-4955

Received by PRC

Date Received:

01/20/2019/20/2019

PRC CASE #

1

Name of Complainant: Williams, Stacie  
Last First Middle

Mailing Address: 2870 Adeline 204  
Street City State Zip

Primary Phone: (510) 8479027 Alt Phone: ( )

E-mail address: \_\_\_\_\_

Occupation: Retired Gender: Female Age: \_\_\_\_\_

Ethnicity:  Asian  Black/African-American  Caucasian  
 Latino/Hispanic  Multiethnic: \_\_\_\_\_  Other: \_\_\_\_\_

2

Identify the Berkeley Police Department (BPD) policy or practice you consider to be improper or would like the Commission to review.

Slowness to respond  
or no response

3

Location of Incident (if applicable) When Police Calls

Date & Time of Incident (if applicable) are ignored

Provide a factual description of the incident that forms the basis of your complaint. Be specific and include what transpired, and how the incident ended.

Many times in the past

4

What changes to BPD policy, practice, or procedure do you propose?

Just Show up

5

Use this space for any additional information you wish to provide about your complaint. (Or, attach relevant documentation you believe will be useful to the Commission in evaluating your complaint.)

6

CERTIFICATION

I hereby certify that, to the best of my knowledge, the statements made on this complaint are true.

Elaine Williams  
Signature of Complainant

6/20/2019  
Date

7

How did you hear about Berkeley's Police Review Commission?

- Internet
- Publication: \_\_\_\_\_
- Referral: \_\_\_\_\_
- Other:                     X





Police Review Commission (PRC)

Date: July 17, 2019  
To: PRC Officer Lee  
From: PRC Investigator Norris (R)  
Re: **Supplement to Policy Complaint  
PRC Complaint 2455; Complainant Elaine Williams Bloom**

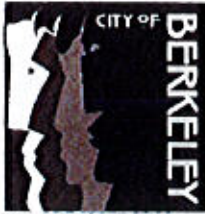
Today, I met with Elaine Williams Bloom in the lobby of her residence at Harriet Tubman Terrace to gather more information about the incident/s which prompted her policy complaint.

Ms. Bloom claimed that Berkeley police are not responding to her and her neighbors' calls for service involving: suspicious-looking parked cars in the building's parking lot; unauthorized persons entering the building with residents as they arrive home; and the frequent harassment by one resident against other residents. Ms. Bloom said that she called police twice since March 2019 to report suspicious-looking parked cars, but police did not respond. Ms. Bloom suggested that police might have responded to the main office and not directly to the resident who called for service, which she feels would be improper.

A fellow resident of Ms. Bloom's told me that he had called the police 6 times between February and April 2019, in response to gardeners utilizing gas-driven blowers and lawn mowers on the building's grounds, which he believes was in violation of city law and posed a health threat to his fellow residents who suffer from asthma. He said police never responded to his calls for service but did respond when the gardeners' tools were reported stolen.

Another resident told me that she called police about one year ago regarding the aforementioned harassing neighbor and spoke to an officer. She said that the neighbor had played his music loudly to harass and annoy her, and she also believed that the neighbor had vandalized her car. She claimed that the officer didn't seem interested in her case and wouldn't send anyone out to investigate. She suspects that police are not responding to calls for service by the building's black residents, because police did respond to an incident of battery committed by the harassing neighbor against a white resident.





Police Review Commission

## Police Review Commission 2019-2020 Work Plan

### Commission mission statement

The general purpose of the Police Review Commission is to provide for community participation in setting and reviewing police department policies, practices, and procedures, and to provide a means for prompt, impartial, and fair investigation of complaints brought by individuals against the Berkeley Police Department. (B.M.C. sec. 3.32.010.)

### Goal #1: Review and set BPD policies, practices, and procedures.

#### a. Resources<sup>1</sup>

PRC staff, BPD staff, meeting space.

#### b. Program activities

A policy review may be initiated by the Commission, by a City Council referral, the Police Department, or a member of the public. The initial review steps may be undertaken by the Commission, a commission subcommittee, or staff, depending on the nature and breadth of the policy, practice, or procedure in question. The review could include: holding meetings and hearings to receive input from community members; meeting with and asking questions of the BPD; studying current policies, practices, and procedures; gathering policies from other jurisdictions; and surveying the literature regarding best practices.

If a subcommittee or staff perform the initial work, it will be presented to the full Commission for review and approval.

#### c. Outputs

Based on the information gathered, the Commission will make a recommendation to the BPD, City Manager or City Council about a change in a policy, practice, or procedure.

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<sup>1</sup> Unlike most other commissions, the Police Review Commission has a staff of three City employees dedicated to supporting the Commission's work.

d. Outcomes

The desired change is a new or improved policy, practice, or procedure. If new, it will provide guidance where it did not previously exist or was not well-documented. A revised policy, practice, or procedure will reflect a change to conform with new laws, to embrace best practices that have changed since the original policy was established, or to better align with community values.

- e. Specific policies, practices, or procedures to be addressed in the coming fiscal year will include ongoing, recurring, and new reviews.

Topics for which review was begun last fiscal year and will continue:

- New or revised policies and practices to address disparities in BPD pedestrian and traffic stop, citation, search, and arrest rates; and other efforts to ensure unbiased policing.
  - Specifically, a PRC Subcommittee is looking into the BPD practices of routinely asking detainees whether they are on probation or parole and, if they are, conducting searches.
- Conversion of all BPD General Orders into Lexipol policies.

Recurring topics:

- Memoranda of understanding and mutual aid pacts with other law enforcement agencies (an annual process).
- Surveillance Acquisition Policies and Surveillance Technology Use Policies, under the Surveillance Technology Use and Community Safety Ordinance, as needed when new technologies or new uses of existing technologies are proposed.

Possible new or renewed subjects of review:

- Revised policy governing the Use of Force by police officers.
- Assessment of use of body-worn cameras and re-visiting of policy recommendations made in March 2018.
- Evaluation of a proposed charter amendment to restructure the police commission and oversight staff.

Not all reviews of police policies, practices, or procedures can be anticipated in advance, as some issues are undertaken based on a request from the City Council or a civilian. Also, the PRC may undertake a review in response to particular police activity or incident.

**Goal #2: Process complaints regarding individual police officer misconduct.**

a. Resources

PRC staff are responsible for carrying out this goal, with critical participation by Commissioners. BPD staff are also involved.

b. Program activities

Staff will receive complaints of alleged misconduct by police officers, conduct an investigation, and, if warranted, prepare the case for a hearing before a Board of Inquiry. Rotating panels of three Commissioners serve as the BOI, except in death cases, where the Commission sits as a whole.

Cases may be closed without a hearing; the reasons for such closures include: mediation between the complainant and subject officer is completed; the complainant withdraws the complaint; or the complainant does not cooperate in the investigation.

c. Outputs

Following a BOI hearing, a Findings Report will be sent to the Chief of Police and City Manager, who may rely on the PRC's findings in determining whether to impose discipline.

Based on prior years, it is anticipated that roughly eight BOI hearings will be held in the coming fiscal year.

d. Outcomes

By providing a venue for investigation of complaints that is separate from the Police Department, civilians will view the process as more objective than investigations conducted by the Police Department internally.

Addressing problematic behavior identified by the PRC may result in corrective action or discipline. Police officers' awareness of the PRC's complaint process will influence their behavior in a positive way.

**Goal #3: Participate in training.**

a. Resources

PRC staff and BPD staff

b. Program activities

Presently, Commissioners are not subject to any mandatory or prescribed course of training, other than the training that all commission chairs and vice-chairs must complete. Each Commissioner receives a 2-hour orientation from PRC staff covering topics relevant to service on the commission, the role of Commissioners and PRC staff in reviewing policy and processing complaints, and service on Boards of Inquiry. Commissioners are to meet with the Chief of Police and schedule a ride-along.

Currently, additional training on the organization of the BPD, police policies, relevant law, and officer training occurs sporadically. Topics presented to the PRC in the past year include BPD de-escalation training and response of BPD in conjunction with the Mobile Crisis Team to persons in mental health crisis.

In light of an October 2018 Council referral asking the PRC to explore mandatory training requirements, the Commission has asked the PRC Chair and PRC Officer to arrange for ongoing training.

c. Outputs

The results will be Commissioners who are better and more uniformly knowledgeable about police procedures, staffing and organization, training, tactics, and relevant law.

d. Outcomes

The outcome will be policy reviews and Board of Inquiry decisions that are based on a deeper understanding of police work and police officers who have more confidence in the work and judgment of the Commissioners.

**Goal #4: Conduct outreach activities.**

a. Resources

PRC staff, printing of materials

b. Program activities

The Commission, as a whole or through a subcommittee, will develop and implement activities and strategies to better inform the community about the PRC's mission and services, including its policy review function and intake of civilian complaints about officer misconduct as an agency independent of the Police Department.

c. Outputs

The results will include increased presence at community fairs and other events; speaking to community groups, churches, and the like; holding Commission meetings at various locations; updated literature describing the Commission's work; a revamped and expanded website.

d. Outcomes

The outcome will be larger numbers of community members who are aware of the PRC and informed about its services and activities.

**Goal #5: Revise PRC Regulations for Handling Complaints Against Police Officers as needed.**

a. Resources

PRC staff and BPD staff.

b. Program activities

The complaint process, from intake through the BOI hearing, is governed by regulations promulgated by the PRC. The need to revise the regulations may arise when, for example: a deficiency is discovered; a way to streamline the process is identified; or a change is desired.

Regulation changes may be initiated by the Commission or by staff. The Commission as a whole may consider a revision, or establish a subcommittee for this purpose.

Depending on the specific change, a meet-and-confer with the police union may be required.

c. Outputs

The result will be amended PRC Regulations.

d. Outcomes

Amended Regulations will result in a process for handling complaints that is clearer; more efficient; reflects the Commission's desires; conforms to current law.





Tasks ranked by Commissioners December 2018

Status as of July 18, 2019

RANK	TASK	STATUS	NOTES
1	Council referral: extend 120-day disciplinary time limit	Done for now.	Awaiting M&C outcome.
2	Body-Worn Camera Policy	Awaiting response to recommendations sent to Chief March 29.	
3	Fair & Impartial Policing/CPE recommendations from Council	Chief reported to Council Public Safety Committee June 3, who will recommend Mayor convene task force expeditiously.	
4	G.O. U-2, Use of Force - policy revision	Awaiting draft policy from BPD. Proposed UOF Policy Subcommittee established July 10..	
5	Responsiveness of BPD management to PRC requests (Combined with #11)	Awaiting response to March 4 inquiry to City Atty: what docs is PRC entitled to obtain from BPD?	
6	Council referral: explore mandatory Commissioner training	In progress - referral response to Council from Chair & PRC Officer.	Ongoing training to be brought to PRC periodically.
7	Lexipol Policies -- Conversion from General Orders (Subcomm.)	In progress.	
8	BPD presentation on Special Response Team training	To be scheduled.	
9	Process for considering informal complaints	To be scheduled.	
10	Issues related to BPD response to August 5, 2018 protests	<b>Done.</b> Topic revised to whether BPD has followed crowd control/ management policies; motion to ID de-escalation techniques failed Jan. 23.	
11	After-Action report requirements and whether release/withholding complies with PRA	(See #5.)	
12	BPD presentation on spit hoods and vote on Policy 302	<b>Done.</b> Presentation at June 12 meeting; recommendation to Council on revised Policy 302 June 26.	Council considered July 9 but took no action.
13	Prioritizing Safety for Sex Workers [Subcomm]	<b>Done.</b> PRC recommended revision of Lexipol 318 to BPD April 4.	BPD re-issued Lexipol 318 with PRC changes.
14	MOUs/Mutual Aid (Subcomm.)	Subcomm. has met and awaiting answers from Chief.	
15	Policies re surreptitious recording of police-civilian interactions	Awaiting BPD response to Dec. 20 letter.	
16	Formation of Guiding Principles	<b>Done.</b> PRC adopted Feb. 27.	
17	City emails for Commissioners b/c they are subject to PRA?	<b>Withdrawn.</b>	

18	Outreach - publicize existence of PRC and its services to community	To be scheduled - Sahana?	
19	Homeless Encampments (Subcomm.)	Done (subcomm. dissolved Jan. 9)	
20	BPD's policy for shelter-in-place directive to schools	To be scheduled.	
21	Media Credentialing	To be scheduled.	
22	Review of DUI checkpoints	To be scheduled.	

#### New Tasks Added 2019

	Amend standing rules re officer elections	Done Jan. 9.	
	Amend standing rules limiting placement of items on agenda	Done Feb. 13.	
	Emergency Mental Health response	Modified Feb. 13 to request presentation by Berkeley M.H. Div & BPD re their response. Presentation given April 24.	Possible work with Mental Health Commission.
	Charter reform	Feb. 27 letter to Mayor/Council	Chair & PRC Officer to write.
	Standard of Proof (Subcomm.)	In progress - established Apr. 10; on hold.	Awaiting M&C outcome.
	Probation and Parole Question (Subcomm.)	In progress -- established May 8.	
	Recommend endorsement of SB 233	Withdrawn. First agendized May 8; item withdrawn July 10 due to lack of timeliness and probable passage.	
	Review Lexipol Policy 415, Immigration Law	Done (approved) May 22.	Replaces MOU with ICE; make consistent with City of Refuge Policy
	Review Surveillance Use Policies	Reviewed June 12; revisions from Chief discussed July 10 and July 24	(This will be ongoing on an as-needed basis.)

#### Other pending items in 2018

	Right to Watch (G.O. W-1)	Proposed policy to Chief 11.2.17.	
	June 20, 2017 (Review of BPD Response at Council meeting)	Draft to BPD 1.31.18. Per Chief 7.25.18, no response until litigation concluded.	Litigation concluded July 2; PRC Officer to remind Chief of request to review draft report.
	BPD Accountability Plan for Training/Professional Development	Ltr to City Mgr 2.21.18.	
	Review BPD budget	Request for Financial and Performance Audit of BPD; sent to Council 3.8.18	(Related: PRC received BPD budget presentation June 12, 2019.)

Lee, Katherine

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**From:** Commission  
**Sent:** Friday, April 19, 2019 12:26 PM  
**To:** Allen, Shallon L.; Bednarska, Dominika; Bellow, LaTanya; Bryant, Ginsi; Castrillon, Richard; Chu, Stephanie; Crane, Fatema; Davidson, Amy; Funghi, Amelia; Garcia, Viviana; Geiken, Delfina M.; Greene, Elizabeth; Hollander, Eleanor; Javandel, Farid; Katz, Mary-Claire; Klatt, Karen; Lee, Katherine; Lovvorn, Jennifer; May, Keith; Miller, Roger; Obermeit, Heidi; Patel, Nisha; Pearson, Alene; PRC (Police Review Commission); Radu, Peter; Romain, Bill; Slaughter, Kieron; Slimick, Breanne; Soichet, Emma; Terrones, Roberto; Tsering, Dechen; Wong, Wingyin  
**Cc:** Domingo, Donna; Sailes, Deon  
**Subject:** FY 19-20 Commission Work Plan Reminder  
**Attachments:** 2019 Detailed Color Council Timeline.pdf

**Follow Up Flag:** Follow up  
**Due By:** Monday, June 17, 2019 12:00 PM  
**Flag Status:** Completed

Dear Commission Secretaries:

This is a reminder that commissions are required to draft and submit a work plan detailing their goals and objectives for the coming fiscal year (FY19-20) to the City Council. If you've not already done so, please be sure to agendaize this topic for discussion by the commission and remind commissioners of this obligation.

The Commissioners' Manual discusses the development of work plans on page 12. Included is a link to the July 19, 2016 Council item re work plans. Submitted work plans have been consolidated and are posted on the City's website here. As stated in the Commissioners' Manual, it is the responsibility of commission members, not staff, to draft the content of reports to Council, including drafting the content of the work plan. Attached is the Council Meeting Timeline. Once adopted by the commission, the work plan may be submitted into the agenda process as an Information Item. Adopted work plans will be posted to the website once they have been submitted to Council.

Please let us know if you have any questions.

Best,

*Leslie S. Rome*  
*Assistant Management Analyst*  
*City Clerk Department*  
*2180 Milvia Street*  
*Berkeley, CA 94704*  
*Ph. (510) 981-6908 Fax (510) 981-6901*  
*website: [www.cityofberkeley.info](http://www.cityofberkeley.info)*  
*email: [lrome@cityofberkeley.info](mailto:lrome@cityofberkeley.info)*

\*\* To ensure a timely response from staff, please send all commission related requests and information

to the **Commission Inbox** at [commission@cityofberkeley.info](mailto:commission@cityofberkeley.info). Election related requests and

information should be sent to the **Elections Inbox** at [elections@cityofberkeley.info](mailto:elections@cityofberkeley.info).



## Police Review Commission 2018-2019 Work Plan

### Commission mission statement

The general purpose of the Police Review Commission is to provide for community participation in setting and reviewing police department policies, practices, and procedures, and to provide a means for prompt, impartial, and fair investigation of complaints brought by individuals against the Berkeley Police Department.

### Goal #1: Review and set BPD policies, practices, and procedures.

#### a. Resources<sup>1</sup>

PRC staff, BPD staff, meeting space.

#### b. Program activities

A policy review may be initiated by the Commission, by a City Council referral, the Police Department, or a member of the public. The initial review steps may be undertaken by the Commission, a commission subcommittee, or staff, depending on the nature and breadth of the policy, practice, or procedure in question. The review could include: holding meetings and hearings to receive input from community members; meeting with and asking questions of the BPD; studying current policies, practices, and procedures; gathering policies from other jurisdictions; and surveying the literature regarding best practices.

If a subcommittee or staff perform the initial work, it will be presented to the full Commission for review and approval.

#### c. Outputs

Based on the information gathered, the Commission will make a recommendation to the BPD, City Manager or City Council about a change in a policy, practice, or procedure.

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<sup>1</sup> Unlike most other commissions, the Police Review Commission has a staff of three City employees dedicated to supporting the Commission's work.

d. Outcomes

The desired change is a new or improved policy, practice, or procedure. If new, it will provide guidance where it did not previously exist or was not well-documented. A revised policy, practice, or procedure will reflect a change to conform with new laws, to embrace best practices that have changed since the original policy was established, or to better align with community values.

e. Specific policies, practices, or procedures to be reviewed in the coming fiscal year may include:

- Implementation of a body-worn camera program
- New or revised policies and practices to address disparities in BPD pedestrian and traffic stop, citation, search, and arrest rates; and other efforts to ensure unbiased policing
- Conversion of all BPD General Orders into Lexipol policies
- BPD role in dismantling homeless encampments and storage of property
- Revised policy governing the Use of Force
- Memoranda of understanding and mutual aid pacts with other law enforcement agencies (an annual process)

Not all reviews of police policies, practices, or procedures can be anticipated in advance, as some are undertaken based on a request from the City Council or a civilian. Also, the PRC may undertake a review in response to particular police activity or incident.

**Goal #2: Process complaints regarding individual police officer misconduct.**

a. Resources

PRC staff are responsible for carrying out this goal, with critical participation by Commissioners. BPD staff are also involved.

b. Program activities

Staff will receive complaints of alleged misconduct by police officers, conduct an investigation, and, if warranted, prepare the case for a hearing before a Board of Inquiry. Rotating panels of three Commissioners serve as the BOI, except in death cases, where the Commission sits as a whole.

Cases may be closed without a hearing; the reasons for such closures include: the complainant opts for mediation; the complainant withdraws the complaint; or the complainant does not cooperate in the investigation.

c. Outputs

Following a BOI hearing, a Findings Report will be sent to the Chief of Police and City Manager, who may rely on the PRC's findings in determining whether to impose discipline.

Based on prior years, it is anticipated that roughly eight BOI hearings will be held in the coming fiscal year.

d. Outcomes

By providing a venue for investigation of complaints that is separate from the Police Department, civilians will view the process as more objective than investigations conducted by the Police Department internally. Police officers' awareness of the PRC's complaint process will influence their behavior in a positive way.

**Goal #3: Continue to Revise PRC Regulations for Handling Complaints Against Police Officers.**

a. Resources

PRC staff and BPD staff.

b. Program activities

The complaint process, from intake through the BOI hearing, is governed by regulations promulgated by the PRC. The need to revise the regulations may arise when, for example: a deficiency is discovered; a way to streamline the process is identified; or a change is desired.

Regulation changes may be initiated by the Commission or by staff. The Commission as a whole may consider a revision, or establish a subcommittee for this purpose.

Depending on the specific change, a meet-and-confer with the police union may be required.

c. Outputs

The result will be amended PRC Regulations.

d. Outcomes

Amended Regulations will result in a process for handling complaints that is clearer; more efficient; reflects the Commission's desires; conforms to current law.

**Goal #4: Conduct outreach activities.**

a. Resources

PRC staff, IT staff support, printing of materials

b. Program activities

The Commission, as a whole or through a subcommittee, will develop and implement activities and strategies to better inform the community about the PRC's mission and services, including its policy review function and intake of civilian complaints about officer misconduct as an agency independent of the Police Department.

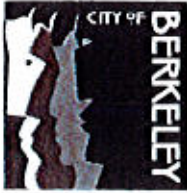
c. Outputs

The results will include increased presence at community fairs and other events; speaking to community groups, churches, and the like; holding Commission meetings at various locations; updated literature describing the Commission's work; a revamped and expanded website.

d. Outcomes

The outcome will be larger numbers of community members who are aware of the PRC and informed about its services and activities.





**Police Review Commission**  
**Standing Rules**  
(As of February 14, 2019)

**A. PURPOSE**

These Standing Rules are established by the Police Review Commission to ensure transparency and efficiency of our operations.

**B. AMENDMENTS AND REVISIONS**

Amendments and revisions to these Standing Rules shall be adopted by a majority vote of the Police Review Commission, except that the Commission may not adopt rules that conflict with the enabling Ordinance, Commissioners' Manual, or Regulations for Handling Complaints Against Members of the Police Department.

**C. AGENDA ITEMS – REGULAR MEETINGS**

1. Individual commissioners shall submit agenda items to the commission secretary by 12:00 noon one week before the meeting date. (This will almost always be a Wednesday.)
2. A commissioner may place only one item on the agenda per meeting, and may not add items to the agenda unless prior agenda items from that commissioner have been cleared. "Cleared" means that the Commission has either completed its consideration of the item, or agreed to move forward with the item by, for instance, forming a subcommittee or considering the issue as a whole commission, in which case the item belongs to the Commission, not the individual commissioner.

**D. COMMUNICATIONS**

Individual commissioners shall submit communications to be included in the agenda packet to the commission secretary by 12:00 noon one week before the meeting date to ensure inclusion in the packet. Communications received after this deadline and before 3:00 p.m. on the meeting day will be distributed in hard copy at the meeting, and may also be distributed to commissioners via email. If communications are received after 3:00 p.m. on the meeting day, the commission secretary will make every effort, but cannot guarantee, to have hard copies available at the meeting.

**E. MEETING PROCEDURES**

1. items shall be introduced by the commission member or staff member who proposed the item. The Chair shall then allow an initial period for discussion by recognizing commissioners in rotation to ensure that each commissioner has the opportunity to speak before a commissioner is allowed to speak again.



Eventbrite

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POLICE • COMMUNITY PARTNERSHIPS

## National Night Out 2019 - City of Berkeley

### • **Event Information**

#### **Description**

National Night Out is an annual event designed to strengthen our community by encouraging neighborhoods to engage in stronger relationships with each other and with their local Public Safety and City Officials.

National Night Out 2019 is scheduled for the evening of Tuesday, August 6th.

#### **How Do you Participate?**

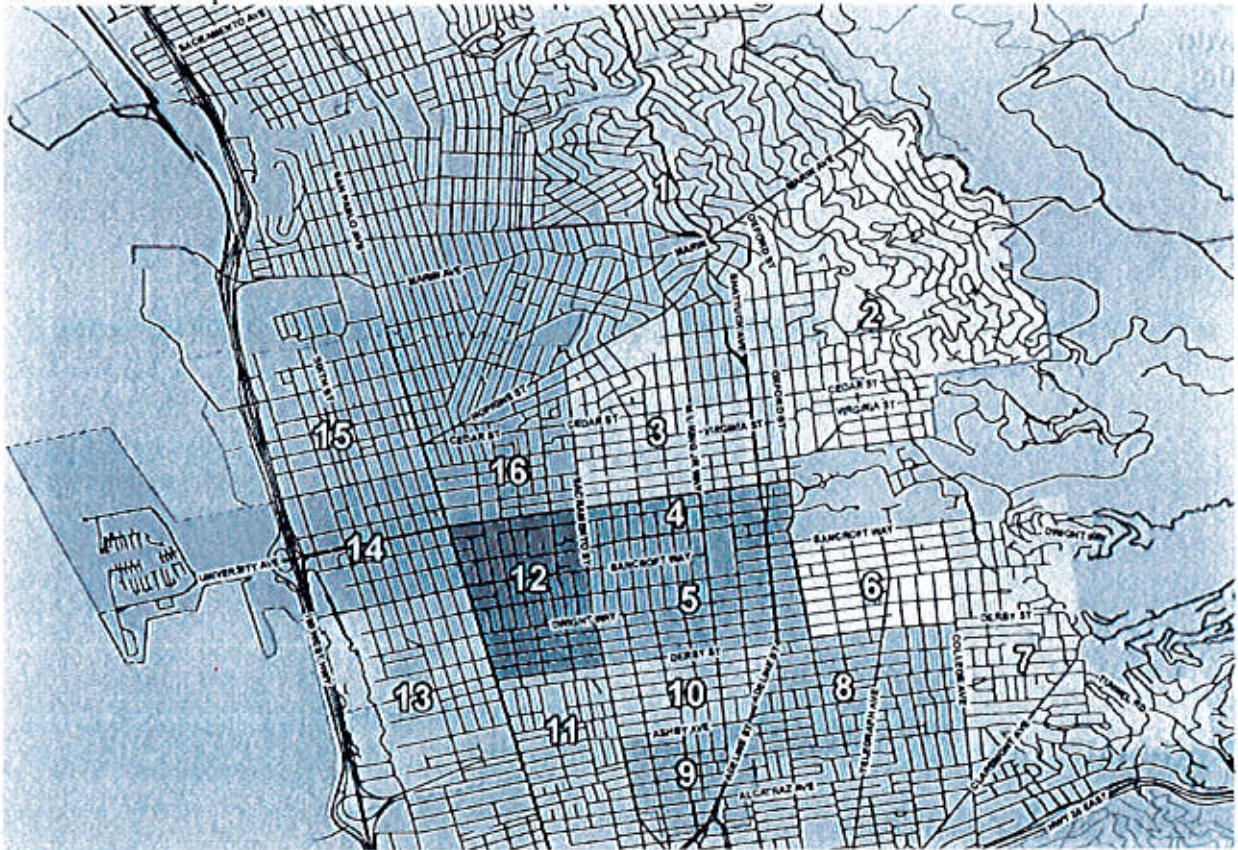
Organize or attend an event in your neighborhood to gather and get to know one another. The size of the groups range greatly with some as little as only a few neighbors to some where 100 people or more come out. These groups gather for potlucks, BBQ's, ice cream socials, or just a meet and greet.

City of Berkeley staff, Berkeley Fire Department staff, Berkeley Police staff and CoB elected officials will be out roaming the neighborhoods of Berkeley and will stop in to say hello.

Become a part of your community and join us for National Night Out 2019!

**DON'T FORGET TO REGISTER YOUR GROUP BY CLICKING ON THE GREEN "REGISTER" BUTTON!**

### Police Beat Map



The deadline for submission of applications for block party permits is 4:00 p.m. on Monday July 29th, which is eight days before the event.

### Tags

[United States Events](#) [California Events](#) [Things To Do In Berkeley, CA](#) [Berkeley](#)

[Other](#) [Berkeley Community Other](#)

Organizer [Berkeley Police Department - Community Services Bureau](#)

[Contact](#)

Share this event

## Action Calendar – New Business

### 17a. Equal Pay Independent Audit of City Employees

**From: Commission on the Status of Women**

**Recommendation:** Adopt a Resolution providing \$12,500 from the General Fund to pay Dr. Martha Burk to conduct an independent audit of the pay of male and female employees in the City of Berkeley city employee workforce.

**Financial Implications:** \$12,500.

Contact: Shallon Allen, Commission Secretary, 981-7000

### 17b. Companion Report: Equal Pay Independent Audit of City Employees

**From: City Manager**

**Recommendation:** Continue to implement the City's existing compensation system that addresses concerns raised by the Commission on the Status of Women.

**Financial Implications:**

Contact: Dave White, City Manager's Office, 981-7000

**Action:** 3 speakers. M/S/Failed (Harrison/Bartlett) to adopt a Resolution providing \$12,500 from the General Fund to pay Dr. Martha Burk to conduct an independent audit of the pay of male and female employees in the City of Berkeley city employee workforce.

**Vote:** Ayes – Davila, Bartlett, Harrison; Noes – Kesarwani, Hahn, Wengraf, Robinson, Droste, Arreguin.

**Action:** M/S/Carried (Wengraf/Hahn) to refer Item 17a as revised in the Supplemental Communications Packet #2 to clarify that the item is jointly from the Commission on the Status of Women and the Commission on Labor, to the budget process for consideration as part of the November 2019 Annual Appropriations Ordinance process.

**Vote:** All Ayes.

Recess: 9:03 p.m. – 9:19 p.m.

### 18a. Law Enforcement Use of Restraint Devices in the City of Berkeley

**From: Mental Health Commission**

**Recommendation:** Adopt a resolution directing the Berkeley Police Department, and any other law enforcement providing mutual aid in Berkeley, to cease use of restraint devices (spit hoods, spit masks) and replace them with non-restraining safety equipment like N95 masks or an equivalent substitute. The use of spit hoods is traumatizing and escalating, risks asphyxiation and can be a violation of constitutional civil rights, particularly free speech. Stopping their use contributes to humanitarian and compassionate approach to those living with mental illness.

**Financial Implications:** None

Contact: Karen Klatt, Commission Secretary, 981-5400

## Action Calendar – New Business

### 18b. Companion Report: Law Enforcement Use of Restraint Devices in the City of Berkeley

**From:** City Manager

**Recommendation:** Continue current policy to provide City of Berkeley Police and Fire personnel protection from individuals whose unlawful and assaultive spitting or biting actions may spread infectious diseases during a lawful detention or arrest.

**Financial Implications:** None

Contact: Kelly Wallace, Housing and Community Services, 981-5400; Andrew Greenwood, Police, 981-5900

**Action:** M/S/Carried (Arreguin/Harrison) to suspend the rules and extend the meeting to 11:30 p.m.

**Vote:** Ayes – Kesarwani, Bartlett, Harrison, Hahn, Robinson, Arreguin; Noes – Davila, Wengraf, Droste.

**Action:** M/S/Failed (Hahn/Arreguin) to suspend the rules and extend the meeting to 11:40 p.m.

**Vote:** Ayes – Bartlett, Hahn, Robinson, Arreguin; Noes – Kesarwani, Davila, Harrison, Wengraf, Droste.

**Action:** 23 speakers. M/S/Failed (Davila/Harrison) to adopt a resolution directing the Berkeley Police Department, and any other law enforcement providing mutual aid in Berkeley, to cease use of restraint devices (spit hoods, spit masks) and replace them with non-restraining safety equipment alternatives. The use of spit hoods is traumatizing and escalating, risks asphyxiation and can be a violation of constitutional civil rights, particularly free speech. Stopping their use contributes to humanitarian and compassionate approach to those living with mental illness.

**Vote:** Ayes – Davila, Harrison; Noes – Kesarwani, Bartlett, Hahn, Wengraf, Robinson, Droste, Arreguin.

**Action:** M/S/Failed (Arreguin/Hahn) to:

Refer to the Police Review Commission with input from the Mental Health Commission to examine alternatives to the use of spit hoods, or other processes to de-escalate and protect our Police and staff. Until an alternative is identified, and a new policy adopted by the City Council, the use of spit hoods would continue to be permitted per Police Departmental policy.

Request that the PRC consider an alternative barrier device that prevents spitting or biting, or transfer of fluids orally, and that does not fully cover someone's head. Potential examples include surgeon/doctors' masks or other breathable masks. We request that we explore a protective device for City staff, the citizen/suspect, and/or both as possible options.

Refer the points raised by Dr. Terry Kupfers:

Consider better articulation of a policy specifying limited and necessary use of spit hoods or other barriers, that 1) limits the circumstances where they can be used to be necessary to protect the safety of our staff, 2) clarify alternatives to be attempted

## Action Calendar – New Business

first, 3) specifies time frames for keeping spit hoods or other barriers on, 4) specifies all circumstances when it should be removed, 5) specifies that the officer or other staff be assigned to monitor the individual at all times they are wearing a spit hood, or other barrier.

Use of spit hoods/or similar device should be reported, and data tracked to understand the frequency, circumstances surrounding their application and use, including any resulting health impacts.

Refer the recommendations of the PRC:

-Recognizing that spit hoods "may be experienced as a traumatic event to the wearer"

-Look at engaging a CIT officer if possible in the application of spit hoods.

-Propose data collection measures, including the types of circumstances when spit hoods are used.

-Utilize other available methods of de-escalation and restraint when possible, such as placing the person in a vehicle.

-And prohibiting the use of spit-hoods on pre-adolescent children

The Commissions are to report back to the City Council by December 2019.

Request that the Berkeley Police Department consider implementing the revised Policy 302 submitted by the Berkeley Police Department in the Supplemental Communications Packet #2, effective immediately.

That staff consult with the Alameda County EMS Equipment Committee regarding the topic of spit hoods and potential alternatives.

**Vote:** Ayes – Bartlett, Hahn, Robinson, Arreguin; Noes – Davila, Harrison, Droste; Abstain – Kesarwani, Wengraf.

**Action:** M/S/Failed (Droste/Kesarwani) to accept the revised Policy 302 submitted by the Berkeley Police Department in the Supplemental Communications Packet #2.

**Vote:** Ayes – Kesarwani, Wengraf, Droste; Noes – Davila, Bartlett, Harrison, Hahn, Arreguin; Abstain – Robinson.

**Action:** M/S/Carried (Arreguin/Harrison) to hold over Items 19a and 19b, and Item 20 to July 16, 2019.

**Vote:** All Ayes.

Councilmember Droste absent 11:28 p.m. – 11:30 p.m.

### 19a. **Resolution Assigning Socially Responsible Investment and Procurement advisory role to the Peace and Justice Commission**

**From:** Peace and Justice Commission

**Recommendation:** Adopt resolution assigning socially responsible investment and procurement advisory role to the Peace and Justice Commission.

**Financial Implications:** None

**Contact:** Bre Slimick, Commission Secretary, 981-7000





Lee, Katherine

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**From:** Lee, Katherine  
**Sent:** Thursday, July 11, 2019 2:09 PM  
**To:** Lee, Katherine  
**Subject:** FW: Berkeley Regional Housing Survey & Housing Workshop  
**Attachments:** Alameda County Survey Flyer.pdf; Alameda Regional AI Survey\_English.pdf; Alameda Regional AI Survey\_Spanish.pdf; Alameda Regional AI Survey\_TradChinese.pdf

**From:** Katz, Mary-Claire  
**Sent:** Thursday, July 11, 2019 12:42 PM  
**Subject:** FW: Berkeley Regional Housing Survey & Housing Workshop

Hello Commission Secretaries,

Please see message below about the Regional Analysis of Impediments to Fair Housing, and the survey we are distributing to get community feedback on barriers to fair housing. We would appreciate you distributing this survey to your commissioners, and any other group you think would be interested in providing this feedback.

Thank you!

Mary-Claire

**From:** Babka, Rhianna  
**Sent:** Wednesday, July 03, 2019 4:31 PM  
**To:** Babka, Rhianna <[RBabka@cityofberkeley.info](mailto:RBabka@cityofberkeley.info)>  
**Cc:** 'housingurvey@mbakerintl.com' <[housingurvey@mbakerintl.com](mailto:housingurvey@mbakerintl.com)>  
**Subject:** Berkeley Regional Housing Survey & Housing Workshop

Hello,

**The City of Berkeley** and the County of Alameda want your feedback on housing issues, as part of an action-focused report called **Regional Analysis of Impediments to Fair Housing Choice (Regional AI)**.

**Your feedback will help guide housing policies and housing goals in your area!**

To help, please take this 10-15 min **[Alameda County Regional Housing Survey](#)** (Click on Link) and share your views on housing characteristics and housing needs.

**Please forward this survey along to any friends, clients, colleagues, and/or organizations** that would be interested in participating in the future of our County's housing policies!

**Would you like paper copies provided to your organization or clients?** If so, reply to this message with a request to receive paper-copy versions of the survey. I have also attached copies of the survey if you would like to view or print these out yourself.

This survey is also available online in Spanish (Español) and Traditional Chinese (中文); paper versions may also be available in Tagalog, Vietnamese (Tiếng Việt), or additional languages by contacting (510) 238-6468. If you have trouble viewing this survey and would like assistance due to a disability, please

contact (510) 238-5219. If link above link, does not work, go to: [https://www.surveymonkey.com/r/housingsurvey\\_alameda2019](https://www.surveymonkey.com/r/housingsurvey_alameda2019).

Additionally, you and all County residents are invited to attend one of these community engagement meetings for a more in-depth discussion. Please RSVP to me at the information provided below:

**Tuesday, August 13, 2019, 1:00 - 3:00 p.m.**  
**Berkeley Central Library**  
3rd Floor Community Meeting Room  
2900 Kittridge Street, Berkeley, CA 94704

**Wednesday, August 21, 2019, 5:00 - 7:00 p.m.**  
**Oakland Library 81st Avenue Branch**  
Community Room, 2nd Floor  
1020 81<sup>st</sup> Street, Oakland, CA 94621

**Saturday, August 24, 2019, 11:00 am - 1:00 p.m.**  
**Hayward City Hall**  
Conference Room 2A, 2nd Floor  
777 B Street, Hayward, CA 94541

You can learn more information about the housing survey, or the 2020-2024 Alameda County Regional Analysis of Impediments to Fair Housing Choice by contacting me with your questions.

**Complete the survey at the link below**

[https://www.surveymonkey.com/r/housingsurvey\\_alameda2019](https://www.surveymonkey.com/r/housingsurvey_alameda2019)



or scan this QR code  
with your cell phone

**Do you live in Alameda County?  
Are you concerned about Housing?  
Alameda County Housing Survey**

Take this survey to provide feedback on housing characteristics in Alameda County. Your responses will help to guide housing policy in your area!

You can learn more information about the housing survey, or the 2020-2024 Alameda County Regional Analysis of Impediments to Fair Housing Choice by e-mailing [HousingSurvey@mbakerintl.com](mailto:HousingSurvey@mbakerintl.com).

*Esta encuesta también está disponible en español.  
此調查已被翻譯為繁體中文。*



**YOUR VOICE COUNTS.**



*Please join us for an in-person community meeting:*

<b>Meeting 1</b>	<b>Meeting 2</b>	<b>Meeting 3</b>
<b>August 13, 2019</b>	<b>August 21, 2019</b>	<b>August 24, 2019</b>
<b>1pm to 3pm</b>	<b>5pm to 7pm</b>	<b>11am to 1pm</b>
Berkeley Central Library 3rd Floor Community Meeting Room 2900 Kittridge Street Berkeley, CA 94704	Oakland Library Community Room (2nd Floor) 81st Avenue Branch 1021 81st Ave Oakland, CA 94621	Hayward City Hall Conference Room 2A (2nd Floor) 777 B Street Hayward, CA 94541

Thank you,

**Rhianna Babka**  
City of Berkeley  
Housing and Community Services