

Office of the Mayor

REVISED AGENDA MATERIAL

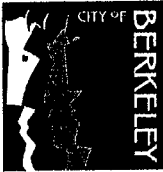
Meeting Date: September 13, 2018

Item Number: 27

Item Description: Enforcement Policy for Downtown Berkeley BART Plaza

Submitted by: Mayor Jesse Arreguin

The recommendation has been revised based on input from City staff to a short-term referral to the City Manager to set enforcement priorities for Downtown Berkeley BART Plaza.



Office of the Mayor

ACTION CALENDAR
September 13, 2018

To: Members of the City Council
From: Mayor Jesse Arreguin
Subject: Short-Term Referral: Enforcement Policy for Downtown Berkeley BART Plaza

RECOMMENDATION

Short-Term Referral to the City Manager to set enforcement priorities for the Downtown Berkeley BART Station Plaza ("BART Plaza") prohibiting lying and camping, in addition to all other applicable laws, to be considered along with the Sidewalk Ordinance.

Deleted: Adopt a Resolution setting
Deleted: and directing the City Manager to enforce Penal Code Section 647(e) at BART Plaza, Berkeley Municipal Code Section 14.48.020 regarding unpermitted objects obstructing sidewalks, and Berkeley Municipal Code Chapter 13.36 relating to lying on public property
Deleted: .

BACKGROUND

Construction of the new Downtown Berkeley BART Station Plaza, on the west side of Shattuck Avenue between Center Street and Allston Way, is expected to be completed in September 2018. The \$7.6 million project is designed to improve both safety and walkability, creating more open space and activating underutilized sidewalk space.

The Plaza will serve as the main gateway for many people arriving to Downtown via BART, AC Transit, or UC Berkeley Bear Transit Shuttle, which combined has a total of 30,000 commuters daily at this location. To ensure the safety and promote a plaza that is welcoming to all, enforcement of the following regulations is needed:

- California Penal Code Section 647(e): Unpermitted lodging
- Berkeley Municipal Code Section 14.48.020: Items obstructing sidewalks
- Berkeley Municipal Code Section 13.36: Persons obstructing sidewalks

No new laws are being created; the purpose of this item is to refer to the City Manager on a short-term basis to consider prioritizing enforcement of existing laws, to be considered along with the Sidewalk Ordinance.

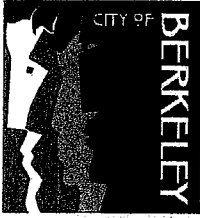
Deleted: the Resolution is to prioritize enforcement of existing laws.

FINANCIAL IMPLICATIONS

Staff time

CONTACT PERSON

Jesse Arreguin, Mayor 510-981-7100



Office of the City Attorney

September 10, 2018

Via E-mail at prichett@locrian.com

RE: Public Records Act Request Dated August 9, 2018

Dear Ms. Prichett:

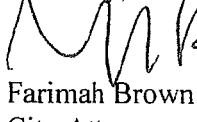
This letter is in response to your below California Public Records Act request dated August 9, 2018 in which the City provided its initial response on September 4, 2018:

- a. *Any After Action reports and/or evaluations of the police response to the protests of 8/5/18*
- b. *Copies of any documents that relate to an inventory of munitions completed before and after the events of 8/5/18. Please include specific descriptions or identification of the types of weapons used including sound grenades, pepper spray, smoke devices, tear gas or other devices, tools or weapons.*
- c. *Police reports related to this event and/or those arrested on that day.*
- d. *Staff emails/intra or interdepartmental communications related to BPD efforts to communicate with protest leaders or involved organizations.*
- e. *Any communications by any city staff regarding the decision to release the photos of individuals arrested on 8/5/18 AND the decision to remove those photos from the BPD twitter account.*

Please be advised that documents responsive to your request item "e" have been withheld pursuant to the attorney-client privilege (Gov't Code § 6254(k); Evidence Code § 954. With regards to the remainder of your request items, attached please find the only responsive records which were located by the City's Police Department. Please also note that these records are redacted pursuant to Gov't Code § 6254(k) and General Order R-23.

With this response, staff has completed their work to process and respond to your California Public Records Act Request.

Sincerely,


Farimah Brown
City Attorney



BERKELEY POLICE DEPARTMENT
 2100 Martin Luther King, Jr. Way, Berkeley, CA 94704
 TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744
 EMAIL: police@cityofberkeley.info

Case # **2018-00043907**

ARREST REPORT

BPD-115 (rev. 03-29-2013)

ARREST DETAILS

| | | | | |
|---|---|--|---|--|
| REPORTED DATE TIME DAY 08/05/2018 09:49 SUN | LOCATION OF OCCURRENCE HEARST Street / GRANT Street, BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE | BREATHANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Ordaz, Hugo #101 | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | <input type="checkbox"/> SUSPECT INJURIES | <input type="checkbox"/> MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATIONS | | <input type="checkbox"/> HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|---|--|----------------------------------|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Brenner, Kate | RACE W | SEX F | DOB 08/27/1948 | AGE 69 |
| ADDRESS | PHONE | LICENSE | STATE | PN | |
| BUSINESS OTHER ADDRESS | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT 5'6 | WEIGHT 130 | HAIR BRO | EYES GRN | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | NICKNAME MONIKER | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|---------|---|---------|------------------|----------|
| 15 | BMC Not found/ Not Listed or code not found or not listed - identify actual in narrative | | Committed | 1 |
| 16 | SECTION STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| 17 | SECTION STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| 18 | SECTION STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| 19 | SECTION STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | |
|------------------------------------|-------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 |
| | | JUVENILE PHONE CALL #2 |
| | | JUVENILE PHONE CALL #3 |

NARRATIVE

BMC 13.45.020-Prohibited items in park on Aug 5, 2018

Brenner was contacted in Ohlone Park in Violation of B.M.C. 13.45.020 which prohibits specific items in the park on Aug 5, 2018 [protest event]. A list of prohibited items including rocks and poles were distributed to the public days prior to the date. On Aug 5 at approx. 0949 hrs, Brenner was seen standing with a group of protester inside of Ohlone Park. Brenner was holding a cream colored canvass banner that was rolled up. I informed Brenner that I had to check her banner to ensure that no poles or hard objects were affixed to it. Brenner handed me the banner. While checking the banner, I discovered at least 16 5"x5" plus sized river rocks attached to the rear of the banner with black duct tape. I also discovered at least 4 or more approx. 2' pieces of PVC pipe woven into the seems of the banner. During the detention, Brenner mentioned that she and the group were trying to abide by the rules, which indicated to me that she had been warned was aware of the rules for that day. Brenner was arrested for the aforementioned violation.

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|--|--|--|--|-----------------------|
| REPORTING OFFICER Cummings, Rashawn #S13 | DATE / TIME WRITTEN 08/05/2018 18:18 | REVIEWED BY SUPERVISOR Cummings, Rashawn | DATE / TIME 08/05/2018 06:18 | PAGE 1 of 1 |
|--|--|--|--|-----------------------|



BERKELEY POLICE DEPARTMENT

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744

EMAIL: police@cityofberkeley.info

Case # **2018-00043909**

ARREST REPORT

BPL-11 (rev. 06-29-2011)

ARREST DETAILS

| | | | | |
|---|---|--|------------------|-------------------|
| REPORTED DATE TIME DAY 08/05/2018 10:10 SUN | | LOCATION OF OCCURRENCE 1726 HEARST Street / BERKELEY | | |
| ARREST TYPE ON-VIEW BY CITIZEN | ARREST STATUS BOOKED | BASIS FOR CAUTION OTHER | ID PROCEDURE | BREATHANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> SORE | <input type="checkbox"/> SEVERE L.A. TRACTIONS | HOSPITAL | |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|--------------------------|--|------------------------|--------------------|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Koster, Kristin, Edith | RACE W | SEX F | DOB 06/04/1968 | AGE 50 |
| ADDRESS | | PHONE | LICENSE | STATE | PEN |
| BUSINESS / OTHER ADDRESS | | BUSINESS / OTHER PHONE | EMAIL ADDRESS | | |
| HEIGHT 5' 6 | WEIGHT 130 | HAIR BRO | EYES GRN | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | | NICKNAME / MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE |
| CLOTHING DESCRIPTION | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|---------------------|--|---------|------------------|----------|
| BMC13.68.020 | Dangerous weapon - Carrying prohibited - Exceptions | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | | | |
|--------------------------------------|-------------------------|------------------------|------------------------|------------------------|
| PARENT / GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | |
| PARENT / GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 |

NARRATIVE

See narrative

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|---|--|-----------------------|
| REPORTING OFFICER Ross, Sean #S25 | DATE / TIME WRITTEN 08/05/2018 19:19 | REVIEWED BY SUPERVISOR Ross, Sean | DATE / TIME 08/05/2018 07:22 | PAGE 1 of 1 |
|---|--|---|--|-----------------------|



BERKELEY POLICE DEPARTMENT
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 EMAIL: police@cityofberkeley.info

Case # **2018-00043909**

ARREST REPORT

BPD-115 (rev. 03-29-2013)

ARREST DETAILS

| | | | | |
|---|--|--|------------------------------|-------------------|
| REPORTED DATE TIME DAY 08/05/2018 10:10 SUN | LOCATION OF OCCURRENCE 1726 HEARST Street / BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE OTHER | BREATH ANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATIONS | | HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|---|--|---|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Wallach, Jason, Charlea | RACE W | SEX M | DOB 04/06/1969 | AGE 49 |
| ADDRESS | PHONE | LICENSE | STATE | PEN | |
| BUSINESS OTHER ADDRESS | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT 6' | WEIGHT 170 | HAIR BLK | EYES HAZ | TATTOO LOCATION | |
| TATTOO DESCRIPTION | | | | | |
| GANG AFFILIATION | NICKNAME MONIKER | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER | | |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|---------------------|--|---------|------------------|----------|
| BMC13.68.020 | Dangerous weapon - Carrying prohibited - Exceptions | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | |
|------------------------------------|-------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 |
| | | JUVENILE PHONE CALL #2 |
| | | JUVENILE PHONE CALL #3 |

NARRATIVE

See narrative

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|---|--|-----------------------|
| REPORTING OFFICER Ross, Sean #S25 | DATE / TIME WRITTEN 08/05/2018 19:15 | REVIEWED BY SUPERVISOR Ross, Sean | DATE / TIME 08/05/2018 07:15 | PAGE 1 of 1 |
|---|--|---|--|-----------------------|



BERKELEY POLICE DEPARTMENT

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744

EMAIL: police@cityofberkeley.info

Case # **2018-00043909**

ARREST REPORT

BPD-11.5 rev. 03-28-2016

ARREST DETAILS

| | | | | |
|---|---|--|------------------------------|-------------------|
| REPORTED DATE TIME DAY 08/05/2018 10:10 SUN | | LOCATION OF OCCURRENCE 1726 HEARST Street / BERKELEY | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BAIS FOR CAUTION | ID PROCEDURE OTHER | BREATH ANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATIONS | | HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | | | |
|--------------------------|---|------------------------|--------------------|--|---|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Sokolower-Shain, Ericka, Nora | | | RACE W | SEX F | DOB 02/23/1990 | AGE 28 |
| ADDRESS | | PHONE | | LICENSE | | STATE | PSN |
| BUSINESS / OTHER ADDRESS | | BUSINESS / OTHER PHONE | | EMAIL ADDRESS | | | |
| HEIGHT 5' 5" | WEIGHT 130 | HAIR BRO | EYES BRO | TATTOO LOCATION | | TATTOO DESCRIPTION | |
| GANG AFFILIATION | | NICKNAME / MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER | | |
| PT OR BANG DESCRIPTION | | | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|---------------------|--|---------|------------------|----------|
| BMC13.68.020 | Dangerous weapon - Carrying prohibited - Exceptions | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | | | |
|--------------------------------------|-------------------------|------------------------|------------------------|------------------------|
| PARENT / GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | |
| PARENT / GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 |

NARRATIVE

See Narrative

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|---|--|-----------------------|
| REPORTING OFFICER Ross, Sean #S25 | DATE / TIME WRITTEN 08/05/2018 19:15 | REVIEWED BY SUPERVISOR Ross, Sean | DATE / TIME 08/05/2018 07:19 | PAGE 1 of 1 |
|---|--|---|--|-----------------------|



BERKELEY POLICE DEPARTMENT
 2100 Martin Luther King, Jr. Way, Berkeley, CA 94704
 TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744
 EMAIL: police@cityofberkeley.info

Case # **2018-00043918**

ARREST REPORT

BPD-115 (rev. 03-29-2013)

ARREST DETAILS

| | | | |
|---|---|--|--------------------------|
| REPORTED DATE TIME DAY 08/05/2018 11:45 SUN | | LOCATION OF OCCURRENCE FRANCISCO Street / MCGEE Avenue, BERKELEY | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION OTHER | BREATH ANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Bejarano, Andres #52 | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> SORE | <input type="checkbox"/> SEVERE LACERATIONS/S | MEDICAL TREATMENT |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | HOSPITAL |
| | | MINOR | REFUSED TREATMENT |
| | | SEEK OWN AID | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|--|----------------------|--------------------|--|---|
| ROIF AR | LAST, FIRST, MIDDLE, SUFFIX Lewis, Maria, Broner | RACE W | SEX F | DOB 03/20/1989 | AGE 29 |
| ADDRESS | | PHONE | LICENSE | STATE | PEN |
| BUSINESS OTHER ADDRESS | | BUSINESS OTHER PHONE | EMAIL ADDRESS | | |
| HEIGHT 5' 01 | WEIGHT 118 | HAIR BRO | EYES BRO | TATTOO LOCATION | |
| TATTOO DESCRIPTION | | NICKNAME MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE |
| GANG AFFILIATION | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|---------------|---|---------|-----------|--------|
| PC 148 (A)(1) | Obstruct/resist peace officer/emergency personnel | | Committed | 1 |
| PC 185 | WEAR MASK FOR UNLAWFUL PURPOSE | | Committed | 1 |
| BMC13.68.020 | Dangerous weapon - Carrying prohibited - Exceptions | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | |
|------------------------------------|-------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASED OFFICER |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 |
| | | JUVENILE PHONE CALL #2 |
| | | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | |
|--|--|--|-----------------------|
| REPORTING OFFICER Breaux, Daniel #15 | DATE / TIME WRITTEN 08/05/2018 23:46 | REVIEWED BY SUPERVISOR Lindenau, David | PAGE 1 of 1 |
|--|--|--|-----------------------|



BERKELEY POLICE DEPARTMENT

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744

EMAIL: police@cityofberkeley.info

Case # **2018-00043918**

ARREST REPORT

BPD-01 Rev 06-29-2013

| ARREST DETAILS | | | | |
|--|---|--|------------------|-------------------|
| REPORTED DATE TIME DAY | | LOCATION OF OCCURRENCE | | |
| 08/05/2018 11:44 SUN | | FRANCISCO Street / MCGEE Street, BERKELEY | | |
| ARREST TYPE | ARREST STATUS | BASIS FOR CAUTION | ID PROCEDURE | BREATHANALYZER |
| ON-VIEW BY OFFICER | CITED | ARMED | | |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER | | |
| | | Moore, Tyler #56 | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> SORE | <input type="checkbox"/> SEVERE LACERATIONS | MINOR | REFUSED TREATMENT |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | HOSPITAL |

| ARRESTED SUBJECT | | | | |
|------------------------|-----------------------------|----------------------|---------------|---|
| ROLE | LAST, FIRST, MIDDLE, SUFFIX | | | AGE |
| AR | Chou, David, Siegrid | | | 26 |
| ADDRESS | | PHONE | LICENSE | STATE PEN |
| BUSINESS OTHER ADDRESS | | BUSINESS OTHER PHONE | EMAIL ADDRESS | |
| HEIGHT | WEIGHT | HAIR | EYES | TATTOO LOCATION |
| 5' 04 | 130 | BLK | BRO | |
| GANG AFFILIATION | | NICKNAME MONIKER | | <input type="checkbox"/> ARSON REGISTRANT |
| | | | | <input type="checkbox"/> PAROLEE |
| | | | | <input type="checkbox"/> DRUG REGISTRANT |
| | | | | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | |

| OFFENSES | | | | | |
|---------------|---|--|--|----------------|--------|
| SECTION | STATUTE DESCRIPTION | | | ATTEMPT COMMIT | COUNTS |
| PC 185 | WEAR MASK FOR UNLAWFUL PURPOSE | | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | | | ATTEMPT COMMIT | COUNTS |
| PC 182 (A)(1) | CONSPIRACY: COMMIT CRIME | | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | | | ATTEMPT COMMIT | COUNTS |
| PC 4573 | Bring controlled substance into prison or jail | | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | | | ATTEMPT COMMIT | COUNTS |
| PC 148 (A)(1) | Obstruct/resist peace officer/emergency personnel | | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | | | ATTEMPT COMMIT | COUNTS |
| PC 13.68.020 | Dangerous weapon - Carrying prohibited - Exceptions | | | Committed | 1 |

| JUVENILE PROCESSING | | | | |
|------------------------------------|-------------------------|------------------------|------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 |

| NARRATIVE | | | | |
|---|--|--|--|--|
| <p style="text-align: right;">Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).</p> | | | | |

| | | | | |
|-------------------|---------------------|------------------------|-------------------------|--|
| REPORTING OFFICER | DATE / TIME WRITTEN | REVIEWED BY SUPERVISOR | PAGE | |
| Salas, Scott #141 | 08/06/2018 01:07 | Rafferty, Darrin | 08/07/2018 07:51 1 of 1 | |



BERKELEY POLICE DEPARTMENT
 2100 Martin Luther King, Jr. Way, Berkeley, CA 94704
 TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744
 EMAIL: police@cityofberkeley.info

Case # **2018-00043921**

ARREST REPORT

BPD-115 rev. 03-29-2013

ARREST DETAILS

| | | | | | |
|---|---|--|-------------------------------------|----------------------|----------------|
| REPORTED DATE TIME DAY 08/05/2018 12:15 SUN | | LOCATION OF OCCURRENCE CENTER Street / MARTIN LUTHER KING JR Way, BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE | BREATHANALYZER |
| MIRANDA GIVEN BY | | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | | STATEMENT TYPE | | TRANSPORTING OFFICER | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT | HOSPITAL |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> SORE | <input type="checkbox"/> SEVERE LACERATIONS | | | |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|---|----------------------|---|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Griffith, Blake | RACE W | SEX M | DOB 5/21/1989 | AGE 29 |
| ADDRESS | | PHONE | LICENSE | STATE | PEN |
| BUSINESS OTHER ADDRESS | | BUSINESS OTHER PHONE | EMAIL ADDRESS | | |
| HEIGHT 5' 11 | WEIGHT 187 | HAIR BLK | EYES BLK | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | | NICKNAME MONIKER | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> SEX REGISTRANT |
| | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|---------------------|----------------------------|---------|-----------|--------|
| PC 594 (A)(1) - (M) | Vandalism: Deface property | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | | | | |
|------------------------------------|-------------------------|------------------------|------------------------|------------------------|--|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | | |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 | |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|--|--|-----------------------|
| REPORTING OFFICER Schulz, Chris #65 | DATE / TIME WRITTEN 08/05/2018 16:07 | REVIEWED BY SUPERVISOR Hong, Peter | DATE / TIME 08/05/2018 09:58 | PAGE 1 of 1 |
|---|--|--|--|-----------------------|



BERKELEY POLICE DEPARTMENT

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744

EMAIL: police@cityofberkeley.info

Case # **2018-00043931**

ARREST REPORT

BPD-015 rev. 09-29-2016

ARREST DETAILS

| | | | | | |
|---|---|--|---|--|-----------------------------------|
| REPORTED DATE TIME DAY 08/05/2018 13:15 SUN | | LOCATION OF OCCURRENCE MLK JR. Way / CENTER Street, BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE | BREATHANALYZER | |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Moore, Tyler #56 | | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | <input type="checkbox"/> SUSPECT INJURIES | <input type="checkbox"/> MEDICAL TREATMENT | <input type="checkbox"/> HOSPITAL |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input checked="" type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATIONS | | | |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | | |

ARRESTED SUBJECT

| | | | | | | |
|------------------------|--|----------------------|--------------------|---|---|------------------|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Martinez, Freddy | | RACE H | SEX M | DOB 04/15/1987 | AGE 31 |
| ADDRESS | | PHONE | LICENSE | | STATE | PEN |
| BUSINESS OTHER ADDRESS | | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT 5' 2 | WEIGHT 135 | HAIR BLK | EYES BRO | TATTOO LOCATION | | |
| TATTOO DESCRIPTION | | GANG AFFILIATION | | NICKNAME MONIKER | | |
| | | | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | |
| | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT | |
| | | | | <input type="checkbox"/> SOVEREIGNS CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER | |
| CLOTHING DESCRIPTION | | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|----------------------|--|---------|------------------|----------|
| PC 242 | Battery with bodily injury | | Committed | 1 |
| PC 148 (A)(1) | Obstruct/resist peace officer/emergency personnel | | Committed | 1 |
| | | | | |
| | | | | |
| | | | | |

JUVENILE PROCESSING

| | | | | | |
|------------------------------------|-------------------------|------------------------|------------------------|------------------------|--|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | | |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 | |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|---|--------------------------------------|-----------------------|
| REPORTING OFFICER Haney, Heather #102 | DATE/TIME WRITTEN 08/05/2018 19:33 | REVIEWED BY SUPERVISOR Lee, Peter | DATE/TIME 08/05/2018 09:34 | PAGE 1 of 1 |
|---|--|---|--------------------------------------|-----------------------|



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Case # **2018-00043927**

ARREST REPORT

BPD-01 Supp. 03-29-2013

| ARREST DETAILS | | | | | | | | | | | |
|---|---|--|---|------------------------|--|---|-----------------------------------|--|---|---|--|
| REPORTED DATE TIME DAY | | | LOCATION OF OCCURRENCE | | | | | | | | |
| 8/5/2018 12:57 SUN | | | 2151 ML KING JR Way / BERKELEY | | | | | | | | |
| ARREST TYPE | | | ARREST STATUS | | BANK FOR CAUTION | | ID PROCEDURE | | BREATHANALYZER | | |
| ON-VIEW BY OFFICER | | | BOOKED | | | | | | | | |
| MIRANDA GIVEN BY | | | MIRANDA DATE TIME | | SUSPECT RESPONSE IF MIRANDA INVOKED | | | | | | |
| STATEMENT TAKEN BY | | | STATEMENT TYPE | | | | TRANSPORTING OFFICER | | | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | <input type="checkbox"/> SUSPECT INJURIES | | <input type="checkbox"/> MEDICAL TREATMENT | | <input type="checkbox"/> HOSPITAL | | | | |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATIONS | | | | | | | | | |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | | | | | | | | |
| ARRESTED SUBJECT | | | | | | | | | | | |
| ROLE | LAST, FIRST, MIDDLE, SUFFIX | | | | | RACE | SEX | DOB | | AGE | |
| AR | Perez, Sarena, L | | | | | W | F | 05/17/1979 | | 39 | |
| ADDRESS | | | | PHONE | | LICENSE | | STATE | PEN | | |
| BUSINESS / OTHER ADDRESS | | | | BUSINESS / OTHER PHONE | | EMAIL ADDRESS | | | | | |
| HEIGHT | WEIGHT | HAIR | EYES | TATTOO LOCATION | | TATTOO DESCRIPTION | | | | | |
| GANG AFFILIATION | | | NICKNAME / MONIKER | | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT | <input type="checkbox"/> VIOLENT OFFENDER | <input type="checkbox"/> SOVEREIGN CITIZEN |
| CLOTHING DESCRIPTION | | | | | | | | | | | |
| OFFENSES | | | | | | | | | | | |
| SECTION | STATUTE DESCRIPTION | | | | | | ATTEMPT COMMIT | | COUNTS | | |
| BMC6.32.030 | Violation of city park rules | | | | | | Committed | | 1 | | |
| SECTION | STATUTE DESCRIPTION | | | | | | ATTEMPT COMMIT | | COUNTS | | |
| SECTION | STATUTE DESCRIPTION | | | | | | ATTEMPT COMMIT | | COUNTS | | |
| SECTION | STATUTE DESCRIPTION | | | | | | ATTEMPT COMMIT | | COUNTS | | |
| SECTION | STATUTE DESCRIPTION | | | | | | ATTEMPT COMMIT | | COUNTS | | |
| JUVENILE PROCESSING | | | | | | | | | | | |
| PARENT / GUARDIAN RESPONSIBLE PERSON | | | RELATIONSHIP | | ADDRESS | | | | | | |
| PARENT / GUARDIAN NOTIFIED | | | RELATIONSHIP | | NOTIFICATION OFFICER | | | NOTIFY DATE AND TIME | | | |
| JUVENILE RELEASED TO | | | RELATIONSHIP | | RELEASING OFFICER | | | RELEASE DATE AND TIME | | | |
| FINGERPRINTS PHOTO PROCESSED BY | | REASON IF NOT PROCESSED | | | JUVENILE PHONE CALL #1 | | JUVENILE PHONE CALL #2 | | JUVENILE PHONE CALL #3 | | |
| NARRATIVE | | | | | | | | | | | |
| Information redacted is protected from public disclosure by California Government Code 6254 (f), (k). | | | | | | | | | | | |
| REPORTING OFFICER | | | | DATE / TIME WRITTEN | | REVIEWED BY SUPERVISOR | | PAGE | | | |
| Kelly, Joseph #1 | | | | 08/05/2018 18:30 | | Hong, Peter | | 08/05/2018 09:59 | | | |
| | | | | | | | | 1 | of 1 | | |



BERKELEY POLICE DEPARTMENT

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744

EMAIL: police@cityofberkeley.info

Case # **2018-00043933**

ARREST REPORT

BPD-115 rev 03-29-2015

ARREST DETAILS

| | | | | |
|---|--|--|------------------|-------------------|
| REPORTED DATE TIME DAY 08/05/2018 13:30 SUN | LOCATION OF OCCURRENCE 2151 MARTIN LUTHER KING JR Way / BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE | BREATHANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT SNOR INJURY | <input type="checkbox"/> SORE | <input type="checkbox"/> SEVERE LACERATIONS | | HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|---|--|---|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX CRUZOCONNELL, JAVIER, ANTONIO | RACE W | SEX M | DOB 10/14/1995 | AGE 22 |
| ADDRESS | PHONE | LICENSE | STATE | IPN | |
| BUSINESS OTHER ADDRESS | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT 6'2 | WEIGHT 155 | HAIR | EYES BLU | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | NICKNAME MONIKER | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| CLOTHING DESCRIPTION | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|----------------------|-------------------------------------|---------|------------------|----------|
| BMC6.32.030 | Violation of city park rules | | Committed | 1 |
| PC 1203.2 - F | Probation Violation : Felony | | Committed | 1 |
| | | | | |
| | | | | |
| | | | | |

JUVENILE PROCESSING

| | | |
|------------------------------------|-------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 |
| | | JUVENILE PHONE CALL #2 |
| | | JUVENILE PHONE CALL #3 |

NARRATIVE

On 08/05/18 at 1330 hours I observed AR-Cruz-Oconnell inside of Civic Center Park (MLK Jr Way) wearing a full face mask. AR-Cruz-Oconnell was in violation of BMC 6.32.030 which specifically prohibits face masks during known demonstrations. AR-Cruz-Oconnell 6.32.030, and PC 1203.2. I arrested AR-Cruz-Oconnell for BMC 6.32.030, and PC 1203.2. Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|---|--|-----------------------|
| REPORTING OFFICER Ledoux, Joseph #137 | DATE / TIME WRITTEN 08/13/2018 23:11 | REVIEWED BY SUPERVISOR Smith, Katherine | DATE / TIME 08/13/2018 11:16 | PAGE 1 of 1 |
|---|--|---|--|-----------------------|



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EMAIL: police@cityofberkeley.info

Case # **2018-00043937**

ARREST REPORT

000-415 rev. 04-29-2014

ARREST DETAILS

| | | | | |
|---|---|---|------------------|-------------------|
| REPORTED DATE - TIME DAY 08/05/2018 13:45 SUN | | LOCATION OF OCCURRENCE 1900 CENTER Street / BLK, BERKELEY | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CUSTODY | ID PROCEDURE | BREATH ANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATIONS | | HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|--------------------------|---|--------------------|--------------------|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Hill, Jamie, Louise | RACE W | SEX F | DOB 08/10/1987 | AGE 30 |
| ADDRESS | PHONE | LICENSE | STATE | PFN | |
| BUSINESS / OTHER ADDRESS | BUSINESS / OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT 5' 02 | WEIGHT 110 | HAIR BLK | EYES GRN | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | | NICKNAME / MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE |
| | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|--------------------|-------------------------------------|---------|------------------|----------|
| BMC6.32.030 | Violation of city park rules | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | | | |
|--------------------------------------|-------------------------|------------------------|------------------------|------------------------|
| PARENT / GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | |
| PARENT / GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|--|--|-----------------------|
| REPORTING OFFICER Salas, Scott #141 | DATE / TIME WRITTEN 08/06/2018 02:18 | REVIEWED BY SUPERVISOR Coats, Jennifer | DATE / TIME 08/07/2018 07:52 | PAGE 1 of 1 |
|---|--|--|--|-----------------------|



BERKELEY POLICE DEPARTMENT
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Case # **2018-00043938**

ARREST REPORT

BPD-115 (rev. 05-29-2014)

ARREST DETAILS

| | | | | | |
|--|---|---|-------------------------------------|----------------------|-----------------|
| REPORTED DATE TIME DAY 08/05/2018 13:52 SUN | | LOCATION OF OCCURRENCE CENTER Street / MILVIA Street, BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE | BREATH ANALYZER |
| MIRANDA GIVEN BY | | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | | STATEMENT TYPE | | TRANSPORTING OFFICER | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT | HOSPITAL |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NOSE | <input type="checkbox"/> SEVERE LACERATIONS | | | |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | | |

ARRESTED SUBJECT

| | | | | | | | | |
|--|--------|--|------|--|---|---|----------------------------------|-----------|
| ROLE AR | | LAST, FIRST, MIDDLE, SUFFIX Podolsky, Bella | | | RACE O | SEX F | DOB 02/15/1991 | AGE 27 |
| ADDRESS | | | | PHONE | LICENSE | STATE | DPN | |
| BUSINESS OTHER ADDRESS | | | | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT | WEIGHT | HAIR | EYES | TATTOO LOCATION | TATTOO DESCRIPTION | | | |
| CLANG AFFILIATION | | | | NICKNAME MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | |
| CLOTHING DESCRIPTION | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT | <input type="checkbox"/> VIOLENT OFFENDER | | |
| <input type="checkbox"/> SOVEREIGN CITIZEN | | | | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|--------------|---|-----------|--------|--------|
| BMC13.45.020 | Restrictions and Prohibitions in Civic Center Park - Admin Rule | Committed | | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | | | | |
|------------------------------------|--------------------|-------------------------|------------------------|------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | | RELATIONSHIP | ADDRESS | | |
| PARENT GUARDIAN NOTIFIED | | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | |
| JUVENILE RELEASED TO | | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | |
| FINGERPRINTS | PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|---------------------------------------|---------------------------------------|----------------|
| REPORTING OFFICER Hartley, Brian #22 | | DATE/TIME WRITTEN 08/05/2018 17:44 | REVIEWED BY SUPERVISOR Hong, Peter | PAGE 1 of 1 |
|---|--|---------------------------------------|---------------------------------------|----------------|



BERKELEY POLICE DEPARTMENT
 2100 Martin Luther King, Jr. Way, Berkeley, CA 94704
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Case # **2018-00043936**

ARREST REPORT

BPD-415 rev 03-29-2014

ARREST DETAILS

| | | | | |
|---|--|---|------------------------------|-------------------|
| REPORTED DATE TIME DAY 08/05/2018 13:54 SUN | LOCATION OF OCCURRENCE 2161 MARTIN LUTHER KING JR Way / BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | HAZARD FOR CAUTION | BI PROCEDURE OTHER | BREATH ANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Bejarano, Andres #52 | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT ABRASION/INJURY | <input checked="" type="checkbox"/> NOSE | <input type="checkbox"/> SEVERE LACERATIONS | | HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|--|--------------------|--------------------|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Boyle, Caitlin | RACE W | SEX F | DOB 01/08/1991 | AGE 27 |
| ADDRESS | PHONE | LICENSE | STATE | PEN | |
| BUSINESS OTHER ADDRESS | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT 5' 05 | WEIGHT 150 | HAIR BLN | EYES HAZ | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | | NICKNAME MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE |
| | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|---------------|---|---------|-----------|--------|
| PC 148 (A)(1) | Obstruct/resist peace officer/emergency personnel | | Committed | 1 |
| PC 185 | WEAR MASK FOR UNLAWFUL PURPOSE | | Committed | 1 |
| HS 11350 (A) | Possession of narcotic controlled substance | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | |
|------------------------------------|-------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 |
| | | JUVENILE PHONE CALL #2 |
| | | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|--|--|--|---------------------------------|---------------|
| REPORTING OFFICER Breaux, Daniel #15 | DATE/TIME WRITTEN 08/06/2018 00:47 | REVIEWED BY SUPERVISOR Lindenau, David | PAGE 08/06/2018 01:47 | 1 of 1 |
|--|--|--|---------------------------------|---------------|



BERKELEY POLICE DEPARTMENT

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744

EMAIL: police@cityofberkeley.info

Case # **2018-00043944**

ARREST REPORT

BPD-117 rev. 06-26-2016

ARREST DETAILS

| | | | | |
|--|---|--|------------------|-------------------|
| REPORTED DATE / TIME / DAY 8/5/2018 14:17 SUN | | LOCATION OF OCCURRENCE 2151 MLK JR Way / BERKELEY | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE | BREATHANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE / TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Moore, Tyler #56 | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> SORE | <input type="checkbox"/> SEVERE LACERATIONS | | HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | | | |
|--------------------------|--|------------------------|--------------------|-----------------|----------|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Garten, Jeffrey, Dean | | | RACE W | SEX M | DOB 9/18/1989 | AGE 28 |
| ADDRESS | | PHONE | | LICENSE | | STATE | PN |
| BUSINESS / OTHER ADDRESS | | BUSINESS / OTHER PHONE | | EMAIL ADDRESS | | | |
| HEIGHT 6'00 | WEIGHT 155 | HAIR BRO | EYES BRO | TATTOO LOCATION | | TATTOO DESCRIPTION | |
| GANG AFFILIATION | | | NICKNAME / MONIKER | | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE |
| | | | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|----------------|------------------------------|-----------|--------|--------|
| PC 6.32.030 | Violation of city park rules | Committed | | 3 |
| Warr - Out (F) | Outside Warrant Felony | Committed | | 1 |
| Warr - Out (F) | Outside Warrant Felony | Committed | | 1 |
| | | | | |
| | | | | |

JUVENILE PROCESSING

| | | | | |
|--------------------------------------|-------------------------|------------------------|------------------------|------------------------|
| PARENT / GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | |
| PARENT / GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|------------------------------------|---|---------------------------------------|---------------------------------|----------------|
| REPORTING OFFICER Ren, Xiao #90 | DATE / TIME WRITTEN 08/05/2018 18:14 | REVIEWED BY SUPERVISOR Hong, Peter | DATE / TIME 08/05/2018 09:56 | PAGE 1 of 1 |
|------------------------------------|---|---------------------------------------|---------------------------------|----------------|



BERKELEY POLICE DEPARTMENT
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 EMAIL: police@cityofberkeley.info

Case # **2018-00043947**

ARREST REPORT

BPD-115aet 04-29-2013

ARREST DETAILS

| | | | | |
|---|--|--|---|--|
| REPORTED DATE TIME DAY 08/05/2018 15:42 SUN | LOCATION OF OCCURRENCE CIVIC CENTER PARK MILVIA Street, BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE | BREATH ANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Diaz, Heriberto #44 | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | <input type="checkbox"/> SUSPECT INJURIES | <input type="checkbox"/> MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATIONS | | <input type="checkbox"/> HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|--|------------------|-----------------|--|---|
| ROIF AR | LAST, FIRST, MIDDLE, SUFFIX Pickering, Michael | RACE W | SEX M | DOB 06/22/1982 | AGE 36 |
| ADDRESS | PHONE | LICENSE | STATE | PEN | |
| BUSINESS OTHER ADDRESS | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT | WEIGHT | HAIR | EYES | TATTOO LOCATION | |
| TATTOO DESCRIPTION | | | | | |
| GANG AFFILIATION | | NICKNAME MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE |
| | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|--------------|--|---------|-----------|--------|
| PC 185 | WEAR MASK FOR UNLAWFUL PURPOSE | | Committed | 1 |
| PC 148.9 (A) | False identification to peace officers | | Committed | 1 |
| BMC | | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | | | |
|------------------------------------|-------------------------|------------------------|------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|---|--|-----------------------|
| REPORTING OFFICER Tate, Jennifer #S14 | DATE / TIME WRITTEN 08/29/2018 11:46 | REVIEWED BY SUPERVISOR Tate, Jennifer | DATE / TIME 08/29/2018 11:46 | PAGE 1 of 1 |
|---|--|---|--|-----------------------|



BERKELEY POLICE DEPARTMENT

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EMAIL: police@cityofberkeley.info

Case # **2018-00043945**

ARREST REPORT

BPD-115 rev. 03-20-2013

ARREST DETAILS

| | | | | |
|---|--|--|---------------------------------|-------------------|
| REPORTED DATE TIME DAY 8/5/2018 14:38 SUN | LOCATION OF OCCURRENCE CENTER Street / M L KING JR Way, BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE | BREATHANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Ordaz, Hugo #101 | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES NONE | MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input checked="" type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATIONS | HOSPITAL | |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|--|--------------------|--------------------|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Gonzalez, Andres | RACE H | SEX M | DOB 01/27/1983 | AGE 35 |
| ADDRESS | PHONE | LICENSE | STATE | PEN | |
| BUSINESS OTHER ADDRESS | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT 5' 7 | WEIGHT 130 | HAIR BRO | EYES BRO | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | | NICKNAME MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE |
| | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|----------------------|--|---------|------------------|----------|
| BMC6.32.030 | Violation of city park rules | | Committed | 5 |
| PC 1203.2 - M | Probation Violation : Misdemeanor | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | | | |
|------------------------------------|-------------------------|------------------------|------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 | JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

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|--|--|--|--|-----------------------|
| REPORTING OFFICER Martinez, Samantha #21 | DATE / TIME WRITTEN 08/05/2018 17:59 | REVIEWED BY SUPERVISOR Hong, Peter | DATE / TIME 08/05/2018 09:58 | PAGE 1 of 1 |
|--|--|--|--|-----------------------|

**BERKELEY POLICE DEPARTMENT**

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EMAIL: police@cityofberkeley.info

Case # **2018-00043958****ARREST REPORT**

BPD-11 (Rev. 05-29-2011)

ARREST DETAILS

| | |
|---|---|
| REPORTED DATE TIME DAY 8/5/2018 16:02 SUN | LOCATION OF OCCURRENCE ALLSTON Way / MLK JR Way, BERKELEY |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED |
| MIRANDA GIVEN BY | MIRANDA DATE TIME |
| STATEMENT TAKEN BY | STATEMENT TYPE |
| TRANSPORTING OFFICER Phelps, Ben #153 | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NONE |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY |
| <input type="checkbox"/> POSS. INTERNAL INJURIES | <input type="checkbox"/> SUSPECT INJURIES |
| <input type="checkbox"/> SEVERE LACERATIONS | <input type="checkbox"/> MEDICAL TREATMENT |
| <input type="checkbox"/> UNCONSCIOUSNESS | <input type="checkbox"/> HOSPITAL |

ARRESTED SUBJECT

| | | | | | |
|------------------------|---|---|---|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX ANDREWS, DONWESLEY, WILLIAM | RACE W | SEX M | DOB 12/20/1994 | AGE 23 |
| ADDRESS | PHONE | LICENSE | STATE | PEN | |
| BUSINESS OTHER ADDRESS | BUSINESS OTHER PHONE | FAMILY ADDRESS | | | |
| HEIGHT 6'1 | WEIGHT 145 | HAIR BRO | EYES BRO | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | NICKNAME MONIKER | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEA REGISTRANT |
| CLOTHING DESCRIPTION | | <input type="checkbox"/> SOVEREIGNS CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|--------------------|-------------------------------------|---------|------------------|----------|
| BMC6.32.030 | Violation of city park rules | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | |
|------------------------------------|-------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 |
| | | JUVENILE PHONE CALL #2 |
| | | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

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|--|--|--|--|-----------------------|
| REPORTING OFFICER Coria, Cesar #87 | DATE / TIME WRITTEN 08/05/2018 17:57 | REVIEWED BY SUPERVISOR Hong, Peter | DATE / TIME 08/05/2018 10:00 | PAGE 1 of 1 |
|--|--|--|--|-----------------------|



BERKELEY POLICE DEPARTMENT

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

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EMAIL: police@cityofberkeley.info

Case # **2018-00043960**

ARREST REPORT

BPL-11 (rev. 03-29-2016)

ARREST DETAILS

| | | | | |
|---|---|---|---|--|
| REPORTED DATE TIME DAY 8/5/2018 16:06 SUN | LOCATION OF OCCURRENCE 2151 MLK JR Way / BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE OTHER | BREATHANALYZER |
| MIRANDA GIVEN BY | MIRANDA DATE TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Bejarano, Andres #52 | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | <input type="checkbox"/> SUSPECT INJURIES | <input type="checkbox"/> MEDICAL TREATMENT |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input checked="" type="checkbox"/> SORE | <input type="checkbox"/> SEVERE LACERATIONS | <input type="checkbox"/> NONE | <input type="checkbox"/> HOSPITAL |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> INCONSCIOUSNESS | | |

ARRESTED SUBJECT

| | | | | | |
|------------------------|--|--------------------|-----------------|--|---|
| ROLE | LAST, FIRST, MIDDLE, SUFFIX AR IVANOV, ARTEM | RACE W | SEX M | DOB 06/04/1996 | AGE 22 |
| ADDRESS | PHONE | LICENSE | STATE | PEN | |
| BUSINESS OTHER ADDRESS | BUSINESS OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT 5' 10 | WEIGHT 180 | HAIR BRO | EYES | TATTOO LOCATION | TATTOO DESCRIPTION |
| GANG AFFILIATION | | NICKNAME MONIKER | | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE |
| | | | | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| | | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER |
| CLOTHING DESCRIPTION | | | | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|----------------------|--|---------|------------------|----------|
| PC 148 (A)(1) | Obstruct/resist peace officer/emergency personnel | | Committed | 1 |
| BMC6.32.030 | Violation of city park rules | | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | |
|------------------------------------|-------------------------|------------------------|
| PARENT GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS |
| PARENT GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 |
| | | JUVENILE PHONE CALL #2 |
| | | JUVENILE PHONE CALL #3 |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

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|---|--|--|--------------------------------------|-----------------------|
| REPORTING OFFICER Tillberg, Jason #40 | DATE/TIME WRITTEN 08/05/2018 19:38 | REVIEWED BY SUPERVISOR Hong, Peter | DATE/TIME 08/05/2018 09:59 | PAGE 1 of 1 |
|---|--|--|--------------------------------------|-----------------------|

**BERKELEY POLICE DEPARTMENT**

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Case # **2018-00043962****ARREST REPORT**

BPD-115 rev. 03-29-2013

ARREST DETAILS

| | |
|---|--|
| REPORTED DATE TIME DAY 08/05/2018 16:09 SUN | LOCATION OF OCCURRENCE MLK JR. Way / CENTER Street, BERKELEY |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED |
| MIRANDA GIVEN BY | MIRANDA DATE TIME |
| STATEMENT TAKEN BY | STATEMENT TYPE |
| TRANSPORTING OFFICER Legall, Veron #19 | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input checked="" type="checkbox"/> NONE |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY |
| <input type="checkbox"/> POSS. INTERNAL INJURIES | <input type="checkbox"/> SUSPECT INJURIES |
| <input type="checkbox"/> SEVERE LACERATIONS | <input type="checkbox"/> MEDICAL TREATMENT |
| <input type="checkbox"/> UNCONSCIOUSNESS | <input type="checkbox"/> HOSPITAL |

ARRESTED SUBJECT

| | | | | | |
|--------------------------|--|--|---|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX Davis, Meril | RACE W | SEX M | DOB 01/01/1985 | AGE 33 |
| ADDRESS | PHONE | LICENSE | STATE | PEN | |
| BUSINESS / OTHER ADDRESS | BUSINESS / OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT | WEIGHT | HAIR | EYES | TATTOO LOCATION | |
| TATTOO DESCRIPTION | | | | | |
| GANG AFFILIATION | NICKNAME / MONIKER | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| CLOTHING DESCRIPTION | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |
|---------------|--|-----------|--------|--------|
| PC 148 (A)(1) | Obstruct/resist peace officer/emergency personnel | Committed | | 1 |
| PC 405a | Taking from lawful custody by police officer during riot | Attempted | | 1 |
| PC 185 | WEAR MASK FOR UNLAWFUL PURPOSE | Committed | | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT | COMMIT | COUNTS |

JUVENILE PROCESSING

| | | |
|--------------------------------------|-------------------------|------------------------|
| PARENT / GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS |
| PARENT / GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER |
| FINGERPRINTS PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL #1 |
| JUVENILE PHONE CALL #2 | JUVENILE PHONE CALL #3 | |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | | |
|---|--|---|--|-----------------------|
| REPORTING OFFICER Haney, Heather #102 | DATE / TIME WRITTEN 08/05/2018 20:48 | REVIEWED BY SUPERVISOR Lee, Peter | DATE / TIME 08/05/2018 09:09 | PAGE 1 of 1 |
|---|--|---|--|-----------------------|



BERKELEY POLICE DEPARTMENT

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

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EMAIL: police@cityofberkeley.info

Case # **2018-00043918**

ARREST REPORT

BPD-115 (rev. 03-29-2013)

ARREST DETAILS

| | | | | | |
|--|---|---|-----------------------------|-------------------|----------|
| REPORTED DATE / TIME / DAY 08/05/2018 11:44 SUN | | LOCATION OF OCCURRENCE FRANCISCO Street / MCGEE Street, BERKELEY | | | |
| ARREST TYPE ON-VIEW BY OFFICER | ARREST STATUS BOOKED | BASIS FOR CAUTION | ID PROCEDURE FINGERPRINT | BREATH ANALYZER | |
| MIRANDA GIVEN BY | MIRANDA DATE / TIME | SUSPECT RESPONSE IF MIRANDA INVOKED | | | |
| STATEMENT TAKEN BY | STATEMENT TYPE | TRANSPORTING OFFICER Grover, Wesley #67 | | | |
| <input type="checkbox"/> APPARENT BROKEN BONES | <input type="checkbox"/> LOSS OF TEETH | <input type="checkbox"/> POSS. INTERNAL INJURIES | SUSPECT INJURIES | MEDICAL TREATMENT | HOSPITAL |
| <input type="checkbox"/> APPARENT MINOR INJURY | <input type="checkbox"/> NONE | <input type="checkbox"/> SEVERE LACERATION(S) | | | |
| <input type="checkbox"/> POSSIBLE BROKEN NOSE | <input type="checkbox"/> OTHER MAJOR INJURY | <input type="checkbox"/> UNCONSCIOUSNESS | | | |

ARRESTED SUBJECT

| | | | | | | |
|--------------------------|---|------------------------|--|---|--|---|
| ROLE AR | LAST, FIRST, MIDDLE, SUFFIX parker, thomas | | RACE W | SEX M | DOB | AGE |
| ADDRESS | | PHONE | LICENSE | | STATE | PFN |
| BUSINESS / OTHER ADDRESS | | BUSINESS / OTHER PHONE | EMAIL ADDRESS | | | |
| HEIGHT | WEIGHT | HAIR | EYES | TATTOO LOCATION | TATTOO DESCRIPTION | |
| GANG AFFILIATION | | NICKNAME / MONIKER | <input type="checkbox"/> ARSON REGISTRANT | <input type="checkbox"/> PAROLEE | <input type="checkbox"/> DRUG REGISTRANT | <input type="checkbox"/> SEX REGISTRANT |
| CLOTHING DESCRIPTION | | | <input type="checkbox"/> SOVEREIGN CITIZEN | <input type="checkbox"/> VIOLENT OFFENDER | | |

OFFENSES

| SECTION | STATUTE DESCRIPTION | ATTEMPT / COMMIT | COUNTS |
|------------|---|------------------|--------|
| 148 (A)(1) | Obstruct/resist peace officer/emergency personnel | Committed | 1 |
| 182 (A)(1) | CONSPIRACY: COMMIT CRIME | Committed | 1 |
| SECTION | STATUTE DESCRIPTION | ATTEMPT / COMMIT | COUNTS |
| SECTION | STATUTE DESCRIPTION | ATTEMPT / COMMIT | COUNTS |

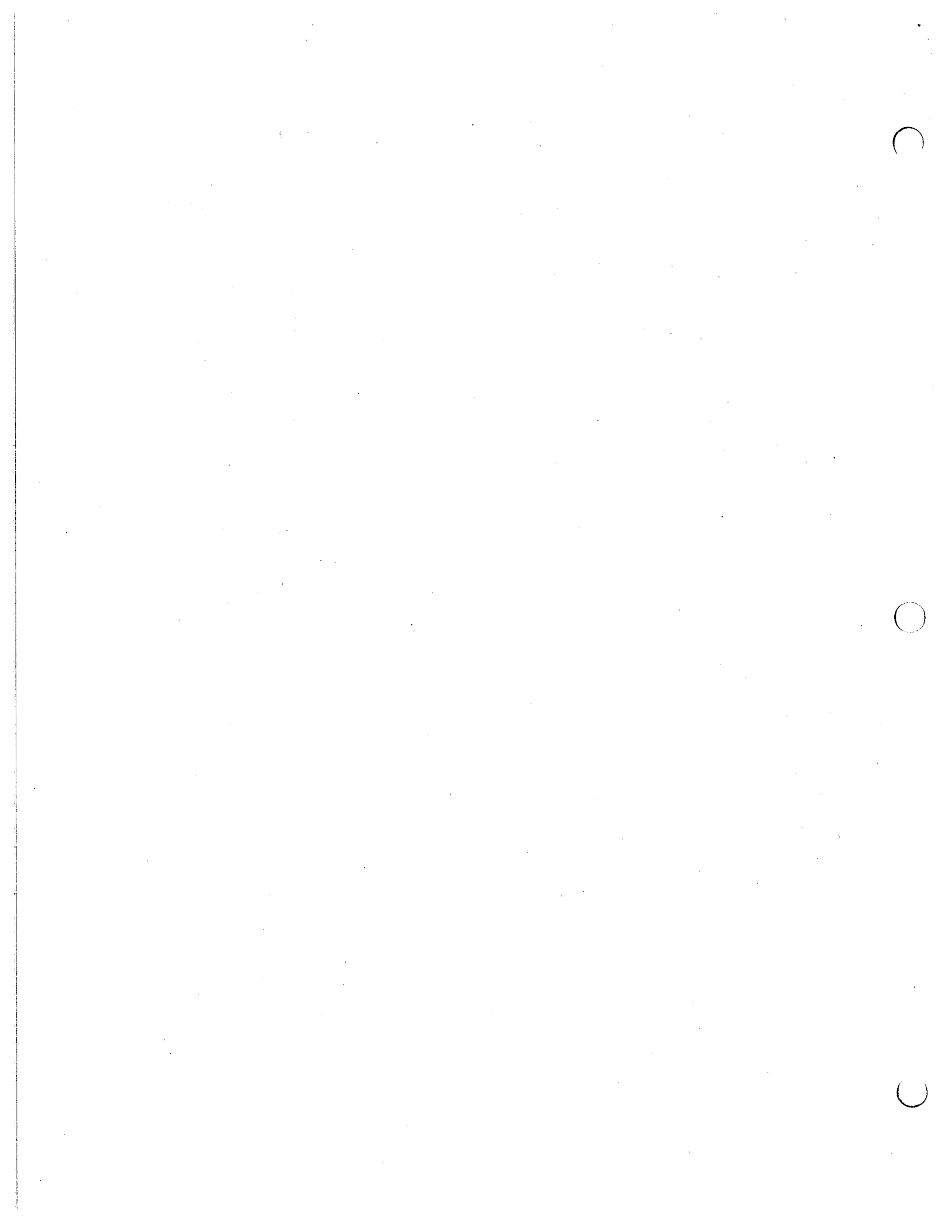
JUVENILE PROCESSING

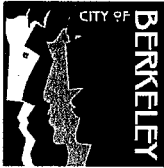
| | | | | | |
|--------------------------------------|-------------------------|------------------------|------------------------|------------------------|--|
| PARENT / GUARDIAN RESPONSIBLE PERSON | RELATIONSHIP | ADDRESS | | | |
| PARENT / GUARDIAN NOTIFIED | RELATIONSHIP | NOTIFICATION OFFICER | NOTIFY DATE AND TIME | | |
| JUVENILE RELEASED TO | RELATIONSHIP | RELEASING OFFICER | RELEASE DATE AND TIME | | |
| FINGERPRINTS / PHOTO PROCESSED BY | REASON IF NOT PROCESSED | JUVENILE PHONE CALL =1 | JUVENILE PHONE CALL =2 | JUVENILE PHONE CALL =3 | |

NARRATIVE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

| | | | |
|---|---|------------------------|----------------|
| REPORTING OFFICER Stines, Chris #S30 | DATE / TIME WRITTEN 09/04/2018 12:25 | REVIEWED BY SUPERVISOR | PAGE 1 of 1 |
|---|---|------------------------|----------------|





Cheryl Davila
Councilmember District 2

ACTION CALENDAR
September 13, 2018

To: Honorable Mayor and Members of the City Council
From: Vice Mayor Cheryl Davila and Councilmember Kate Harrison
Subject: City of Berkeley Policy Limiting the Publishing of Arrest Photos (doxing) of people arrested by the Berkeley Police Department

RECOMMENDATION

That the Council direct the City Manager to develop an ordinance that:

The Berkeley Police Department (BPD) shall not publicly post on social media, including but not limited to FaceBook, Instagram, Twitter, etc., the arrest photos of individuals arrested, unless they pose an immediate threat to the public safety of the Berkeley community (e.g. persons wanted for serial rape, homicide, or felony assault).

Furthermore, it is recommended that the City of Berkeley resist PRA requests for arrest photos and identifying information on individuals that have been arrested when doing so poses a risk to their safety as a result of threats against them and when doing so provide no public safety value.

BACKGROUND

As a Sanctuary City, Berkeley prides itself on its commitment to protecting and standing in solidarity with its residents targeted by racism, xenophobia, homophobia, transphobia, ableism, sexism and other biases and forms of hate violence. Being a Sanctuary City for immigrants as well as from racial, religious or gender-based violence also requires that we do not allow City-supported platforms to espouse hatred and calls for violence against people based on race, nationality, religion, gender, sexual orientation or immigration status. As such, the City of Berkeley needs to be clear in word and action that it is against such hatred and violence – by individuals or groups.

Following arrests during the August 5, 2018 demonstrations, the Berkeley Police Department released the arrest photos, home cities and legal names of those arrested. These names were then promoted by Fox news and other outlets used to foment attacks against those who speak out against racism and fascism. By doing so, the Berkeley Police Department contributed to “doxing” people – publishing personal information to be used to harass and threaten people at their homes and places of work.

Doxing has resulted in threats to people’s children and families, and even putting “bounties” on their heads. Though these photos were later removed due to political pressure and international criticism of Berkeley, the damage was done. They remain

~~Deleted: Vice Mayor ¶~~

~~Deleted: adopt~~

~~Deleted: refer to~~

~~Deleted: as~~

~~Deleted: a City of Berkeley Policy in the form of~~

~~Deleted: through email or other forms of communication~~

~~Deleted: t~~

~~Deleted: mugshots or pictures~~

~~Deleted: persons arrested for serial rape,~~

~~Deleted: Under no circumstances shall BPD publish photos of individuals arrested in First Amendment activity. ¶ Council affirms its opposition to racist and other hate speech and calls for racist violence and affirms its solidarity with communities most targeted by white supremacy. ¶ ¶~~

~~Deleted: sanctuary city~~

~~Deleted: sanctuary city~~

~~Deleted: Furthermore, the City of Berkeley should not take actions that curtail the first amendment rights of those attempting to express non-violently that racism, xenophobia, homo/transphobia, antisemitism and Islamophobia are not welcome in Berkeley. Instead, we should be doing everything we can to protect free speech.~~

~~Deleted: at rallies called for by self-proclaimed white nationalists and supremacists~~

~~Deleted: , the vast majority of which were anti-racists~~

~~Deleted: These calls have gone as far as threatening~~

~~Deleted: people’s~~

available on the internet and continue to be circulated by Fox news and other outlets. People whose names were released are receiving threatening phone calls at work and home, postings and emails.

After BPD published these photos, City Councilmembers received numerous calls and emails from Berkeley residents expressing outrage over this practice.

Of the persons whose identifying information and booking photos were published by BPD in 2017 during demonstrations, none were convicted of any crime related to these arrests. Similarly, these photos were published on social media prior to any conviction of a crime. The practice of posting the pictures publicly of those arrested could create a chilling effect and discourage free speech activity and could pose a safety risk to those persons whose pictures are published on social media.

Deleted: in First Amendment

Deleted: activity while protesting racist and fascist rallies

As recommended by the National Lawyers Guild, the City of Berkeley should discourage the release of arrest photos and other identifying information not already available on the BPD website when requested in PRAs in situations where one party is likely to do harm to another.

It is important, however, to have an exception to this policy for individuals who pose an immediate threat to the public safety of the Berkeley community (e.g. persons suspected of serial rape, persons wanted for homicide, or felony assault). Residents should know if a suspect who is out in the community can pose an imminent threat to public safety.

Deleted: arrested for

Deleted: a serious risk

FINANCIAL IMPLICATIONS

Staff time to draft, review and finalize ordinance.

ENVIRONMENTAL SUSTAINABILITY

No ecological impact.

CONTACT PERSON

Vice Mayor Cheryl Davila, 510.981.7120

Attachments:

1. NLG Statement (pending)
2. Berkeley police slammed for Antifa-related mugshot tweets after violent rally – Fox news posting of mug shots and names of those arrested
3. Berkeley police under fire for publishing anti-fascist activists' names and photos - Guardian article
4. Anti-fascists say police post mugshots on Twitter to 'intimidate and silence' – Guardian article
5. ACLU of California Statement: White Supremacist Violence is Not Free Speech

RESOLUTION NO. ##,###-N.S.

Resolution against City of Berkeley doxing or releasing of arrest photos and other identifying information about people arrested in civil conflicts.

WHEREAS, Berkeley unequivocally supports people's exercise of their First Amendment rights, including the right to associational privacy and to protect oneself from future retaliation as a result of exercising their freedom of expression; and,

WHEREAS, Berkeley has expressed its solidarity with communities most targeted by white supremacist organizing, and recognizes the threat to their safety and the trauma caused by incursions into Berkeley by violence-prone agitators; and,

WHEREAS, the ACLU of California stated in August of 2017, "the First Amendment does not protect people who incite or engage in violence. If white supremacists march into our towns armed to the teeth and with the intent to harm people, they are not engaging in activity protected by the United States Constitution. The First Amendment should never be used as a shield or sword to justify violence," and,

WHEREAS, after Berkeley police officers arrested counter-demonstrators against white supremacy on both August 27, 2017 and August 5, 2018, the police publicly released identifying information including legal names and photos of those arrested on Twitter, leading to harassment of the demonstrators at their homes and workplaces, and threats to their children and family members; and,

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley refers to the City Manager to draft an ordinance that restricts the Berkeley Police Department or other City of Berkeley departments from publishing or releasing the addresses or arrest photos of people arrested under the special circumstances of civil conflicts, particularly when one party is likely to do harm to another, on social media, and,

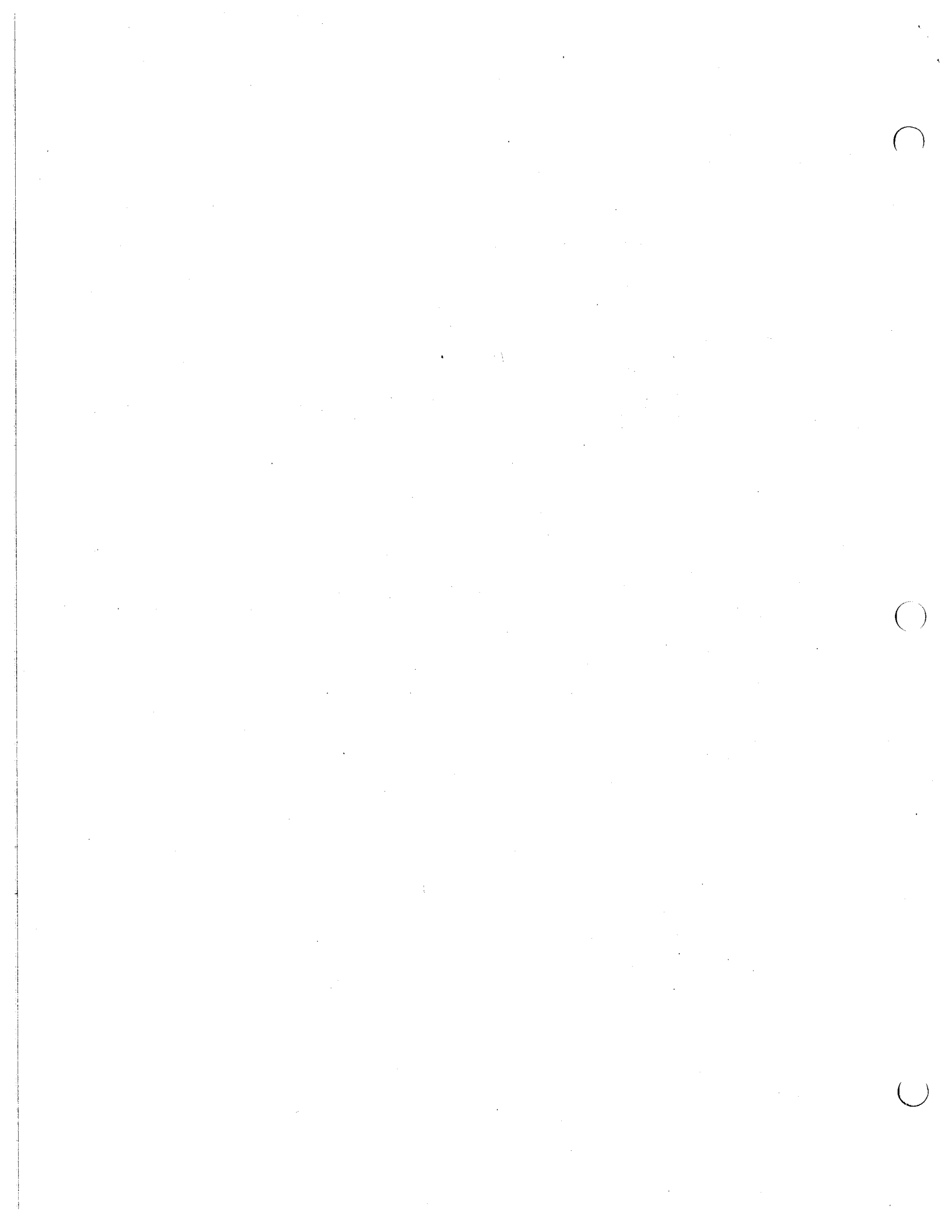
NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley refers to the City Manager to draft an ordinance that also encourages the Berkeley Police Department or other City of Berkeley departments to resist PRA's requesting the release of addresses, arrest photos or other identifying information of people arrested under the special circumstances of civil conflicts, particularly when one party is likely to do harm to another.

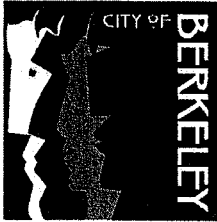
Deleted: , threatening

Deleted: , and putting bounties on people's heads

Deleted: Attorney

Deleted: specifically under threat of harm from people who spread hate.





Office of the City Manager

ACTION CALENDAR
September 13, 2018

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Andrew Greenwood, Chief of Police
Subject: Disposition of MOU Compendium Item 3.4, regarding Berkeley Police Department interaction with US Immigration and Customs Enforcement

RECOMMENDATION

Decline to approve MOU Compendium Item 3.4 as presented to Council on July 23, 2018 and continued to the Sept. 13 meeting agenda; and request the City Manager inform Council upon implementation of a new Berkeley Police Department General Order regarding interaction with US Immigration and Customs Enforcement officials, to include incorporation of applicable state law, and to include current Council policy as specified in Berkeley City Council Resolution 68,131 NS, as passed on July 25, 2017.

FISCAL IMPACTS OF RECOMMENDATION

There are no fiscal impacts associated with this recommendation.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley City Council each year reviews the MOU Compendium and either approves or disapproves the items contained therein.

In March 2018, the Police Review Commission, as part of their annual evaluation of the MOU Compendium, recommended that Council, "Approve the ICE MOU with the proviso that it be modified to reflect the following: BPD shall not provide standby security service for U.S. ICE investigations or enforcement actions or otherwise be involved in any way with facilitating or aiding in an ICE operation." (It is understood that by "ICE MOU" the PRC was referring to MOU Compendium Item 3.4, as there is no actual Memorandum of Understanding between the Berkeley Police Department and the Immigration and Customs Enforcement agency.)

In our July 23, 2018 Council Report regarding the annual review of the MOU Compendium, we responded to the PRC's suggestion. We reported to Council that a new Berkeley Police General Order, which is in the final stages of review, will specifically govern all aspects of immigration enforcement, and incorporate policy as set by Council Resolutions, as well as recent developments in state law. The implementation of the new general order would further result in Item 3.4 being amended, so that Item 3.4 would refer exclusively to the new policy.

Given the existence of a new General Order, the Police Department proposes that Item 3.4 not be approved, and that Council consider deleting Item 3.4 from the MOU Compendium. The MOU Compendium structure can be needlessly confusing, especially in this case, where the very title suggests that there exists an *actual* MOU, and that is *not* the case.

By implementing a General Order specifically addressing the Department's policy with regards to Police Department staff's interactions with ICE, the Department intends to implement a single source of policy information for employees and for the public. By declining to approve Item 3.4 from the MOU Compendium, redundant policy language will be eliminated, while transparency will be served through inclusion of all relevant policy in one document, the Police Department General Order.

BACKGROUND

The City of Berkeley has a long history and deep commitment to welcoming immigrants, refugees, and those in exile. Most recently, in 2007, 2016, and 2017, City Council reaffirmed this commitment through a series of Council Resolutions.

The Berkeley Police Department maintains a compendium of agreements and understandings between the Berkeley Police Department and other local, state and federal law enforcement agencies. Since April 2010, the MOU Compendium has included Item 3.4, "Federal: Department of Homeland Security, US Immigrations and Customs Enforcement (USICE)". Item 3.4's narrative briefly describes the City's older legislative actions from 1971 under Council Resolution 44,784 NS, and 2007, under Council Resolution 63,711. The Item also briefly describes when the Police Department may interact with ICE. The Item included for reference a 2008 email from Chief Hambleton to BPD staff, and the 2007 Council Resolution 63,711 NS.

ENVIRONMENTAL SUSTAINABILITY

Not applicable.

RATIONALE FOR RECOMMENDATION

The recommendation is intended to increase clarity and decrease potential confusion by removing Item 3.4 from the MOU Compendium, while ensuring Council is made aware of the implementation of a new General Order governing the interaction between the Berkeley Police Department and officials from the Immigration and Customs Enforcement agency. The new General Order will specifically incorporate Council policy as well as new state law requirements. The General Order would be the sole policy document, as the Item 3.4 cover page (and its narrative language) would be deleted from the MOU Compendium.

Disposition of MOU Compendium Item 3.4, regarding Berkeley Police Department interaction with US Immigration and Customs Enforcement Officials

ACTION CALENDAR
September 13, 2018

ALTERNATIVE ACTIONS CONSIDERED

Council could choose to approve Item 3.4 as originally described in the July 23 Council Item. The Item cover page would be redrafted to direct the reader to the new General Order.

Council could take no action. Absent approval, Item 3.4 will be removed from the MOU compendium. The Police Department would implement the new General Order.

CONTACT PERSON

Andrew Greenwood, Chief, Berkeley Police Department, 510 981-5900

Attachments:

1: Existing Item 3.4 Summary Page from MOU Compendium

CITY COUNCIL REVIEW / APPROVAL BINDER

BERKELEY POLICE DEPARTMENT AGREEMENTS, LETTERS AND UNDERSTANDINGS RE: MUTUAL AID, INFORMATION SHARING AND COOPERATION WITH OTHER LAW ENFORCEMENT, MILITARY ENTITIES, AND PRIVATE SECURITY ORGANIZATIONS

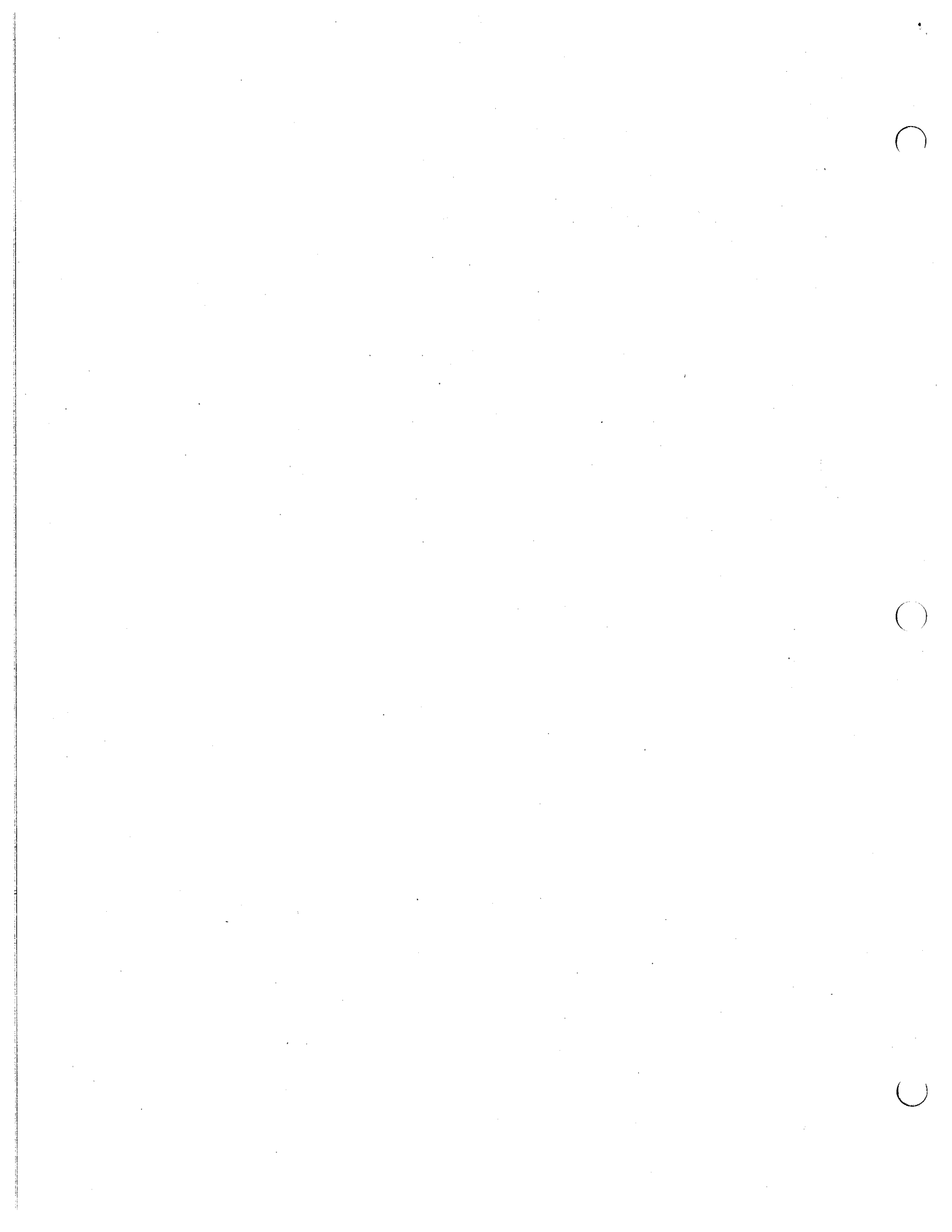
(Berkeley Municipal Code §2.04)

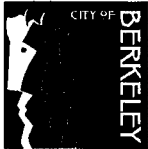
| | |
|-------------------|---|
| Item # | 3.4 |
| Title: | FEDERAL: DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATIONS AND CUSTOMS ENFORCEMENT (USICE) |
| Type: | General understanding, local ordinance prohibitions |
| Approvals: | Initial: April 20, 2010 / Current: March 14, 2017 |
| Summary: | <p>The USICE enforces federal immigration and customs-related laws. They assist State and local law enforcement in the location of non-citizen violent offenders who have fled the United States to evade arrest and prosecution.</p> <p>Council Resolution No 44,784-NS (1971) designated Berkeley as a City of Refuge. Resolution No 63,711 reaffirmed this designation in 2007. The 2007 Resolution prohibits the use of City resources in support of USICE immigration investigations, and precludes the inquiry or sharing of a person's immigration status.</p> <p>With regard to the prohibitions of Resolution No 63,711, the Police Department may request investigative assistance from USICE to support state and local criminal investigations. The Police Department may, upon USICE request, provide "professional courtesy" stand-by security service at the location of a USICE investigation for the sole purpose of ensuring public and officer safety. Police Department will provide emergency life-safety assistance, and may investigate State/local crimes (e.g. an officer involved shooting) occurring in association with a USICE operation. No other administrative, logistical, or enforcement service is provided in support of a USICE immigration investigation/enforcement action.</p> <p>Chief Hambleton codified these directives in Department policy via written communication to management staff on January 30, 2008.</p> |
| Rationale: | Within the structure of local Resolution, maintaining a relationship with USICE is appropriate when investigating non-immigration local criminal cases in which the suspect is a non-citizen. |

Disposition of MOU Compendium Item 3.4, regarding Berkeley Police Department interaction with US Immigration and Customs Enforcement Officials

ACTION CALENDAR
September 13, 2018

| | |
|------------------------|---|
| Cost: | If Approved: Cost will be neutral. Approval will continue to support current law enforcement activity, funded in existing budget. If Not Approved: Effect on cost cannot be calculated. Reduced cooperation would increase the burden of enforcement and related activity; costs would be borne by the Police Department |
| Recommendation: | Continued approval |





BERKELEY POLICE DEPARTMENT AFTER ACTION REPORT



“Say No to Marxism” at Civic Center Park “Stop the Hate” at Ohlone Park

Type of Occurrence: Protest / Counter Protest

Background:

On Feb. 1, 2017, a planned event featuring Milo Yiannopoulos on the UC Berkeley campus drew a large boisterous protest on Sproul Plaza. In the midst of that protest, a large group of over a 150 masked extremists stormed the campus, attacked police with fireworks and explosives, tore apart safety barricades, violently assaulted people in the area, vandalized and destroyed property in south campus and downtown, set multiple fires and threw a lit flare into a downtown bank. This group acted in a coordinated manner, indicating organization, clear goals, and a plan to disrupt the event, and deny those with whom they disagree the physical space to express first amendment protected speech.

Due to the actions of this group, the event was immediately cancelled due to safety concerns, and Yiannopoulos did not speak. This event brought national focus on the City of Berkeley and the University of California, and the issue of free speech.

In Berkeley, on February 1, April 15, and August 27, large coordinated groups of extremists took coordinated action and violently attacked people engaging in free speech activities, as well as police officers. These attacks resulted in significant injuries to both civilians and police officers.

On April 15, dozens of masked extremists entered Civic Center Park during an otherwise peaceful event, and ultimately attacked others in the park, as well as police officers, using a variety of weapons including chemical irritant sprays, explosive quarter sticks of dynamite known as “M-80s”, sticks, bats, bike locks, and wooden shields. An improvised explosive device was also recovered in the park.

On August 27, in another display of coordinated maneuver and direction, several hundred masked extremists arrived on the scene of an otherwise peaceful event in Civic Center Park, accompanied by a flatbed truck loaded with weapons and shields. Shields were off-loaded from the truck and distributed to masked extremists. Directions from an amplified sound system were given. A person on the truck used a loudspeaker to prepare the crowd for violent confrontation, warning that anyone who was concerned about violence should move away. The masked group formed a line with their shields, violently moved a person off of their own skirmish line, ignited smoke bombs, and ultimately entered the park illegally, armed with shields and weapons. Extremists subsequently attacked individuals in the park. They used their shields as weapons against others.

September 2017, Berkeley experienced 5 days of politically polarized protests and counter protests when Ben Shapiro spoke at Zellerbach Hall on the UC Campus, and later during a Milo Yiannopoulos-organized "Free Speech" week on campus.

In late July 2018, at a protest against a perceived right wing gathering in Oakland, a group clashed with Oakland Police and an improvised explosive device was thrown at officers, injuring six with shrapnel. Last year at a similar Civic Center Park event, as noted above, explosives were thrown at BPD, injuring several officers.

On Sunday, August 5, 2018, an unpermitted, non-city sanctioned event labelled "No to Marxism in America 2 / Say no to Communism" was slated to take place in Berkeley's Civic Center park. Several groups that have participated in violent behavior have indicated they would attend. One of the potential participants, Joey Gibson of Patriot Prayer, has been the focus of many of the events outlined above and was specifically targeted on August 27th, 2017. On June 3, 2018, Gibson/Patriot Prayer hosted an event in Portland, Oregon that resulted in violence by opposing groups of extremists.

In an apparent response, a second, unpermitted, non-city sanctioned event, labelled "Stop the Hate" was slated to occur in Ohlone Park. Based on prior similar events, we anticipated members of the Ohlone Park event would march to Civic Center Park to counter demonstrate.

Based on this information and the history of violence associated with multiple similar events in 2017, there was a strong possibility there would be violent assaults and other criminal activity between opposing groups on August 5th in Berkeley.

Command Post Information:

A Unified Operations Center was established at the PSB. This included:

- Unified Command with Berkeley Fire and Mutual Aid Partners
- Emergency Operations Center for citywide services.
- Mutual Aid was coordinated through the Alameda County Office of Emergency Services. Deployment was coordinated through the Unified Command Operations Center.

Arrest Information:

Overall, 20 individuals were arrested over the course the day.

| Offense | # of charges |
|--------------------------|--------------|
| PC 242 (Battery) | 1 |
| PC 185 (Masked offender) | 3 |
| BMC (Municipal code) | 13 |
| PC 148 (Resist Arrest) | 5 |
| PC 405 (Riot) | 1 |
| PC 594 (Vandalism) | 1 |
| Weapons Violations | 13 |

Injuries

Officer injuries: No officers reported injuries related to the protests.

Civilian injuries: BFD reports 3 medical responses. Of those responses, none required transport to a hospital.

Inventory of Chemical Munitions:

| Pre-Event Inventory | Post-Event Inventory |
|--|--|
| GO CAN #1 Qty 2 CS 5230 Canisters Qty 2 CS 5231 Tri Chamber Qty 5 6210 White Smoke Qty 2 6210 Red Smoke | GO CAN #1 Qty 2 CS 5230 Canisters Qty 2 CS 5231 Tri Chamber Qty 5 6210 White Smoke Qty 2 6210 Red Smoke |
| GO CAN #2 Qty 2 CS 5230 Canisters Qty 2 CS 5231 Tri Chamber Qty 3 6210 White Smoke Qty 4 5210 White Smoke | GO CAN #2 Qty 2 CS 5230 Canisters Qty 2 CS 5231 Tri Chamber Qty 3 6210 White Smoke Qty 4 5210 White Smoke |
| GO CAN #3 Qty 15 CS 6230 Canisters | GO CAN #3 Qty 15 CS 6230 Canisters |
| GO CAN #4 Qty 14 OC Vaper Canisters Qty 12 OC 9440 Bangs | GO CAN #4 Qty 14 OC Vaper Canisters Qty 12 OC 9440 Bangs |
| Cardboard Box Qty 15 MK9 OC Foggers | Cardboard Box Qty 15 MK9 OC Foggers |
| Wood Crate Qty 30 5210 White Smoke | Wood Crate Qty 27 5210 White Smoke (3 deployed) |
| Gold Backpack Qty 4 5210 White Smoke Qty 4 CS Tri Chambers Qty 2 OC Vaper Canisters Qty 2 OC 9440 Bangs | Gold Backpack Qty 4 5210 White Smoke Qty 4 CS Tri Chambers Qty 2 OC Vaper Canisters Qty 2 OC 9440 Bangs |
| Blue Backpack Qty 4 5210 White Smoke Qty 4 CS Tri Chambers Qty 2 OC Vaper Canisters Qty 2 OC 9440 Bangs | Blue Backpack Qty 4 5210 White Smoke Qty 4 CS Tri Chambers Qty 2 OC Vaper Canisters Qty 2 OC 9440 Bangs |

| | |
|---|--|
| <p>Gold Vest Qty 3 5210 White Smoke Qty 2 CS Tri Chambers Qty 1 OC Vaper Canister</p> <p>Blue Vest Qty 4 5210 White Smoke Qty 2 CS Tri Chambers Qty 1 OC Vaper Canister</p> | <p>Gold Vest Qty 2 5210 White Smoke (1 deployed) Qty 2 CS Tri Chambers Qty 1 OC Vaper Canister</p> <p>Blue Vest Qty 4 5210 White Smoke Qty 2 CS Tri Chambers Qty 1 OC Vaper Canister</p> |
|---|--|

A total of 4 cans of Smoke were deployed.

Personnel Costs:

- Personnel costs: \$124,000
- Other costs: \$30,000

Property Damage:

- Trash cans set on fire IFO 2100 Center St.
- Vandalism to Patelco Credit Union – Smashed ATM at 2033 Shattuck Ave.
- Vandalism to Marines Recruiting Center – Smashed plate glass windows. 64 Shattuck Ave.
- Vandalism to 21 City of Berkeley vehicles parked at 2029 Berkeley Way. Arson to city vehicle.

*Cost estimates pending.

Overall Critique:

Planning and Preparation:

There was relatively short notice about the events. Once Patriot Prayer indicated they would attend the Civic Center Park event, the assessment was made that there was significant potential for violent counter-protest. Planning involved significant involvement of tactical leadership in developing tactical contingency plans. Their input was invaluable. Most of the commanders who would have leadership in the field were included in the planning process. This helped operations during the incident as they were involved, contributed and were oriented to the plan. The barricade plan and installation was smoother than past incidents. A commander was assigned to facilitate and monitor the installation. Hardscaping an outer perimeter allowed exclusion of threats posed by vehicles, as occurred in Charlottesville a year ago.

Mutual Aid meetings were held at BPD in the short lead-up. BPD established Unified Command at BPD in the Emergency Operations Center. Mutual Aid was provided by ACSO, Emeryville PD, San Leandro PD, Oakland PD, Hayward PD, UCPD and CHP totaling 202 officers. The Multi-Purpose Room was used exclusively for the Unified Command Post and

EOC which created plenty of space for mutual aid commanders. Other functions were moved to other areas of the PSB.

Response:

During the course of the events we handled multiple crowd management tasks and crowd control deployments, effected 20 arrests for individual violations. A truck laden with shields was towed when the occupants were taken into custody. Multiple weapons were confiscated including weapons hidden in large banners. Again, we observed a tactic where counter-protesters surrounded opponents with banners obscuring vision while counter-protesters kicked and punched opponents through the banner. Targeted arrests were made for weapons violations.

Crowd Management:

BPD Units took primary responsibility for creating a safe place for people to protest and counter protest peacefully. Armed individuals were disrupted early by patrols and weapons were seized. When crowds of protesters and counter protesters came together, BPD units were deployed close to the issue to deter assaults and intervene quickly with arrests for individual behavior. Armed groups indicated the need to use crowd control tactics to keep the groups apart to prevent violence.

Crowd Control:

A large crowd 500-1000 people formed containing a group of 100-150 people carrying weapons while wearing masks. The "No Hate" crowd was intent on confronting the "No to Marxism" protest in Civic Center Park with violence and were prevented multiple times from reaching the park by crowd control formations from BPD and Mutual Aid Partners. Eventually, a masked element attempted to breach skirmish lines and were repelled using smoke munitions and less-lethal projectiles, including ten rounds of 40mm and twenty rounds of FN303 impact rounds. This one limited engagement was effective in preventing serious violence on officers and keeping those involved away from the park. Throughout the event, Arrest support from transport units were able to quickly remove arrestees from the scene.

Marching:

The "No Hate" group containing armed counter protesters was monitored as it marched around downtown attempting to find a way into Civic Center Park. Due to the composition of the crowd we did not join the march. Crowd to officer ratios were not favorable to safely employ this tactic. We were unable to intervene and make arrests for significant acts of vandalism and arson as the group marched away following the confrontation with police. The crowd responsible for vandalism on Shattuck Ave and Berkeley Way joined another "Solidarity" event at Ohlone Park and removed masks, doffed black attire and left obvious weapons behind before many marched back to Civic Center Park. By this time, the "Say no to Marxism" protesters concluded their event and left for the day. The assessment was made that without a target to attack, the group could be allowed into Civic Center Park. Inability to get updates directly from overhead Mutual Aid Helicopters hampered situational awareness during the march.

Nothing further to report.

Prepared by: Lt. D. Montgomery

To: Police Review Commissioners
Gwen Allamby Kitty Calavita Sahana Matthews
George Perezvelez Andrea Prichett Ismail Ramsey
Terry Roberts Michael Sherman Ari Yampolsky
Cc: Police Review Commission Officer Katherine J. Lee
From: Charles Clarke, resident of BPD Beat 3 within City Council District 1
Re: Suggested Commendation of Officer Stephanie Cole, BPD
Date: September 12, 2018

Having listened to a certain BPD audio recording published by Berkeleyside, I suggest the PRC issue a letter of commendation to the BPD along the following lines:

The Police Review Commission hereby commends

Officer Stephanie Cole

of the Berkeley Police Department for her conduct of a certain traffic stop on July 19, 2018, for demonstrating in exemplary fashion the principle of fair and impartial policing in the finest tradition of the City of Berkeley.

I further suggest that the Commission approve issuing the commendation at soonest opportunity, for example at its next meeting on September 26, 2018.

Hear: <https://soundcloud.com/berkeleyside/bartlett-traffic-stop>

See: Emilie Raguso, "Berkeley councilman to cop who pulled him over: 'You know, we're voting on your contract right now'," Berkeleyside, August 23, 2018
<https://www.berkeleyside.com/2018/08/23/berkeley-councilman-to-cop-who-pulled-him-over-you-know-were-voting-on-your-contract-right-now>

#####

YOU ARE INVITED
TO THE

BARBERSHOP FORUM

September 24th, 2018 | 6:00pm

SOUTH BERKELEY SENIOR CENTER

2939 Ellis Street | Berkeley, CA

GOALS AND OBJECTIVES

- BUILDING STRONG BONDS AND RELATIONSHIPS
- SHARING RESOURCES AND SERVICES
- ENRICHING CONVERSATIONS
- EMPLOYMENT OPPORTUNITIES
- INCREASING PUBLIC SERVICE
- EMPOWERING THE COMMUNITY

COME OUT AND BE THE CHANGE YOU WANT TO SEE!

This is an opportunity for the community to have an open dialogue with law enforcement officers from your local law enforcement agencies in an attempt to bridge the gap between law enforcement and our community.