

COPWATCH

REPORT

COPWATCH Berkeley, California

Spring 2005 510 548-0425



Inside:

**South Berkeley Justice
Project Kick Off**

.....

**National Conference
on Police Accountability**

.....

FBI Terrorizes Artists

.....

**"Less Lethal" Weapons:
Shield for Torture?**

.....

Homeless Rights

.....

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ELECTRIC SHOCK

Torture by Any Other Name

By Andrea Prichett

With lightning speed, police departments across the nation have been equipped with 50,000-volt 'Tasers,' and the incidents of abuse are increasing in number everyday. From children in Miami-Dade County in Florida to Abu Graib prisoners in Iraq, electric shock is an increasingly common method for dealing with "uncooperative" individuals. Recently, Amnesty International reported that over 90 people in the US and Canada have died following police Taser strikes since 2001, and that number seems to grow by the day. While local cities and towns are being pressured to add Tasers to their arsenals, human rights groups are objecting to these weapons as being untested, overused, and lending themselves too easily to be used as instruments of torture and death.

Tasers Introduced to The Public

It is instructive to watch how the use of Tasers has increased (about 5,500 police departments and prisons now have them) and compare it with the way pepper spray was introduced to the nation's police forces. Like the taser, pepper spray had many deaths associated with its use (over 100 by 1997). And when it was introduced in 1993, no primary research had been done to assess its risks. Despite the disclosure that bribes were given to an FBI agent to write a report about the chemical agent recommending its use, pepper spray was distributed widely to departments across the nation. Likewise, a recent study by an Air Force laboratory has been used by Taser International to support claims that the guns are safe. Now, the Air Force laboratory says that the guns are more dangerous than originally thought and that

more data is needed. Meanwhile, everyday more police departments purchase these weapons, and the stock price of Taser International continues to rise.

One way that advocates of pepper spray got around all of the criticism was to make it available to the public and not just police. Despite concerns that people with heart conditions, asthma, and other physical limitations were at great risk from exposure to pepper spray, manufacturers convinced legislators to approve an over-the-counter version that could be sold as a self-defense weapon. Here again, even though Tasers are essentially untested and are becoming more controversial by the day, they are beginning to be sold to the public. For \$999 and an optional 60 minute in home training class, any member of the public can carry a X26c, Taser's light-weight version of the

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and Canada have died
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strikes since 2001.**

weapon. How can we criticize police use of tasers when now any one can use these weapons for self-defense?

Alternative to De-escalation

The Taser was introduced as an alternative to the gun. The reality is that few officers who, if they believed that their life was in danger, would reach for anything but their gun. In fact, like pepper spray, the Taser is most often used in non-lethal situations. According to a July 18, 2002 article by Alex Berenson of the *New York Times*,

WHO IS COPWATCH?

We are a group of community residents and students who have become outraged by the escalation of police misconduct, harassment and brutality in recent years. We have joined together to fight for our rights and the rights of our community by directly monitoring police conduct.

We walk the streets and watch the police. Although it is important to resist police brutality by taking cops to court, filing complaints and having demonstrations, we believe that it is crucial to be in the streets letting the police know that the people will hold them accountable for their behavior in the community.

We have no single political or religious belief. Our volunteers come from a variety of backgrounds and perspectives. What we share is the belief that citizen participation in these issues and monitoring of the police is a crucial first step towards building a movement which is capable of stopping police violence and challenging the increasingly powerful role of police throughout our society.

If you have been a victim of police abuse, witnessed abuse or are just plain fed up with police misconduct and want to do something about it, give us a call. We will train you to COPWATCH. We also need artists, writers, researchers, outreach workers, organizers and others to help. We are an all volunteer group so your help is always needed!

COPWATCH

REPORT

The COPWATCH Report is published by Copwatch, a grassroots all-volunteer organization which works to defend the rights of everyone in our community to fair treatment under the law.

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"Little evidence supports the theory that Tasers reduce police shootings or work better than other alternatives to guns, like pepper spray...A 2002 (Taser International) company study found that nearly 85 percent of people shocked with Tasers were unarmed. Fewer than 5 percent were carrying guns."

Amnesty International USA says it has studied the use of Taser weapons by police and concluded that the "rampant use" of electroshock weapons is "contributing to widespread human rights abuse." While Tasers are marketed as an alternative to lethal force, Amnesty International has found that in the "overwhelming majority" of cases, police departments are using the Tasers in situations where they would never use a gun.

In its 93-page report, "Excessive and Lethal Force? Deaths and ill-Treatment Involving Police Use of TASERS," released in November 2004, Amnesty goes on to say that the growing use of Tasers "has dangerously expanded the boundaries of 'acceptable' levels of force." In other words, the report suggests that police are using tasers even on suspects they might ordinarily have subdued by hand. Amnesty International has called for a ban on the use of these weapons until conclusive research has been done.

We, the Guinea Pigs

The trend has been that we, the public, become the guinea pigs for the research that neither the defense industries nor the government bother to do. The main producer of the taser has been accused of conducting inadequate studies on its effects. According to Alex Berenson, *New York Times* (July 18, 2004):

"Taser International's primary safety studies on the M26, which is far more powerful than other stun guns, consists of tests on a single pig in 1996 and on five dogs in 1999. What is more, aside from a continuing Defense Department study, the results of which have not been released, no federal or state agencies have studied the safety or effectiveness of Tasers, which fall between two federal agencies and are essentially unregulated, nor has any federal agency studied the deaths to determine what caused them."

Amazingly, with at least 90 deaths associated with the use of Tasers since 2001, the government still has yet to act to protect the public. In fact, we are daily witnessing a national experiment on the

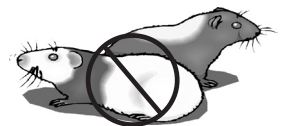
effects of electric shock on human beings. Each death, each casualty is mere data. Testing is supposed to happen BEFORE a product is released to make sure that people DON'T die. However, such is not the case when it comes to police use of weapons.

While Taser International enjoys record profits, too many community groups and police accountability advocates have been drawn into discussions of "how" Tasers should be used or what kinds of "guidelines" should be in place if they are brought into use in a department. We at Copwatch say "NO" to Tasers—PERIOD! Tasers are certainly not a necessity for any department. Other means already exist to accomplish the "humane" arrest of individuals—if the police care to employ them!

Tasers are:

1. Untested and associated with numerous deaths;
2. Inhumane treatment/torture and are not acceptable for use against innocent or convicted persons;
3. Not able to be supervised or monitored enough to prevent their misuse;
4. Another marketing scheme to make arms dealers wealthier.

Let the Berkeley City Council know:
**WE WILL NOT ALLOW TASERS IN
BERKELEY. WE WILL NOT ACCEPT
TORTURE BY ANY NAME!**



UC Police Review Board?: *Lame*

By Owen

In 1986 the UC Police Review Board (UCPRB) was established at UC Berkeley in order to review the actions of individual officers of the University of California Police Department (UCPD), to examine the overall performance of the department's complaint process and the quality of police-community interactions, and to make policy recommendations concerning those issues as appropriate. However, glowing intentions have fallen dreadfully short of expectations.

>>continued on page 8

PRC Investigation Cites “Reckless” Action by Oakland Cop in Suspect Shooting



By Andrea Prichett

The Berkeley Police Review Commission released the results of its investigation into the death of robbery suspect Glennel Givens almost 17 months after officers from Berkeley and Oakland shot him to death. The report is critical of the actions of individual officers, the lack of cooperation by the Berkeley Police Department in the investigation and the lack of clear guidelines for controlling outside police agencies who come into Berkeley to assist. While the PRC investigation raises some good questions, it offers only general recommendations about what policy changes the BPD should enact and fails to specify exactly what those changes should be.

On July 25, 2003, a robbery occurred at the Wells Fargo Bank on College Ave. near Ashby Ave. in Berkeley. When the call went out over police radio regarding the incident, some Oakland officers with experience working on robbery cases joined in the effort to track the suspect. What struck the PRC as strange was that one Oakland officer, Shawn Knight, who was booking a suspect into the jail at the time, decided that he wanted to join in the action and so left his other work and drove to Berkeley.

Officer Knight claimed that he and other officers were looking for the stolen money and were “surprised” when Givens popped up from behind a couch in the backyard. Officer Knight jumped over a fence and began grappling with Givens. Eventually, several officers, including Knight, began shooting at Givens, claiming that they saw a gun. The PRC report identifies the officers’ “surprise” at being confronted by the possibly armed suspect and the “recklessness” of physically grappling with this kind of suspect as being dangerous to the officers involved and “possibly resulted in the death of Mr. Givens”.

Had the officers been ready to meet a suspect, ordered him to surrender and realized that there was no where for him to flee, Mr. Givens may well have been taken into custody without any confrontation.

Some of the recommendations in the report address these issues and others ones as well. The recommendations are good, but they don’t go far enough. There

are three main recommendations with a fourth one regarding the redacting and editing of police documents being taken up in a separate policy complaint. The recommendations include:

1. **The idea of having BPD review its mutual aid pact with Oakland and clarify protocols for working with OPD officers is a good idea.** However, the police should not be left to do this work on their own. Hopefully the PRC will help to draft those protocols.
2. **Providing BPD officers with “Dangerous Foot Pursuit” training.** Copwatch has no objection to this.
3. **Establishing Protocols For PRC Investigations of Officer Involved Shootings and/or In-Custody Deaths is CRUCIAL.** The fact that there is confusion about the role of the PRC in these situations has become quite apparent recently. The PRC encountered questions about whether it can interview witness officers, what constitutes an “investigation” and how far the PRC should probe.

Access to information was blocked by the Berkeley Police Department throughout this investigation. The officers involved *were not even required to write police reports* of the incident and the transcript of their interviews were not made available to the PRC for many months. When they were finally provided they were heavily redacted. The ability of the PRC to conduct investigations in officer involved shootings and in-custody

deaths is severely hampered by refusal of the police department to provide information in a timely manner.

In fact, the PRC must be allowed to interview witness officers independent

The officers involved were not even required to write police reports of the incident and the transcript of their interviews were not made available to the PRC for many months.

from any investigation conducted by internal affairs, the District Attorney or homicide investigators. Until the PRC fights for and wins the right to interview officers in these situations, the most basic function of this civilian oversight agency will be left unfulfilled. It is not in the small cases of discourtesy or improper detention that we most need officers to submit to PRC interviews. It is in the cases where people have died that the role of the PRC becomes most vital.

Demand that the PRC finish the job. Now that the recommendations have finally been made public finish writing the policies. What will happen the next time BPD officers kill someone? Will the public be able to trust that there is no cover up?



BPD Style Public Relations Vehicle

Does it make you nervous when you see a large black and white RV with Berkeley Police decals roaming around Berkeley? Well, we checked it out and the BPD officers explained that the vehicle is the police department’s “Mobile Command Vehicle.” Officers noted that it can be used to set up a field post during critical incidents(ie. natural disasters, riots, etc). They mostly use the vehicle to write their reports in the field and will patrol the area around the vehicle on foot.

Sometimes the vehicle is used just to show high police visibility in different areas.



It can be used to intimidate residents and people who police have no solid reasonable suspicion to detain or arrest.



“LESS LETHAL” WEAPONS: SHIELD FOR ABUSE?



By Michael Adcock

A growing number of high profile incidents have lead several human rights groups to call for a ban on so called “less lethal” weaponry. The shooting death of Victoria Snelgrove, a 21 year old college student killed by Boston police during the Oct. 21 celebration of a Red Sox victory has inflamed the issue yet again. Others developments include a Miami-Dade police officer shocking a 6-year-old boy with a 50,000—volt from a taser and the recent revelation that at least 90 people in the US and Canada have died following police taser strikes since 2001. In case you haven’t noticed, American-style policing is changing.

Defense contractors have experienced rapid growth recently in the area of “less lethal” weapons. With the help of the FBI’s official approval, contractors have been able to pedal their wares to large and small police departments across the country. Weapons such as rubber bullets, baton rounds, tasers and pepper spray are touted as being a more “humane” way to subdue a suspect than killing them or beating them with a baton. In reality, police are not just using “less lethal” weapons in situations where they would otherwise be authorized to shoot.

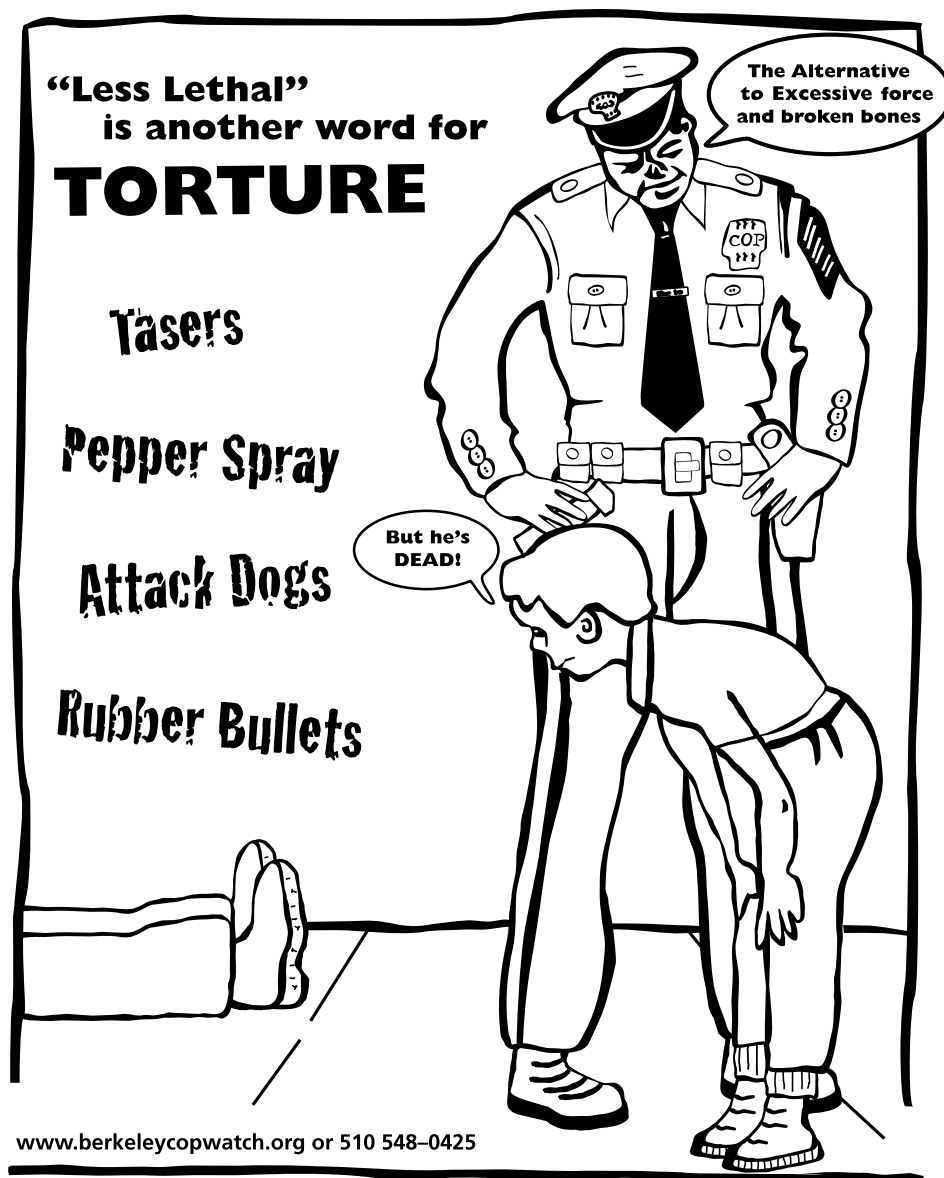
Less lethal weapons are NOT an alternative to lethal force when lethal force is justified by policy. No police officer in his or her right mind would use a taser in a situation where their very life was in danger. If they really believe their lives are in danger, they will use their guns. Be clear: police are using these weapons as an alternative to conversation, de-escalation and careful strategy. “Collateral damage” from incompetent and uncaring policing is fast becoming the norm.

Americans are becoming increasingly desensitized to police violence, the frequency of police violence and the erosion of protections for individuals

against arbitrary or excessive force by police. We are learning to accept abuse against those who are merely suspected of a crime. Even in America, it would seem barbaric if we declared that the punishment for being **CONVICTED** of a crime was to have an electric shock of 50,000 volts administered to the offender. However, this is fast becoming common practice in police dealings with those who are only **SUSPECTED** of having committed a crime.

“Less Lethal” means Torture

These “less lethal” weapons have become the alternative to community relations. They are easily used outside of the bounds of departmental policy because often they do not leave marks on the victims. These weapons clearly convey the message that American police, like the US military are willing to employ overwhelming force to accomplish its objectives.



Is it really any coincidence that the US military practices torture on inmates at Abu Graib, ships others to countries where certain torture techniques are practiced and our Congress has confirmed a well-known advocate of legally sanctioned torture to be our attorney general? These policy makers do not argue about whether torture is morally right or wrong; they simply disagree about the proper techniques and times when it should be used.

Join The Call: No More Torture in the Neighborhood

Slowly, the movement is beginning to unite around the call to ban all new "less lethal" weaponry. A call for a ban has been put out by the Boston group Save Our Civil Liberties. (Check out their website at www.nolesslethal.org to sign on and get more info). After the Oakland docks incident where peaceful activists were fired on by police with less lethal weapons. Copwatch and a number of other labor unions, human rights groups and legal organizations wrote to Sate Senator

Don Perata to encourage him to ban less lethal weapons.

"We respectfully ask you now to sponsor legislation that would restrict police departments in California from using "less-lethal" weapons, motorcycles, and horses as crowd control measures, as has been done by other municipalities including San Francisco. We believe these policies should be made uniform throughout the state."

We await his response.

At Copwatch, we fought the introduction of rubber bullets in 1991. We fought against the use of pepper spray by police, and we stopped the BPD from introducing attack dogs to their operations. Although Tasers have not yet been approved, in Berkeley, it could still happen in Berkeley. The new Berkeley City Council should approve a motion NOW that affirms the right of our people to be free from abuse and exposure to rubber bullets as well as other chemical and electronic projectiles such as tear gas and tasers.

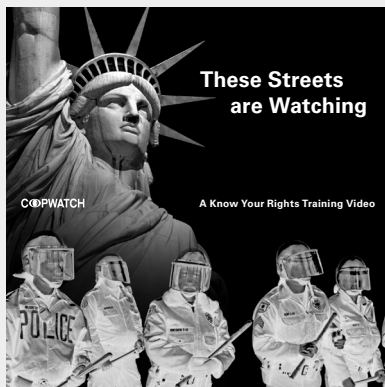
We must no longer fight to ban each weapon individually. New weapons are not the

These weapons clearly convey the message that American police, like the US military are willing to employ overwhelming force to accomplish there objectives.

answer to every problem. We must demand that police prioritize de-escalation, value the peaceful resolution of conflict and will only use violence as a last resort. The arrogant and reckless use of force by police officers must stop. The fact is that torture is wrong whether used against an innocent bystander, a suspect or a convict. Torture has no place in a free society.



COPWATCH FILMS



THESE STREETS ARE WATCHING

This fast-paced video provides an introduction to citizen monitoring of police and practical information for people wanting to launch their own grassroots organization or for those who just want to be better informed about what to do when stopped by police. The video includes up-close footage taken from actual Copwatch shifts as well as clips of what is happening with Cincinnati Copwatch, Denver Copwatch and more!



EXTREMISTS

In 2002, Denver Copwatch was given files that proved that the Denver Police and the Feds had been spying on human rights activists from the 50's all the way until the present. Denver Copwatch also found that these files had labeled their organization "criminal extremists." This film will bring you into the ugly truth of police/FBI intelligence operations as Jacob Crawford interviews 30 people from different organizations all labeled criminal extremists, and sheds light on motives of the expansion of the joint terrorism task force as a means to eliminate free speech.

These videos can be purchased for \$20. Contact Copwatch at 510 548-0425, or rent the videos at Reel Video (Berkeley)

COP BLOTTER



The following is a brief sampling of incidents that were witnessed by or conveyed to Copwatchers in recent times. If you have witnessed or been a victim of misconduct, write down the details and give a copy to Copwatch for the record.

July 15, 2004— Martinez County Jail

Reported to Copwatch: A man was picked up in Richmond and taken to the Martinez county jail. There he was beaten by Martinez County Sheriffs and suffered a broken rib.

Jul. 29, 2004—Oakland 52 & Market

Reported to Copwatch: At 6:37 am officers of the Berkeley Police Department, with guns drawn, burst into the home of a 96-year-old grandmother. The officers had a search warrant. However, the person named in the warrant did not live at that house. The police broke lots of the property in the house, resulting in significant damage.

Sept 9, 2004—Curtis & University

Copwatchers observed a traffic stop involving Officers Hong and Hyunn. After the person left, the Copwatchers returned



to their car and proceeded east on University. Officer Hyunn followed the Copwatchers as they turned onto Bonar. The officers used the patrol car loudspeaker to broadcast "Copwatchers should be particularly careful to come to a complete stop at any stop sign."

Oct. 28, 2004—10th and Addison

Several officers stopped three African-American youths on the corner of 10th and Addison. Copwatchers approached but were immediately told that they were not allowed to film because of the age of the people being stopped. Later, the Crime Scene

Investigation Unit arrived and immediately began taking pictures of the Copwatchers at close range with a flash in an effort to intimidate the Copwatchers.

January 12, 2005—Allston St.

In front of the YMCA at 6pm, BPD officers #24, #149, #120 conducted an extensive search of a man's car including taking the side panels off of the doors. Although #24 said that it was a routine "search prior to a tow" because the man was driving on a suspended license, the officers kept the man standing in his socks for almost an hour. The man was not taken into custody, but officers would not give him free access to his car to get his boots out until Copwatchers advocated for him.

Feb 2, 2005—Telegraph and Ashby

Police cars, a fire truck and the mobile crisis unit gathered while several groups of officers and firefighters stood chatting. A disabled man sat on the sidewalk next to his chair, almost naked, covered in feces. He was being ignored as he shivered in the cold. Copwatch began conversation with the man and was rushed by BPD officers #9 and #45, one of whom exclaimed "I'll get her and you get the bike." Copwatch held the space and no arrest was made.

Mar. 9, 2005—Shattuck at Kittredge

Despite assurances from Captain Doug Hambleton that officers would no longer use municipal laws to harass homeless people, Copwatch observed Officer Jeremiason #94 as he issued a ticket to a homeless woman for "objects on a sidewalk" because she was panhandling with a milk crate in front of her. Her partner was threatened by the officer because his badge authorizing him to sell Street Spirit newspapers did not have a photo on it.



Police Officer Beats Disabled Teen—and Gets \$1.6 Million!

Videographer Fears For His Life

Former Inglewood police officer, Jeremy Morse, was awarded \$1.6 million by a jury in a wrongful termination suit filed by Morse. Officer Morse became nationally known after he was caught on videotape beating a handcuffed, African American 16 year old boy named Donovan Jackson. After the incident, Morse was fired from the department. Morse, who is white, contends that another black officer did not receive the same punishment. The jury agreed that Morse was the victim of "reverse discrimination" and awarded him the unusually large settlement.

The incident was caught on videotape by videographer Mitchell Crooks and was broadcast nationally and internationally. At the time, it was compared to the Rodney King incident in its sheer brutality and the clear evidence of brutality.

The incident occurred July 6, 2002, at an Inglewood gas station. Los Angeles County sheriff's deputies were talking to Jackson's father about expired registration tags on his car when Jackson came out of the station's snack shop. When Jackson failed to follow deputies' orders, one led the teenager to a squad car and ordered him to sit down. Jackson refused, which led to a struggle. Inglewood officers, who had arrived to assist, wrestled Jackson to the ground and handcuffed him. The videotape shows Morse picking up a limp Jackson and throwing him onto the trunk of a patrol car, then punching him in the face.

This case has serious implications on many levels. While Inglewood city officials decide whether to appeal this decision, the message has been sent loud and clear that the beating of a handcuffed black man is generally okay but firing an officer for committing these crimes is not. It is important to know that the man who fired Officer Morse was the African American chief of police. Racism within the department and the city of Inglewood is clearly flourishing. With incidents such as these, one can not help but recall images of the first police officers; white slave catchers determined to "send a message" to other potential runaways.

>>>continued on page 8

SOUTH BERKELEY JUSTICE PROJECT KICKS OFF WITH POETRY



An innovative community justice project got off to a great start in South Berkeley with a very successful kick-off event on February 20th.

The Neighborhood Forum For Justice and Healing

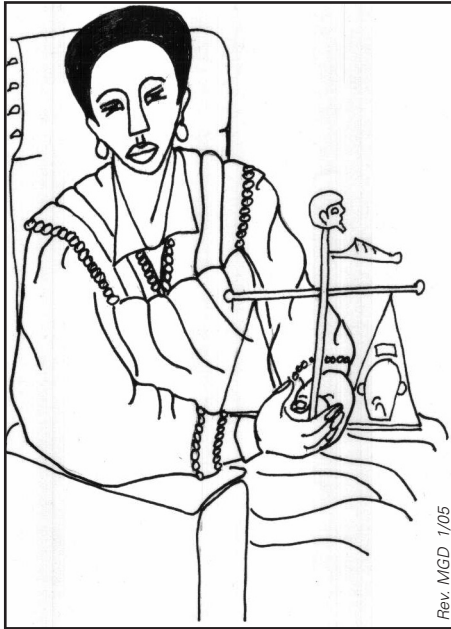
held a Poetry Slam at South Berkeley Community Church that attracted 50–60 people. While the event was meant to be a competitive slam, the talent that assembled defied classification. African drummers, gospel singing and hard-hitting spoken word from Ise Lyfe and others lived up to the theme of “justice and healing.”

With free food, great culture and prizes for the children, organizers from the South Berkeley Community Church, Li'l Bobby Hutton Literacy Campaign, Black August Organizing Committee, Copwatch and people from the neighborhood projected their vision of healthy community. Organizers

are hoping to sponsor more events in the neighborhood that are fun, build a sense of community and encourage residents to come together to solve problems in the neighborhood in their own way.

Copwatch has been especially eager to promote community efforts to create alternatives to the “justice system” that currently holds millions in its jails, sends police to walk our streets like predators waiting to strike and rarely provides the help that our communities need. Police misconduct often happens because people call the police to deal with even the smallest problem. In a

developed neighborhood, relations within the community are so good that residents can actually find ways of solving problems and resolving conflicts without risking an interaction with the police.



We are working to bring the community together by helping to create the Forum for Justice and Healing. We intend to bring young and old people together to discuss issues of respect, poverty, education, police misconduct, and other issues that relate to “Justice and Healing.” We also want to train community residents to act as conflict managers for the neighborhood so that individuals who find themselves in conflict can get help working things out without having to get the police involved. We want to do it ourselves without the involvement of any city agencies.

A healthy community **MUST** have a sense of justice in order to build trust, unity and strength. Without a sense of justice, it is possible to descend into short sighted and self-serving approaches to problems. We want to provide ourselves with a sense of security that comes from being in relationship with others in a way that is caring and concerned about all of our residents.

Regular meetings are being held in the neighborhood. If you are a South Berkeley resident and would like to be part of this exciting experiment please call 510 548-0425.



Conference Launches National Copwatch Network

By Eric Theis

After a seven year hiatus, invited organizations, both veteran and recently formed groups, met from all over the country on October 15–17, 2004, at Portland State University in Oregon. While there was unanimity on the goal of police accountability, some groups were working for the complete overthrow of the system while others urged more caution in demanding policy changes and bureaucratic house cleaning. Amidst the diversity of approaches, several organizations that do direct observation of police were able to meet and agreed to form the first national network of Copwatch-type groups. The conference began with a panel of Portland organizers, including the American Friends

Service Committee, the Coalition of Black Men, and the Albina Ministerial Alliance. These panelists argued for a conference aimed at confronting shootings, abuse, and racism specifically in Portland, including that against Native Americans.

The following morning included workshops on community responses to police shootings, violence against women of color and queer people as well as a discussion of restorative justice. Participants included speakers from Los Angeles, Portland, Brooklyn, San Jose, and Seattle.

These were followed by sessions on racial profiling by a blunt police officer from Orange, New Jersey named DeLacy Davis. Davis is currently an active duty Sergeant with the Orange Police Department. He is also the founder of Black Cops Against

Police Brutality. An outspoken opponent of police misconduct, Davis has achieved national recognition for his efforts on behalf of victims of abuse. Other panelists spoke on the efforts of “Migra Patrol” (a project of the Coalicion de Derechos Humanos) to hold border police accountable and on “Faith-Based Organizing.”

Afternoon workshops tackled the issue of “imminent entrapment,” which those who fight for more accountable police face all too regularly. Other topics included “Tasers, Torture, and Technology,” “Police and Homeless Communities,” “Dealing with Police Unions,” “Increasing Police Powers and Attacks on Activists,” and more.

Perhaps the most important thing to come out of the conference was that

>>continued on page 10

In addition, Mitchell Crooks has been in fear for his very life since capturing this incident on tape. At the time, he was threatened, beaten and arrested by officers. He was sold out by news organizations and set up to be arrested. He has endured a great deal and had his life disrupted by police ever since the incident. Recently he moved to Las Vegas and is STILL facing harassment because of his involvement in exposing police brutality. According to Crooks.

"I was assaulted, threatened and harassed by Las Vegas Metro Police officer Corbin on Christmas day while walking to a nearby 7-11 convenience store to purchase an early morning coffee at 6 am. The store had been robbed and I was unaware until I opened the door to the store. Officer Corbin said "get the fuck out of here they are closed." Before I could ask what happened, he rushed me at the door, grabbed my arm and proceeded to assault me. I kept telling this officer to calm down and not to touch me. He slammed me up against a stucco wall and twisted my arms and placed me in a chokehold leaving a bloody gash in my neck.

This officer threatened me and ran my name for warrants. I gave him my ID and he said "I know who you are." This officer did know who I was. While I was being harassed and threatened, another officer pulled up on the scene identified as Officer Miller. Officer Miller then stated to my disbelief, "this punk needs to be taught a lesson, lets put him on the ground and beat him." After Officer Miller was done threatening me, officer Corbin stated, "You know who this prick is? He's that mother-



Videographer Mitchell Crooks speaks out after the beating of Donovan Jackson

fucker who videotaped one of us making that arrest in Inglewood California"

**"Can you imagine tip-toeing
thru your community in
fear because the police
department might frame
you or charge you with
a bogus crime?"**

I have become very fearful of police since this incident(s) occurred. I moved to Las Vegas to start my life over. I consider myself a law-abiding citizen. Can you imagine tip-toeing thru your community

in fear because the police might frame you or charge you with a bogus crime? I am not able to step off the curb without a police officer wanting to take a shot at me. I take that as a threat. I am deeply concerned that the LVMPD (Las Vegas Metro police Department) is out of control. Just this month (December 2004), 4 suspects have been killed by metro police. I am all for fighting crime but, even criminals are afforded rights. The LVMPD have become judge, jury and executioner while on their record setting killing spree. Why is it that a badge means your free to do as you wish with no consequences? In fact, the ones who murder, are given a paid vacation?"

To learn more about Mr. Crooks heroic efforts to expose misconduct and how you can support him check out—

www.freecrooks.com



Lame continued from page 2

Particularly disappointing has been the Board's role in examining the performance of police-community interactions. The most immediate example is that few students, staff, or community members of the area surrounding campus even know of the existence of the Board. If they did, they surely would have filed complaints with the Board against UCPD officers who have been recorded beating protestors as well as using pepper spray and chokeholds, which are forbidden by the Berkeley Police Deptment.

I was recently appointed the undergraduate representative to the Board and was shocked to discover that the Board rarely meets.

The single meeting that did occur was not open to the public and, in fact, took place in California Hall, where a guard at the door prevented anyone not in an official capacity from entering. If UC were a municipal body, the UCPRB would be required to meet in public according to the Brown Act.

The fact that the UCPRB doesn't meet in public and meets behind closed doors is unacceptable. In order for the UCPRB to perform its task of effective oversight of the UCPD the Board must have a realistic sense of the interaction between the police and the community. The police have a vested interest in portraying this interaction in a

positive light, but it cannot do so without the trust and support of the community.

Thus, the most pressing issue with regard to the UC Police Review Board is the need to have regular public meetings so that it can develop a solid relationship with the community it serves.

If this is something you would like to happen, please call the Board chair, Robert MacCoun, at 642-7518 to make your feelings known, or call the office of the Vice-Chancellor at 643-0680 or 642-3100. Also, if you know of any incidents concerning police misconduct involving officers of the UCPRB, contact Robert MacCoun or Copwatch at 510 548-0425



FBI Terror Campaign Against Artists

By Aaron Gach

What does art have to do with the War on Terror and Homeland Security? Ask Steve Kurtz. Since May, Kurtz, an art professor at the State University of New York at (SUNY) Buffalo and a member of the internationally acclaimed Critical Art Ensemble, (CEA) has been the subject of a bogus federal investigation and trial that began with bio-terror charges.

The trouble began on May 11, when the artist awoke to find that his wife and fellow CAE member, Hope, was dead. Kurtz immediately dialed 911 and contacted emergency workers. However, when the police noticed biological laboratory equipment and bacterial cultures that were being used for art projects, the FBI and the Buffalo Health Department were quickly called in. Within hours, FBI agents had "detained" Kurtz as a suspected bioterrorist and cornered off the entire block around his house. (Kurtz walked away the next day on the advice of a lawyer, his "detention" having proved to be illegal). Over the next few days, dozens of agents in "hazardous materials" suits, from a number of law enforcement agencies, sifted through Kurtz's work, analyzing it on-site and impounding much of his property. Meanwhile, the Buffalo Health Department condemned his house as a health risk.

Art Under Attack

At the time, Kurtz was preparing work to be exhibited as part of "The Interventionists," an exhibition at the Massachusetts Museum of Contemporary Art, highlighting art and activism. The Critical Art Ensemble makes art that addresses the politics of biotechnology. "Free Range Grains," CAE's latest project, included a mobile DNA extraction laboratory for testing food products for possible transgenic contamination. In addition, CAE was using cultured bacteria to develop a project critiquing the history of US involvement in germ warfare experiments. It was this equipment, which triggered the disturbing chain of events.

Invoking a 1989 bioterrorism law and the Patriot Act, which grants the federal government unprecedented search-and-seizure powers, federal agents detained Kurtz for 22 hours; they searched his home for two days, as well as his office at SUNY-Buffalo, where he is a faculty member. The bureau confiscated his house, car, equipment, computer hard drive, and other items, and worst of all, even his wife's body. His house,

cat, and car were returned to him after one week, once it was determined that his wife's death of heart failure was unrelated to the bacterial matter. FBI field and laboratory tests have since shown that Kurtz's equipment was not used for any illegal purpose. In fact, it is not even possible to use this equipment for the production or weaponization of dangerous germs. Furthermore, any person in the US may legally obtain and possess such equipment.

Life Intimidates Art

Kurtz's colleagues in the arts and sciences have been the shocked by the federal government's continued efforts in this case. "I am absolutely astonished," said Donald A. Henderson, Dean Emeritus of the Johns Hopkins University School of Hygiene and Public Health. Henderson was awarded the Presidential Medal of Freedom by President Bush for his work in heading up the World Health Organization smallpox eradication program. "Based on what I have read and understand, Professor Kurtz has been working with totally innocuous organisms... to discuss something of the risks and threats of biological weapons—more power to him, as those of us in this field are likewise concerned about their potential use and the threat of bio-terrorism," said Henderson.

"Today, there is no legal way to stop huge corporations from putting genetically altered material in our food," said CAE Defense Fund spokeswoman Carla Mendes. "Yet owning the equipment required to test for the presence of 'Frankenfood' will get you accused of 'terrorism'."

Nine colleagues of Steve Kurtz were subpoenaed to appear before a Federal Grand Jury on June 15–2004. The subpoenas are the latest installment in this bizarre investigation in which members of the Joint Terrorism Task Force have mistaken an art project for a biological weapons laboratory.

The bio-terrorism charges against Kurtz have since been dropped. However, the FBI is pursuing charges of mail and wire fraud, claiming that the equipment (valued at \$256) possessed by Kurtz was illegally obtained through an exchange between Kurtz and an academic colleague. Both are now facing charges, each of which carries a maximum sentence of 20 years in prison.

>>continued on page 11

Copwatch Calendar

Unless otherwise noted, all events will take place at the Copwatch Office at 2022 Blake Street in Berkeley. For info 510 548-0425

Organizational meetings:

Mondays 8 pm If you want to get involved, go on a Copwatch shift, volunteer or speak with copwatchers about a situation in your area, come to our weekly meeting at 2022 Blake Street.

Copwatch Class:

Mondays 6 -7:30 pm Learn more about the origins of police, community control initiatives, the history of resistance, civilian review and lots more! This UCB sponsored class is also open to the public for free! 2022 Blake Street (near Shattuck).

Know Your Rights Training:

Sunday, April 26th 11am to 2pm.

Free hands on workshop on what to do if you are stopped by police and how to observe police safely. Includes tips on video, scanners and filing complaints and lawsuits. Call for information on additional trainings, 510 548-0425 2022 Blake Street, Berkeley.

"Attica to Abu Ghraib"

Fri., April 22nd & Sat., April 23rd:

"Attica to Abu Ghraib" There will be a conference at UC Berkeley. It is sponsored by the International Human Rights Initiative which make connections between domestic uses of torture to international, US sponsored torture. Call for more info. 510 593-3956

In Song and Struggle

Sunday March 13th 7pm to 9:30pm

International Women's Day Benefit for Copwatch. Musical collaboration featuring Rachel Garlin, Shelley Doty, Green and Root, Andrea Prichett, Lisa Zeiler, Marca Cassity and more! La Pena Cultural Center 3105 Shattuck Ave., Berkeley. \$10 no one turned away. For more Information call 510 548-0425



organizations committed to “copwatching as a conscience,” Migra Patrol in Tucson, Rose City Copwatch in Portland and Berkeley Copwatch, met to discuss the establishment of a national network of groups whose primary function is police observation. It was agreed that a listserve would be created

Perhaps the most important thing to come out of the conference was the establishment of a national network of groups whose primary function is police observation.

and groups would be invited to join if they 1) were actively Copwatching 2) had been visited in person by a member group already part of the network. Potential additions to the network include groups in Brooklyn, Minneapolis, Denver, Phoenix, Houston, LA, Cincinnati, and others.

It was decided that each group should send a monthly update on the activities of

their group to each other. There was a desire to keep the work associated with networking very light so that groups could attend to their own business at home. However, it was recognized that the network is important for generating quick support for groups that are being persecuted or arrested for their work of observing police as well as sharing resources and information. This is the first time that a real effort to create a national network has happened, and the possibilities for united action are very exciting.

On Saturday evening, conference participants hit the streets of Portland with a candlelight vigil to mourn the innocent and beautiful lives lost at the hands of the police. Following the vigil, the group gathered to watch screenings of “Every Mother’s Son,” “These Streets Are Watching,” and “Stolen Lives.” Each film accentuated the loss emanating from the misconduct of the police.

As the weekend faded into the droplets of rain that signify a typical wet season in northwestern Oregon, participants decided to hold the next conference in June–2005 and Detroit was chosen as a potential conference site.

For more info. call N-COPA: 312 663-5392 or www.nationalcoalitionpoliceaccountability.org



Budget Cuts and Turnover at the PRC

PRC at a Crossroads

With budget cuts, the loss of three experienced commissioners and its chief officer, the Berkeley Police Review Commission will face an uphill battle to fulfill its mission of providing effective oversight of Berkeley police.

Chief Officer Barbara Attard announced her resignation and decision to take the position of Police Auditor for San Jose. Until a new Chief Officer is found, longtime PRC Investigator Dan Silva will act as interim Chief Officer. He has many years of experience with San Francisco, Oakland and Berkeley’s civilian review agencies and has lead the PRC at different times in the past.

With two police related deaths in less than two years, the PRC is being challenged to seriously investigate these deaths and the police practices that led to them.

With three new commissioners appointed by newly elected city council members, the PRC will have to take some time to train its members and prepare them to deal with the very specific responsibilities that come with the job. However, Attard’s resignation puts the PRC in a much weaker position. Not only has the PRC office that includes two clerical staff, one investigator and a chief officer lost their most experienced employee, there is talk in City Hall that Attard’s position might not be replaced at all. It seems that the City Manager is determined to cut the PRC—the question is whether he will hire a new chief officer and let a clerical employee go or to just get along without an official chief officer.

Either way—it is the citizens of Berkeley who will be most seriously impacted. With two police related deaths in less than two years, the PRC is being challenged to

>>continued on page 11

Copwatch Decal Class for UC Students

**Education 98/198, 2 units
Mon, 6-7:30, 2022 Blake St.**

Course Description: This course focuses on civilian observation of the police as a means of increasing police accountability and preventing misconduct, and emphasizes the safe and effective assertion of citizen rights when interacting with the police.



Students apply what they learn in the classroom in fieldwork by observing the police on the streets. In past semesters students have documented police misconduct during war protests and also hosted forums and concerts in People’s Park. Classes are held every Monday from 6–7:30 at the Grassroots House at 2022 Blake Street (near Shattuck) in Berkeley. The class starts January 26, and continues until May 9. Come to the class. Get credit. Make a difference!. This class is open the public anybody can drop in for a single class. www.decal.org

Other Casualties of the War on Terror

Sadly, CAE is only one of many casualties of the federal government's domestic War on Terror, which appears to target activists who dare articulate freedom of expression. In 2003, political activist Sherman Austin, an 18-year-old African American, was sentenced to a year in jail for hosting a website describing bomb-making and for linking from his RaiseTheFist.com website to that bomb-making website. He faces strict restrictions and monitoring of his use of computers, a \$2,000 fine for restitution, and a prohibition from associating with any person or group that "espouses violence or physical force as means of intimidation, or achieving economic, social, or political change."

More recently, Joe Previtera, a 21 year-old student at Boston College, faces charges of disturbing the peace and making a false bomb threat and using a hoax device. Previtera was arrested in front of a military recruitment center in Boston, where he was imitating pictures of a tortured Iraqi prisoner (dressed in a black hooded robe with wires extending from his wrists). The charges apparently reflect the District Attorney's concern that Previtera might have been mistaken for a terrorist.

On a positive note, the international support of the defendants by artists, activists, scientists, and other citizens has been remarkable. It is crucial that this support continue as the government extends these outrageous and wasteful prosecutions into a grueling trial.

For more info: www.caedefensefund.org



seriously investigate these deaths and the police practices that led to them. According to Dan Silva, individual investigations would be most effected by the budget cuts. "I think that at some point when you realize that you had four employees, you currently have three, and that you may end up with only two, you have to be concerned with the quality of investigations."

While Copwatch has been a consistent critic of the PRC we continue to believe that empowered civilian oversight is an important part of the struggle to end police misconduct. Instead of fighting against the PRC in public, there are those in the city bureaucracy who would rather see it die a slow death. WE MUST PROTEST!

Call your City Councilperson and the Mayor. Demand full funding of the Police Review Commission. This commission exists because the people of Berkeley voted for it. If this commission is under funded to the point where it can not carry out its function then the city is violating the law and the expressed will of the citizens of Berkeley.

Mayor Bates: 510 981-7100
mayor@ci.berkeley.ca.us

District 1 Linda Maio 510 981-7110
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District 7 Kriss Worthington
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District 8 Gordon Wozniak
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FROM Attica to Abu Ghraib

An Organizing Conference on Human Rights, Torture, and Resistance

Sponsored by the International Human Rights Initiative

Email: info@atticazabughraib.com
Website: www.atticazabughraib.com
Phone: 510-593-3956

Opening Event
featuring
Cynthia McKinney
Georgia congresswoman recently returned to office in a ringing vindication of her outspoken opposition to U.S. torture and human rights abuses

Music and more
Friday, April 22
6:00-9:00 pm
St. Joseph the Worker Church
1640 Addison St., Berkeley, CA

\$25-\$5 sliding scale, no one turned away

Working Conference
Saturday, April 23
8:30 am-9:00 pm
U.C. Berkeley, Dwinelle Hall
conference details on the reverse