Sexual Harassment: A military/police technique

by Andrea Pritchett

Recent events involving police and protesters in Berkeley have raised some new questions about sexual harassment and abuse. On October 10, three women held a press conference to announce three complaints of sexual harassment and abuse being filed against Officer Alex Takaoka of the UCPD police. The complaints stem from three separate incidents, all of which occurred while the women were in Takaoka's custody. One woman was verbally harassed, one was beaten and hog-tied while protesting the illegal search of another female detainee and, in the third incident, Takaoka forced his finger into the vagina and anus of the complainant while she was handcuffed in the police van.

These are only the most public of numerous allegations being made against UCPD officers concerning sexual assault. Officers routinely search women's breasts in the "pat down for weapons." Repetitive searches are also a form of sexual assault. Use of words such as "bitch" and "cunt" by officers, a not uncommon practice, serves as a stark indicator of their attitudes about women. Consider the following cases:

- In January 1991, four women were awarded damages in a case stating that female prisoners were illegally and routinely strip searched, regardless of their prior charges, while in the custody of the Berkeley Police Department.
- In 1989, Officer Riley of the Oakland Police Department repeatedly raped an Oakland woman in her home. At first she was told that charges would be made against him, and then suddenly they were dropped. He was suspended for several months and is now back on the streets.
- San Francisco officers were disciplined and damages recently awarded to a female prostitute for circumstances surrounding a 1985 arrest. In this instance, officers arrested the woman and took her to a party for new officers. One rookie was handcuffed to a chair and the woman was made to have sex with him on the stipulation that she would be released afterward.
- A case currently pending against Santa Cruz county officers alleges that nine women arrested at a protest were forcibly and illegally strip searched.

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A Military Model
Traditionally, a police force is formed in order to enforce the agreements that a group of people make among themselves. Their job is to "arrest" or stop a bad situation, keep it from getting worse, and to refer the whole thing to the judicial system to sort through. Police are not supposed to make a determination of guilt or innocence or to mete out punishment.

A military, on the other hand, begins its work after a governmental determination of guilt or wrong has been made against some nation or group. The military is then charged with the responsibility of forcing a population to submit to the will of the sponsoring nation. A military uses all tactics necessary to gain the enemy's submission.

Police forces across the nation are being militarized beyond the control of the local citizenry. They are increasingly adopting military techniques. From Darryl Gates' anti-drug tanks in Los Angeles (used for smashing through houses) to Berkeley's Special Task Force, clad in commando-style attire, to special crowd control formations, our police are becoming a domestic military force. They are taught and trained to conduct themselves as soldiers rather than as community

(continued on page 10)

Disabled Meet With UCPD Chief
by Belinda Stradley

Four members of the disabled community, including myself, recently met with the Chief of the UC police Victoria Harrison to discuss a number of issues of increasing concern to the disabled community. While disabled people have faced many problems with police during Peoples' Park demonstrations, this meeting was prompted by the recent attack of a woman in a wheelchair by a UCPD officer while at a park vigil. This woman reported being struck repeatedly by this officer when she showed a flashlight on his name tag to determine his identity.

This woman, like many other disabled people, has been active in defending the park all summer. It is noteworthy that when she was attacked, the officer commented to the effect that she had it coming. This incident made clear that UCPD officers are growing increasingly impatient and more violent toward protesters who persist in defending the park, and those who they view as leaders.

Police officers are frequently confused about how to deal with persons in wheelchairs who are present at demonstrations, especially when those demonstrations include elements of civil disobedience or resistance to police violence. Police always respond very negatively to what they perceive as being "out of control", and this is also true when they confront people in wheelchairs.

Police usually have little or no knowledge of disabled people, and so have the traditional stereotypes and prejudices against them, such as feelings of fear or pity. As with any group that is feared and/or oppressed, that fear is often turned into hatred and abuse, and this is true for disabled people as well. This is particularly true when the person uses a wheelchair, which is a stigmatized object for many nondisabled people.

This ambivalence and confusion on the part of police toward disabled people can translate into unpredictable and contradictory behavior. When in public view and broad daylight, police officers will often be extremely differential toward disabled protesters, leaving them totally alone while others are being beaten around them. Other officers will ignore disabled protesters altogether, assuming them to be helpless and so not a threat.

But this inability on the part of cops to treat disabled protesters like any others has ominous results as well. For many officers, this "lack of control" over a situation causes frustration which can erupt in unpredictable ways. In less visible locations and in the dark,
In a meeting with UCPD Chief Harrison, a group of disabled activists demanded that Lt. Beckford and other UC cops who are known for their lack of self-restraint be removed from Peoples Park duty.

disabled people can bear the brunt of this pent-up frustration, as was probably the case with the disabled woman attacked at the vigil.

In recent demonstrations, protesters were injured when they thought they were protecting wheelchair users. One man’s arm was broken when he stood between a wheelchair and officers using batons. Some chairs were damaged by such batons—perhaps accidentally, perhaps not. Because of this danger, some wheelchair users advise people not to stay around them when police start to use force, for their own safety.

Those not familiar with police behavior may express shock or disbelief that officers could treat seemingly vulnerable people with such apparent cruelty. But those in the homeless community, and other oppressed communities can attest to the brutality that police often inflict on people who are quite obviously vulnerable. There is always present in the police force those officers who act out society’s hatred of “fringe” groups. As a recent East Bay Express article stated, cops don’t rape more often than the general population, but they don’t rape less often, either. In similar vein, the Berkeley Police Department has, so far, refused to address concerns expressed by

the disabled community that the BPD policy of shooting munitions at “waist level” means that munitions are aimed into the faces and eyes of wheelchair users.

The recently reported hogtying and beating of a woman by UC police while in a holding cell was also an impetus for this meeting with Harrison. It appears that as UCPD officers become increasingly battle-weary and frustrated in their attempts to make the park and park protesters disappear, they are resorting to increasing violence. This violence includes the use of pain compliance measures in virtually all arrests, whether or not people are resisting. This gratuitous and unjustified infliction of pain is one way in which police vent frustration and anger at protesters, and is intended to demoralize and discourage us.

Pain control compliance is also being used on disabled people in the park, but with additional injury and damage. Arm and wrist pain compliance holds on persons with fragile bone conditions can seriously affect people’s mobility, since wheelchairs are generally operated by hand. Use of such tactics is particularly cruel when used on this population.

We did not discuss these philosophical underpinnings of police behavior in our meeting with Harrison,

(continued on page 11)
Highlights
of the P.R.C.

More than 150 people attended the Sept. 11th meeting of the Berkeley Police Review Commission. Public comment focused on the widespread police violence in south Berkeley during the first week of August. Copwatch submitted over 100 incident reports (with names withheld) and videotape, and offered to help them contact witnesses. Representatives of the ACLU urged the PRC to take action on the munitions issue as soon as possible. Commissioner Neumann asked the

PRC staff to provide an overall report on what happened, "with everything that they can get about the situation in which those munitions were used; the injuries, the policy issues...quickly." Chief Dash Butler and City Manager Michael Brown read from lengthy prepared texts. (At the Oct. 9 PRC meeting, Attorney Jim Chanin remarked that the City Manager’s statement "sounded like a speech to the Bulgarian Parliament.")

At a special meeting of the PRC on Sept. 19th, Commissioner Irlando introduced a motion to suspend the use of crowd control munitions. The motion was supported by Commissioners Neumann, Hicks, and Irlando, but failed to pass. Commissioner Richman proposed an alternate motion calling for a 60 day moratorium and it passed 5 to 0. Commissioner Sally Power declined to support either motion. (The PRC recommendation for a 60 day moratorium was rejected by the City Council on Oct. 1st.) Chief Investigator Bob Bailey reported over 40 complaints filed with the PRC.

At the Sept. 25th meeting, Commissioner Neumann asked the PRC staff to obtain information from the BPD about Officer Cefalu. (Cefalu was fined $60,000 in Federal Court for striking a police officer with his car and then beating him up.) Commissioner

Armstrong was disturbed that this person was hired by BPD with a history of such outrageous conduct, and supported Commissioner Neumann’s request for more information.

At the Oct. 9th meeting, a representative from Berkeley’s Peace and Justice Commission reiterated a unanimous resolution sent to the City Council to prohibit the use of any kind of ammunition by police unless a life is in danger. Attorney Jim Chanin spoke to the PRC about retaliation by BPD against PRC complainant Mark Samuels. Mr. Chanin said that Chief Dash Butler had admitted complicity in the affair and "was guilty of shocking misconduct." The PRC discussed the City Manager’s role in upcoming PRC workshops on crowd control and munitions. Commissioner Neumann expressed concern that a "second track" may be set up to undermine the recommendations of the PRC.

At the Oct. 23rd meeting, the PRC had planned to have an oral informational presentation from Chief Dash Butler. An Oct. 21 memo from Investigator Bob Bailey specifically requested information from the Chief to be presented at the meeting. Dash Butler failed to appear, without explanation. Commissioner Beverly Kelly proposed that the PRC send a communication to the City Council and the City Manager that "expresses our disappointment that our efforts to fulfill the Council’s directive are being hampered by the Department’s unwillingness to provide us with the information requested." Commissioner Kelly’s motion passed unanimously. Lt. Sherri Aldinger was offered up as a substitute for the Chief by the Department but was unable to provide the detail requested by the PRC, and unable to answer the more than 20 questions submitted in writing by the public.
Excerpts from an interview with PRC Commissioner Arlene Irlando

The following interview was conducted with Arlene Irlando, City Councilmember Nancy Skinner's appointee to the Police Review Commission, Oct. 24, 1991 at the COPWATCH office.

COPWATCH: In light of the recent city council vote disregarding PRC recommendations concerning munitions, how do you view the future power and effectiveness of the PRC?
Irlando: We're talking about the city council; they did in fact disregard the PRC recommendation concerning a moratorium over munitions. I was personally very very disappointed about that vote. I hope its not an indication of the future influence and effectiveness of the PRC. Various rationales have been offered for that vote; the most popular being that because the city manager's office countered with a report and a recommendation that basically couched the whole issue as a public vote of confidence for his office and the police department, that the council felt very restrained around taking action, and the possibility of that impacting negatively on police morale in the city. I don't accept that rationale; I think that especially on issues that are as important as whether we're going to have police officers positioning and firing arms into groups of demonstrators in the city, that there needs to be more leadership exercised around this issue. I think it was significantly important and should have been voted up or down.

I understand that councilwoman Shirek is going to reintroduce some version of the motion again next week and hopefully the council will have another bite of the apple and I hope that they will do the right thing.

This [decision] was particularly significant because, as you know the PRC is not some kind of political rubber stamp for either various segments of the community or for the police. It's a very diverse group of people; they have very different and varying philosophies about both police policy and civilian oversight of police. When it was possible to get such a cross section - so many votes from that commission saying, "Let's at least enact a moratorium on these weapons until we have more information. For the city council to ignore that recommendation then, was disappointing. As far as a pattern, lets see what they do in the future. If it continues, yes, I would be pessimistic about the future of civilian review in Berkeley.

We are advisory and we are totally dependent on the people that we advise to put some weight behind our recommendations. But again, I'm trying to see this as an isolated incident and hope its not a pattern.

CW: Let me ask a quick follow-up. Did the PRC lobby for the first motion; did they lobby the city council to pass that motion and will the PRC lobby to pass Maudelle Shirek's reintroduction of some form of a motion to ban munitions?
Irlando: I don't know; I have a sense that there wasn't a lot of communication between individual commission members and their appointers. And I think that's a valid criticism. I didn't call my appointer and my appointer's office did not call me. I think there was some public discussion about how we were also entitled to have spokespeople at that [city council] meeting to argue our position and that there was certainly no initiative from the council or the council staff around making sure that we did have someone there. The manager's response was something of a surprise; I don't even know how much before hand council members had the counter-recommendation, and I think certainly had we known that it was going to be offered and had we known that we would have had the opportunity to send one or more commissioners to speak to it, we would have done that at a minimum. So there certainly was more that we could have done and I would hope that now that we know what our rights are in front of the council, that that will happen and that more individual lobbying will happen.

CW: Is that happening for Maudelle's expected proposal?
Irlando: I don't know. I spoke to Nancy Skinners aide last night and indicated that I would very much like to have a conversation with Nancy about these issues - and I hope to follow up on that. I can't tell you what other commissioners are doing vis-a-vis their appointers. I think you should ask them.

CW: Dash Butler was asked to come to last night's PRC meeting and he did not do this, and I wanted to ask you if you are satisfied with the level of cooperation from the BPD with the PRC's investigation of these matters [People's Park]?
Irlando: Emphatically, No! I think that the way that the PRC was treated last night and the way that this issue was dealt with speaks for itself. We've talked this afternoon a lot about public confidence and I think that in many ways the PRC has put its own credibility on the line. We are trying to respond to the public outcry about what happened during the People's Park demonstrations with a process that is rational and really designed at eliciting facts and info. But it's time consuming to do that, and many people are asking that we act quickly. And then we are treated so contemptuously that it's not just the willingness of the chief of police or the department to cooperate that looks bad, but I think that the process of civilian review looks bad, and that saddens me.
Berkeley Police
Chief “Hampers”
PRC Investigation

At the Police Review Commission’s Wednesday night meeting of Oct. 23, the commission voted to send a letter to the Chief of Police, Mayor, City Manager and City Council expressing serious concern over what appears to be efforts by the Police department to “hamper” their investigation of police misconduct related to the People’s Park demonstrations of July 31-Aug 4.

In a 9-0 vote, the proposal by Commissioner Beverly Kelly seemed to sum up the growing sense of frustration by commission members at what they feel is a “disregard” for the PRC and its effort.

Originally scheduled for early October, public workshops addressing issues of munitions use, crowd control and mutual aid have been delayed twice so far. The workshop slated for Oct. 23 was pushed back to allow Chief Butler an opportunity to address the Commission first and present information on the scope of the police action and decisions that were made at that time. Unfortunately, Chief Butler decided not to appear.

In his place, Lieutenant Aldinger sat before the Commission. When asked what she knew of the demonstrations, she replied that she had been performing “administrative and office duties” and had little first hand knowledge of what went on. When asked what the chain of command was and who actually made tactical decisions at the time, Lieutenant Aldinger said, “I can’t answer that.”

After almost three months and a directive from the City Council to investigate the allegations and make recommendations, the investigations is essentially stalled. The PRC still has not received a detailed chronology of events from the Police department. Other information which the Commission requested, such as a written overview of the police response and information regarding the chain of command during the demonstration, has also been ignored.

The Danger of Cop and Race Baiting

One William Anderson has persistently and consciously been making slanderous statements about members of COPWATCH: some of us have been accused of being racists, others of being cops. COPWATCH publicly states here that we take no responsibility for any statements or actions of William Anderson, in spite of the fact that he sometimes presents himself publicly as a member of COPWATCH. We denounce his defamation of the character of our members in the strongest possible terms.

It would not be worthwhile here to disprove these “accusations” because there is no substance in them. Neither will we assess the personal motives of the “accuser.” The manner in which he has made his accusations has not been serious. Nevertheless, the accusations themselves are quite serious. False accusations foul the political atmosphere. They feed doubts, hesitations, and fears that individuals involved in political work may justifiably harbor. If they are taken seriously, false accusations that dedicated members of COPWATCH are racist or are cops carry with them the possibility of fomenting undue suspicion and infighting, thereby paralyzing the work that we do.

For a Sense of Responsibility
Within the Grassroots Movements

In his useful booklet on U.S. government covert action against activists titled “The War at Home,” Brian Glick suggests, among other things, that grassroots organizations:

- Deal openly with the form and content of what anyone says and does, whether the person is a suspected agent, has emotional problems, or is simply a sincere but naive or confused person new to the work.
- Establish a process through which anyone who suspects an infiltrator (or covert intervention) can express his or her fears without scaring others. Experienced people assigned this responsibility can do a great deal to help a group maintain its morale and focus while, at the same time, consolidating information and deciding how to use it. This plan works best when accompanied by group discussion of the danger of paranoia, so that everyone understands the reasons for following the established procedure.

The best traditions of the grassroots movements that have come before us provide us with guidelines as to

(continued on page 9)
PENAL CODE section 830.10
UNIFORMED PEACE OFFICER MUST WEAR IDENTIFICATION

Any uniformed peace officer shall wear a badge, nameplate, or other device which bears clearly on its face the identification number or name of such officer.

Some of the mutual aid forces present in Berkeley August 1-4 for the Peoples Park Demonstrations.
The cop above is from Piedmont, those at left are from Hayward.
Needle Exchange To Be Retried

In late July a member of NEED was approached by Berkeley officer T.J. Kerton and told that there had been a complaint about the activity. He asked Scott to give up the bag that had the needles in it, and Scott refused. Kerton said that he would arrest Scott if he didn’t, and Scott still refused. He was arrested, taken to the station, cited and then released.

The needle exchange case went to trial in September and ended with a hung jury. Since that time people doing needle exchange have not been harassed by the police, except for a man who was suspected to be an undercover cop, watching them on the day of the trial.

Exchanging needles is still officially illegal in Berkeley, but for the most part the police department is looking the other way — maybe because it is saving lives.

Because of the hung jury, the District Attorney had the choice of dropping the charges or refiling. He chose to refile and the new trial will begin November 4 at 9 am in Berkeley Municipal Court #3.

Ride-Along Program Cancelled

Recent violence in Berkeley has prompted the police department to scrap a program that allowed residents to go out on patrol with officers. Chief Butler canceled the “ride-along” program for liability reasons, however the department has never had an injury or faced a lawsuit over the program. Sgt. Cliff Romig said that a recent onslaught of UC Berkeley journalism students wanting to do ride-alongs for assignments may have been a factor in the decision.

Shirek Resurrects the Munitions Ban

Councilmember Maudelle Shirek has placed on the City Council agenda for the Nov. 5 meeting a proposal to suspend the use of plastic/rubber/wooden bullets for 60 days to allow the PRC time to investigate public safety and other issues related to those munitions. This same proposal was voted down 9-0 by the council at their Oct. 1 meeting.

Cop Blotter

A sampling of the more egregious examples of police misconduct, gleaned from COPWATCH Incident Reports

SEPT. 3, 8:45 PM, PEOPLE’S PARK – Lt. Beckford, dressed in civilian clothes grabbed and assaulted a protester. Another protester tried to help the first, pulling the plain clothed Beckford away. Both men were then arrested and suffered some cuts and bruises.

SEPT. 8, 2:00 PM, PEOPLE’S PARK – UC Officer Jung “escorted” a homeless man with a sleeping bag out of the park. The related People’s Park rule is that no more possessions can be brought into the park than what a person can carry with them.

SEPT. 11, 11:05 PM, ALTA BATES HOSPITAL – A man was leaving the emergency room at Alta Bates and was pushed out of the door by Berkeley Officer Montez. The man was yelling that people should love each other, and was then arrested and searched for no apparent reason. An Alta Bates security guard attempted to stop the COPWATCHer from witnessing the arrest.

OCT. 3, 11 PM, DURANT AND TELEGRAPH – UCPD officer Williams stopped two black men in a car because their radio was “too loud.” Both men were detained, had their IDs checked and then let go.

OCT. 6, 4 PM, PEOPLE’S PARK – A woman in a wheelchair went around to the van that had some arrestees in it. A UC officer tried to move her chair with the controls and then twisted her arm behind her and stuck it between two pieces of metal on the back of her chair.

OCT. 15, 10:40 PM, TELEGRAPH AND HASTE – Two people in a van were pulled over by the police and warned that their music was too loud. They then continued down Telegraph to Bancroft and were stopped again. They were told to get out of the van and when they hesitated, the police pulled guns on them. They were made to lay on the sidewalk, handcuffed, while the van was searched. A small plastic knife was “confiscated,” and they were let go without being told of their offense.

OCT. 16, 12 AM, BOWDITCH AND HASTE – A homeless man was asleep in an alley. Neighbors called and said he was causing problems. Officer Nonoguchi searched and cuffed him and took him away.

OCT. 23, 9:15 PM, PEOPLE’S PARK – A man was videograping in the park with a candle. Officers Carmazzi and Micelli said he was a fire hazard, and to put it out. The man asked if he would be arrested for relighting it. They said he would. He asked what part of the penal code he would be in violation of. Officer Micelli said, “I guess you’ll find out after you’re arrested.”
After almost four months, and over 100 arrests, what has become known simply as "The Vigil," continues every night on the sidewalk next to the volleyball courts in People's Park. What began on June 25 as a protest of the City Council's approval of the People's Park lease agreement, has become a struggle over free speech, the criminalization of sleeping, and the right of free access to public property.

Originally, a group of people marched from the historic City Council meeting on June 25, to the sidewalk on Haste street, near the Freebox. With sleeping bags, blankets, instruments and signs, these people were determined to remain throughout the night in anticipation of the first steps of construction. From the first night, the protestors were harassed by UC Police officers. Officers informed the vigilers that they would be arrested if they blocked the sidewalk. The protestors moved to the far side of the sidewalk in order to allow free passage. Next they were told that they would be arrested for lodging, if they fell asleep. At one point officers physically pushed protestors down the sidewalk and told them that if they would be arrested.

At this time officers began to tell vigilers that they were enforcing a policy of "curb to curb." This meant that after 10:00pm, the Park closing time, the University would consider all property between the curbs on Haste and Dwight, to be UC property. Anyone remaining on the sidewalk, according to officers, would be arrested for trespassing. One night in July, 18 people were arrested for remaining on the sidewalk after 10:00pm. On a nightly basis, officers would warn vigilers, "don't fall asleep," or else they would be arrested. Despite the fact that sleeping in public is not a crime, many people, upon falling asleep would awaken to an unfriendly kick and be arrested for "lodging," even though they were obviously there because of free speech, not to establish a permanent encampment.

On the night of July 30, vigilers slept openly in the park. The morning of July 31 began with 36 arrests, and escalated into what has become known as "The People's Park Riots." The four days that followed were too dangerous to attempt to continue the vigil, but on August 5, it re-assembled on Haste. UC Police made life unbearable for those attempting to exercise their right to protest. Constant threats, verbal and physical abuse prompted the protestors to move to the Dwight side of the Park.

After pressuring the city to affirm that the University did not have any right to close the sidewalk after 10:00pm, the vigil was able to continue.

However, various arrests have been made throughout. Depending on the officers, protestors have been arrested on a variety of charges. Three men were arrested one night for remaining on the sidewalk while holding candles. One disabled woman was assaulted by police officers because she refused to let them operate her wheelchair.

The issue of free speech is a primary reason for the heavy police response to this situation. Even while incidents of crime occur on Telegraph Avenue, the permanently stationed officers remain fixated on possible sidewalk blockers and potential lodgers.

Free speech, sleeping and using public sidewalks are not criminal activities. All people are welcome to the vigil, which begins every night at 10:00 pm and continues into the night. Bring blankets, candles, a pen and paper, and watch how the University police creatively interpret state law and city ordinances in order to put a lid on free speech.

(continued from page 6)

how to implement these suggestions:
• We should uphold democratic rights, particularly the right of the accused to face his/her accuser.
• This can best be achieved by the establishment of a commission of inquiry. Such an impartial commission for public investigation should be composed of trustworthy members of the political public known for their integrity. In this way an honest and intelligent discussion of the accusations can be conducted.

If William Anderson has any credibility, if he is able to provide even a shred of factual support for his slanderous statements, why does he not do so? We feel that it is the right and responsibility of COPWATCH and our community to demand of William Anderson, or any other “accuser,” proofs that are as public as his allegations.
servants. Nothing makes this point clearer than the "War on Drugs" itself. Local police come to view the local population as "the enemy" and to view police work as a military operation.

Among other things, U.S. military advisors train armies around the world in techniques of sexual assault and rape. A documented analysis of torture techniques utilized in Vietnam by representatives of the U.S. government's "Phoenix Program" describes four types of rape used by military and civilian personnel: the threat of rape, actual rape by one or more men, rape through the use of live eels or snakes, rape through the use of hard objects. In El Salvador, U.S. Special Forces actually taught techniques of rape and torture to Salvadoran soldiers. According to Carlos Antonio Gomez Mantana, a Salvadoran army deserter, Green Berets not only taught torture and rape techniques, but actually practiced on female prisoners.

Obviously, the situation has not quite reached these proportions here in Berkeley. However, the point is that a military force will use all tactics to conquer "the enemy." Sexual abuse as practiced by a formal "army" or by a militarized police force has the same ultimate effect. It terrorizes and subdues the women and humiliates and demoralizes the men who are unable to stop this from happening to "their" women.

Women of all races and classes are subjected to sexual harassment and abuse. However, women who are under the surveillance and jurisdiction of a militarized police force are also in danger of being abused because of the psychological effects that this abuse is intended to cause. Women's bodies become one more battlefield in the "War Against the Poor" and the "War on Drugs."

It is critical that men and women of conscience support those women who have taken a stand against police brutality in the form of sexual abuse. Specifically, we must unite to demand that UCPD Officer Takaoka be removed from the force. His case is currently "under investigation" by an internal police review process. Demand that Takaoka be fired and that sexual harassment and abuse by UCPD and other forces stop immediately.

Restraint or Torture?

Mental health care workers receive extensive training in methods of restraint which allow them to deal with clients who are assaultive or threatening. Unfortunately, the police, at least in Berkeley, seem to receive much less extensive training in methods of restraint than do health care workers in spite of the fact that many of the individuals who represent a potential threat to these two groups of professionals have identical or very similar behavioral problems.

Health care workers recognize that a client may only be touched in a manner that restricts his or her freedom if the client is posing a danger to him/herself or others. If this factor is present, the health care worker must use the least restrictive means necessary in employing a restrain. It is illegal to do otherwise, and workers sometimes find themselves fired and/or facing criminal charges should they engage in an unnecessary or excessively forceful restraint.

The two most common restraints are a "basket hold" and a "prone." Both restraints entail the immobilization of a client's extremities in a manner that the client is in no pain. As soon as the client is determined to be calm, s/he is released. In extreme cases, a "five-point" restraint is used, in which the client has each extremity held down by a staffperson.

In no circumstance is it legal to throw a client to the ground, hit him or her with a baton, or drag the client by the feet so that their face is scraped along the ground. Carotid holds, putting your knee on a client's neck while they are face down, and other "pain compliance" techniques are absolutely not permitted.

Such a strict code of what constitutes acceptable or permissible forms of restraint apparently does not exist in relation to police conduct in this community. Tactics that are designed and executed with no intent other than to intimidate by inflicting pain are used routinely on individuals who are emotionally disturbed and those who are not. And it is commonplace to find "pain compliance" techniques employed even when a person is not a threat to him/herself or others. To properly handle emotionally disturbed individuals, police officers should receive the same comprehensive training that health care workers are given. In the case of individuals who pose no physical threat to police officers, the use of restraints that inflict pain is a clearly political decision. This politicization of police conduct is a dangerous condition requiring vocal community opposition.

There is no justifiable reason for using techniques of restraint that inflict pain. Better police training and depoliticization of police conduct will end what amounts to torture of detainees and improve the level of personal safety for both police officers and citizens.
but we did outline additional concerns and demands. Another problem has been the commandeering and damaging of wheelchairs by police who take over control boxes or push chairs against the user's will. This lack of respect for body and spacial integrity is common against disabled people, but also constitutes assault and battery as an unwanted touching. But, as we commonly see with UCPD, there is little attempt to keep police actions within legal constraints.

Also expressed to Harrison was our concern about disabled people being singled out at demonstrations for different treatment, thereby discouraging expression of our First Amendment rights. I and another wheelchair user were recently asked to leave the scene of a demonstration when other people were not so asked. I noted to the officer that this was discriminatory, and the other disabled person said he didn't want special treatment. The officer replied that they wouldn't want him to get hit by any "special" batons. This singling out of disabled people is done under the patronizing guise of safety, but also arises from the control issues described above, and because disabled people have a reputation for active civil disobedience in the Bay Area.

Our demands included the immediate cessation of commandeering of wheelchairs, of discouraging disabled people from being present at demonstrations, and the removal from park duty of officers Beckford, Sifuentes, Jacques, and Takaoka. We noted that some officers were not suited for park duty as they could not maintain self-restraint in volatile situations. I noted that it was not illegal, after all, to yell at cops (in reference to people being jumped and arrested for verbalization at UC police). Harrison took strong exception to this premise, again revealing lack of awareness of basic legal principals which govern police behavior.

It is well settled law that speech directed at cops is protected First Amendment activity. Even the U.S. Supreme Court has held that "a properly trained officer" is expected "to exercise a higher degree of restraint", and that "the freedom of individuals to verbally oppose or challenge police action without thereby risking arrest is one of the principal characteristics by which we distinguish a free nation from a police state". (Houston)

Harrison further commented that police "deserve the same respect" as other people, showing a lack of understanding of the unique role police officers play in society as agents of the state. BPD Chief Butler has similarly stated that "police are people too", in attempting to justify BPD police losing control and shooting at whole crowds of nonviolent demonstrators in response to a single thrown bottle. Both UCPD and BPD are attempting to engender sympathy for police officers as being ordinary citizens, ignoring the fact that while on duty, police carry guns, clubs, and other weapons, and are authorized to use lethal force, while ordinary citizens are not.

This "human too" argument ignores the inherent and profound power imbalance between armed cops and unarmed nonviolent demonstrators. It also contradicts what we know to be a police obsession and demand for "respect" for their authority. Nothing throws some cops into a frenzy faster than "civilians" showing them "disrespect". One demonstrator was arrested for merely asking the charges for another person's arrest. As Governor Reagan put it, 20 years ago, demonstrators commit the ultimate sin when they show disrespect for cops, the government's symbol and agent for maintaining law and order and the status quo.

Finally, we told Harrison that the use of pain compliance against nonviolent protesters should be stopped. Harrison replied that under UCPD policy, pain compliance will continue to be used on people engaged in passiver civil disobedience (i.e. going limp upon arrest). This policy flies in the face of Berkeley's history of fostering freedom of expression and political dissent. But that is the goal, after all, of UCPD, our increasingly right-wing City Council, their surrogate Michael Brown, and his military troops the BPD, to change Berkeley forever into another Walnut Creek.
IT'S YOUR RIGHT TO WATCH THE COPS
If you see the police stop someone:
- stay there and watch
- write down badge numbers, names, the time, date, and place
- try to find out why the person was stopped
- stay close enough to hear what is being said
- if the police ask you to move, explain that you have no intention of interfering with their work and that it is your right to observe
- you can send or phone any information you get to COPWATCH

COPWATCH
2022 Blake Street
Berkeley, CA 94704

You are invited to our weekly COPWATCH meetings
Every Monday at 8 PM, 2022 Blake Street (near Shattuck)