

COPWATCH

Report

BERKELEY, CALIFORNIA

SPRING 1996

Are Berkeley Cops Assembling "Gang Profiles" on Innocent Youth?

BY SUZANNE PEGAS AND LENORE ANDERSON

Inside

.....
**Cops Still Arrest
Homeless Who Sit**
.....

**Police Pepper
Spray Under Fire:
Hearing May 22**
.....

**Crabtree Dead,
But BART Still
Unaccountable**
.....

**SFPD Arrest
Protesters of
Police Abuse**
.....

**Judge Kills Suit
Against UCPD**
.....

**Oakland Police
Victims Speak Out**

**COPWATCH
Needs Your
Help — Give
What You Can!**

On February 13, COPWATCH watched six Berkeley police officers detain a group of Latino youth outside the downtown Berkeley post office. As the teens ate lunch on the post office steps, the police surrounded them, told them not to leave, and pulled them aside one by one. The cops photographed each teen and wrote down his name, address, and other personal information.

When the young people asked why this was happening, the six officers — Onciano (#27), Blackwell (#122), Kiharan (#8), McKinney (#9), Houpt (#S-27), and two others — ignored them. Police also ignored COPWATCH questions, but when we persisted, Officer Houpt claimed they were investigating graffiti on the post office walls. In the end, police made no arrests and issued no citations, but walked away with a new file on each teenager.

According to many Berkeley youth, this is far from an isolated incident. An anonymous caller recently told COPWATCH that police have been photographing African-American youth in South Berkeley on a regular basis, without consent and for no stated reason. Berkeley High students have told COPWATCH that police have been taking their pictures with no explanation.

These reports are consistent with the experiences of young people statewide. The Garden Grove Police Department was recently sued for illegally photographing and identifying Asian-American youth for a department gang database. The case settled in favor of the plaintiffs. In San Jose, police photographed an Asian-American male and entered it into a gang database. The photo was later mistakenly picked out from the database by a crime victim, and the man spent three months in jail for a crime he didn't commit.

Complaints from youth of color in San Francisco, Santa Rosa, Redwood

(continued on page 7)

Berkeley Cop Ignores Court Order

Onciano Illegally Enforces Anti-Panhandling Law

BY ANDREA PRICHETT

COPWATCH has witnessed BPD Officer Onciano enforcing Berkeley's controversial Measure O despite an injunction against it.

US District Court Judge Claudia Wilken issued the injunction against Measure O in April 1995. Wilken ruled that many key provisions of the "anti-panhandling" law are unconstitutional and issued a restraining order against the provisions which make it a crime to sit or lie on a sidewalk and which criminalize soliciting donations at night or within ten feet of a business.

But many homeless citizens have contacted local lawyers and COPWATCH with reports that they have been harassed and threatened with arrest by BPD officers for simply sitting next to a building.

Reports of these incidents increased dramatically in the fall of last year. Lawyers from the ACLU and others who are suing the city contacted City Attorney Manuela Albuquerque in order to bring these violations to her attention. Albuquerque responded by assuring the lawyers that she had taken corrective action as of November 1995. She explained that it had been

brought to the attention of officers through daily briefings, training bulletins, and "retraining" that there is currently no legal basis for prohibiting sitting on sidewalks in Berkeley.

On December 18, 1995, COPWATCH observed BPD Officer Onciano (#60) talking to a man who was seated on a milk crate under the awning of Long's Drugs on Shattuck Avenue. It was raining, and the officer was speaking to



BPD Officer Onciano (#60) rousts the homeless under Measure O.

When COPWATCH approached the officer to ask a few questions, Onciano sped away.

the man from the driver's seat of his patrol car. The man was exasperated and asked the officer what exactly he wanted him to do. Onciano said, "I want you out here where you can get wet." Onciano ordered the man to move his milk crate out from under the awning and out into the rain. When COPWATCH approached the officer to ask him some questions, Onciano sped away.


The next day, two teams of COPWATCHers surveyed individuals along Shattuck and collected anecdotal evidence of police harassment. When COPWATCH asked how they were being harassed and by whom, every person identified Onciano either by name, badge number, or physical description. Many expressed frustration about being harassed simply for

sitting on the sidewalk.

On December 20, COPWATCHers observed as a man sat down on the sidewalk in front of a building at 2440 Shattuck. Within 20 minutes, Officer Onciano rode near him on his bicycle. Onciano explained that he needed to move away from the building and sit next to the parking meters — just as Measure O required.

When COPWATCH approached, we asked the officer if he was aware of the city attorney's position on the enforcement of Measure O. Onciano indicated that he was familiar with the latest status of the ordinance. But, said Onciano, he was just following orders.

It is possible that Officer Onciano was simply disobeying the policies of his department. Onciano has racked up numerous complaints with his practice of citing obscure traffic laws from the 1940's to drive the homeless out of downtown. It is Chief Butler's responsibility to control his officers. But Onciano's anti-homeless actions have continued for too long. What if Onciano is really following orders? Is the Berkeley Police Department intentionally violating a federal court order?

If you believe that Berkeley could find better ways to spend its money than enforcing an ordinance which has been found unconstitutional, and defending officers who disregard the judicial system, please contact City Attorney Albuquerque (644-6380), Mayor Shirley Dean (644-6484), and your city councilmember. 

COPWATCH Report

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

To do this we need your support, energy, and ideas! Please call us or write us, or come to our weekly Monday meeting at 8 pm in our office:

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POLICE PEPPER SPRAY



Eureka Cops Spray Festival, Spark Riot

BY EMANUEL SFERIOS

Last year the Eureka Police Department used pepper spray to break up an April 24 Earth Day music festival, injuring dozens of concert-goers and sparking what the local press in this Humboldt County town called a "borderline riot."

Responding to noise complaints, police arrived at the Masonic Temple around 2 am, where the "Earth Day Musicfest '95" was being held. According to numerous witnesses, four or five Eureka police officers began pepper-spraying the crowd after a fight broke out between a concert-goer and a volunteer concert security guard.

When the fight was over, the officers continued using the spray to disperse the crowd, say witnesses. "They were pepper-spraying everybody," says Robin Walker, who attended the festival. "People were leaving, and they were being sprayed inside and outside."

"It looked like a big fog on the whole block," says David, a concert-goer who asked that we not use his last name. "They were spraying off and on for at least twenty minutes."

According to Walker, at least three individuals who were sprayed had to be carried out of the building, including Chris Gambin, who was on crutches at the time. Dulce Ziegler, a Berkeley resident who attended the concert,

(continued on page 6)

PRC To Consider Banning Cop Weapon

BY CHRIS THOMPSON

The campaign to ban police use of pepper spray passed an important milestone when COPWATCH presented signatures supporting the ban to the Berkeley Police Review Commission (PRC). The PRC, which can recommend changes in police policy to the City Council, scheduled a public hearing for May 22, at which time COPWATCH and other groups will argue to remove pepper spray from the police arsenal.

BPD Captain Doran told COPWATCH that Police Chief Dash Butler or Deputy Chief Roy Meisner will attend the meeting and argue against the ban. According to Doran, police officials consider pepper spray a safe alternative to firearms and an indispensable tool in subduing suspects.

"Officers are often confronted with violent, dangerous situations," said Doran. "Until something else comes along, pepper spray is an important tool in subduing a suspect who might otherwise be a danger to officers or bystanders. We're pretty comfortable that it's not harmful to human beings."

Doran cited studies by the Federal Bureau of Investigation (FBI) which support police use of pepper spray. But a high-ranking FBI official recently confessed to accepting bribes from pepper spray manufacturers to draft reports that uncritically recommend the weapon for law enforcement use.

Special Agent Thomas Ward

oversaw the FBI Firearms Training Unit at Quantico, Virginia, for several years. Under his direction, the Training Unit produced the 1991 "Quantico Studies," which declared pepper spray a safe, effective weapon for police use.

On February 12, Special Agent Ward pled guilty to accepting \$57,000 in kickbacks from Luckey Police Products, which manufactures one of the most widely-used brands of police pepper spray. A Miami federal judge will sentence Ward in late April or early May, and FBI officials are trying to determine just how badly Ward distorted the pepper spray studies.

The American Civil Liberties Union recently called on Attorney General Janet Reno to rescind all studies tainted by Special Agent Ward and to warn police departments across the country not to rely on FBI pepper spray research.

PEPPER SPRAY CLAIMS NEW FATALITY

On April 7, San Francisco police killed another arrestee with pepper spray, prompting the police commission to reconsider the rules of pepper spray use — and many in the media to question whether it should be used at all.

Police found Mark Garcia, 41, in the middle of Cesar Chavez Avenue, incoherent and clad in only a shirt. Officers pepper-sprayed Garcia twice as they tried to take him into custody.

(continued on page 6)

Officer Crabtree Dies

But Search for BART Accountability Continues

BY CORNELIUS HALL

On November 15, 1992, Jerrold Hall was walking away from BART police officer Fred Crabtree. At a distance of 70 feet, and with police backup only seven seconds away, Crabtree fatally shot my son in the back of the head.

On March 2, 1996, I received a call stating that Fred Crabtree had hanged himself. I notified my attorney who in turn called BART attorneys to verify his death. They didn't call back until Monday, March 4. It was finally released to the press on Wednesday, March 8. BART police commander Gary Gee made a statement to the press that "Crabtree's death was not linked to the fatal shooting of 19-year-old Jerrold Hall at the Hayward BART station." Why did it take six days for BART to get its story together?

This is just the latest in a series of scandals at the BART Police Department. On January 29, BART's 156-member police force was accused by San Francisco's Assistant Police

Chief Earl Sanders of corruption, incompetence, and racism. This story was obtained and published by the *San Francisco Examiner*.


A few weeks before Chief Sanders' story, Vic Lee of Channel 4 News did a television exposé of BART police incompetence. In the story, a retired highway patrol commander, who created a nationally-used investigative report, stated that BART seemed to be trying to avoid millions in lawsuits and was therefore losing vital information in many cases.

The story gave the example of a BART accident in which a young lady, Engracia Porter, lost her leg and is partially paralyzed. The black box on the train that ran her over is missing — and so is other information vital to that case. BART Police Chief Harrold Taylor stated that he didn't know whether the train driver, who was under the influence of drugs, should be drug tested. BART police abdicated their power of drug testing, and it was up to civilian supervisors to test the driver.

Porter's case is now in court. The

appeal of my wrongful death lawsuit against BART in the case of my son should also come up in 1996. The death of Crabtree will eliminate punitive damages, but the case goes on.

On the political scene, we are advocating the creation of a BART Police review board. BART just sent a letter to Alameda Supervisor Gail Steele, Contra Costa Supervisor Jeff Smith, San Francisco Supervisor Tom Ammiano, and the BART Board of Directors. This letter stated the merits of BART's citizen complaint procedures and claims that their record of "no sustains" shows that independent police review is not needed. Nevertheless, on April 4 two S.F. supervisors held a hearing on BART police accountability. They plan to pursue the issue.

BART officials still have their heads in a hole and their eyes closed, hoping that the problem will go away. It won't. Even State Senator Bill Lockyer has called BART to announce that he is also looking into BART police abuse. We will continue to push for correction and justice. 

Cop Blotter

A sampling of the more egregious incidents of police misconduct, compiled from COPWATCH incident reports.

12/6/95 — Telegraph Avenue: Two bicycle police approached a pair of young men sitting in front of an abandoned building. The officers demanded identification and charged them with trespassing. When questioned, the officers indicated a small card in the building window that said, "no trespassing," but since the sidewalk is public property, sitting on it is not trespassing.

1/6/96 — Bancroft and Telegraph: BPD Officer Houpt (#S-27) and UCPD Officer Moore (#75) demanded identification from a man and a woman sitting on a bench. The officers claimed that because there was a piece of wood 2" in diameter on the man's backpack, they would check the couple for warrants and search their possessions. The man was arrested on a five-year-old traffic warrant.

2/7/96 — 2401 Telegraph: Four officers surrounded an African-American man. Officers told COPWATCH the man was suspected of jaywalking.

From the files of the PRC:

Officer Gregor Breaks into House

On July 21, 1995, BPD Officer Gregor arrived at a Parker Street home to assist Dr. Carroll, who claimed to own the property. Stephanie Hall, who claimed to be Carroll's attorney, told Gregor that they had served tenant Ralph Jones with a Notice of Inspection of Premises, but that they did not have the document with them.

Without contacting Jones, Gregor authorized workmen to break the lock. Gregor and a backup officer entered the premises with their guns drawn to search the residence.

When Jones arrived home, he protested that he had not been served the proper notification of entrance. But Gregor silenced him and threatened him with arrest. Later, it was discovered that Hall was not an attorney, and the Inspection of Premises papers were never properly delivered. Gregor had taken these for granted.

Jones charged Officer Gregor through the Police Review Commission (PRC) with improper search, failure to investigate, abusive and obscene language, and unnecessary display of a weapon. The PRC did not sustain the charges.

— KILEY ETTER 

SFPD Shuts Down March

130 Arrested for Protesting Misconduct

BY ANDREA PRICHETT

A March 3 rally co-sponsored by COPWATCH, Action for Police Accountability, Food Not Bombs, and other local groups attracted more than 200 people to the San Francisco 16th Street BART station. In solidarity with other member organizations



This young protester cried when San Francisco police handcuffed his father, located behind him.

of the National Coalition for Police Accountability (N-COPA), organizers called the event to mark the fifth anniversary of the beating of Rodney King.

In 1992, N-COPA members designated March 3 as an annual national day of action for police accountability. Each year, in cities across the country, groups hold forums, workshops, protests, educational events, and many other actions to raise awareness about police misconduct.

After hearing speeches from survivors of police violence and representatives from police accountability groups from regions as far away as Mendocino, the crowd began to

march down Mission Street to the Hall of Justice. There, organizers planned to hold a candlelight vigil in memory of those who had died at the hands of the police.

The march was spirited and loud. While the crowd easily spanned two lanes of traffic, police repeatedly ordered marchers back into one lane.

Many participants ignored the orders, and the crowd remained in two lanes without incident as they marched about two miles toward the police station.

But when the group approached the intersection at Sixth and Howard, just six blocks from the Hall of Justice, a row of baton-wielding riot police blocked their way. The police ordered everyone onto the sidewalk or be subject to arrest. Although most of the crowd obeyed the order, police arrested everyone in the march and took them to jail, regardless of their efforts to comply with the officers' directions.

Altogether, police arrested 130 people and charged them with failure to obey a traffic

officer. After several hours in detention, the protesters were released.

On March 6, many of those arrested returned to the Hall of Justice for a press conference and speakout before a meeting of the Police Commission. At the meeting, speaker after speaker denounced the police action and the failure to comply with the crowd control policies agreed upon by a coalition of community groups and city officials several years ago. Police Chief Fred Lau announced plans to "hold a refresher course" on handling public protest. Lau invited members of the community who had engaged in "peaceful protests" to address senior police officials.

Protesters were skeptical that yet another training exercise would

change the way the SFPD treats First Amendment expression. In recent years, the SFPD has suffered scandals of spying, selective enforcement, violence, and harassment, leading many activists to believe that the SFPD is using collective punishment to discourage political assembly and expression.

After District Attorney Hallinan dropped all the charges in early April, many protesters began considering legal action against the police department. The National Lawyers' Guild is working with arrestees to devise a strategy which may resemble the mass filing of small claims actions in response to the June 1995 arrests of people who marched in support of Mumia Abu-Jamal.

Arrestees are also filing complaints with the Office of Citizen Complaints, the city civilian review board, in response to the false arrests and the confiscation of personal property which police later claimed to have "lost."

This latest police violation of citizens' rights has given new impetus to the grass-roots organizing effort against the continuing anti-homeless "Matrix" program. Although newly-elected mayor Willie Brown promised to end Matrix, studies show that in January 1996, police made 1700 arrests of the homeless under Matrix, as compared with 1200 arrests in January 1995.

Many of those arrested on March 3 are now planning an action to address this escalation of the Matrix program, the harassment of Food Not Bombs volunteers, and other cases of police harassment of the political activity.

In addition, the Bay Area Cop Observation Network (BACON) meets monthly. Representatives from different police accountability groups discuss upcoming issues, share information, and coordinate their efforts. As demonstrated by the diversity of cultures and communities represented at the March 3 action, BACON's network extends throughout the Bay Area.

To get involved with BACON or the upcoming anti-Matrix action, call COPWATCH at (510) 548-0425. ●

OPD Victims Demand Justice From City Council

BY DAN HOSANG

On February 15, sixteen years after the inception of Oakland's Civilian Police Review Board (CPRB), residents testified to its uselessness.

The Oakland City Council agreed to the February 15 public hearing after a long campaign for greater police accountability by People United for a Better Oakland (PUEBLO) and other community groups.


Working with the American Civil Liberties Union (ACLU), the American Friends Service Committee, and CPRB chair Eduardo Garcia, PUEBLO pulled in more than 150 members of the community. Representatives of organizations such as Centro de Juventud and COPWATCH spoke to the need for greater civilian oversight of the police. Victims of police brutality, some of whom had lost family members, told committee members of their horrific experiences at the hands of the Oakland police.

Oakland police fatally shot Rashidah Grinage's husband and son in 1993. On the night of the hearing, Grinage told the committee that the public sees the Review Board as thoroughly toothless, with no power to discipline the police or even to encourage victims to step forward. "Most people don't bother to complain because they know perfectly


well that nothing will happen," said Grinage. "You must fix this."

ACLU attorney John Crew called the CPRB the least effective review board in the Bay Area. "The ACLU has identified certain key factors that make for credible, effective civilian review of police. Frankly, Oakland's process doesn't have any of those factors," said Crew. "This city has not invested in civilian review. Unlike any other Bay Area agency, Oakland does not even have an office for its review board."

After the public presented its case, the committee instructed the City Attorney to list the available options to strengthen oversight of the OPD. The committee also unanimously moved to require police officers to attend CPRB hearings, to hire three full-time investigators with subpoena powers, and to empower the CPRB to discipline guilty officers.

On April 30, the Oakland City Council will vote on the committee motions. Most of the reforms can be enacted by a council vote, but civilian power to discipline officers requires an amendment to the City Charter. The council will vote on whether to put this amendment before the voters in a November ballot measure. This measure would make the CPRB the most powerful review board in the Bay Area. COPWATCH will update our readers on the status of this historic legislation. 

including children, not involved in any criminal activity.

On October 20th of last year, for example, Fresno police allegedly used pepper-spray on high-school students to break up a fight. First-hand reports indicate that police used pepper spray even after the fight ended to disperse students who were watching, and that individuals waiting at a nearby bus stop were affected. 

SLAPP SUIT CONTINUES — In January 1992, UC sued four prominent activists who spoke out publicly against the university's development of People's Park. An appeal of the suit by defendant Carol Denney continues. To help, send donations to: SLAPP Defense, 1840 Woolsey, Berkeley CA 94703.

(PEPPER SPRAY, from page 3)

After arriving at SF General Hospital in a police van, Garcia stopped breathing and had to be resuscitated. He died in intensive care two hours later.


Garcia's death comes on the heels of a lawsuit filed by the family of Aaron Williams, whom SF police fatally beat and pepper-sprayed last summer. The family holds the city liable for Williams' death and are asking for \$10 million.

The day before Garcia's death, the *San Francisco Chronicle* published another article on the announcement by law enforcement officials of "Sudden In-Custody Death Syndrome." According to officials, some people in custody mysteriously die after having been pepper-sprayed and hogtied. Officials also cite obesity, drug use, middle age, and even "partial nudity" as contributing factors in these deaths.

But some in the media are beginning to focus on pepper spray as the primary factor in these deaths. Public radio stations KPFA and KOED have each devoted air time to examining how and if police should use pepper spray. The SF Police Commission has announced that they will re-evaluate rules around pepper spray use.

As members of the media and government slowly wake up to the dangers of police pepper spray, COPWATCH has been meeting with community groups and churches as part of our campaign to educate the Berkeley public. Since our campaign began in November, COPWATCH has focused on church groups and student co-ops in Southside. We are now shifting our focus to West Berkeley, to broaden our base of support as our date with the PRC draws near.

San Francisco Supervisor Tom Ammiano, the East Bay Noational Organization for Women, and the Northern California chapter of the American Friends Service Committee are just a few of those who have endorsed our campaign to take pepper spray from the BPD. Churches throughout Southside have joined our call to hold a public hearing on this controversial weapon.

The PRC meets at 7 pm on May 22, at the North Berkeley Senior Center, 1901 Hearst Ave. 

(EUREKA, from page 3)

says she experienced some effects of the chemical even though she wasn't directly sprayed. "It felt really dry and I couldn't breathe. I felt my body was screwed up and I didn't know why. I was kind of collapsing and then someone put their arms around me and helped me out."

Aside from violating Department of Justice regulations on pepper spray use, which forbid police from using pepper spray to disperse crowds, the Eureka incident underscores another phenomenon occurring more and more in California and elsewhere: the "cross-contamination" of individuals,

(GANG PROFILES, from page 1)

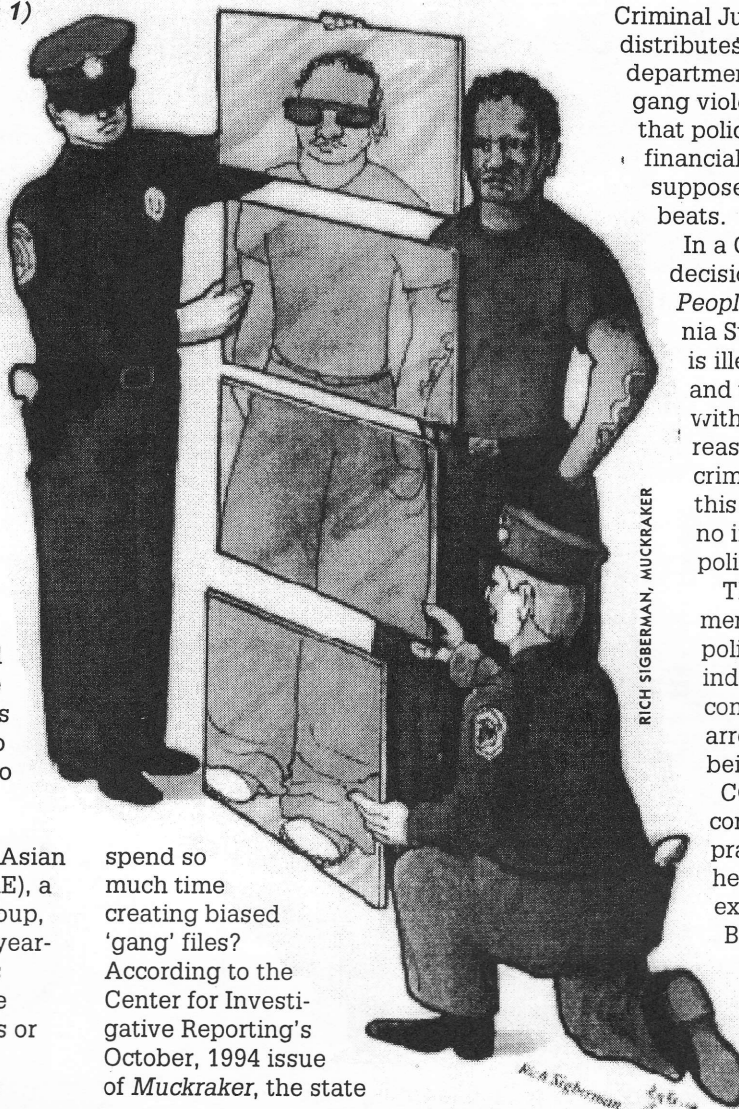
City, and Newark all tell the same story. Youth are detained, questioned, and photographed without being cited or arrested, and the photos are being entered into police records as gang profiles.

Not only does this practice violate constitutional rights of equal protection under the law, it is also based on blatant discrimination. And what happens if you're labeled as a gang member in police records? You have a record without committing a crime. In any future interactions with law enforcement, the police will access this record. If you are convicted of a crime that is "gang-related," the judge can add up to three years to your sentence under California law. Legislation is being considered in Sacramento to increase this enhancement to up to ten years.

According to a fact sheet produced by Alliance Working for Asian Rights and Empowerment (AWARE), a Southern California community group, at least 47 percent of all 21- to 24-year-old African-American males in Los Angeles County are listed in police databases as either gang members or affiliates.

Why would police departments

spend so much time creating biased 'gang' files? According to the Center for Investigative Reporting's October, 1994 issue of *Muckraker*, the state



Criminal Justice Planning Office distributes extra funding to police departments working to fight against gang violence. In practice, this means that police departments have a financial incentive to document supposed gang members on their beats.

In a California Appellate Court decision in 1993 for the case of *People v. Rodriguez*, the California Supreme Court ruled that it is illegal to detain an individual and take their photograph without consent or without reasonable suspicion that a crime has been committed. Still, this decision seems to have had no impact on the behavior of police on the streets.

The Berkeley Police Department has a policy that states police cannot take photos of individuals without their consent if they are not under arrest. Why is this policy not being followed?

COPWATCH is seriously concerned with this unlawful practice. We are interested in hearing from anyone who has experienced it in Berkeley. If Berkeley police officers have illegally photographed you, or if you have seen the police photograph someone else, call us at 548-0425.

Judge Rejects "Vigil" Lawsuit Against UCPD

BY EMANUEL SFERIOS

Five years after two activists were arrested and others harassed during a candlelight vigil, four of the activists heard a judgment on their civil suit against the University of California. Although University attorneys declined to present a case in their defense, Superior Court Judge William R. Dunbar ruled in their favor in March of this year. Plaintiffs Carol Denney, Tom Fisher, David Glaubmann and Bob Nichols say they plan to appeal.

What has become commonly referred to as the "Vigil Suit" began on September 15, 1991. Several activists set up a sidewalk candlelight vigil protesting the People's Park volleyball courts. UCPD officer Alex Takaoka (#54) told the vigilers to leave the sidewalk or face arrest. When the vigilers remained, Takaoka and Officers Cooke (#57) and Jackson (#76) forcibly removed them. Nichols was arrested and charged with trespassing and resisting arrest. The charges were later dropped.

Denney and the others were pushed into the street. Police

put David Glaubman in a pain compliance hold. Officer Takaoka even tried to turn Tom Fisher's wheelchair on to move him into the street. The incident was recorded on video and presented as evidence during the trial.

Also admitted as evidence was a letter from Vice Chancellor Dan Boggan to City Manager Michael Brown. The letter, dated one month before the incident, assured Brown that sidewalk protesters would not be subject to arrest unless they blocked pedestrian traffic. When vigilers gave Takaoka a copy of the letter, he ignored it.

Plaintiffs are concerned less with personal compensation than with challenging the daily misconduct by UC police at that time. According to Osha Neumann, an attorney for the vigilers, "There was blatant discriminatory enforcement around the park. If they didn't like you they would bust you." Many of the plaintiffs were often the target of such selective enforcement. Denney was also a target of UC's SLAPP lawsuit against prominent activists, and is currently appealing a ruling against her in that case.

Despite the strength of the "Vigil Suit" and the lack of a defense on the part of the university, Dunbar rejected the lawsuit. Although the plaintiffs are appealing, Takaoka still patrols the park, perhaps now considering himself free from civil liability.

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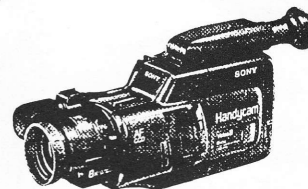
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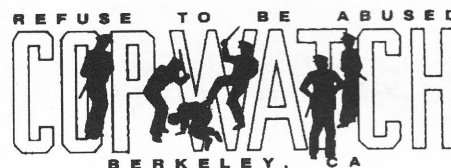
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This 25 minute video produced by Berkeley COPWATCH shows how ordinary people organized themselves to demand police accountability. The video focuses on ideas and techniques for street observation of police activity, and it is available for a suggested donation of \$20. Order it with the adjacent form, or call us at (510) 548-0425.

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Police Disrupt Mass Bicycle Ride

The third birthday of Berkeley's "Critical Mass," a bike ride which wanders through the streets of Berkeley once a month, was interrupted by BPD's violent arrest of one of the eighty-odd cyclists.

As the group rode west on Hearst Ave. along Ohlone Park, two officers (Thompson #439 and Dvorak #56) rode up to a young man and ordered him to pull over. A native Spanish speaker visiting the U.S. from Venezuela, the man didn't understand.

Witnesses say Dvorak slapped the man hard on the back as Thompson cut him off, causing a collision. Thompson grabbed the rider's arms while Dvorak tackled him, sending him to the ground and throwing another rider into bushes at the side of the road, according to other cyclists.

Fellow riders went to the police station to complain, where they say BPD representatives stalled them for over an hour. The arrestee was charged with riding on the wrong side of the road and resisting arrest. He states that he was never presented with an interpreter and that police forced him to sign documents he didn't understand.

Critical Mass participants have consulted with COPWATCH and are preparing a "Know Your Bike Rights" brochure. 

— Jason Meggs

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