

# COPWATCH Report

July-August 1990

## Who is COPWATCH?

We are a group of people from the Berkeley community, outraged with the rise of police harassment and the use of excessive force, especially in the Southside area. We know that this violence, which is targeted at the poor, street people, people of color, activists, and hippies is a direct result of pressure from the University, many Telegraph Avenue Merchants and local landlords to gentrify the area. If they push the homeless and counter-culture out into periphery, rents will increase, People's Park will become a tennis court, Berkeley Inn and Barrington will be U.C. dorms, and students will continue to be sheltered from the reality of a country that is unable to provide employment and homes for its people. The community must unite to fight police harassment, university expansion and the gentrification of Berkeley. Copwatch is a diverse group of Berkeley residents who have come together to provide information about peoples' rights, to monitor the Berkeley Police Department (BPD) and the UC Police Department (UCPD), and to take legal action against unlawful and unjust police maneuvers. We will not allow the city or the university police to drive the homeless out of Southside.



Before discussing specific police activities over the past two months, this report is going to jump back in time two-and-a-half years - right after the Southside Community Coalition, with the help of Berkeley's two police forces, successfully managed to harass most of the Black youth right out of the Telegraph Avenue area. Just like homeless people have recently been criminalized by the law, the youth in 1988 were accused of causing "high crime rates, an enormous trash problem, and sparking violent fights, often involving UC students." In an April 14, 1988 Daily Cal article, UC police Lt. Calvin Handy exposed the organized effort to single out and target the young visitors from North Oakland, South Berkeley and Richmond, who hung out in Southside on weekend nights. Handy said that the city and the university police departments worked together on a policy of towing parked cars after 10 p.m. and increasing city and police foot patrols. This was to "make the area less attractive for loitering," said Handy.

In an equally explicit statement, the Southside Community Coalition, which consists of merchants, Southside residents, city and university officials, said that: **"The group must now move on to address 'long-range issues' like the homeless problem currently plaguing the area."**

And this is exactly what COPWATCH is observing out in the streets.

Some people think that the police walk around the city with guns to protect the general public from dangerous criminals. But if you are homeless or a person of color, or you actually take time to stop, watch and listen to the police during their routine, you will see quite a different perspective.

Just last month, two University cops backed their car up into the door of the Peoples' Park portable toilet, locking a homeless man in the smelly cubicle, and laughed as the man pleaded and screamed for ten minutes to be let out.

Obviously these cops have been so desensitized that they are unable to recognize homeless people as human. This form of discrimination is cruel and unacceptable, with no legal basis. COPWATCH recognizes that it is not simply individual police officers' attitudes and actions, which are discriminating and dangerous to poor people. More often COPWATCH sees incidents that are not as much vicious bullying, as continuous harassment based on state and city policies that the city manager and the chancellor choose to focus on.

New directives are being planned by merchants, university and city officials and local residents to make life very uncomfortable for people suffering from extreme poverty. For instance, an Aug. 1, 1990 departmental order from Chief of Police D.E. Butler states that "it is the policy of the Berkeley Police Department to politely, but firmly, discourage persons from sleeping on public property...(which) includes city streets, sidewalks, medians, parks, parking lots, business doorways, etc." The reason stated is that this is to "ensure free passage for all persons, and to eliminate the use of city property for informal camping."

Now this falls right in sync with an Aug. 6 state-wide law that prohibits sleeping in any of the above-mentioned areas. Although this is a state law, the city is not required to enforce it. COPWATCH questions the reasoning behind Butler's orders, given the conditions for the homeless in Berkeley. He says that he wants to maximize the use of social service providers for the homeless. But, there are only 226 shelter beds, which are already full to maximum and turning people away every night, which leaves at least 800 additional homeless people in Berkeley with no choice but to look for a safe place to sleep outside.

What reason can the police have for trying "to eliminate the use of city property for informal camping," except to criminalize the homeless population and force them to go into hiding so that housed people can ignore the fact that our government is not ensuring even a minimum standard of living (food, clothing, shelter, employment) for all people.

Another case of discrimination against homeless people and people of color occurred last week when a woman reported that her wallet was stolen on Piedmont. She described the suspect as a black male wearing a red baseball cap. Within a few hours, the police had taken a homeless man into custody, even though no red baseball cap, nor any of the stolen possessions were found, and he had an alibi for the hour in question. The problem was that the alibi was a homeless woman. When she told the police that she had been dumpster-diving with the man all afternoon, the police said that she was "not a credible witness." When she objected to this kind of discrimination, the police then threatened to arrest her for disturbing the peace.

Many Telegraph Avenue merchants, especially restaurants and bars, prohibit homeless people from entering their establishments, even if the people have money, and the merchants are quick to call in the police if people protest. Early this month, two men went into

Kips to have a beer. One man had a frame backpack with all of his possessions in it. The owner of Kips came up to them and said they couldn't carry a backpack in the restaurant and that he would have to leave. After arguing with the woman, the homeless man decided to leave. The other man stayed to finish his beer. The owner came back and said that he would have to leave as well. Even though his friend had just bought him a beer, the police were called to the scene. After running an I.D. check on the man, it was determined that there was an outstanding warrant for \$100 (related to a bicycle ticket). The police warned him to stay away from Telegraph Ave. or else risk arrest.

Not only are the merchants turning homeless people in, but recently, even service providers have displayed an alarming willingness to call the cops on homeless people even before attempts at mediation and reason have been exhausted. Last week, an elderly Black woman came to the Church of the Nazarene shelter. It was dark, she didn't have a watch, but she was waiting for the shelter to open at 9:30 p.m. When the shelter director drove up at about 9:20 p.m., she told the homeless woman that she would not be allowed to sleep at the shelter that night because she had been warned before not to arrive on the shelter grounds before 9:30. The shelter director said, "You will have to make other arrangements." And when the woman protested, saying that she had no where else to go, the shelter threatened to call the cops.

This is a problem that may be created by some neighbors' complaints that they see homeless people "hanging around" on what they consider to be "their street," but the problem is perpetuated by the city's lack of respect for homeless people and their ideas, and the city's lack of action towards building affordable housing. Just as COPWATCH takes issue with the actions of the merchants who discriminate against homeless people, we also feel that the shelters should not involve the police (or threaten to call the police) in a situation that clearly was not endangering anyone. What is it coming to if homeless people cannot even trust those services which are suppose to be helping them?

Recently, members of COPWATCH have also begun to get harassed. One evening, a COPWATCHER was sitting on the sidewalk outside of a coffee shop on Telegraph Ave. talking to a homeless man when two Berkeley cops drove up, came to a screeching halt, jumped out of their car with their flashlights and began questioning: "What are you doing out here? What do you have in your bag? What's that in your cup?" The cops had no basis for their belligerent and aggressive approach, and they left saying that it was just a joke and that they were "just making sure you aren't harassing the homeless."

Regardless of this police harassment, COPWATCH is pleased to announce the opening of our office. We encourage all members of the public with incidents of police harassment to visit our office located at 2511 Channing Way (suite #1 - upstairs from the Thai House). Our weekly meetings are on Wednesdays at 7:30 p.m. in the office.

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# Are you tired of COP Harassment? Get Involved!!!

## Copwatch

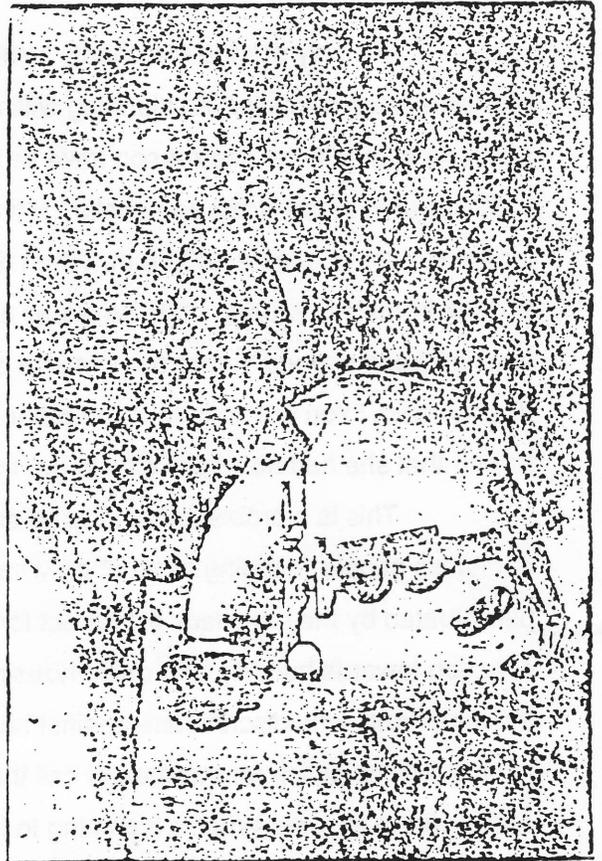


### COPWATCH Objectives

COPWATCH began monitoring police activity in early March of this year.

The main purpose of Copwatch is to reduce police harassment and brutality. Our goals are to make police accountable, and to educate the community about their rights.

Members of Copwatch have three hour shifts on different days of the week, in which teams of two walk around the southside area. When we see police activity, we approach the scene, record time, place, police name, badge numbers, license plate numbers, suspected charges, and descriptions of the incident and people involved. Depending upon the situation, we also try to ask questions of the officers. Copwatch uses the reports to help people file complaints against the police, to compile for Copwatch Reports, and to help lawyers with the cases that come up. Our objective in all of this, is to make the police accountable for their actions. We want to act as a deterrent to the violence and harassment we have witnessed, and to serve to educate the community. You can help with this process of education and empowerment when you see police activity by: recording as much information as you can about the incident. If you are asked by an officer to move, you should remember that it is your right to observe and try to stay within viewing distance. When you've compiled this information you can drop it off at the COPWATCH Office at 2511 Channing Way, Suite #1.



Weekly Meetings  
at the COPWATCH Office  
2511 Channing Way, #1  
Wednesdays  
7:30 p.m.