

COPWATCH

Report

BERKELEY, CALIFORNIA

SPRING 1993

Community Policing

A Kinder, Gentler Nonsolution?

BY ANDREA PRICHETT

A greater percentage of America's population is in jail now than at any other time in our country's history. We spend more fighting the War on Drugs than ever before, and crime and drug use remains rampant in our society. Yet police are still being put forward as a solution to our problems, this time in the form of community policing.

Community Oriented Policing puts a kinder, gentler face on the same police solutions that have not worked in the past. Whether it's cops on bikes or cops giving out hotdogs, the roots of crime, namely poverty and economic decline, are not being confronted. We spend less on developing job opportunities so that there is more money available to spend on police. In Berkeley for example, \$10,000 was slated for developing job opportunities for homeless people in the Telegraph Avenue Plan, while \$600,000 was allocated for police overtime just for Telegraph Avenue.

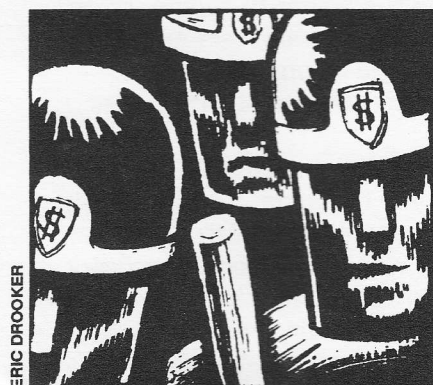
Neighborhoods are torn over the issue of community policing. In many low income areas crime is a daily reality and residents who fear for their safety feel that calling the police is their only option. Many residents understand police brutality, but still cling to the hope that police ultimately want to stop crime.

Community Oriented Policing means that cops and residents hold meetings and together select "targets" for action. If you don't participate in the group you may be selected as the "target" of their efforts and have some folks calling your house a "blighted property" or, ever worse, a "crack house." At that point, police and residents will set about the task of "constructing" a case against you. In one case, an elderly African American woman in Berkeley was accused by police and a neighborhood group, of "allowing" illegal activity to occur on or around her property. Despite the fact that no drugs were found on her property and no criminal charges were ever brought against her, police were able to assist neighbors in bringing 50 small claims suits against her. The neighborhood group's resident real estate agent has already "helped" two other residents sell their homes and was eager to help this grandmother sell her home as well.

HISTORY

In the 1960s, politicians began calling for a new approach to crime, namely rapid response policing. The idea of "911" was developed out of the theory that highly visible patrols would act as a deterrent to crime while a rapid

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ERIC DROOKER

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response would stop crimes as they were occurring. It was also intended to end or prevent corruption by rotating cops like a military institution does, thereby limiting the potential for bribes and "protection fees" being imposed on residents by unscrupulous cops.

After twenty years, the utter failure of the military-driven response style of policing has been exposed. Of 911 calls for service, 70% are not even crime related and only 3% could be affected by the presence of a cop. Somewhere along the way, crime prevention was abandoned in favor of more glamorous, high-tech, rapid response forms of police work. Even while facing defeat in the "War on Drugs," politicians are still offering police solutions to social problems.

COMMUNITY POLICING: GOOD FOR P.R. IF NOTHING ELSE

It sounds great: a cop who will speak frankly with the neighborhood. Not a frightening lone ranger with a gun, but a community helper. Acting as an organizer, a teacher, a lobbyist to the city it is no wonder Community Policing is being welcomed like food to the starving in communities still suffering from poverty and official neglect.

IF YOU CAN'T FIRE THEM, DON'T HIRE THEM

We must hope for the best case, yet we must protect against the worst case. What happens if a neighborhood becomes part of a community policing program and the cop assigned to the neighborhood doesn't work well with the neighborhood?

Let's suppose for a moment that the cop assigned to police our neighborhood actually has a history of serious misconduct. What if the officer has acted in an

inappropriate or even illegal way. What could we do?

As we know, police officers do commit abuses and at times break the law. Rarely, however, do they get prosecuted for illegal behavior and almost never are they fired for violating departmental policies. For example, a judge recently awarded Nina Gelfant over \$800,000 when she ruled that OPD Officer Riley raped Ms. Gelfant in her own home. Even with this settlement, Officer Riley still works on the force. BART Officer Fred Crabtree still works for the department despite shooting and killing an unarmed African-American youth named Jerrold Hall as he was walking away. Neither of these officers has been charged with a crime.

Let's suppose Riley or Crabtree was assigned to our neighborhood. Could we have the officer reassigned? Fired? As hard experience tells us, probably not. If communities do not have the power to decide which officers are possible to work with and which officers are not only not helpful to the community, but a danger to it, then the whole premise of community policing is a sham.

Community policing is supposed to herald a new age of shared responsibility for crime. If responsibility is to be shared, then real power must also be shared. Real power means the power to hire and fire officers.

Community policing programs require a great level of trust between the police and the community. Advocates of community policing argue that because people in the neighborhood know who their local police officer is, then he or she becomes more accountable to them. This is only partially true. Real accountability means that the community will be able to take corrective action if an officer is known to have given a poor performance or has committed acts of misconduct. Unless neighbors have this kind of power, accountability will be symbolic at best.

Community policing programs fail to address accountability issues regarding other police officers who do not stop patrolling a neighborhood simply because it has a community police officer. Unless the locals believe that police officers will be held to as high (if not higher) a standard of conduct as themselves, the required trust for real community-building will not be forthcoming.

"Community police officers learn who they can trust, who is only acting out and who is genuinely dangerous, who is likely to be armed, who is rejected by their families, who is employed and who is not, who has a criminal record...With such knowledge, police officers are able to tailor their actions to the individual rather than reacting to general characteristics of age, race, speech or dress." [COPPS, *Community Orienting Policing and Problem Solving, California Department of Justice, Nov. 1992*]

Armed with such intimate details about our lives, a community police officer is in a situation which lends

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COPWATCH Report

COPWATCH Report is published by COPWATCH, a community-based volunteer organization which monitors police activity in Berkeley neighborhoods in an effort to defend the rights of all citizens, including those who live on the street, to fair treatment under the law.

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Pepper Gas Joins Chemical Arsenal

BY ANDREA PRICHETT

Recently, the Berkeley Police Review Commission (PRC) approved the use of Oleoresin Capsicum (OC) Spray. Otherwise known as pepper gas because of its high concentration of cayenne pepper, OC Spray has recently become part of the BPD arsenal. The following are excerpts from a Berkeley Police Training and Information Draft dated March 24, 1993:

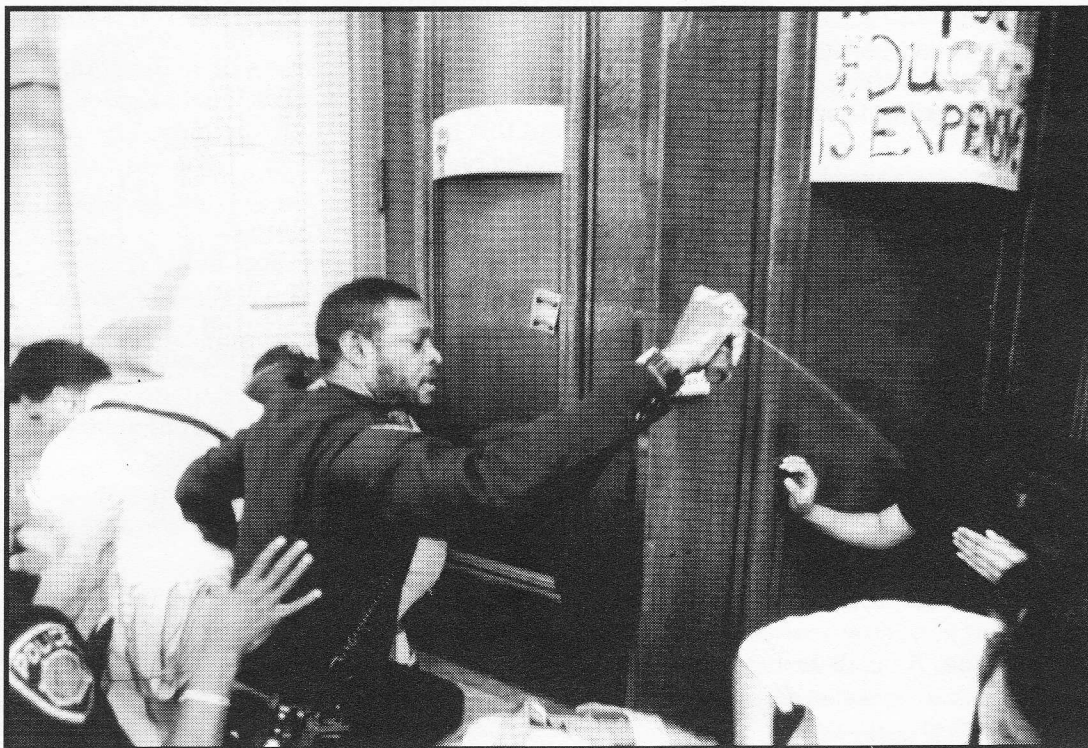
§ OC Spray should be used only in situations where a weapon is absolutely required to control violent behavior. It should never be used under any

resulting in damage to the suspect's eyes if OC is sprayed in the eyes at a distance of two feet or less.

§ Carrying OC spray is mandatory for all uniformed personnel.

UC recently announced that they would begin field-testing OC spray in June 1993. Since UC police operate without the benefit of civilian oversight, possible injury related to OC spray can almost be expected. Dan Boggan, vice-chancellor of business and administrative services at UCB acknowledged back in Dec. 1992 that university policies do not "adequately" address ways to deal with sexual harassment or "any kind of misconduct by our officers." If they aren't being properly supervised, is it really a good idea to give them another weapon that

"Unlike chemical mace which is released as a mist and vaporizes...OC is released in a narrow stream" [BPD Training Bulletin 3/93]. UCPD Lt. Guillermo Beckford sprays protesters inside UC's California Hall. Although a UC spokesperson said that they hadn't started the OC program, this spray appears to have been "released in a narrow stream." It's offensive use here is also inconsistent with BPD training literature and BPD Chief Butler's own words limiting the use of sprays to "defensive action."



OAKLAND TRIBUNE PHOTO

circumstances in an indiscriminate or punitive manner.

§ If OC is used, the areas of the body exposed to the spray must be flushed with water as quickly as possible. The officers report shall also include information concerning the length of time between use of OC spray and flushing with water.

§ Regardless of the circumstances, use of any aerosol irritant dispenser requires that the subject sprayed be taken to the designated hospital Emergency Room for such treatment as the doctor on duty feels necessary.

§ A targeted suspect should be at a distance not less than six feet away or more than 10 feet away... there is a slight chance of hydro-injection

could then be turned against us?

Since OC was intended to be used only on someone who was psychotic, combative, or under the influence, COPWATCH questions the appropriateness of using it on peaceful protesters in campus demonstrations. The fact that this spray disorients and impairs the vision of the subject seems reason enough not to use it. It is either used to stop someone from seeing or just to punish them. Either way it has no legitimate law enforcement purpose. Nor does mace when used offensively. Like Chief Butler of BPD said regarding a merchant macing a police officer, "He violated the penal code," Butler said, "The law is very clear—you can't use that stuff offensively. It can only be used as a defensive action if you are being threatened."

Killer Cops Foiled in Attempt to Assassinate Rap

BY GERALD SMITH

COPWATCH spoke at a press conference with the rapper Paris on April 26 in an attempt to short-circuit any slander campaign against Paris' new release "Coffee, Donuts and Death". With the memory of wars waged against other rappers and their anti-cop lyrics fresh in everyone's mind, Gerald Smith spoke on the history and activities of COPWATCH activities while Paris presented an insightful, well-documented speech on the state of the music industry's suppression of political rap, i.e., independent black thought.

A substantial sector of the media seemed to understand that it could well have ended up with a "black eye" in a risky exchange with a literate and articulate young man who was unwilling to back down on his views on the nature of the police or his right to express these views.

The rap "Coffee, Donuts and Death", a recording in the same vein as Ice-T's now-infamous "Cop Killer" expresses the righteous indignation that young black people in America feel towards the police.

While fellow rapper Ice-T became a public punching bag for self-righteous defenders of the status quo when he and the band Body Count released "Cop Killer", Paris is a much more formidable opponent. Ice-T lacked the political tools to combat his assailants. Ice-T voluntarily removed the song "Cop Killer" from his album the same day the US Supreme Court announced its decision that burning crosses is equivalent to exercising the right to free speech. His capitulation did not save him. He was "released" from his contract with Time-Warner.

Paris is much more politically astute. As well as

DIRECT ACTION ALLIANCE AIDS SAN JOSE RESIDENTS

The Direct Action Alliance is a coalition that represents Mexican, Chicano, Latino, African, Asian, homeless, gay, lesbian and other oppressed people who are abused and harassed by the San Jose Police Department. The coalition meets monthly with the police to end this unjust and illegal treatment. If you or anyone you know has been mistreated by the SJPd, confidential phone calls can be made to the Alliance at

(408) 236-3765.

Se habla español.

calling a pre-emptive press conference about "Coffee, Donuts and Death", he wrote an open letter to President Clinton, placing his song "Bush Killer" in the context of the Bush Administration's record of dealing with black America. His letter was printed in The Washington Post.

THE MEDIA SPEAKS FOR THE BOYS IN BLUE

The corporate media has constantly revealed a "blind spot" when it comes to cops making openly racist statements about black people. Even when the Head Fixing Industry does occasionally mention the dark side of some of these mad dog cops, it never does so with the venom that it reserves for young black males. Consider the following as illustrations:

- Just last year in the city of Alameda, police got caught typing "I'm gonna kill me a Nigger tonight," among other comments, into their computer. These police officers have the equipment, the organization and the legal sanction to carry out this blood lust with impunity. The local media played it down as a harmless prank. A mere product of poor taste that can be transcended by...sensitivity training!
- Former policeman Don Jackson, in his address to the 1991 conference of the National Coalition for Police Accountability, reported on and showed copies of Ku Klux Klan literature that had been distributed and pinned up on the wall in a police station. We are not astonished that various police departments across the country are infested with nests of Klansmen, but the fact that no national media saw this as "newsworthy" is appalling.
- In his recently published memoirs, Stacey Coon, one of the LAPD officers convicted of violating Rodney King's civil rights, stated that when he shot his first black victim his fellow officers told him, "Don't worry. He won't die. Niggers are too stupid to go into shock." Although the papers were full of mock coverage of Coon's and his cronies' trial, they barely mentioned the numerous overtly racist comments in Coon's book or during King's beating.

But let a rapper shake a fist at the cops through his or her lyrics and the media cranks up its machinery as if the artists are spawning a national emergency! From the viewpoint of black youth; if you can't find a job the media labels you're lazy, if you go outside the law to acquire income you're greedy, and if you create a rap about this horrible dilemma you're a menace to "society". The attack on freedom of expression by the cultural critics in blue, the media and record corporations is an attack on our right to experience the cultural expressions of our choice.

Victim of Stalker Dissed by Oakland PD

BY KIM COMPOC
WOMEN'S ACTION COALITION

Since March of this year, Women's Action Coalition, along with COPWATCH, CISPES, and the East Bay's chapter of NOW have been working together to secure justice for Korissa Russel, an Oakland woman who was brutally attacked in her home January 16, 1993. On this day, her assailant, Christopher Nunn, beat Russel on the head, face, and ribs with a pool stick and strangled her with a phone cord, all the while threatening to kill her. Since then, he has stalked her at work and has members of his family doing the same.

As with many cases involving violence against women and people of color, Russel has had to endure police misconduct and gross criminal negligence on the part of the District Attorney's office. Specifically, the police report lied, internal affairs ignored it, the DA blamed the victim and fully dropped the charges.

The problem began in the original police report, in which two responding Oakland police officers, E. Belker and M. Rowley, said there were "no visible signs of trauma." They refused to come into her house, where the assault took place. They neither took photographs nor collected weapons despite Russel's pleadings and spending less than 15 minutes on the report, they filed the case as a misdemeanor. When Russel contested the reports, the DA still insisted this was a misdemeanor charge despite the medical reports which proved otherwise.

When the charges were dropped, the coalition was able to have them reinstated by pressuring the Alameda County Board of Supervisors. Much work remains to be done. A "blame the victim" attitude remains the cornerstone of their policy. They have tried again and again to get Ms. Russel to shut up and be complacent. In the meantime she has lost her job (as many stalking victims do when workplaces feel the need to protect their employees from the assailant), and she has gone into hiding.

In Russel's words, "I want other women, particularly women of color, to know that their lives are not protected. If you are attacked, he will not be charged or arrested, your restraining order will not be enforced, your case will not be investigated without fighting at every step. Black women have to grovel for justice."

The trial is set for July 9, 9:00 am in the Oakland Municipal Courthouse, 661 Washington St. between 6th and 7th. If you are interested, call Kim at (415) 771-1790 or Dennis at COPWATCH at 548-0425.

UCPD Exonerated in Beating of Police Review Commissioner

BY NANCY DELANEY

In May, former Berkeley Police Review Commissioner Osha Neumann took UCPD Officers Sifuentes and Braunecker to trial in a civil case stemming from an incident in which those officers beat him while he was observing an arrest they were making on November 2, 1990 in People's Park. In the Alameda County Superior Court, Neumann testified that he requested the officers' badge numbers, and they threw him to the ground, pushed his face into the dirt, and broke his rib. George Kalmar testified that he saw Sifuentes kick Neumann while he was on the ground.

The officers' attorney, James Lassart, (also representing Tom Gerard of the SFPD-ADL scandal), suggested that perhaps Neumann fell on his hand and broke his own rib. The officers testified that each of them was holding one of Neumann's hands and that they brought him to his knees before he "somehow" fell.

The judge in the case made whimsical rulings, constantly reminding both counsels of his own legal history and propounding that this was his third least favorite case during his 12 years on the bench. He wouldn't hear the actual record of Neumann's rulings at the Police Review Commission even though the defense made a case that Neumann had been biased against police at the PRC. He allowed the defense to put before the jury a series of civil disobedience arrests to show that Neumann was a lawless individual, including: arrests at UC in protest of UC ties to South Africa, at Livermore Labs in protest of nuclear weapons proliferation, and one at the Israeli consulate.

Sifuentes testified that in an earlier incident, Neumann had followed Braunecker to a scene solely because he was concerned about citizen complaints. The judge wouldn't allow inquiry into whether or not Braunecker and Sifuentes had been subjects of citizen complaints.

Even with the evidence clearly favoring Neumann, he lost the case and now faces the possibility of having to pay thousands of dollars for UC's legal costs. They have made an offer to waive the fees if he gives up the right to appeal. COPWATCH would like to applaud Osha Neumann for all the work he has done in this community and for standing up to the UC Police. Clearly he was made the victim again, but this time the victim of our pathetic system of "justice."

IF YOU ARE A VICTIM/SURVIVOR OF POLICE BRUTALITY, MISCONDUCT OR INJUSTICE, AND YOU WANT TO WORK WITH COPWATCH ON YOUR CASE, CALL (510)548-0425 AND ASK FOR AN APPOINTMENT WITH A CASEWORKER.

Fire Crabtree Campaign Continues

Update on the Case of Jerrold Hall and John Henry Owens

BY DANIELLE STORER
AND SUSAN WELCH

Over the past three months hundreds of people have attended events sponsored by COPWATCH, Against Police Brutality, Roots Against War, the Committee for Justice for Jerrold Hall and John Henry Owens, and many other groups around the San Francisco Bay Area.

MARCH 3RD MEMORIAL

About 300 people attended a memorial for Jerrold Hall held at Hayward BART Station March 3rd. The event was organized by APB, which unveiled a plaque, engraved with the words, "In Memory of Jerrold Hall, killed by BART Officer Fred Crabtree November 15, 1992 - Hayward Station." The plaque had been removed by the next day.

APRIL 4TH "CELEBRATE THE RESISTANCE" CONCERT

Cornelius Hall spoke to about 300 people in Martin Luther King Park, in Berkeley on April 4th, and it was there that COPWATCH began circulating the following petition: "We the undersigned demand that Officer Crabtree be fired by the BART Police Department for the murder of Jerrold Hall. We further demand that he be decertified so that he can't be rehired by another department, and that Alameda County District Attorney John Meehan press charges against him for his crimes. Finally, we demand that the District Attorney drop the felony robbery charges against Hall's friend, John Henry Owens." Anyone who would like to help distribute petitions and collect signatures, please call COPWATCH.

APRIL 8TH MOTOR DUDE ZYDECO BENEFIT

Motor Dude Zydeco raised \$460 playing to a packed house at Ashkenaz April 8th. The money will help build support for the Hall and Owens families, and to further the demands to fire, decertify and prosecute Crabtree and to drop the charges against John Henry Owens. COPWATCH would like to sincerely thank the musicians in Motor Dude Zydeco, recognizing that they gave up a night's pay to support Justice for Jerrold Hall and John Henry Owens.

APRIL 29TH RALLY AND MARCH TO BART HEADQUARTERS

On April 29, about 50 people held a rally at the

Alameda County Court House and then marched to BART headquarters to present our demand to the General Manager of BART, Frank Wilson, that Officer Crabtree be fired, and to hear Wilson's response. After considerable resistance on the part of the General Manager to speak to us, two of us were finally able to speak with him in person for about half an hour.

We asked if he was familiar with the Jerrold Hall and John Owens case. He said he knew "a little bit about it." After a short introduction to the case, we presented our demand that he fire Crabtree. He responded with the typical rugby-style politic: "it's out of my hands." As we began to delve deeper into the facts of the case, demonstrating what we knew, which was more than he did, he revealed to us his two central arguments:

- 1) Because Crabtree "felt scared," he had the right to shoot Jerrold Hall without having to justify why he felt scared (despite several objective facts of the case: that Jerrold Hall was unarmed, walking away over 40 feet from him, and police backup was already on the scene when the fatal shot was fired).
- 2) Wilson feels constrained by various "rules, regulations, and codes" and cannot fire Crabtree, even if he wanted to. Since the D.A., the internal BART review, and the FBI have not charged Crabtree with a crime, he fears that Crabtree might sue BART for wrongful discharge if they fire him. Still, Wilson did confirm that he is ultimately the person responsible for hiring and firing, on advice of the Chief of BART police.

BART Manager Wilson said upon leaving that the case is not closed according to him until the FBI investigation is complete. He said he would read over the information we gave him. Marching and chanting around the headquarters, the crowd let him know that we would be back.

CITY COUNCIL AND LABOR UNION RESOLUTIONS CONDEMNING BART

At least three city councils in communities served by BART and five labor unions have passed resolutions critical of BART's police department and calling for independent civilian review of BART Police. The following is text of the resolution passed by the Oakland City Council:

Resolution Requesting BART Review of its police procedures regarding use of lethal force and recommending the establishment of an independent civilian review

Whereas, the city of Oakland is a member city of the Bay Area Rapid Transit District and as such is concerned with securing the safety of BART patrons; and

Whereas, the BART police operate within the boundaries of the City of Oakland; and

Whereas, the recent use of deadly force by a BART police officer, the first such use of deadly force by a BART police officer, the first such use in the history of that force, has occasioned a great deal of public concern regarding BART's policy with regard to the use of firearms;

Therefore be it resolved, that the Oakland City Council recommends that the Bay Area Rapid Transit District review its enforcement mechanisms regarding Police procedure; and

Further be it resolved, that the Oakland City Council recommends that BART create a permanent independent civilian oversight body for the BART Police.

Besides Oakland, the Union City and Berkeley city councils also passed similar resolutions and a group called RAGE is lobbying to get the San Francisco City Council to discuss the issue also. The following unions and labor organizations have also voted to condemn BART in this case: Amalgamated Transit Union Local 1574, Milpitas Firefighters Local 1699 IAFF, Hospital and Health Care Workers Union (SEIU) Local 250, AFSCME In the Public Service Local 444, Alameda County Central Labor Council, United Brotherhood of Carpenters and Joiners of America Local 713, Alameda Firefighters Local 689, Longshore Local 2.

Since COPWATCH has no official stance on civilian review of police, and many members of COPWATCH find fault with police review commissions, COPWATCH is not officially endorsing the call for civilian review of BART police. We feel that it is important to focus our work on getting Crabtree fired, decertified and prosecuted, and getting the charges against John Henry Owens dropped. Even if there was an independent review mechanism of BART police, (as exists in Berkeley), it would not be able to further any of our demands.

FBI INVESTIGATION SENT TO JANET RENO

The Federal Bureau of Investigations began investigating the killing of Jerrold Hall on February 4. They got an extension beyond their 40 day deadline, and in April, sent their preliminary investigation to U.S. District Attorney Janet Reno's office for approval. Reno's office can either determine: (1) that no civil rights violations took place, thus closing the case, (2) that civil rights violations may have occurred, thus leading to federal prosecution of Officer Fred Crabtree, or (3) that more interviews need to be done, thus sending the case back to the FBI for further investigation. [Note: COPWATCH talked with one of the main witnesses to the shooting, who claimed that he had not been contacted by the FBI.]

COPWATCH strongly urges people to call or write

Janet Reno's office and pressure them to find Crabtree in need of prosecution for civil rights violations. Call (202) 514-2007, or write her at Main Justice Building, Room 5111, Constitution Ave. & 10th St., Washington D.C., 20530.

LEGAL UPDATE

On January 30, BART police apprehended Kenneth Eugene Johnson, the alleged "victim" in the theft of two walkman radios, whereupon they interviewed him. Much of his testimony contradicted witness statements and actual descriptions of both Jerrold Hall and John Owens. Since that interview, he has missed several appointments with the District Attorney, and John Owens' former attorney, Ed Xavier.

Although it is possible that the case may be dropped, COPWATCH is still mobilizing to pack the court room, every day that John Owens' case appears.

John Henry Owens' new criminal defense attorney is Linda Fullerton, who began defending Owens when he went to trial June 4th on charges of felony robbery. His next court date is July 9 at 2 pm in Dept. 5, Oakland Superior Court, 1225 Fallon Street.

Randy Daar of the National Lawyers' Guild is the attorney who is now working with the Hall family to bring civil charges against officer Crabtree and BART.

COPWATCH TRAINING VIDEO

If you're tired of police harassment and brutality in your area, get organized — start your own COPWATCH.

This 45 minute video produced by Berkeley COPWATCH provides an in depth look at how ordinary citizens organized themselves to hold the police accountable to the people of Berkeley.

The video includes tips on:

1. Techniques for effective and safe street observation
2. How to do your own investigation of police crimes
3. How to guard your organization from retaliation

...and a whole lot more!

For additional information call 510-548-0425.

Yes, I want to order _____ copies of the **COPWATCH TRAINING VIDEO** at \$25/copy (including shipping).
Enclosed is a check for the full amount of \$ _____.

Name _____

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State _____

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Return to: COPWATCH, 2022 Blake St., Berkeley, CA 94704

(COMMUNITY POLICING, from page 2)

itself well to intelligence-gathering. As we know from the Tom Gerard scandal at the San Francisco Police Department, police can and do collect information on private citizens. Before we welcome strangers to hear intimate details regarding our communities and our lives we must be sure to implement safeguards on information gathered about us, and an effective system of accountability must be in place BEFORE we enter into community policing programs of any kind. This means that we should not cooperate with a program that does not clearly outline the rights of a community regarding which officers are hired to work in the area and the right of a community to be free of police officers who commit crimes in or abuse us or our neighbors.

Is community policing another way of saying "snitch network," or is this a serious effort to raise the quality of our lives? Does it mean that the police are serious about reducing crime or are they just wolves in sheep's clothing trying to penetrate our very homes and lives? We will only know by the amount of control we will be able to exert over the cops in their area. If we can't fire them, we shouldn't hire them! Demand accountability and community control.

WHAT TO WATCH OUT FOR

- 1) **LACK OF COMMUNITY CONTROL** - If the City and Police are so interested in really solving problems then a good first step would be to place themselves under the direct control of the community they wish to serve. (This should be a truly democratic process and not just cop-selected neighbors and groups being encouraged to denounce their neighbors as targets).
- 2) **COMMUNITY POLICING ASSUMES THAT COPS REALLY WANT TO STOP CRIME** - According to Joseph Lohman, former Dean of UC Berkeley Criminology School (prior to its forced closure) "The police function is to support and enforce the interests of the dominant political, social, and economic interests of

QUESTIONS EVERY NEIGHBORHOOD GROUP SHOULD ASK AND ANSWER BEFORE SIGNING ON TO COMMUNITY POLICING

- Who will assign the officers?
- Will neighborhoods have the power to select police officers?
- Can neighborhoods write the job descriptions of the 24 officers (proposed by council members Collignon and Dean)?
- Should cops have to apply for the job within a certain neighborhood?
- Can neighborhood groups discipline/prosecute cops who commit crime in the neighborhood?
- Does the community have the power to reassign a police officer who is not serving their needs?
- Which neighborhood groups will be given money by the city and which ones will not? why?
- Will politicians and cops agree to a "people over Property" position?
- Can we begin to respect human rights now, PLEASE?!

the town and only incidentally to enforce the law." Think about it: if they didn't try to stop crime when driving around the block, why would they want to stop it just because they are stationed on the corner? Cops have a lot of power. Don't give them any more.

3) **ENCOURAGES INVASIONS OF PRIVACY** - Allows Cops to involve themselves in personal situations that are not necessarily crime related. They are encouraged to be teachers and social workers. The real teachers and social workers are not hired so that we can hire more police.

4) **POLARIZES THE COMMUNITY** - By allowing a cop



An early approach to rapid response policing. On drug enforcement, an issue often used to promote community policing, August Volmer, Berkeley Chief of Police from 1905-1932, stated: "Stringent laws, spectacular police drives, vigorous prosecution, and imprisonment of addicts and peddlers have proved not only useless and enormously expensive...but they are also unjustifiably and unbelievably cruel in their application to the unfortunate drug victim." Volmer viewed drug addiction, like other vices, as a "medical problem" rather than a "police problem." [Source: California Historical Quarterly, Summer 1975]

POLICE PER 1000 CITIZENS

OAKLAND	1.8
SAN FRANCISCO	1.9
BERKELEY (WITH UC)	2.5
BERKELEY (WITH UC AND PROPOSED 20 MORE)	2.7

to be a community organizer, s/he will inevitably polarize the community by selecting "targets" and enlisting neighborhood support in "dealing with" the "target" residence, creating an "us" versus "them" within the neighborhood.

5) **STATISTICAL CRIME WAVES** - For example, Alan Goldfarb is quoted as saying that for the number of crimes in Berkeley we have fewer cops in Berkeley than in San Francisco and Oakland. He doesn't point out that Berkeley Police combined with UC Police actually give us a **HIGHER** cop/civilian ratio than either of those cities. Lack of police is not the problem.

6) **THE "PROCESS"** - Be careful not to get sucked into a partnership with police that gives them total control and no accountability. According to the National Institute of Justice, Community Policing takes place in four stages:

A) **Challenging/Venting** - Here residents vent their anger and police explain the difficulties of the job.

B) **Organizing Stage** - By now everyone is ready to "play ball" and set about the task of picking "targets" and deciding a plan of action.

C) **Success Stage** - Things are happening and stability has come to the group. The group is secure enough to weather turnover in membership and changes in leadership.

D) **Long Term Stability** - The group is able to make continuous effort to resolve problems as well as recruit wider community representation.

A united community response to crime should be encouraged and supported. However, we must organize our communities ourselves and not let the police do it for us. We must have a zero tolerance for police crime and demand maximum control over any officer who wants work in our neighborhoods. Community Policing gives great power to Police Departments and individual officers. Police should not be exempt from checks and balances on their power. In fact, they should be held to a higher standard of accountability because of the "awesome power" which the law affords them. Our precious rights are too easily bargained away and, once lost, are never recovered without a fight.

Update on UC Regents' SLAPP Suit

BY NANCY DELANEY

The SLAPP (Strategic Lawsuit Against Public Participation) trial against four named Peoples Park activists and an additional unspecified 50 people has been scheduled for September 10, 1993. The suit seeks damages from Carol Denney, Bob Sparks, David Nadel, and Mike Lee for things like dancing with a cardboard saw, throwing roses into the sand volleyball court, and moving a portable toilet from the park to an adjacent parking lane so that people could use it after the 10 pm curfew without being arrested. The additional 50 unnamed people (Jane and John Does) in the suit is intended to intimidate others from activism lest their actual names be added to the suit. Temporary restraining orders have been issued against such activities as bringing tools into the park (where people garden), and the University is trying the case in civil court, where people can't have court-appointed attorneys. Similar suits have been used by other governmental and corporate bodies to attempt to squelch dissent against assaults on neighborhoods and eco-systems. With the assistance of his attorney David Beauvais, David Nadel, owner of Ashkenaz Music and Dance club, was able to compel UC Regents to reveal publicly that since January 1992 taxpayers have spent \$85,000 on UC's legal costs to pursue these four named people and threaten others who might wish to object to UC abuses in People's Park.

Who Really Needs the Attitude Adjustment?

This T-shirt design, one of the least offensive of several designs offered in a current police equipment supply



catalog, illustrates the prevailing institutional philosophy within the law enforcement profession. The other designs, promoting sexism, racism, arrogance, glorification of violence, and gang mentality, lead us to ask: Who really needs the attitude adjustment?

Is the Person Sitting Next to You a Spy?

BY COLETTE SANSTEDT

San Francisco Police Officer Tom Gerard's arrest on charges of illegally gathering and distributing information on activist organizations makes the question posed by the headline more than just a conspiracy theorist's paranoid fantasy. The SF District Attorney's Office has linked Gerard, the SF Police Department, and other government agencies the Anti-Defamation League of B'nai B'rith's illegal information-gathering activities. The ADL, a national human-rights group, kept extensive files on left-wing as well as right-wing organizations. Law enforcement officials, some from the defunct SFPD covert operations division known as the "Red Squad", traded confidential data on activists with ADL employee Roy "Cal" Bullock.

"They've got information on who is affiliated with COPWATCH," said John Crew of the ACLU Police Practices Project, mentioning that at least 20 law enforcement agencies are involved in the scandal, including the SFPD and the LAPD. Crew was not surprised by Gerard's covert activities. "The reason that this stuff goes on is that it just doesn't occur to anyone involved that they are doing anything wrong."

The district attorney has also released records in which Bullock of the ADL admitted to sharing information not only with local agencies, but also with the FBI, the CIA, and the Bureau of Alcohol, Tobacco, and Firearms. According to the May 5 issue of *The San Francisco Bay Guardian*, "Bullock said he had 'frequent' meetings with local FBI agents, and when those agents expressed interest in a particular political group, he would sometimes attend its meetings and report back to them."

Crew also said that the District Attorney's Office is investigating the spy ring and that the SFPD is conducting an internal investigation. An April 28 hearing focused on the agency's intelligence-gathering policy. "The department is sending notification to any group or individual who was spied on in violation of the policy's guidelines," said Crew.

But a note in the mail saying sorry isn't what he calls justice. "What we need here is an investigation of an institution." Don't let them bury this scandal and the crimes committed by SFPD. Demand an independent and thorough investigation!

DESIGN SKILLS AND/OR COMPUTER ACCESS NEEDED

IF YOU HAVE DESKTOP PUBLISHING SKILLS OR THE EQUIPMENT TO DO IT, WE NEED TO TALK TO YOU. FUTURE ISSUES OF THE COPWATCH REPORT AND OTHER LITERATURE DEPEND ON YOUR ASSISTANCE. PLEASE CALL THE OFFICE AT 548-0425.

Cop Blotter

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

MAR. 19, 10:40 PM, TELEGRAPH AVE. AND HASTE ST. – As COPWATCH approached the corner, we heard Officer Rateaver say to the man he had stopped, "Here comes COPWATCH. Take your pot and pipe back." The man confirmed that the officer had returned them.

APR. 30, UC BERKELEY – An individual was running when a fire alarm was set off. He was shoved to the ground by five or six officers, including Officers Roby and Chichester. He was taken to a nearby parking garage, and when COPWATCH tried to observe, we were told we didn't have that right because they were on private property.

MAY 5, 6:50 PM, TELEGRAPH AVE. AND DWIGHT WAY – An African-American man who had just driven away from People's Park, where he had been playing basketball, was stopped for allegedly not wearing a seatbelt. (This is questionable because the man's car window's are tinted.) UC Police Officers Griego and Sifuentes checked the man's ID and said that his license was suspended. The man showed the officers his papers from the DMV proving that he had dealt with it but the cops would not accept this proof and said they were towing the car. The officers searched the car and then it was towed.

ONGOING – UC police repeatedly harass people who are in People's Park after 10 pm, but do not bother the people playing basketball until 11 pm and later.

Illegal I.D. Law Violates Our Civil Rights

The California Supreme Court recently upheld and reinterpreted a 1925 traffic law that lets police arrest motorists, cyclists, pedestrians and others who are cited for traffic infractions if they are not carrying a driver's license or state identification card. The law exists to ensure that people cited give their correct names so they can't skip out on their tickets.

The problem is that by federal law, citizens are never required to carry an ID. What this new state law says is that police officers can arrest you if you don't have one. So there's this law, but it's an illegal law. Go figure.

Streetwatch Up and Running in SF

BY COLETTE SANSTEDT

The Coalition on Homelessness and other homeless rights organizations have banded together to create Streetwatch, a San Francisco group that monitors police activities and educates people on their civil rights. Facilitators started training volunteers on April 22, and 20 Streetwatchers have been in the neighborhoods regularly.

John Crew of the ACLU's Police Practices Project said that monitors have "caught the cops red-handed a few times already." He added, "Police are especially fond of using MPC 22 (Obstructing the Sidewalk) to illegally detain or cite homeless people, although persons cited under this code must be obstructing a specific person or object from moving down the sidewalk."

Police have used other codes, Crew said, known as PC 640 (f) and (d), which deal with eating, drinking, smoking or creating a disturbance on public transportation. They are used to arrest people panhandling around but not public transport, especially the tourist-infested cable car stops near Powell and Market or Fisherman's Wharf.

Alex Vitale of the Coalition on Homelessness San Francisco is the coordinator of Streetwatch. In the past month alone he has seen plenty of illegal activity by police officers. "In the Civic Center area, the police try to tell people that the park is closed," he said, "or they take away people's shopping baskets. Then in the Polk Street area, there's harassment of homeless youth."

Vitale also said that the monitors themselves have been harassed as they work. On May 5, police covered their badges and accused Streetwatchers of blocking the sidewalk. Later, officers used Traffic Code 76 to try to intimidate the volunteers. This code states that in business districts, pedestrians must stand as close as possible to the curb or side of buildings at all times.

Vitale said that SF Police Chief Anthony Ribera has ordered officers not to enforce TC 76 because the city attorney declared it unconstitutional. "It's this totally racist code," he finished.

Vitale met with SFPD Commanders Holder and Arnold on April 29 to discuss the May 5 incidents. The commanders said they would look into it, but so far nothing has happened. Streetwatch has filed with the Office of Citizen Complaints.

Another incident occurred on May 10. "At about 10:30 p.m., a Streetwatch commission was ordered out of the Civic Center Plaza and told that the park was closed," said Vitale. "When we contacted Captain Richard Cairns and noted that the plaza never legally closed, he said he had been misinformed and would stop enforcing the out order."

Streetwatch will hold another training in June. If interested, contact Alex Vitale at the Coalition on Homelessness San Francisco at (415) 346-3740.

LAWYER REFERRAL PROGRAM STARTING

The Lawyer's Committee for Civil Rights of the SF Bay Area, the ACLU and other legal assistance agencies met February 11 to organize a response to what co-chair Heidi Rand called the "dire need" for attorneys trained to handle police brutality cases.

Rand said that since most advocacy groups face tight budgets and overwhelming caseloads, combining resources is an effective way to serve the enormous demand for assistance in fighting police abuse. Much of the program, including its name, is still in the works. The group's ten to 15 core organizers, among them members of the SF Bar Association and Community Defense Inc., plan projects such as training lawyers to take police misconduct cases and teaching people to handle their own small claims suits.

People who want to get involved are welcomed, and should contact John Crew at (415) 621-2493 or Belinda Stradley at (510) 644-2606.

Here's my contribution to help COPWATCH keep going strong and support the continued publication and mailing of the COPWATCH Report...

- ☐ add my name to your mailing list and send me 2 free issues ☐ send _____ T-shirts @ \$15/each
☐ \$5/year - low income ☐ \$20/year - supporter (contributors of \$35 or more get one free)
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COMMUNITIES RESISTING POLICE BRUTALITY

A FOUR CITY FORUM

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SANTA CRUZ'S REFUSE & RESIST DEFEND THE LA FOUR+ & THE LA UPRISING
SAN FRANCISCO'S AGAINST POLICE BRUTALITY LOCKDOWNS AND MARSHAL LAW

DISCUSSING

JULY 8, 7:30 PM

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FURTHER INFORMATION: (510)548-0425 · CALL FOR DATES/PLACES IN OTHER CITIES

CHOOSE JUSTICE.

Volunteer and Internship positions with COPWATCH are available in the following areas:

- **Community Outreach Workers** to inform communities about their rights regarding the police and help people file complaints or law suits. This also includes tabling and coalition work
- **Office Workers** to do filing, phone work, working with the media, fundraising, making flyers...
- **Researchers/Writers** for in depth studies of police department budgets and policies, UC-City relations, research of laws and rights, and successful law suits
- **Caseworkers** to help individuals with their complaints, go with them to court dates, find lawyers, press and community support, follow up
- **COPWATCHers** to do street observation and take incident reports
- **PRC/City Council/UC Monitors** to go to meetings, stay informed of actions taken regarding the police, reporting back to COPWATCH, making statements at the meeting for COPWATCH

UC Berkeley students can get internship credit for working with COPWATCH through the **Peace and Conflict Studies** program.

For additional information, or to sign up, call Danielle or Sam at 548-0425.

EVENTS CALENDAR

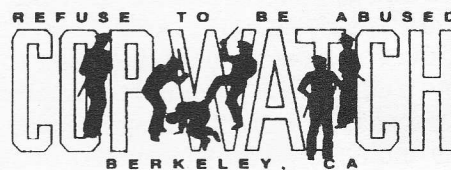
For additional information, call COPWATCH.

July 8, 7:30pm. Forum on Police Brutality (see above)

July 9, 2pm. John Henry Owens Court Date, Dept 5, Oakland Superior Court, 1225 Fallon Street.

July 9, 9 am. Korissa Russel Court Date, Oakland Municipal Court, 661 Washington Street.

Sept. 10. SLAPP suit trial begins.



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