National Copwatch Conference July 2007!
It's time to get together! Skill-share! Strategize! Raise the level of resistance!

If you are interested in suggesting workshop topics or would like to help organize to spread the word, please email us at berkeleycopwatch@yahoo.com. All suggestions and help are welcome. Registration information will be available in March. Check our website at www.berkeleycopwatch.org.

We also need donations! Please consider making a donation to help bring Copwatchers from across the country together, right here in Berkeley! Make checks payable to Community Defense Inc.

Mail to: 2022 Blake Street, Berkeley, CA. 94704.

Name
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Organization
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The "Investigation" of BPD Drug-Thief Cary Kent

By Bram Draper and Jake Gelender

Is the Berkeley Police Department apathetic, incompetent, or just plain corrupt? That's the question prompted by the ongoing saga of Cary Kent. This is a story about one cop who allegedly opened up 286 evidence envelopes from the drug evidence vault, a cop who was convicted of three felonies and served no jail time. But the implications of this story are much broader; the failure of oversight at all levels should be cause for great concern among the citizens of Berkeley.

The Investigation

The investigation was lacking in several fundamental ways, but perhaps that isn't surprising considering it was an investigation of a BPD liaison to the Alameda County District Attorney conducted by the BPD and District Attorney's Office. The investigation focused exclusively on Kent. When some of the tampered evidence envelopes had prints other than Kent's on them, the investigators did not attempt to find out whose prints they were. There were four other officers with access to the drug vault. Why weren't they investigated? We don't know how many officers really had access to the vault because, according to the report, they were sharing personal passcodes to gain entry. To make matters worse, the keypad which records who enters the vault was mysteriously broken, missing all records for the months before Kent was busted. Surely this is cause enough for an investigation of other officers.

Alameda County DA Inspector Mark Scarlett explained to an informant who had been working closely with Kent how he felt about the investigation: "You gotta make it appear like, you know, you're doing the right thing and an investigation is being done. You know, blah, blah, blah."

"You gotta make it appear like, you know, you're doing the right thing and an investigation is being done. You know, blah, blah, blah."

— Alameda County DA Inspector Mark Scarlett

Proposed Sunshine Ordinance Falls Short

Occupation on Cinco De Mayo

Ongoing Battle Over People's Park Freebox

Please make a donation to support the publication of this report.
Drug-Thief Cary Kent continued from page 1

Considering this seriously flawed investigation, it is not surprising that the report, later made available to the public, is rife with contradictions and unasked questions. Why were the officers closest to Sgt. Kent on BPD’s Drug Task Force—cops who must routinely testify that their “expert knowledge” led them to believe a suspect was on drugs—completely unable to detect a junkie in their midst? Is the public supposed to buy into the story that Kent’s friends and colleagues honestly believed a “medical condition” was causing him to fall asleep in meetings, mumble to himself, sweat profusely, fail to deliver drug evidence for trial (one of his primary duties), and refuse mandatory blood and EKG tests at his physical? Cops who must routinely testify that their “expert knowledge” leads them to believe a suspect on drugs missed all these signs.

And what about the tampered evidence envelopes that contained neither heroin nor methamphetamines, the drugs which Kent was supposedly using? What was he doing with those? Why won’t BPD release the drugs which Kent was supposedly using? Why won’t BPD release the evidence for trial? What was he doing with them? Is it a coincidence that Kent had tampered with these envelopes? Is it a coincidence that no one noticed this tampering? The tampering of evidence is rife with contradictions and unanswered questions.

Considering this seriously flawed investigation, independent legal counsel, and the ability to publicize itself, the Kent case was a perfect example of the kind of treatment accorded “suspects” and convicted officers. Kent’s story is a classic narrative, just another case of the kind of treatment accorded “suspects” and convicted officers.

The Outcome

The Kent case was a perfect example of the kind of treatment accorded “suspects” and convicted officers. Kent’s story is a classic narrative, just another case of the kind of treatment accorded “suspects” and convicted officers.

Copwatch performs a principled function of monitoring the police and ensuring that police brutality and abuse are documented

Harry Stern continued from page 7

is legal; rather, the PRC has an obligation on to do what is right. It is imperative to know that the law is never always right—considering that American law has supported segregation, slavery, and torture, et cetera. We, as rational human beings, have an obligation to what is truly moral: a form transcending irredudibly unjust laws. Current law regarding civilian oversight affords the irrational and undemocratic, and the PRC ought to be able to do what is right: to have open hearings, greater powers of investigation, independent legal counsel, and the ability to publicize itself. Lastly and most disgracefully, Stern fundamentally charged Copwatch and other anti-authoritarianism groups of criminal activity. He said that “when I hear bold action, what I hear is that they want to break the law.” He does not seem to understand this.

June 20, 2006. 4:50 pm—Adeline @ Ashby, Berkeley

A black man in a wheelchair was detained. Officers tried to restrain copwatchers despite the close proximity of other pedestrians. After the stop was over and the man was “free to go,” Officer Clem told Officer Murphy to “just follow him.” Officer Murphy did follow the man for under a block. copwatchers continued to follow Officer Murphy left.

June 30, 2006. 2:00 pm—Harmon @ Adeline, Berkeley

As copwatchers approached a stop, officer Anderson of BPD said they could “stick around if you want a ticket.” The black man had been pulled over. They were placed in hand cuffs “to calm everybody down” although they were being extremely cooperative and calm. Photographs were taken of both men, and one was arrested. After the stop, Anderson issued a ticket. The copwatcher for riding his bike on the sidewalk, a false allegation.

August 29, 2006. 7:00 pm—Sعطي@ Shattuck, Oakland

Three young black men and one young black woman were stopped in a car. When a copwatcher stopped to observe, the three men were already out of the car leaning against the wall of a nearby building. C. was one of BPD threatened to arrest the copwatcher if he didn’t cross the street, although the officer subsequently let other bystanders wait through the stop between the police and the suspects. The young woman was brought out of the car and the car was searched. One of the men was arrested. After the stop, the three remaining detainees said that Officer Lindenau had said the young man was arrested because of the presence of copwatchers. Lindenau denied saying this, claiming the arrest was for a stay-away order.

September 14, 2006. 9:00 pm—Kittredge @ Shattuck, Berkeley

Copwatchers arrived near the end of a traffic stop. The BPD officer didn’t respond to their requests for his badge number. A copwatcher approached the police car driver-side window to get the badge number of the officer sped off, potentially endangering the copwatcher. About fifteen minutes later, copwatchers saw the same officer standing on the street (Shattuck between Addison and Center) without any detainee. When confronted about his illegal actions earlier, Officer Baldanos confessed on tape: “I covered it [my badge] up. I didn’t want you to see it.”

September 25, 2006. 12:10 am—Alcatraz @ Adeline, Berkeley

A black man was pulled over and pulled out of the back seat of the car. While being transferred from car to car, a copwatcher asked if the man wanted the copwatchers to call anybody. The man responded yes. It was placed in the cop car before he could say anymore. Officer Bacon of OPO called for backup to deal with the two copwatchers. Sgt Steingerberger arrived pulling his car up very close to the copwatchers at high speed. Sgt Steingerberger photographed the copwatchers. The man was released, his car was towed, and the copwatchers were left a ride home.
**Berkeley Police Association Takes Aim at Civilian Oversight**

By Andrea Prichett

Reeling from a two-pronged attack, the Police Review Commission recently suspended all hearings of complaints against cops and it is unknown when or if open hearings will ever resume. Independent, civilian oversight may have just become the latest casualty in the drift towards the police state.

The recent California Supreme Court decision, Copley Press vs. the City of San Diego, greatly expands the ways that police can keep information confidential. Depending on how the courts interpret the decision, agencies that hear allegations of misconduct may be forced to abandon public hearings and, instead of regulation detention, “Psyche” may be used to confine persons for lengthy, indeterminate periods for minor acts of aggression.

**5150: The Thought Police**

At Civilian Oversight

It is often used to confine without charges. It is especially troubling to consider recent scandals in the department involving evidence tampering, drug use, and, after a California Department of Justice sting operation, even more incidents of theft.

Mayor Bates has made loud proclamations about how he intends to challenge the BPA and defend the PRC. Sadly, in a closed session of the PRC and City Council (supposedly closed to allow them to discuss sensitive legal strategy) the Chief of Police was allowed to listen in. We are concerned that neither the City Attorney nor the Mayor have any intention of waging a real fight for the rights of our citizens and our 30-year legacy of civil review.

**Fight for Community Control! Let’s get organized!**

Even though the BPA is saying that police should be immune from accountability, we say no! We will create levies, sponsor protests and support those who call for mechanisms that increase community input on and control of the police.

**NO SECRET POLICE! COMMUNITY CONTROL NOW!**

For more info contact: Copwatch

(510) 548-0425

www.berkeleycopwatch.org

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**5150 Facts**

What is 5150? Under the Welfare and Institutions Code 5150 in the State of California, anyone considered a danger to self, danger to others, or gravely disabled by a peace officer can be held against their will for 72 hours in a jail cell or mental institution while receiving treatment and evaluation.

**Defining Criteria:**

**Danger to Self** and **Danger to Others** refers to immediate, life threatening situations such as suicidal thoughts, severe depression or hearing voices regarding murdering others. Gravely Disabled (a person that cannot provide food, clothes and shelter for themselves, is very disabled by a mental health diagnosis, or has not had assistance in the past) refers to the mental ward of a regulation detention.

**Time Period:** While the initial detainment period is 72 hours, only a psychiatrist can release the victim—often resulting in indeterminate lengths of imprisonment.

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**5150: The Thought Police**

By Geoffrey Houston

There are basically four target groups that fall victim to 5150, the repressive social-cultural, political-psychological, mental-intellectual, psychiatric-psychological CONFINEMENT WITHOUT CHARGES. These are (1) the homeless (almost all of the homeless have at one time fallen victim), (2) counter-cultural dissidents, (3) non-nordic ethnic minorities, and, of course, (4) political radicals.

5150 is resorted to for several reasons. Sometimes cops are simply victims of drug/alcohol recreation, they will use “psyche” instead of regulation detention. “Psyche” often is used to confine persons for lengthy, indeterminate periods for minor acts of defiance. They’ll use “psyche” when prisoners act out in regulation detention, and/or if the act of defiance is expressly political in order to attempt to discredit political radicalism as insane. Most perniciously, “psyche” is used to confine without charges.

Although usually co-educational, political (psychedelic) imprisonment is far worse than conventional confinement for four reasons: (1) sleep deprivation, (2) indeterminate periods of confinement, (3) the stigma of diagnosis as “insane” and, worst of all, (4) the torture of FORCED DRUGGING AND ELECTROCUTION!

Now, if someone is deemed to be a threat, a clear and present threat (people who have been psychiatrically held for not only what they say politically and for simply being homeless*, but also how they are) can be held against their will charges. Formal charges should be brought if. Charges (formal charges) are brought, then evidence (sufficient evidence) should be presented. Then if found both guilty and insane, the prisoner should be held in the confines of the mental ward of a regulation detention.

*As has happened to the author of this article, even those with housing are held for simply “moon walking” to use an actual Oakland Police department phrase for a late night stroll.

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**Joshua Wolf Fights for The Right to Videotape**

By Jose Luis Fuentes

In January of 2006, freelance video journalist Joshua Wolf was served with subpoena from a federal grand jury seeking, among other things, his video recording of certain protest activities in San Francisco on July 8, 2005, between the hours of 4-6 p.m. Wolf was able to get more information log on to www.joshwolf.net.

The sole subject of the grand jury’s investigation is his attempts to record protests. The grand jury seeks the video tape so that it can be analyzed by an investigator to identify the individuals present.

Wolf had been present at the protest, and recorded video for the purposes of newreporting. Edited portions of that video were broadcast by several local television stations, being published on Wolf’s own website as well as elsewhere on the Internet. Wolf testified, and offered the unedited video for in camera review (the district court declined to view the video in camera, as proof that the alleged arson was not depicted in the unpublished portions of the video.

Wolf refused to comply with a grand jury subpoena based on his First and Fifth Amendment rights, explaining that compliance would damage his relationship with the anarchism-activist groups that he covers as a freelance journalist, and significantly interfere with his ability to gather and disseminate news regarding them.

On August 1, 2006, the district court found Wolf in contempt for refusing to turn over the video tape. A three judge panel of the Ninth Circuit Court of Appeals affirmed the contempt order on September 5, 2006 and ordered Wolf back into custody. Wolf can remain in custody until the end of June 2007 if he does not turn over the video tape to the FBI. Wolf is requesting a rehearing to the full Ninth Circuit Court of Appeals.

Some of the likely cases to be learned from the Wolf case by legal observers and activists are:

1. Do not be afraid to refuse to talk to the FBI if they come to confront you with information regarding protest activities, or any activities. Talking to them will only be used against you, or your court proceedings. It does not matter whether you are innocent because it is what you know about your comrades that they are after.

2. Remember that whatever pictures, sign up list, membership list, electronic mail, recordings, or writing that you obtain or take during a meeting or protest can be obtained from a federal grand jury. Therefore, develop a document retention policy to recycle materials that you do not need. You have to consistently adhere to the document retention policy.

3. Lastly, remember to obey the law at public events/protests. You never know who has a cell phone camera or recording device that will later be used against you.

In these dark times when the government has broken the social contract between the American people and their elected officials and the courts refuse to remedy the breach, we must be ever vigilant. Most importantly, we must not succumb to fear and tercer tactics. The streets are the only forum where our voice shall be heard.

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**Support Josh Wolf’s Courageous Stance**

Josh is trying to keep up his spirits. He is feeling pretty discouraged as it looks most likely that he will be in jail until the Grand Jury ends, which is supposed to be July, 2007. With the holidays coming he is especially feeling the isolation and he would really appreciate people writing to him so he can appreciate people writing to him so he can appreciate people writing to him.

Josh Selassie Wolf 98005-111

Federal Detention Center, Unit J2

5675 8th Street

Dublin CA 94568

Don’t know what to say? He’s interested in anything, the world, the situation, your reactions to his blogs (joshwolf.net).

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**Who is Copwatch?**

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

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

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

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

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**COPWATCH**

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

Copwatch, 2022 Blake Street

Boulder, Colorado 80304

(510) 548-0425

Copwatch Report

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Copley Report

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Winter 2007
using the California Public records Act

By Jonathan Huang

An open government is a cornerstone of any democracy. It is equally important that citizens be aware of the process of attaining government documents. This article is meant to be a general guideline about the basics of requesting public records covered by the California Public Records Act.

The act was passed to ensure that an open government existed in California on the state and local levels. All state and local agencies are covered by the act. But the courts, legislature, private entities, and federal agencies are not. Citizens are able to request any records “regardless of physical form or characteristics, including any writing, picture, sound, or symbol, whether paper, magnetic or other media.”

There are, however, records that are exempt from the act. Under the act, personnel files, attorney-client discussions, home addresses, medical files, and police incident reports are not covered. Still, local ordinances and individual agencies can make the exempt documents public.

When citizens make a request, access to the documents must be immediate and the agency has an obligation to provide assistance. It is important to know that the agency is not required to change fees for access although they can charge for the “direct cost of duplication.” In addition, if the agency refuses to publish the document in question, they must justify such withholding.

When requesting a record, always be as specific as possible and know what documents are exempt. If your request is denied, first ask if the agency would use their discretion and waive the exemption (assuming that it applies). Then, insist that the agency explain in detail why the record was withheld. Next, if you still think the agency is wrong, appeal to a higher authority in the agency. Finally, if all else fails, file a law suit to enforce your rights. If you win, the agency must pay your costs and legal fees. Also, publicizing their denial can be beneficial.

To find out more about the Public Records Act & see model letters, visit the website www.cfcg.org

Lights Out for Citizen Review

By Carol Denney

The last police review hearing I attended was so packed that when the commissioners were trading jokes with the cops like old friends at a barbeque. The commissioner presiding over the hearing was a former prosecutor who was on a first-name basis with the police.

The subject officer had a lawyer representing him, and the room was full of uniformed officers and one captain, all looking at me. I was alone.

While I was retelling the moment when the subject officers had ripped the sweater I was wearing completely off my body in front of my neighbors, one of the commissioners, a woman, leaned in to ask the police if it was routine to undress people who were being arrested. The lawyer answered in a level tone that, no, it was not routine, but gave her a small smile, appreciating the slow, underhanded lob over the plate. There were no hard questions for the police. There was no sympathy for me.

The subject officers’ interviews were not scheduled at all by any of the staff of the Police Review Commission. Finally, the “twilight ordinance” is weak overall and cannot even be considered effective.

The City Attorney’s proposed sunshine ordinance (derisively called a “twilight ordinance” by Worthington) fails to act as a real sunshine ordinance.

Berkeley citizens and council members ought to advocate for a stronger sunshine ordinance in Berkeley for almost five years.

There are, however, records that are magnetic or other media. “A picture, sound, or symbol, whether paper,…”

The proposed ordinance covers “any writing, form or characteristics, including any writing, agencies are forbidden to charge fees for access although they can charge for the "direct cost of duplication."” In addition, if the agency refuses to publish the document in question, they must justify such withholding.

When requesting a record, always be as specific as possible and know what documents are exempt. If your request is denied, first ask if the agency would use their discretion and waive the exemption (assuming that it applies). Then, insist that the agency explain in detail why the record was withheld. Next, if you still think the agency is wrong, appeal to a higher authority in the agency. Finally, if all else fails, file a law suit to enforce your rights. If you win, the agency must pay your costs and legal fees. Also, publicizing their denial can be beneficial.

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On November 16, 2006, UC police officers restrained and tortured a UC student in a library on UCLA campus. The officer who fired the taser at the student five times had a past record of violence and abuse, but had been allowed to remain on the force. There is no time like now for UC students to take an active role in police accountability. UC Berkeley students should oppose the militarization of our campus police, unjust treatment of the homeless by UC police, and police corruption and abuse in the city of Berkeley as a whole.

Through UC Berkeley’s De-Cal program, UC Berkeley students can take an active role in opposing police abuse in the community. Students receive credit learning how to document police behavior and fight for police accountability through both direct observation and other volunteer opportunities.

Enforce your rights. If you win, the agency must pay your costs and legal fees. Also, publicizing their denial can be beneficial.

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Berkeley citizens and council members ought to advocate for a stronger sunshine ordinance in Berkeley for almost five years. Only recently has the city attorney drafted one, but Worthington lambasted it, saying, “it’s worse than having no sunshine ordinance at all.”

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Copwatch Decal Class Through UC Berkeley

Education 98/198, 2 units

Mon, 6-7:30, 2022 Blake St.

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Winter 2007
Ongoing Battle Over People’s Park Freebox

By Arthur Fonseca

People’s Park occupies a unique place in the history of Berkeley, and was also the birthplace of Copwatch during the volleyball court riots in ’91 and ’92. More recently, the park has experienced a fresh wave of repression from the university of California in its endless crusade to gentrify the south campus area of Berkeley.

Problems started when the University dissolved its puppet “People’s Park Advisory Committee” about three years ago. Shortly thereafter, the free box—one of the final vestiges of dignity that this society might provide for a homeless person—mysteriously burned to the ground in the middle of the night. It was rebuilt within the week.

Less than a year later, the new free box, again, fell victim to midnight arson. As community activists were busy preparing the free speech stage for that year’s Anniversary party, the free box was not immediately rebuilt. It being summer, we chose to wait until the fall, when there would be more people around, and there might be a chance to involve Cal students in the Park, as the divide has been growing between the students and the community.

Our first attempt to build a permanent, fireproof free box made out of cob, decorated with a tile mosaic, and covered with a metal roof, was destroyed by the University before there was a possibility of completion.

The next free box, installed at the end of last fall, was all-metal, and the University destroyed that too, in their cowardly 5 am raid just before the onset of the winter rains.

We have been building temporary free boxes out of wood, trying mobile bike cart free boxes (one of which was impounded by UC police during a clothing distribution), trying to mend fences with the neighbors, as the rising property values on the south campus area have created a huge chasm between the haves and the have-nots, such that many property owners in the Willard neighborhood have little or no connection with People’s Park, its history, or its place in the context of our society as a whole.

Don’t Sell Out the Free Box!

By Jake Gelender

This Cinco de Mayo, San Jose Police Officers attacked a peaceful crowd and arrested several copwatchers. Despite police repression copwatchers continued to document the occupation of San Jose’s streets throughout the night.

Local groups No More and Peninsula Anarchist Collective worked with members of Berkeley Copwatch to monitor the actions of San Jose police during Cinco de Mayo, which has traditionally been a night of police oppression in both downtown San Jose and the mostly-Latino east side. The day’s activities began with music and political speeches on a plaza in east San Jose, attracting local youths and families who were out enjoying the usual Cinco de Mayo festivities. As evening fell, a large number of police cars were noted congregating in a nearby parking lot; police documents later revealed that an unmarked white van from the San Jose Gang Investigation Unit was also observing from across the street.

Shortly after the nights’ copwatching patrol groups had been coordinated and the event organizers were preparing to take down the sound equipment, the police made their move. SJPD declared the congregation an illegal assembly and formed a “skirmish line” (to use the militant terminology of the police reports) of at least 20 officers in front of the crowd. Many people left, but some remained including numerous police observers. Organizers spoke on their bullhorn to calm down the crowd and the police, while simultaneously commenting on the troubling antagonism between SJPD and the community.

The standoff ended abruptly when police assaulted the crowd. One of the speakers, Victor, was tackled to the ground by several officers while the rest of the police quietly pushed and beat the crowd and their cameras as far away from Victor’s assault as possible.
By Alex Fischer

I had been acting as the Berkeley Copwatch “office manager” for about two weeks when I was invited aboard the Copwatch Roadtrip. All I knew was that we were going to visit Modesto, Fresno, Los Angeles and San Diego Copwatch organizations to see what they were up to. We were going to listen, to observe, to spark conversation. Most importantly, we were going to create community and support others fighting for their safety through police accountability.

During the course of the trip, it became evident why Copwatch has not only survived for over 16 years in Berkeley, but has spawned many similar, autonomous groups across the country: Copwatch is, in every sense of the word, a community organization. From Brooklyn to Denver, Portland to New Brunswick, Phoenix to New Orleans, communities are coming together to demand police accountability and to take power back into their own hands. As autonomous bodies, community-oriented organizations not only speak to the specific struggles of a community but are also built upon the strengths of those involved.

In our visits around Southern California, I directly saw how Copwatching is needed in every community and yet no two Copwatch organizations are the same. While Copwatch means non-violent monitoring of the police, each Copwatch was organized around specific goals and visions, resources and experiences. Much is shared between Copwatch chapters: the diversity of communities empowered through Copwatch illustrates the systematic nature of police corruption. While the exact demands of Brooklyn or Phoenix may differ from those of Berkeley or Cleveland, they are all focused around police accountability. The escalating inability to non-violently express dissent, lack of access to public information (see article on Copley vs San Diego) and restrictions on personal privacy are signs of an increasingly militarized government on local, state and federal levels.

If Copwatch chapters are organizing themselves across the country and if Copwatch is indeed a response to systemic violations of the law by law enforcement, then an organized national Copwatch network needs to be created. A network, however, not an organization. Without losing autonomous decision-making or creating a hierarchical system, without losing a community focus or imposing other organizations’ models and tactics, Copwatch chapters need better communication, support and skill sharing.

Currently, there is no shared database of all national Copwatch chapters. Copwatch members lack the opportunity to come together and share skills and experiences. Similarly, we lack communication between chapters. Two actions could begin to address the creation of a national network of Copwatch chapters:

1) A unified website linking all Copwatch chapters to each other.
2) A conference, a giant skill-share, in which all self-identified Copwatch chapters gathered, face-to-face and discussed the future of Copwatch and the future of this police state.

If we are truly committed to watching the cops, then we must also be committed to watching each others’ backs.

By Jonathan Huang

Recently, an attorney for the Berkeley Police Association, Harry Stern, disparaged Berkeley Copwatch for its service to the community. Those remarks were absolutely unwarranted, shameful, and insulting to the citizens of Berkeley.

Though I honor the dedication and self-sacrifice of many police officers, I recognize that such authority and power can be perverted by a few. In effect, it is essential to keep them in check. In August, however, a California Supreme Court decision, Copley v. San Diego, has weakened the function of civilian oversight, and the BPA is using this decision as legal fodder for sterilizing the Berkeley Police Review Commission. Furthermore, this year was marked by an appalling Berkeley police scandal involving the tampering of over 200 drug evidence envelopes.

It is in this context—our zeitgeist of repression—that I support the efforts of Copwatch and disagree with Stern’s outrageous comments.

First, Stern deprecated Copwatch by stating that it “carries no weight in the matter” of the future of the PRC. Obviously, Copwatch is not a body of lawmakers. Its efforts, on the other hand, are aimed to pressure the city council, to promote public discourse, and to engage citizens in political action. Nonetheless, any organization that lacks legislative power is still part of the political equation, and hence relevant and important.

Second, he implicitly assumes that because the Copley decision is the “law of land,” it must be right. His stance is, in essence, blind obedience to the government. There were many instances where “the law of the land” was inherently wrong. A prime example is the case of Plessy vs. Ferguson, which approved the practice of racial segregation. Is one to say that until the Brown decision was reached in 1954 that segregation had been justified?

Third, he belittles Copwatch by saying that they “whine and moan.” Even so, I’m surprised not every citizen in Berkeley is whining and moaning about the condition of the city. Though I honor the dedication and self-sacrifice of many police officers, I recognize that such authority and power can be perverted by a few. In effect, it is essential to keep them in check.

Civilian oversight is a thirty year tradition in Berkeley and has been a model for the nation. But now, PRC hearings are closed to the public.

Byline: Public Copwatch shifts, Thursdays 7pm
Meet at Ashby BART
Near the hot dog stand.

Join Berkeley Copwatch!
Free Know Your Rights Training

We are a group of citizens concerned about police misconduct, at home & worldwide. We walk the streets & monitor the police. We also give free Know Your Rights training to the public.

We can train your school, organization, or co-op how to safely copwatch and what to do when stopped by the police.

Copwatch Responds to Police Lawyer Harry Stern

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