

# COPWATCH

## Report

BERKELEY, CALIFORNIA

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# 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.

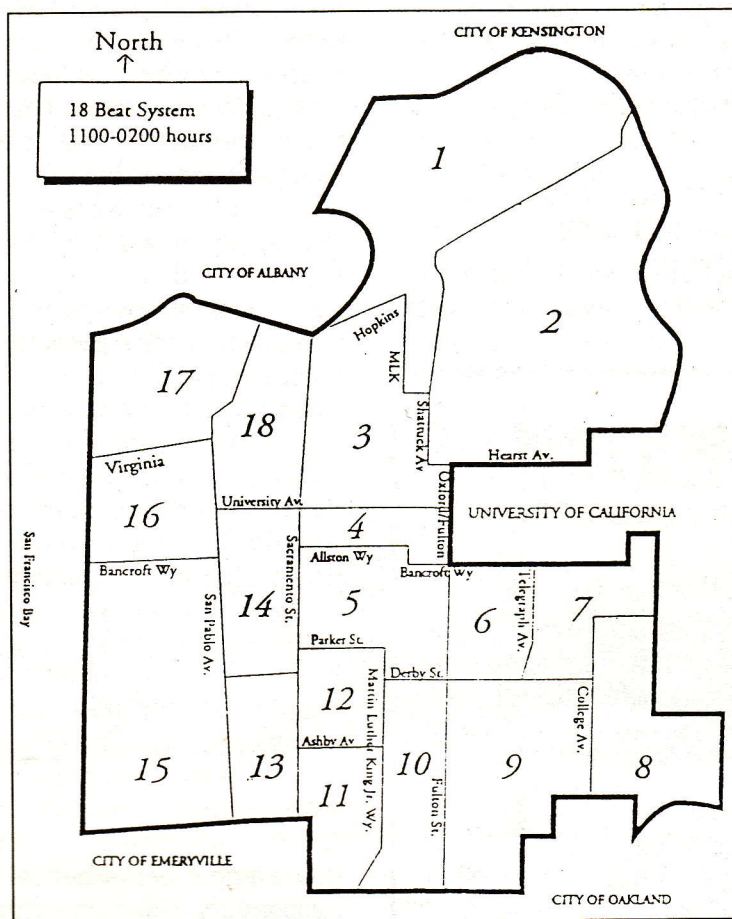
Community Oriented Policing puts a kinder, gentler face on the same police solutions that have not worked in the past. Whether it's cops on bikes or cops giving out hotdogs, the roots of crime, namely poverty and economic decline, are not being confronted. We spend less on developing job opportunities 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 commu-

nity 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



*The 18 beats under Berkeley Police Department's Community Policing Program.  
[Source: Berkeley Voice]*

(continued)



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 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 incident 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

## **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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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 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

### 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?!

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).



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

- 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 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 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.

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