

Office of the City Manager

January 25, 2022

To: Honorable Mayor and Members of the City Council

From: *DWR* Dee Williams-Ridley, City Manager

Subject: Public Safety Cameras Affixed to City Property

On December 14, 2021, City Council adopted an agenda item for Public Safety Cameras in the public right of way affixed to City property at various intersections throughout the City of Berkeley, similar to existing cameras currently in place at San Pablo Park. This agenda item was approved by Council, with direction to the City Manager to develop and implement a Use Policy for the Berkeley Police Department.

The attached policy addresses the use of the existing San Pablo Park cameras as well as additional fixed Public Safety Cameras located on City owned or managed properties or facilities. This policy was crafted to address the use, integrated technologies, storage and retention, access, and sharing of video/images.

The following locations were approved by City Council:

- 6th Street at University Avenue
- San Pablo Avenue at University Avenue
- 7th Street at Dwight Way
- San Pablo Avenue at Dwight Way
- 7th Street at Ashby Avenue
- San Pablo Avenue at Ashby Avenue
- Sacramento Street at Ashby Avenue
- College Avenue at Ashby Avenue
- Claremont Avenue at Ashby Avenue
- 62d Street at King Street

Attachment: Public Safety Fixed Video Surveillance Cameras Policy

cc: Paul Buddenhagen, Deputy City Manager
LaTanya Bellow, Interim Deputy City Manager
Jennifer Louis, Interim Chief of Police
Jenny Wong, City Auditor
Mark Numainville, City Clerk
Matthai Chakko, Assistant to the City Manager

Public Safety Fixed Video Surveillance Cameras

351.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of City of Berkeley public safety video cameras, as well as the management, maintenance, storage and release of the captured images.

This policy only applies to fixed, overt, marked public safety video surveillance systems utilized by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

351.2 POLICY

The Berkeley Police Department utilizes a public safety video surveillance system to enhance its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

351.3 OPERATIONAL GUIDELINES

Only City Council-approved video surveillance equipment shall be utilized. Members authorized to review video surveillance should only monitor public areas and public activities where no reasonable expectation of privacy exists. The City Manager shall obtain Council approval for any proposed additional locations for the use of video surveillance technology.

351.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected City departments when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Camera placement includes, but is not limited to: existing cameras such as those located at San Pablo Park, cameras placed in Council identified and approved intersections throughout the City, and potential future camera locations as approved by City Council.

Current City Council approved locations:

- 6th Street at University Avenue
- San Pablo Avenue at University Avenue

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- 7th Street at Dwight Way
 - San Pablo Avenue at Dwight Way
 - 7th Street at Ashby Avenue
 - San Pablo Avenue at Ashby Avenue
 - Sacramento Street at Ashby Avenue
 - College Avenue at Ashby Avenue
 - Claremont Avenue at Ashby Avenue
 - 62nd Street at King Street

The cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations. The public video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To address identified areas of criminal activity.
- (c) To respond to critical incidents.
- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity in order to assist with traffic related investigations.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

351.3.2 FIXED CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

351.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department is prohibited from integrating or accessing system capabilities of the video surveillance system with other systems, such as gunshot detection, automated license plate recognition, facial recognition and other video-based analytical systems.

351.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

351.4.1 VIDEO LOG

No one without authorization will be allowed to login and view the recordings. Those who are authorized and login should automatically trigger the audit trail function to ensure compliance with the guidelines and policy.

351.4.2 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance systems shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.

Public safety video surveillance systems and recordings are subject to the Berkeley Police Department's Immigration Law Policy, and hence may not be shared with federal immigration enforcement officials.

351.5 STORAGE AND RETENTION OF MEDIA

The Department shall retain all recordings for a minimum of 60 days. Recordings of incidents involving use of force by a police officer, detentions, arrests, or recordings relevant to a formal or informal complaint shall be retained for a minimum of two years and one month. Recordings relating to court cases and personnel complaints that are being adjudicated will be manually deleted at the same time other evidence associated with the case is purged in line with the Department's evidence retention policy. Any recordings related to administrative or civil proceedings shall be maintained until such matter is fully adjudicated, at which time it shall be deleted in line with the Department's evidence retention policy, and any applicable orders from the court.

Recordings created by equipment testing or accidental activation may be deleted after 60 days.

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

351.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity,

authenticity certificates and date and time stamping, shall be used as available and appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

351.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Berkeley Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Watch Commander for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

351.7 VIDEO SURVEILLANCE AUDIT

The Audits and Inspections Sergeant or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Audits and Inspections Sergeant or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

351.8 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, associated software, and review of relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

1 JOHN PATE
2 3126 SHATTUCK AVE
3 BERKELEY CALIFORNIA
4 94705

FILED
ALAMEDA COUNTY

JAN 25 2022

5 JOHN PATE, IN PRO PER

CLERK OF THE SUPERIOR COURT
By [Signature] Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF ALAMEDA

11 JOHN PATE,
12 plaintiff

13 vs.

- 14 1. ALAMEDA COUNTY et al.,,
15 2. BERKELEY POLICE DEPT.,,
16 3. BERKELEY POLICE
17 ACCOUNTABILITY BOARD,

18 Defendants,

) Case No.: **22CV005976**

-) (1) PUBLIC ENTITY LIABILITY: FAILURE TO
) DISCHARGE A MANDATORY DUTY in violation of
) Govt code ss815.6;CACI423
) (2) NEGLIGENCE in violation of CA Civ Code
) ss1714(a);CACI400,
) (3) NEGLEGENT INFLICTION OF EMOTIONAL
) HARM/ DISTRESS in violation of caci 1620,
) (4) FOR PERCEIVED AND/OR RACE
) HARASSMENT,DISCRIMINATION AND
) RETALIATION IN VIOLATION
) OF CALIFORNIA GOVERNMENT CODE
) ss12940etSEQ
) (5) FOR PERCEIVED AND OR NATIONAL ORIGIN
) HARASSEMENT ,Discrimination AND
) RETALIATION IN VIOLATION OF CALIFORNIA
) GOVERNMENT CODE ss12940 ET SEQ.;
) (6) ABUSE OF PROCESS in violation of Torts
) ss682@464;caci1520
) (7) INTENTIONAL INFLICTION OF EMOTIONAL
) DISTRESS in violation of Ca Civ Code ss46; CACI
) 1600 et seq.,

JURY TRIAL DEMANDED
UNLIMITED JURISDICTION
DAMAGES IN EXCESS OF 25,000.00

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26 COMES NOW Plaintiff JOHN PATE and complains against the above
27 named Defendants and for causes of action against the
28 Defendants during the course of the previous 6 months ,
Plaintiff John Pate alleges as follows :

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FIRST CAUSE OF ACTION

PUBLIC ENTITY LIABILITY: FAILURE TO DISCHARGE A MANDATORY DUTY in violation of
Govt code ss815.6;CACI423

Against Defendants BERKELY POLICE DEPARTMENT , BERKELEY POLICE ACCOUNTABILITY
BOARD, ALAMEDA COUNTY ET AL.,

1001. Plaintiff is an individual residing in Alameda County in The State of California

1002. Plaintiff is informed and believes that all enteties and individuals named in this
complaint are employees of Alameda County and/or government employees and institutions of
Alameda county. Plaintiff is not aware of residence of individual named governemnt employees but
assumes they are residents of Alameda county considering employment location.

1003. Plaintiff is ignorant to the true names and capacities, weather
corporate, associate, successor, alter ego, individual or otherwise, of defendants sued herein as
defendants DOES 1 through 100, inclusive and therefore sues said defendant, and each of them by
such ficticious names.

1004. Plaintiff will ammend this complaint to assert true names and capacities of of the
ficticiously named Defendants when the same have been ascertained. Plaintiff is informed and
believes , and thereon lleges , that each defendant designated as doe herein is legally responsible
for the events , happenings, acts, occurances, indebtedness, damages and liabilities hereinafter
alleged and caused injuries and damages proximately thereby to the plaintiff, as hereinafter alleged.

1005. At all times herein mentioned, for approximately 6 months since plaintiff returned
from europe to report criminal acts by members of the Colombo Crime Family , The Masonic Society
and other members of the occult all of whom have direct ties to Plaintiff and also have direct ties
and connections with Alameda county either by business, personal, occult/religious and/or family
relations, plaintiff has received hostile and impossible situations and has been a victim of occult
tactics by members of the occult/mafia in government and police and has been harrassed
uncountable times due to plaintiff returning to the USA from being assaulted violently by members
of these organizations and members of the **United States Intelligence community** abroad whom
sell narcotics with members of the Colombo Crime Family in Miami Florida in The Untied States of
America whom plaintiff is unfortunately biological family with.

1006. Plaintiff John pate on numerous occasions contacted Police in Berkeley California to
report crimes being done by members of the occult and Mafia here in th eUnited states, after
plaintiff was instructed by police in West palm Beach to return to the UNITED STATES to report
crimes even though plaintiff is a Duel national with Italian citizenship.

1007. Plaintiff met with Officer Driscoll finally after a couple of days of telephone calls and
an original missed appointment by representative of Berkeley Police Officer Driscoll. Only to return
later to have an impromptu meeting on the front steps of the police station where it was impossible

1 to show all evidence with the wind blowing and no desk outside on the steps, plaintiff was not invited
2 into office to show tons of paperwork evidence to officer driscoll but instead asked to leave when I
3 informed the police officer about my family being involved with Neo Nazis and other occult
4 organizations. Officer driscoll's response was that I needed Berkeley Mental help. Officer driscoll
then abruptly ended the meeting and went inside informing me I should get a lawyer.

5 1008. Plaintiff called officer driscoll a few days later and asked what he should do? Plaintiff
6 asked if officer Driscoll would like to see the police reports from France so that he could get off his
7 chair and contact the West Palm Beach Police to pass along the investigation. Officer driscoll
8 responded that he would file the violent attack police reports from multiple countries but he was not
9 contacting the **West Palm Beach Police where Colombofamily and neo Nazis Plaintiff has ongoing**
10 **problems with live.** Even after plaintiff had numerous telephone calls with Officers and detectives at
11 the WEST PALM BEACH POLICE DEPARTMENT office driscoll still refused to do anything at all.

12 1009. Plaintiff filed a complaint with the Berkeley police Department to have the West
13 Palm Beach Police contacted to report crimes done by members of the **MAFIA, the MASONIC**
14 **society and Neo Nazis** and to speak to a supervisor, but instead was roped into a police
15 accountability hearing and 6 months later not one report of all the violent attacks has been
16 reported to the WEST PALM BEACH POLICE about the OCCULT crimes being done to me in the
17 UNITED STATES and abroad by members of occult whom all I found out have a lot of contacts and
18 connections with Alameda County and the Bavarian and British communities that live here and where
19 there are Nazi Bavarians and British Redcoat Masonic Temples everywhere.

20 1010. During the police accountability hearing I was informed by a Norris Byron that I
21 should not proceed with the hearing and "approach the situation differently" and the police would
22 investigate it after the accountability hearing was over plaintiff did not believe him and wrote a
23 statement to be read and interrogatories to be read at hearing but instead I could not access
24 meeting again and the statement nor questions were never read at the police accountability
25 hearing.

26 1011. 6 MONTHS later plaintiff is still waiting for the West Palm Beach Police to be
27 contacted and still nothing from any of the officers or administration at the BERKELEY POLICE
28 DEPARTMENT. And with this investigation into these crimes and have cost the plaintiff more time
and monies wasted along with obstructing of an investigation into unlawful acts by the occult
operating in multiple nations.

1012. In not investigating or reporting these crimes of the Mafia and Occult

3013. On the reason of Officer driscoll et al., being uncooperative with instructions given
to Plaintiff John Pate about contact and exchange of information with the WEST PALM BEACH
POLICE DEPARTMENT by The West Palm Beach Police Dept.

SECOND CAUSE OF ACTION

(2) NEGLIGENCE in violation of CA Civ Code ss1714(a);CACI400,

1 2001. No action being Taken by members of the Berkeley Police Staff and allowing crimes
2 to continue to Plaintiff John pate after half a dozen complaints to the Berkeley Police Dept.

3 2002. Obstructing an investigation in multiple nations to a duel national citizen.

4 THIRD CAUSE OF ACTION

5 (3) NEGLENT INFLICTION OF EMOTIONAL HARM/ DISTRESS in violation of caci 1620.

6 3001. Durint the past 6 months Plaintiff has been suffering from extreme emotional duress
7 from lack of response from police officer Driscoll et al., DOES 1-100 , whom is allowing multi-
8 national terrorists to continue operating without investigating Plaintiff John Pates claims alleging
9 OCCULT and MAFIA crimes being done to him.

10 3002. On the reason Of Officer driscoll et al., being uncooperative with instructions given
11 to Plaintiff John pate about contact and exchange of information with the WEST PALM BEACH
12 POLICE DEPARTMENT by The West Palm Beach Police dept.

13 FOURTH CAUSE OF ACTION

14 (4) FOR PERCEIVED AND/OR RACE HARASSMENT, DISCRIMINATION AND RETALIATION

15 IN VIOLATION

16 OF CALIFORNIA GOVERNMENT CODE ss12940etSEQ

17 4001. For reasons of my Duel citizenship to Italy and my place of birth being the East coast
18 of the United States , it is Plaintiff John Pates belief and alleges that his nationality and place of
19 birth have played a part in the Berkeley Police Non Compliance with standard Procedure and
20 investigate crimes and/or minimalisticly just call the WEST PALM BEACH POLICE and pass along the
21 information as the West palm Bech Police Instructed Plaintiff John pate when they instructed
22 plaintiff to return to th eUSA to file these reports and complaints.

23 FIFTH CAUSE OF ACTION

24 (5) FOR PERCEIVED AND OR NATIONAL ORIGIN HARASSEMENT , Discrimination AND
25 RETALIATION IN VIOLATION OF CALIFORNIA GOVERNMENT CODE ss12940 ET SEQ.;

26 5001. For reasons of my Duel citizenship to Italy and my place of birth being the East coast
27 of the United States , it is Plaintiff John Pates belief and alleges that his nationality and place of
28 birth have played a part in the Berkeley Police Non Compliance with standard Procedure and
investigate crimes and/or minimalisticly just call the WEST PALM BEACH POLICE and pass along the
information as the West palm Bech Police Instructed Plaintiff John pate when they instructed
plaintiff to return to th eUSA to file these reports and complaints.

SIXTH CAUSE OF ACTION

6) ABUSE OF PROCESS WITH MALICE in violation of Torts ss682@464;caci1520

6001. For Berkeley Police , Berkeley Police Accountability Board and Berkeley PoliCe
ADMINISTRATION , DOES 1-100 , repeatedly forcing me into a "POLICE ACCOUNTABILITY HEARIING"
instead of doing their job and reporting the crimes being done to me by members of the MAFIA ,

1 and other OCCULT ORGANIZATIONS operating here in the USA and with ties to BERKELEY AND
2 ALAMEDA COUNTY and workers.

3 SEVENTH CAUSE OF ACTION

4 (7) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS in violation of Ca Civ Code ss46; CACI 1600 et seq.,
5 7001. It is Plaintiff John Pates Belief and alleges that the Berkeley Police et al., DOES 1-100
6 have intentionally and unintentionally caused grave emotional stress to Plaintiff John Pates life
7 during very hard times and while plaintiff John Pate is dealing with ongoing assaults, violence and
8 other mistreatments and crimes from members of the OCCULT and MAFIA operating here in the
9 USA.
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24 DATED: January 24, 2022



25 Your signature

26 YOUR NAME

27 In Pro Per

28 John Pate

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Relief : Unlimited Jurisdiction

10,000.00 Ten Thousand Dollars compensatory damage for defendents wasting plaintiffs time and money this past six months while being held in America .

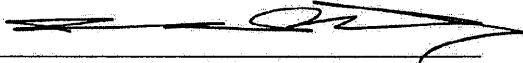
5,000,000.00 FIVE MILLION UNITED STATES DOLLARS

For refusing to investigate crimes while Plaintiff John Pate is forced to stay in this country like a hostage by members of the Occult and Mafia[MASONIC SOCIETY , NAZI/YOUNG NATIONALISTS/ SCIENTOLOGISTS] all elitist,s operating in and out of United States Government and Defendent John pate is a Duel National With the country of Italy and being treated terribly while here under slave/nazi hostage conditions being denied legal aid , investigations by law enforcement and failure to investigate crimes being doen to Plaintiff JOHN PATE in regards to tampering with his status as a foreign national plus a host of other civil rights violation being filed this week against members of the Bar association the ACLU and the East bay legal aid all of whom are funded by grants and all of whom refuse to help with legal aid in a nothing less than conspiritory fashion , and whom seek to gain financial bennefit from patents plaintiff is filing in business and technology and where applications are held by the USPTO at this time and where these computer savy respondents wish to gain billions more in taxable revenue here and abroad from refusal to abide by the laws and partaking in unfair and highly illegal practices against plaintiff John Pate., Which in turn will leave more of his patents in the state of Abandonement or known as "abandoned" and up for whichever loser wants to simply pay the SIXTEEN (16) thousand dollars Fee for them each. Its absolutely ridiculous the insanity and crimes these immature animals get away with in this country, and the fact that a large number of them are in Governence and Law enforcement here is Highly alarming to members of the international community that are seeking peace or some resemblance of peace here on earth.

Investigation to continue into crimes being done to plaintiff for material gains by members of the Mafia and the Occult operating here in the United States in the State of California in the county of ALAMEDA in the State of New York and in the state of Florida that plaintiff john Pate is aware of and where there is proof of crimes being committed to Plaintiff John pate

DATED: January 25, 2022

JOHN PATE In Pro Per

X 

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