

Peace and Justice  
Commission

## PEACE & JUSTICE COMMISSION MEETING

Monday, June 5, 2023 – 7:00 p.m.

South Berkeley Senior Center

2939 Ellis St. Berkeley Ca, 94703

**Public Advisory: Beginning March 2023 all meetings for the calendar year will be held In-Person, there is no hybrid available at this time.**

### AGENDA

**Mayor Arreguin:**

**Rashi Kersarwani:**

**Terry Taplin:**

Rita Maran

Veta Jacquelin

**Ben Bartlett:**

**Kate Harrison**

**Sophie Hahn**

George Lippman

Diana Bohn

Vice- Chair

**Susan Wengraf:**

**Rigel Robinson:**

**Mark Humbert**

**BUSD:**

Grace Morizawa- Chair

Reichi Lee

### SECTION A. PRELIMINARY MATTERS

1. Roll Call
2. Land Acknowledgement
3. Announcements
4. Comments from the Public (*subject to time limits applicable to all speakers as necessary*)
5. Review and approval of meeting minutes
6. Commission Updates & Chairperson's Report
7. Secretary's Report (including status of passed items from previous meetings)

## SECTION B. DISCUSSION/ACTION ITEMS

8. Discussion on proposed Surveillance Policy
9. Discussion on Full Funding for the African American Holistic Resource Center
10. Discussion on Opposing Tokyo Electric Power Company and the Government of Japan's Planned Discharge of Wastewater from Fukushima Daiichi Nuclear Power Plant into the Pacific Ocean

## SECTION D. COMMUNICATIONS


11. No communications received.

## SECTION E. BACKGROUND INFORMATION

## SECTION F. ADJOURNMENT

### Attachments:

- A. May Draft Minutes
- B. Meeting Schedule
- C. Land Acknowledgement Resolution
- D. Letter for Council on Proposed Surveillance Policy
- E. Letter for Council on Full Funding for the African American Holistic Resource Center
- F. Resolution Opposing Tokyo Electric Power Company (TEPCO)

 Meeting Access: To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist, at 981-6418 (V) or 981-6347 (TDD), at least three (3) business days before the meeting date.

### Communications Disclaimer

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.*

### SB 343 Disclaimer

*Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Old City Hall located at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704.*

**Commission Contact Information**

*Okeya Vance-Dozier, Secretary*

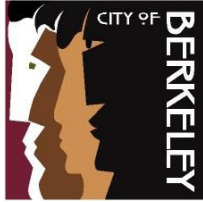
*Peace and Justice Commission*

*City of Berkeley*

*2180 Milvia Street, 5th Floor*

*Berkeley, CA 94704*

[Ovance-dozier@cityofberkeley.info](mailto:Ovance-dozier@cityofberkeley.info) (email)



Peace and Justice  
Commission

**Peace and Justice Commission Meeting  
May 1, 2023**

**MINUTES**

The meeting convened at 7:15 pm with Grace Morizawa (Chair) presiding. Okeya Vance-Dozier, Secretary.

**SECTION A. PRELIMINARY MATTERS**

**1. Roll Call**

**Present:** Lippman, Maran, Jacquilin, Morizawa, Bohn

**Absent:**

**Excused:** Gussman

**Leave of Absence:** Lee

**2. Announcements**

None

**3. Comments from the Public**

Public Attendance: 3

Public Comments: 3

**4. Review and approval of meeting minutes**

Peace and Justice Commission approved minutes from 3/6/23.

**M/S/C:** Bohn, Lippman

**Ayes:** Morizawa, Jacquilin, Lippman, Maran, Bohn

**Noes:** None

**Abstain:**

**Absent:**

**Excused:** Lee, Gussmann

**5. Commission Updates & Chairperson's Report (No Action Taken):**

None

**6. Secretary's Report (No Action Taken)**

Provided updates on items sent over to council.

**SECTION B. DISCUSSION/ACTION ITEMS**

**7. Pass Resolution to Establish a Sister City Relationship with Las Vegas, Honduras**

**M/S/C:** Lippman, Jacquelin

**Ayes:** Lippman, Jacquelin, Bohn, Morizawa

**Noes:**

**Abstain:** Maran

**Absent:**

**Excused:** Lee, Gussmann

**8. Discuss Shellmound Issues and Possible Modifications of Land Acknowledgment Language with Indigenous Representatives**

**M/S/C:**

**Ayes:**

**Noes:**

**Abstain:**

**Absent:**

**Excused:**

**9. Update on Reproductive Services and Education Access Survey**

**M/S/C:**

**Ayes:**

**Noes:**

**Abstain:**

**Absent:**

**Excused:**

**10. Update on BUSD Ethnic Studies**

Awaiting Commissioner Lee to provide an update

**M/S/C:**

**Ayes:**

**Noes:**

**Abstain:**

**Absent:**

**Excused:**

**11. Discussion on Seating Needed for Berkeley Post Offices**

Commissioners will gather more information and draft and letter to be sent over to council.

## **SECTION C. COMMUNICATIONS**

### **12. No communications received prior to meeting.**

## **SECTION D. ADJOURNMENT**

The meeting was adjourned at 9:00 PM.

**M/S/C:** Bohn, Lippmann

**Ayes:** Lippman, Maran, Morizawa, Jacquelin, Bohn

**Noes:**

**Abstain:**

**Absent:**

**Excused:** Lee, Gussmann

Respectfully Submitted,

---

Okeya Vance-Dozier, Secretary  
Peace and Justice Commission



Peace and Justice  
Commission

## Peace and Justice Commission Approved 2023 Meeting Schedule

1. ~~Monday, January 9, 2023 at 7pm Zoom~~
2. ~~Monday, February 6, 2023 at 7pm Zoom~~
3. ~~Monday, March 6, 2022 at 7pm~~ **In-Person remainder of 2023**
4. ~~Monday, April 17, 2023 at 7pm~~
5. ~~Monday, May 1, 2023 at 7pm~~
6. Monday, June 5, 2023 at 7pm
7. Monday, July 10, 2023 at 7pm
8. **Monday, August 1, 2023 at 7pm- reschedule from April**
9. Monday, September 11, 2023 at 7pm
10. Monday, October 2, 2023 at 7pm
11. Monday, November 6, 2023 at 7pm

## **Land Acknowledgement Statement**

*The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.*



**DRAFT**

Letter to Council on Fixed Camera Use Policy

Hon. Mayor Arreguin, Members, Berkeley City Council:

The Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter 3.68.070).

The Council has previously decided to install a set number of surveillance cameras at ten locations in Berkeley. Earlier, the Council adopted a Surveillance Technology Use and Community Safety Ordinance that requires the Council adoption of a use policy for each type of surveillance technology.

With the decision to acquire and install the cameras behind us, we will focus this letter on the present matter of the use policy. In our capacity as the social justice commission, we will concentrate on the impact of warrantless surveillance on racial justice.

Background.

The surveillance is “warrantless” because it is not established pursuant to a judicial warrant. It is “bulk data collection” because it is not focused on specific individuals suspected of criminal activities. While these conditions may or may not make the surveillance unconstitutional, they do raise important social concerns that must be addressed in policy governing their use.

The Commission appreciates the draft policy’s consideration of civil liberties and rights, though it does so in a narrow way, focused on Data Access, Data Protection, and Retention. These are critical aspects of civil liberties and civil rights pertaining to surveillance. However, we argue that there are broader concerns about large-scale surveillance that arise outside of these specific issues.

Collection of bulk data, or mass rather than targeted surveillance, is a constitutional concern because of the Fourth Amendment, which specifies that “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants may be issued except upon probable cause.” (The California state constitution goes further to describe privacy as an inalienable right.) By definition, surveillance cameras that capture images of an entire population do not proceed from court warrants, as there is no assumption of probable cause of criminal conduct on the part of an entire population.

But we must examine the legal and social issues separately. Courts have held that some forms of government surveillance may legally be conducted in situations where there is “no reasonable expectation of privacy” (U.S. v. Katz, 1967, and others). At the same time, we agree with concerns expressed by Council members and others that this country is moving toward becoming a “surveillance state.”

The Commission recognizes the complex character of the task before the Council and the importance of getting it right. Both public safety and civil liberties and civil rights are hanging in the balance. The task now is to create a use policy that gives appropriate protection to the vast majority of the public whose images will be caught on video lacking any suspicion, let alone probable cause to believe they have committed a crime.

### “The Color of Surveillance.”

The color of surveillance is a term that has emerged to illuminate the discriminatory impact that government and even private surveillance has on people of color.

In a society characterized by white supremacy, it is dangerous to assume that utilizing technology to enhance fallible human officers will necessarily remove the risk of racial

discrimination. Computer algorithms and cameras are designed, managed, and their results interpreted by these same fallible humans.

A good summary of these impacts is provided by the Movement for Black Lives: <sup>1</sup>

Today, technology invades every aspect of Black life, in some cases improving it, but in most cases exacerbating existing inequalities.

Policing has also evolved to use data, devices, and algorithms to create mechanisms for total information awareness for law enforcement....Street cameras, license plate readers, domestic drones, Cell Site Simulators or “Stingray” devices, widespread face recognition, social media monitoring tools, and other technologies are used to unequally target Black people.

Additionally, artificial intelligence and machine learning have evolved to power “predictive policing,” which uses search tools, scores, heat maps, and other methods that frequently draw on racially biased crime data to predict the occurrence and location of future crimes, replicating racial bias.

Additionally, “gang databases” maintained by city, county, state, and federal law enforcement agencies collect extensive information on thousands of people, designating them as “known” or “suspected” gang members. Once designated a “gang member,” individuals are subject to increased profiling, surveillance, and restrictions on activities through civil gang injunctions.

The increasing use of biometric technologies such as [smart doorbells](#) and facial recognition create outsized danger and harm to Black lives. With the rise of

---

<sup>1</sup> <https://m4bl.org/policy-platforms/end-surveillance/>

machine learning and artificial intelligence, the threat to civil and human rights posed by facial recognition technology is expanding. Meanwhile, facial recognition tools remain inaccurate—particularly for darker-skinned, female, and young faces, for which the error rate is consistently higher.

It should be noted that the vast majority of proposed camera sites are in primarily communities of color or low-income residents.

### Recommendations for the Fixed Camera Use Policy.

It's been said that policy made in a crisis tends to be bad policy. The Commission recommends Council take great care to create a use policy that does no damage to the human rights of African American and other people of color, or to other communities marginalized by our society.

Specifically, we urge Council to pass a policy that does the following:

1. Limit camera uses to those outlined in the legislation approving installation of the cameras at issue: to deter gun violence and obtain evidence to solve criminal investigations.
2. Remove mention of cameras controlled by departments other than the BPD, or for monitoring pedestrian and non-criminal traffic activity, or "civil investigations." Policy governing cameras focused on employees should be discussed elsewhere, with the participation of the relevant worker associations.
3. Retention of data should be strictly limited, for example for a month, unless there is a nexus to a serious crime, which could include a serious vehicle involved crime.
4. A periodic evaluation, no less than once a year, should be made of the utility of the camera sites selected, so Council may make an informed decision about whether the locations should be re-assigned. The evaluation should break down the data by type of incident addressed (for example felony, fatal collision, other).

5. Remove mention of camera placement not being limited to the current list. It is critical that requests for additional sites require a return to Council for approval.

Signed,

/x/

For the Berkeley Peace and Justice Commission

**DRAFT**

Letter to Council on AAHRC Funding

Hon. Mayor Arreguin, Members, Berkeley City Council:

The Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter 3.68.070).

We write to urge you to maintain full funding for the African American Holistic Resource Center (AAHRC), to allow for the required 6,000 square feet of space, as part of the T1 budget.

A year ago on June 6, 2022, we asked you to include the funding for the AAHRC in that year's T1 Infrastructure and affordable housing ballot measure. We thank you for taking that requested action. Now, the City of Berkeley needs to keep its promise to the AAHRC and the Black community.

In our letter to you last June, we wrote that “providing funding for the AAHRC will address some of the historical harmful racial and wealth inequities and disparities that the Black community in Berkeley suffered during decades of discrimination in the City of Berkeley. Berkeley's Health Status reports outline the historical extent of inequities and disparities in the city, which have led to negative health, mental health, social, and economic determinants for African Americans. Efforts to ensure equity in addressing the social determinants of health for the African American community with the creation of the AAHRC and development of a culturally congruent service delivery system for Berkeley's Black community are essential.”

We are aware of the budget shortfalls and the increased costs due to inflation. We ask that you find other ways to address these issues that do not undermine the success of a positive, community-driven project that is focused on radical healing, “a process that centers collective hope, love, imagination, and care.”

Even while the AAHRC leaders await word on the outcome of the City's budget process, they are moving forward with creating the community base that will be crucial to making their plans a reality. Youth aged 11-25 have created a Youth Council that will serve as a significant, influential factor into the design and build plans. One youth team with a shared interest in architecture, design, and construction will shadow the architect and construction team. A second group will shadow the project management team. A third group of youth who are interested in plant-biology for natural healing have started training with herbalists and nutritionists. Adult volunteers will join the effort this summer. Not waiting for the construction of an edifice, the AAHRC is teaching real-world applications in education, health, wealth, and self-sufficiency.

The AAHRC is in Phase II of the project, which is the community input, architectural designs and floor planning. They are partnering with the City of Berkeley Park, Recreation, and Waterfront Department to host three planned input meetings this month:

- June 7, 2023 at YAP 5-7pm
- June 12, 2023 at 1890 Alcatraz 3-5 pm
- June 18, 2023 at the Juneteenth Celebration Day

We see the African American Holistic Resource Center, a self-determining community driven project in cooperation with the City government, as a great example of your Reimagining Public Safety paradigm. Thank you for your continued support for funding for this critical project at a level which will enable the full 6,000 square feet of space for the AAHRC to function as designed.

Signed,

/x/

For the Berkeley Peace and Justice Commission

1 Resolution Opposing Tokyo Electric Power Company (TEPCO) and the Government of Japan's  
2 Planned Discharge of Wastewater from Fukushima Daiichi Nuclear Power Plant into the Pacific  
3 Ocean  
4

5 WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to  
6 the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter  
7 3.68.070); and  
8

9 WHEREAS, according findings that established the Peace and Justice Commission of the City of  
10 Berkeley "The present threat of nuclear or biological holocaust is not peace, but a condition of  
11 war against all humanity." (Berkeley Municipal Code Chapter 3.68.070, F. 3.68.010 Finding)  
12

13 WHEREAS, on April 13, 2021, Tokyo Electric Power Company (TEPCO) and the government of  
14 Japan announced its plan to release more than 1.28 million metric tons of wastewater from the  
15 damaged Fukushima Daiichi Nuclear Power Plant into the Pacific Ocean, starting as early as spring  
16 2023 and continuing for the next 30 years;  
17

18 WHEREAS, the Advanced Liquid Processing System (ALPS), the filtration system used at the site  
19 cannot remove all radioactive materials before the release, leaving 72 percent of the water  
20 exceeding the regulatory standards and containing radioactive substances such as tritium (H-3),  
21 carbon-14, strontium-90, cesium-137, and plutonium;  
22

23 WHEREAS, the wastewater from the Fukushima Daiichi Nuclear Power Plant is highly radioactive  
24 and is fundamentally different from the water from a nuclear power plant during a regular  
25 operation;  
26

27 WHEREAS, Fukushima radiation has been detected on West Coast shores of the United States and  
28 Canada since 2015, and whatever is released in the planned discharge will eventually reach the  
29 shores of the United States and Canada and other nations in the Pacific, affecting their marine and  
30 coastal environment;  
31

32 WHEREAS, in April 2021, three independent human rights experts appointed by the United  
33 Nations Human Rights Council expressed their concerns that the dumping of wastewater from the  
34 Fukushima Daiichi could impact millions of lives and livelihoods in the Pacific region, and such  
35 dumping imposes considerable risks to the full enjoyment of human rights of concerned  
36 populations in and beyond the borders of Japan; ([https://www.mp-nuclear-  
37 free.com/Fukushima/20220803.html](https://www.mp-nuclear-free.com/Fukushima/20220803.html))  
38

39 WHEREAS, the processing of wastewater through ALPS will not change the quantity of  
40 radioactivity in the water, and such radioactivity could accumulate in parts of the marine  
41 environment and living organisms through bioaccumulation;  
42

43 WHEREAS, radioactive substances contained in the wastewater such as tritium and strontium,  
44 when consumed, may have negative long-term health effects on a body;  
45 ([https://www.naml.org/policy/documents/2022-12-  
46 12%20Position%20Paper,%20Release%20of%20Radioactively%20Contaminated%20Water%20int  
47 o%20the%20Ocean.pdf](https://www.naml.org/policy/documents/2022-12-12%20Position%20Paper,%20Release%20of%20Radioactively%20Contaminated%20Water%20into%20the%20Ocean.pdf))



48

49 WHEREAS, Dr. Arjun Makhijani, along with four other scientists, has pointed out multiple  
50 deficiencies in TEPCO's plan, including inadequacies in sampling, inadequacies in assessing the  
51 effectiveness of ALPS, and inadequacies in ecosystem assessment;

52 ([https://www.japantimes.co.jp/opinion/2022/08/26/commentary/japan-  
53 commentary/radioactive-water-release/](https://www.japantimes.co.jp/opinion/2022/08/26/commentary/japan-commentary/radioactive-water-release/))

54

55 WHEREAS, Fukushima agricultural, forestry, fisheries, and consumer cooperatives strongly  
56 oppose the TEPCO plan of disposing the wastewater into the Pacific Ocean;

57

58 WHEREAS, civil society groups, elected officials, and scholars in Japan, the United States, and  
59 other nations in the Pacific region have expressed concerns with TEPCO's plan and petitioned  
60 the Japanese government to reconsider its

61 plan;(<https://www.asahi.com/ajw/articles/14848557>)

62

63 WHEREAS, safer, more environmentally sound alternative solutions have been proposed by  
64 Japanese civil society groups, engineers, and researchers;

65 ([https://www.naml.org/policy/documents/2022-12-  
66 12%20Position%20Paper,%20Release%20of%20Radioactively%20Contaminated%20Water%20i  
67 nto%20the%20Ocean.pdf](https://www.naml.org/policy/documents/2022-12-12%20Position%20Paper,%20Release%20of%20Radioactively%20Contaminated%20Water%20into%20the%20Ocean.pdf))

68

69 WHEREAS, Dr. Tim Deere-Jones, independent marine pollution researcher, has warned that  
70 populations who live or work within 10 miles from the Pacific coastline may be adversely  
71 affected by the release, because the radioactive particles can travel inland due to the

72 evaporation of the ocean water; ([https://nuclearpolicy.info/wp/wp-  
73 content/uploads/2016/04/Rad\\_Waste\\_Brfg\\_62\\_Fukushima\\_and\\_tritiated\\_water.pdf](https://nuclearpolicy.info/wp/wp-content/uploads/2016/04/Rad_Waste_Brfg_62_Fukushima_and_tritiated_water.pdf))

74

75 WHEREAS, No Nukes Action, a Berkeley based group has networked worldwide to demand a  
76 better world free of nuclear power since May 2011, has embarked on a campaign for cities to  
77 oppose TEPCO and the government of Japan's planned discharge of wastewater from the  
78 Fukushima Daiichi Nuclear Power Plant on behalf of citizens who wish to leave the a clean  
79 planet to future generations;

80

81 WHEREAS, the City of Berkeley is situated directly on the San Francisco Bay which is connected  
82 to the Pacific Ocean, therefore, its residents and businesses are at risk of being adversely  
83 affected by the planned release; and

84

85 WHEREAS, the City of Berkeley demands TEPCO and the government of Japan reconsider the  
86 plan and adopt a more environmentally sound alternative solution which does not cause  
87 unnecessary harm to the marine and human life in the Pacific Region.

88

89 NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Berkeley hereby adopts a  
90 resolution opposing the plan of TEPCO and the government of Japan to discharge wastewater  
91 from the damaged Fukushima Daiichi Nuclear Power Plant into the Pacific Ocean