

PEACE & JUSTICE COMMISSION MEETING AGENDA Monday, May 2, 2022 – 7:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the January 25, 2021 meeting of the Peace and Justice Commission will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL https://us02web.zoom.us/j/83078498478

If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

To join by phone: Dial **1-669-900-9128** and enter Meeting ID 830 7849 8478. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

Please be mindful that all other rules of procedure and decorum will apply for Commission meetings conducted by teleconference or videoconference.

SECTION A. PRELIMINARY MATTERS

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

SECTION B. DISCUSSION/ACTION ITEMS

- 7. Presentation and Discussion with Ms. Joemy Ito-Gates, BUSD K-12 ethnic studies teacher.
- 8. Discuss Conscientious Objector's/ Bob Meola Memorial Flag-Raising
- 9. Peace and Justice Commission Work Plan
- Discussion on Police Accountability, Reform, and Reimagining processes in the City of Berkeley
- 11. Oppose Russian Invasion of Ukraine and in Support of a Peaceful Future

SECTION D. COMMUNICATIONS

12. No communications received.

SECTION E. BACKGROUND INFORMATION SECTION F. ADJOURNMENT

Attachments:

- A. April Draft Minutes
- B. Meeting Schedule
- C. https://www.berkeleyside.org/2021/10/20/ethnic-studies-berkeley-high-school
- D. https://busdethnicstudies.weebly.com/
- E. Peace and Justice Work Plan
- F. Russian Invasion of Ukraine

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

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Peace and Justice Commission Meeting April 4, 2022

Pursuant to March 17, 2020 Governor's Executive Order N-29-20, this meeting was held electronically.

MINUTES (Draft)

The meeting convened at 7:00 pm with George Lippman (Chair) presiding. Okeya Vance-Dozier, Community Service Specialist, Secretary.

SECTION A. PRELIMINARY MATTERS

1. Roll Call

Present: Morizawa, Rodriguez, Jacquilin, Gussmann, Lippman, Maran, Bohn,

Lee

Absent: Leon-Maldonado

Excused: None

Leave of Absence: None

2. Announcements

Attend City Council Meeting to discuss- Flex Team a new Berkeley Police Dept.

Unit.

There will be a special meeting to discuss the Re-Imagining the Public Safety on 4/14/22.

3. Comments from the Public

Public Attendance: 3
Public Comments: 2

4. Review and approval of meeting minutes

Peace and Justice Commission approved minutes from 3/7/21.

M/S/C: Jacquilin, Rodriquez

Ayes: Morizawa, Rodriguez, Jacquilin, Gussmann, Lippman, Maran, Bohn, Lee

Noes: None Abstain: None

Absent: Leon-Maldonado

Excused: None

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

Must allow time for review of the agenda packet, so there can be a productive discussion on action items. Agenda items and supporting documents must be

submitted 10 days max prior to the scheduled meeting. As the day approaches the secretary will provide email notification, in the event that agenda items are not submitted along with supporting documents the topic will not be heard at the scheduled meeting. If nothing is submitted for the agenda the meeting will be cancelled.

6. Secretary's Report (No Action Taken)

Check with the City Clerk's office in regards to items that have been submitted for City Council review.

SECTION B. DISCUSSION/ACTION ITEMS

7. Peace and Justice Commission Work Plan 2022-23

Work plan has not been finalized, will continue to add additional ideas.

M/S/C: Ayes: Noes: Abstain: Absent: Excused:

8. <u>Discussion on the Ukraine-Call for Immediate Cease-Fire</u>

Send letter to city council to join as a signatory and approval of the action. Requesting that commissioners sign as individuals not as an organization.

M/S/C: Maran

Ayes: Rodriguez, Jacqulin, Gussmann, Lippman, Maran, Bohn, Lee

Noes: None

Abstain: Morizawa

Absent: Leon-Maldonado

Excused: None

9. <u>Discussion on Police Accountability, Reform, and Reimagining processes in</u>

the City of Berkeley

No action was taken.

10. Oppose Russian Invasion of Ukraine and in Support of a Peaceful Future

No action was taken will be placed on the May agenda.

SECTION C. COMMUNICATIONS

11. No communications received prior to meeting.

SECTION D. ADJOURNMENT

The meeting was adjourned at 10:10 PM.

M/S/C: Lippman, Rodriguez

Ayes: Rodriguez, Gussmann, Lippman, Maran, Bohn, Lee, Morizawa, Jacquilin

Noes: None Abstain: None

Absent: Leon-Maldonado

Excused: None

Respectfully Submitted,

Okeya Vance-Dozier, Secretary Peace and Justice Commission



Peace and Justice Commission Approved 2022 Meeting Schedule Zoom Webinar Meetings

- 1. Tuesday, January 4, 2022 at 7pm
- 2. Monday, February 7, 2022 at 7pm
- 3. Monday, March 7, 2022 at 7pm
- 4. Monday, April 4, 2022 at 7pm
- 5. Monday, May 2, 2022 at 7pm
- 6. Monday, June 6, 2022 at 7pm
- 7. Monday, July 18, 2022 at 7pm
- 8. Tuesday, September 19, 2022 at 7pm
- 9. Monday, October 3, 2022 at 7pm
- 10. Monday, November 7, 2022 at 7pm

Appendix 1: Peace and Justice Committee Fiscal Years 2021-2022 Work Plan

Participation in Community Engagement Process to Develop a New Paradigm of Public Safety and Racial Justice

The Commission shall focus its work in Fiscal Years 2021-2022 on contributing to two priority Council initiatives: "Community Engagement Process to Develop a New Paradigm of Public Safety in Berkeley" and "Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley."

The Commission brings to bear on this initiative a history of engagement with subjects at the heart of re-imagining public safety, as well as a practice of community engagement. Over the last decade, it has sponsored community roundtables on such issues as "breaking the prison cycle," sex-trafficking, immigration, and the international human rights framework. Our practice has been to bring together stakeholders concerned with a common issue but with diverse perspectives. Using a social justice lens, Peace and Justice views community concerns that are typically stovepiped in a holistic manner. The search for positive and non-punitive solutions to social problems such as conflict and anti-social behavior, providing healthcare, education, housing, and counseling at the front end rather than policing at the back end, has been fundamental to the Commission dating back to our founding mandate in 1986.

Some elements of the Commission's participation in the re-imagining process may include:

- 1. Participating in the Reimagining Public Safety Task Force if invited, or else in a structured relationship with the Task Force.
- 2. The Commission's participation recognizes that the Task Force's charter integrates public safety with the public's health. This concept is critical not only because safety and health are integrally connected, and because of the emerging awareness that armed police intervention should be minimized in mental and behavioral health incidents. Most importantly, the Commission will help ensure that a consciousness of public health shall include the social and racial determinants of health. This understanding of the interrelatedness of key human needs has long been an integral part of the Commission's practice.
- 3. The Commission will pursue an anti-racist approach, recognizing and committing in our proposals to dismantle the institutional and social structures of white supremacy, and committing in our process to, as the Council has stated, "centering the voices of those who are most impacted by our current system of public safety."
- 4. The Council recommended on December 15, 2020 that "Berkeley leverage our commissions and community organizations to provide additional input and research to inform the Task Force's work." The Peace and Justice Commission is uniquely situated to assist in coordinating work of other civic boards and commissions due to its holistic social justice

approach, its long history of work with multiple commissions, and its practice of public education on social issues.

- 5. Recognizing the City's priority of work on the Covid-19 pandemic, city management has asked that all commissions' work have a focus on efforts to fight the pandemic. Under the Council's "holistic, anti-racist approach to community safety," the public's health is key to community safety. Racial disparities in pandemic infection rates are gravely concerning from a human rights perspective. According to City statistics, infection rates per 100,000 of City population are over five times as high for the Latinx population as for White people, and for African Americans, twice as high as for White people. The holistic approach demands of us who seek a new paradigm of public safety that we envision an end to racial discrimination in the pandemic.
- 6. The "Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley" proposal, passed by Council on January 19, 2021, provides an additional framework and greater depth for Peace and Justice participation in the Council initiative for a new paradigm in public safety.¹

Ongoing Projects

Nuclear-Free Berkeley

The Nuclear Free Berkeley Act came into force in 1986 (Chapter 12.90.070 Section 030D). The Peace & Justice Commission established the Subcommittee on The Nuclear Free Berkeley Act (NFBA) to oversee and reinforce compliance with the terms of the Act. The Subcommittee's activities have included:

- recommendation against a waiver for continuation of the Berkeley Public Library's contracts with 3M (2009-2010);
- consideration of a waiver for the City of Berkeley Public Health Division's proposal on medical supplies (2012);
- recommendation of a waiver for the SkyDeck Business Incubator-Accelerator Contract

¹ The "Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley" proposal reflects on both the disparate impact of Covid-19 on Black, Latinx, Native American, and Asian American communities, and the heightened understanding of structural and institutionalized racism nationally. The proposal commits the City to eliminate all socioeconomic barriers to health equity. Specifically, it calls for a series of town hall meetings throughout the sessions to address the concerns of people of color and marginalized community members and to strengthen the anti-racist capacity building; establishment of a working group to promote racial equity; the City Manager to explore greater health disparities that have emerged as a result of the COVID-19 crisis; to propose a Health in All Policies Ordinance; mandatory anti-racist training for City employees; a Strategic Plan for Health Equity; an anti-racism dashboard; work with BUSD to study whether "race-based differential access means that some students have less access to educational opportunities."

(2012);

- recommendation (February 7, 2013) to the Regents of the University of California that it phase out responsibility for operating the Nuclear Weapons Laboratories in Livermore and Los Alamos;
- a letter from the City of Berkeley to President Obama in 2014 urging support of a ban on nuclear weapons.

More recently, in light of the Award of the Nobel Peace Prize in 2017 to the International Campaign to Abolish Nuclear Weapons (ICAN), whose goal is international adherence to and full implementation of the Treaty on the Prohibition of Nuclear Weapons (the Treaty), the Peace and Justice Commission will seek to collaborate further with ICAN on activities of mutual concern. We would note that the California State Senate and the California State Assembly voted affirmatively on a bill in September 2018 to urge U.S. Senate adoption of the Treaty. Strong support comes also from the International Red Cross Red Crescent Movement; Nuclear Ban US; The City of Los Angeles, California; the City of Takoma Park, Maryland; Physicians for Social Responsibility; and the U.S. Conference of Mayors, among others.

Indigenous Peoples

Between December 2015 and January 2016, the Berkeley City Council, upon the recommendation of the Peace and Justice Commission, adopted five important resolutions supporting the treaty rights of indigenous people in Berkeley. The resolutions included: recognition of the Ohlone people as the original inhabitants of Berkeley and the Bay Area, pledging to work in good faith with Ohlone representatives; implementing the UN Declaration on the Rights of Indigenous Peoples as municipal policy; endorsing the upgrading of the Declaration to a Convention; honoring the Berkeley Shellmound indigenous site; and urging the East Bay Regional Parks District to protect the Ohlone place of origin sacred site.

The resolution on the Berkeley Shellmound mandated that "free, prior, and informed consent of the Ohlone and other indigenous peoples of the region should be integral to any alteration planning for the Berkeley Shellmound site, in accordance with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples."

Socially Responsible investment and Procurement Policy (SRIPP) and Sustainable Sweatshop-Free Berkeley

The SRIPP Subcommittee of the Peace and Justice Commission was chartered by resolution of the Berkeley City Council on July 16, 2019. Its immediate charge is to develop a proposed policy to "govern the Commission's advisory role in socially responsible investing and socially responsible procurement." Prior to March 2020, the subcommittee held several meetings

INFORMATION CALENDAR March 9, 2021

including one discussion with City Finance Department staff and used those conversations to craft a draft SRIPP ordinance that is responsive to the City Council's request.

The Sweatshop-Free Berkeley Policy now has a zero-dollar threshold per supplier per year for textile products purchased by the City. This threshold is an improvement over the previous minimum of \$1,000 purchase per supplier for the Policy to apply. However, the policy is complaint-driven, so the burden is on community members to research the supply chain for each supplier. The SRIPP Subcommittee proposes to establish a mechanism for suppliers to show that they are using Sweatshop Free products for City purchases.

The Policy governs textile purchases only. The goal is to identify sweat-free alternatives for technology purchases so tech can be covered as well.

The BUSD, through the School Board Policy Committee, is in the process of establishing a Sweatshop-Free Schools Policy for athletic supplies. The SRIPP Subcommittee and the Commission are supporting the BUSD to ensure the development of an effective policy.

Subcommittee on the Convention on the Rights of Persons with Disabilities

The mandate of the Peace & Justice Commission's "Subcommittee on the Convention on the Rights of Persons with Disabilities" (CRPD) expired in 2019. During its five years of operations, the Subcommittee educated broadly about the CRPD via public newsletters, public conferences, and initiatives with educators, non-governmental organizations, and legislators of the City of Berkeley, the State of California, and the U.S. Congress.

1 Opposition to Russian invasion of Ukraine and Support of a Peaceful Future

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- 3 WHEREAS, the Peace and Justice Commission advises the City Council and
- 4 the BUSD on all matters relating to the City of Berkeley's role in issues of
- 5 peace and social justice (Berkeley Municipal Code (BMC) Chapter
- 6 3.68.070); and
- 7 WHEREAS, on February 22, 2022, prior to the Russian Federation's
- 8 invasion of Ukraine, the Berkeley City Council adopted a resolution entitled
- 9 "Support of Ukraine, Continued Diplomacy, and Adherence to
- 10 Constitutional Procedure With Respect to Armed Conflict Amidst Ongoing
- 11 Tensions," standing with Ukraine and affirming that the territorial integrity
- of a state cannot be changed by force; and furthermore, "that in resolving
- tensions, the U.S. and its allies must vigorously pursue all potential
- diplomatic solutions to the crisis and that any last resort move towards
- armed conflict must be carefully debated and declared by the United States
- 16 Congress;" and

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- WHEREAS, since Council acted in February, the Russian government
- 19 escalated hostilities into a full-scale invasion of Ukraine, seizing control of
- 20 Ukrainian cities, committing war crimes including the deliberate attacks on
- 21 civilian targets, causing the deaths of thousands of children and their
- families in Ukraine and the flight of over four million Ukrainians to other
- 23 countries; and

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- 25 WHEREAS, as Council stated in February, "While there is little doubt that
- 26 the Russian Federation is responsible for armed conflict in Ukraine, it is
- 27 important to acknowledge that Russia perceives the ongoing expansion of
- 28 the North Atlantic Treaty Organization (NATO) and U.S. activities in the
- region as a threat to its own security and sovereignty;" and while it remains
- 30 clear today that such security considerations in no way justify the Russian
- invasion of Ukraine, the present conflict clearly shows a breakdown in
- 32 international mechanisms to prevent military confrontations, especially
- terrifying due to the multiple nuclear powers that are engaged or affected,
- including Russia, the U.S., France, and the U.K., among others; and

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¹ https://www.cityofberkeley.info/Clerk/City_Council/2022/02_Feb/Documents/2022-02-22 Urgent Item - Ukraine.aspx

WHEREAS, after the Second World War saw a catastrophic clash that 36 began in this same part of the world, governments formed the United 37 Nations "to save succeeding generations from the scourge of war," with a 38 commitment in the UN Charter that "All Members shall refrain in their 39 international relations from the threat or use of force against the territorial 40 integrity or political independence of any state;"2 and 41 42 WHEREAS, most governments that have pledged to comply with the legally 43 binding Charter mandates break their pledge when it is convenient for them 44 to do so; and, 45 46

47 WHEREAS, the United Nations' authority is compromised by the undemocratic and Euro-centric structure of its top decision-making body, the 48 Security Council (UNSC), wherein the five permanent members sideline the 49 great majority of Member countries, which comprise 74% of the world's 50 people, and exclude from any real power those who have the most at risk from global turmoil: the indigenous, the marginalized, non-governmental 52 organizations and communities (civil society), and the youth; and 53

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WHEREAS, since 1945 the five permanent members of the Security Council have each used their veto power to "further the national interests of these countries and their allies and uphold their hegemony," and the "lack of consensus in the face of mass atrocities in the UN's de facto executive chamber has repeatedly shown to thwart any progress towards a possibly peaceable world;"3 and

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WHEREAS, the U.S. has over the past two decades waged multiple wars in coordination with military blocs including NATO, either outside the structure of the United Nations, or using falsehoods to win U.N. approval,⁴ and today with U.S. arms sales to support the Saudi Arabian-led intervention in Yemen, which a State Department lawyer concluded could lead to war

² https://www.un.org/en/about-us/un-charter/full-text

³ "An oligarchic UN structure where there is unequal representation and a handful of countries dictate the world, not only undermines its universal nature but also renders it inefficient and frequently complicit in the face of war crimes." "Urgent Need to Abolish UN Security Council Veto - OpEd," Syeda Nabiha Wadood, June 17, 2021, Eurasia Review, https://www.eurasiareview.com/17062021-urgent-need-toabolish-un-security-council-veto-oped/

⁴ "Iraq war was illegal and breached UN charter, says Annan," The Guardian, September 15, 2004, https://www.theguardian.com/world/2004/sep/16/iraq.iraq

crimes prosecutions of Americans due to the deaths of tens of thousands of Yemenis in the Saudi aerial bombardment since 2015;⁵ and WHEREAS, the urgent humanitarian disaster stemming from the forcible displacement from Ukraine of over four million refugees reminds us of the U.S. governments failings in its own treatment of immigrants and refugees; on February 8, 2022, the Berkeley City Council adopted a series of resolutions asking the Biden Administration to honor its promise for a humane immigration policy, overturn the cruel policies of its predecessor administration, provide a path to permanent residency for protected groups

including beneficiaries of DACA, TPS, and DED, close three California ICE detention facilities cited for many rights violations, and end deportations of

Haitian refugees back to an abusive dictatorship and a desperately poor

80 country; 6 and

WHEREAS, the mandate of the Berkeley Peace and Justice Commission states in its Findings that "The [city] council finds as follows: A. The intentional destruction of cities in war is the rule and not the exception;" and "C. The wealth that could be spent to help the poor, heal the sick, house the homeless, educate the children, and care for the elderly is now spent on ever more costly weapons of mass destruction;" and with that understanding, the City of Berkeley has built close ties of sisterhood with cities around the world, sharing our concern for our peoples' welfare and our rejection of war as a means for solving problems.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the world must emerge from the present crisis with new tools to prevent the scourge of war.

BE IT FURTHER RESOLVED that the nightmare of militarism and nuclear annihilation joins with climate destruction, pandemics, the polarization of

 $https://www.cityofberkeley.info/Clerk/City_Council/2022/02_Feb/Documents/2022-02-08_Item_13_Resolution_in_Support_of_Justice_for_Haitian.aspx$

⁵ "U.S. War Crimes in Yemen: Stop Looking the Other Way," Andrea Prasow, Human Rights Watch, September 21, 2020, https://www.hrw.org/news/2020/09/21/us-war-crimes-yemen-stop-looking-other-way#

⁶ https://www.cityofberkeley.info/Clerk/City Council/2022/02 Feb/Documents/2022-02-08 Item 12 Resolution supporting immigration reform.aspx and

⁷ http://www.codepublishing.com/CA/Berkeley/?Berkeley03/Berkeley0368/Berkeley0368.html

100 101 BE IT FURTHER RESOLVED that the Council of the City of Berkeley rejects the current global power structure in which military and economic 102 blocs and superpowers retain all real power, and that their strategic interests, 103 including those of their energy and weapons industries, relegate human 104 needs to a powerless position. 105 106 107 BE IT FURTHER RESOLVED that the Council of the City of Berkeley urges national and international leaders to overhaul the decision-making 108 109 process of the United Nations, to abolish the veto power of the U.N. Security Council (UNSC), transform the UNSC into an executive council with a 110 broader membership, and empower a non-governmental council of civil 111 society composed of climate warriors, indigenous leaders, and liberation 112 113 movements that comply with the Universal Declaration of Human Rights 114 and the binding treaties that flow from it. 115 BE IT FURTHER RESOLVED that the Council of the City of Berkeley 116 strongly urges our national leaders to turn away from power politics, to 117 prioritize the search for peace with justice through the rule of law and 118 compromise, and to work with other nations to strengthen the United 119 Nations' capacity to enforce "peace law" by reforming its structure, 120 121 empowering weaker nations, and taking control of world security and the 122 power to make war away from the world's military and economic powers. 123 BE IT FURTHER RESOLVED that the Council of the City of Berkeley 124 reiterates its concerns stated on February 8 of this year about U.S. 125 126 government treatment of immigrants and refugees, which violate international law and harm international peace and stability and equitable 127 relations among nations, particularly the deportation of Haitian refugees, and 128 degrade the legitimacy of the U.S. as a leader for global human rights. 129 130 BE IT FURTHER RESOLVED that copies of this resolution be sent to 131 Berkeley's congressional representatives and to U.S. Secretary of State 132 Antony Blinken and United Nations Ambassador Linda Thomas-Greenfield. 133

wealth, and white supremacy and white nationalism as evils that demand

global engagement and our creativity to overcome.

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