

Lee, Katherine

From: Lee, Katherine
Sent: Wednesday, June 22, 2022 1:34 PM
To: Lee, Katherine
Subject: Council action on Controlled Equipment
Attachments: 2022-06-21 -4PM Item 2 Rev Harrison.pdf

Dear Board,

Late yesterday afternoon the Council acted on recommendations from Councilmembers Harrison and Hahn regarding Controlled Equipment. The Supplemental agenda material is attached.

The 3 recommendations that were adopted (one with revisions) are as follows:

RECOMMENDATION

1. Approve the revised Controlled Equipment Impact Statements and Policy 303 (Control Devices and Techniques) conforming to local and state law.
2. Refer Annual Equipment Use Report to PAB for review and recommendation within 60 days following ~~Council approval of the Impact Statements and Policy 303~~ from July 26, 2022.
3. Refer all other internal policies relevant to controlled equipment to the PAB and BPD to review and conform to the approved Controlled Equipment Impact Statements, and local/state laws for Council consideration by July 26.

So what this means for the PAB is:

- #1 -- no further PAB review of the Impact Statements or Policy 303.
- #2 -- PAB has 60 days from July 26 (i.e. Sept. 24 [a Saturday]) to review the Annual Equipment Use Report.
- #3 -- the PAB and BPD have until July 26 to review Policy 709 AND the other Use Policies referenced in the Appendix to the Impact Statements, except for 303. The most critical of these, in my view, would be Policy 300 on Use of Force and Policy 428 on First Amendment Assemblies.

Tonight you should discuss how you want to tackle these items. For instance, do you want to have the Controlled Equipment Subcommittee take these on? If so, should more people be appointed? I envision that tonight you'll be discussing the Council's actions, in case there are questions, and figuring out where to go from here, but not getting into the substance. [Have a call scheduled with the Chair in a half-hour to discuss this plan, but wanted to get this out to you quickly.]

You should have time left tonight to discuss Regulations. Of course you won't finish, but I think it is worth forging ahead on that body of work as well.

-Kathy

Katherine J. Lee

Interim Director of Police Accountability

City of Berkeley

o: 510.981.4960 (usually in office during regular business hours)

c: 510.926.1103

Lee, Katherine

From: Lee, Katherine
Sent: Tuesday, June 21, 2022 1:16 PM
To: Lee, Katherine
Subject: Fwd: Join us 4pm Tuesday at Berkeley City Council--keep tear gas ban, continue use of military equipment
Attachments: Letter to Mayor and Council re military equipment 6_20_22.docx

Board:

FYI

Katherine J. Lee
Interim Director of Police Accountability
City of Berkeley
Office: 510.981.4960
Cell: 510.926.1103

Begin forwarded message:

From: Wendy Alfsen <wendyalfsen@gmail.com>
Date: June 20, 2022 at 4:49:48 PM PDT
To: Barbara Atwell <batwell@thesoundwell.com>, Marilyn Cleveland <marilynjcleveland@gmail.com>, John Lindsay-Poland <JLindsay-Poland@afsc.org>, Sandra Gey <sgey@comcast.net>, "Lee, Katherine" <KLee@cityofberkeley.info>, "Harrison, Kate" <KHarrison@cityofberkeley.info>, George Lippman <george@igc.org>, Jennifer Tu <JTU@afsc.org>
Subject: Join us 4pm Tuesday at Berkeley City Council--keep tear gas ban, continue use of military equipment

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Tuesday (tomorrow), 4pm, Berkeley City Council considers BPD's military equipment in a special meeting. The material for this comes in at over 200 pages, and is very complex. Vice-Mayor Kate Harrison will propose 1) amendments to the Impact Statement implementing Berkeley's *local* equipment policy to make it comply with state and local law on use of tear gas and impact projectiles, 2) referring back to the Police Accountability Board the military equipment policy that implements AB 481 (because there is more time than for the local ordinance) and a report on equipment use. Commenters should support that proposal. Agenda and meeting link are here.

Berkeley Friends meeting supports restricting military equipment, protecting First Amendment Assemblies - add your voice for more community engagement through Police Accountability Board at Council at 4 pm
See BFM letter here

--

Wendy
510-684-5705
wendyalfsen@gmail.com

Lee, Katherine

From: Lee, Katherine
Sent: Tuesday, June 21, 2022 2:29 PM
To: Lee, Katherine
Subject: Fw: Subcommittee participation by members of the public

Board:

FYI

Katherine J. Lee
Interim Director of Police Accountability
City of Berkeley
o: 510.981.4960
c: 510.926.1103

From: Office of the Director of Public Accountability <OfficeoftheDirectorofPoliceAccountability@cityofberkeley.info>
Sent: Tuesday, June 21, 2022 9:25 AM
To: Lee, Katherine <KLee@cityofberkeley.info>
Subject: FW: Subcommittee participation by members of the public

Internal

From: Kitt Saginor <ksaginor@gmail.com>
Sent: Tuesday, June 21, 2022 9:12 AM
To: Office of the Director of Public Accountability <OfficeoftheDirectorofPoliceAccountability@cityofberkeley.info>
Subject: Subcommittee participation by members of the public

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Police Accountability Board Members and Director Lee,

Many pressing matters require your attention. Understandably, implementing the process for people to apply for and become public non-voting members of your subcommittees has not yet made it to the top of your list.

However, this doesn't need to stop your subcommittees from having public participation. At any subcommittee meeting the chair, with the consent of the subcommittee members, may allow a member of the public to participate in discussion. You can promote a person to zoom panelist. In fact, this was done recently for a discussion of military equipment at one of your subcommittee meetings.

I have been at zoom meetings of Berkeley commission subcommittees at which everyone present (maybe 8) was invited to participate. That might not be what you want, but it's an acceptable practice.

Please consider using your power to control meeting procedures to add useful public participation to your subcommittees whenever it would be helpful.

Thank you,

Kitt Saginor
ksaginor@gmail.com