


Office of the City Manager

December 22, 2011

To: Honorable Mayor and City Councilmembers  
From: Christine Daniel, Interim City Manager   
Subject: Update on Civic Center Park Encampment

This is to update you on the status of the encampment at Civic Center Park. Since my prior memo on December 14th, the situation in the Park has continued to deteriorate and the Berkeley Police Department has responded to a number of criminal incidents related to the encampment. To address the situation in the Park, in addition to the inspections mentioned in my previous memo, staff has also undertaken the following actions.

On December 20th, a notice was handed out to members of the encampment (see attached) formally notifying them that the Park closes at 10 p.m. and that persons in the park after that time would be subject to arrest for violating Berkeley Municipal Code Section 6.32.020 and Penal Code Section 647(e).

Last night Berkeley Police Department personnel, with the assistance of Public Works staff, removed several abandoned tents from the encampment. Additionally, a significant number of people who were part of the encampment voluntarily removed their tents and vacated the park. No arrests were made last night for camping in the Park. There were, however, 2 arrests: one for being drunk in public and possession of amphetamine, and one for obstructing a police officer in the conduct of duty.

A summary of police responses to the Park since December 14, 2011, is provided below. Additionally, as a result of the inspections and regular presence of both sworn and non-sworn staff in the Park, about fifty (50) citations were issued for various violations including consumption of alcohol, smoking, and unlicensed dogs. Berkeley Fire Department personnel have also responded to at least three calls for service related to food-borne illnesses among members of the encampment. Staff believes these are related to the unsanitary food handling and storage practices that were observed during the inspections. The Homeless Outreach Team has also continued to make contact with members of the encampment to offer services and provide information about alternate shelter locations.

Staff will continue to monitor the situation in the Park and take appropriate enforcement actions as necessary.

December 22, 2011

Re: Update on Civic Center Park Encampment

Summary of Police response since 12/13/11

**12/14/11 12:29 a.m. – Disturbance, possible assault/battery** Officers responded to a report of 20-plus people fighting in Civic Center Park. Upon arrival the crowd had dispersed. No victims or suspects were located.

**12/14/11 12:29 a.m. – Possible Prostitution** Officers responding to a report of a fight at Civic Center Park were informed by a member of the encampment that a teenage prostitution ring was operating out of the park. No further details were provided, investigation continues.

**12/14/11 1:35 a.m. – Disturbance, possible assault/battery** Officers responded to another report of a fight in Civic Center Park. Again the crowd had dispersed, and no one came forward to provide information.

**12/16/11 11:30 p.m. – Possession of marijuana for sales** Officers witnessed a suspected drug deal in the encampment. Officers arrested the suspect for possession of marijuana for sales.

**12/16/11 6:30 p.m. – Battery, Criminal Threats** Officers witnessed two subjects in the encampment in a physical fight. One suspect was arrested for battery and criminal threats.

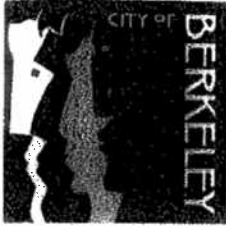
**12/16/11 5:55 p.m. – Violation of Court Stay-Away Order** A known drug dealer who is on probation for felony possession of marijuana was arrested in the encampment for violation of his stay-away order.

**12/17/11 11:40 a.m. – Assault with a Deadly Weapon** Callers reported a fight in the encampment. Officers were told a suspect had stabbed a victim. The victim had fled, but the suspect was taken into custody and a large knife was seized as evidence.

**12/20/11 7:28 p.m. – Attempted Sexual Assault** A male member of the encampment entered the tent of a woman and attempted to force her to have sex with him. The victim fought off the suspect and fled the tent. Officers were patrolling the encampment and she flagged them down for help. Officers arrested the suspect for the attempted rape/sexual assault.

Attachment

cc: William Rogers, Interim Deputy City Manager  
Deanna Despain, City Clerk  
Ann-Marie Hogan, City Auditor  
Michael Meehan, Chief of Police  
Mary Kay Clunies-Ross, Public Information Officer



December 20, 2011

## **WARNING**

# 10:00 P.M. PARK CLOSURE LAW AND ILLEGAL LODGING LAW WILL BE ENFORCED

Berkeley Municipal Code ("BMC") § 6.32.020 prohibits being in a City park from 10:00 p.m. to 6:00 a.m. This park is closed at 10:00 p.m. Starting December 21, 2011, this law will be enforced. **Persons in this park after 10:00 p.m. will be subject to arrest for violating BMC § 6.32.020 and their property will be removed.**

Penal Code § 647(e) prohibits lodging on City property without permission from the City. No one has permission to lodge in this park. Persons who are camping in this park are violating Penal Code § 647(e). Starting December 21, 2011, anyone found camping in this park will be required to remove their tent and other property being used for lodging here. **Persons who fail to remove their tent and other property used for lodging in this park will be subject to arrest for violating Penal Code § 647(e) and their property will be removed.**

## BERKELEY EMERGENCY SHELTERS

To obtain a shelter bed in Berkeley for single men and women:

- Monday through Friday starting at noon call:
  - the Berkeley Food and Housing Project at **1-866-960-2132**
  - Harrison House at **684-4021**
- If no beds are available when you call, then you can try again starting at 7PM by calling **1-866-960-2132** to find out if any beds have become available.

---

**YOUTH ENGAGEMENT ADVOCACY AND HOUSING (YEAH)** provides shelter for 15 young adults aged 18 to 25. The shelter is located at Lutheran Church of the Cross at 1744 University Avenue. Meals are provided, and showers are available. To find out about bed availability, call Michelle at 704-9867.

---

Berkeley and Oakland operate a **WINTER SHELTER** at the former Oakland Army Base in west Oakland. 50 beds are for individuals who are homeless in Berkeley and referred through the following agencies. Contact the agency to find out if they have an opening.

(The Berkeley Food and Housing Project coordinates the Berkeley referrals to the shelter, and will likely know if any of the other agencies have an available bed.)

<b>REFERRAL AGENCY</b>	<b>Contact Person</b>	<b>PHONE</b>
<b><i>Berkeley Food and Housing Project/ Multi-Service Center: 2362 Bancroft</i></b>	Julie Zdonek	1-866-960-2132
<b><i>Berkeley Drop-In Center 3234 Adeline St.</i></b>	Sandra Ramiro	653-3808
<b><i>Center for Independent Living 3075 Ashby Ave. #110</i></b>	Max Dolane	763-9999
<b><i>BOSS/ Multi-Agency Service Center 1931 Center Street</i></b>	Carnell Melton	843-3780
<b><i>Women's Daytime Drop-In Center 2218 Acton Street</i></b>	Chauna Hall	549-4392

---

**BERKELEY EMERGENCY STORM SHELTER (BESS)** is open on as needed basis on particularly cold and/or rainy nights. The shelter is can accommodate 50 men and women on a first-come, first-served basis. The shelter is located at First Congregational Church at 2345 Channing Way (the entrance is on Dana Street).

To be find out if the shelter is open on a particular night, contact J.C. Orton at 684-1892.