



MEMORANDUM

Date: 8/15/2017
To: Mayor Jesse Arreguín, Brandi Campbell and Tano Trachtenberg
From: Kevin Klyman
Regarding: Minutes from August 9th Urban Shield Ad-Hoc Subcommittee Meeting

Overview

These minutes are not a complete transcription of the meeting (a rough version can be found in the Google Drive) but a condensed summary including all relevant questions, answers and discussions. The meeting is broken down into the portions concerning NCIRC and Urban Shield, and then the assignments for the Mayor's office are identified.

NCRIC Discussion

The discussion of Berkeley's collaboration with the Northern California Regional Intelligence Center was relatively quick. The questions from Councilmembers focused mainly on the data that NCRIC has collected. This recollection of the discussion is not organized sequentially but by member of the City Council.

Councilmember Wengraf expressed her view that the subcommittee's work with respect to NCRIC is "a fact-finding mission," in which the subcommittee must answer questions regarding how NCRIC operates and what information it provides that is of value to the community.

Councilmember Harrison asked, "who can access the NCRIC database and under what circumstances," to which Chief Greenwood responded that BPD can query the database and the federal government can tell BPD how many queries were made and for which case numbers. (Chief Greenwood added that BPD chooses to not submit LPR data to NCRIC.) Councilmember Harrison also suggested that the subcommittee should examine the document that NCRIC distributes to BPD and other regional police forces twice a week, which provides "situational awareness." Chief Greenwood stated that it could be possible for the subcommittee to review a mocked-up version of the document, so that the subcommittee could get a sense for the type of information it contains.

Mayor Arreguín requested that a lead Terrorism Liaison Officer (TLO) come to speak before the subcommittee about NCRIC (and Urban Shield). Mayor Arreguín subsequently noted that the subcommittee should review all other databases to which Berkeley has access (or could have access) that provide similar information to NCRIC such as information relating to hate crimes, counter-terrorism as well as license plates.

Urban Shield Discussion

This recollection of the discussion is also not organized sequentially but by the people who provided or requested information. At the end of the discussion Mayor Arreguín moved to invite agreed-upon stakeholders and experts to speak to the subcommittee and to receive written comments from such groups to tailor the scope of the subcommittee. The motion carried with the votes of all members of the City Council.

Chief Greenwood spoke about scheduling for September 7-10, the weekend of Urban Shield 2017. Chief Greenwood said that the programming is similar to prior years, with one exercise on Thursday (for EOC), a vendor expo and workshops on Friday and police exercises on Saturday and Sunday. There are four workshops this year: the Pulse nightclub shooting, the Ghost Ship fire, the Oroville Dam collapse and rescue task force. (Chief Dong mentioned that members of the Disaster and Fire Safety Commission were interested in attending the Oroville Dam and Ghost Ship workshops). Chief Greenwood stated that trainings like these are common after major national incidents. For example, Chief Greenwood recalled that BPD did training (an incident debrief) after the Henry's hostage crisis. Chief Greenwood confirmed that he would arrange badges/IDs for subcommittee members (as well as their staff and members of the PRC and Disaster and Fire Safety Commission) so that they could attend the exercises, workshops and vendor expo. Furthermore, Chief Greenwood said that he would personally drive people around the Bay Area on Saturday and Sunday to observe police exercises, and that he would arrange additional transport if necessary.

Mayor Arreguín asked that the subcommittee be informed of upcoming scenarios in future years; however, Chief Greenwood replied that this is not possible because scenarios are announced only one day early. Mayor Arreguín recommended that councilmembers should reach out to elected officials from California jurisdictions that do not participate in Urban Shield and that the subcommittee will hold a public meeting about its findings once the process is complete. Additionally, Mayor Arreguín estimated that the subcommittee process would not be complete within six months of the subcommittee's initiation, instead aiming to complete the process by "early next year." Mayor Arreguín requested that the Fire and Police Departments provide the subcommittee with a list of the trainings that they receive as well as their scope (Chiefs of both departments agreed to do so). Moreover, Mayor Arreguín asked for the cost of the trainings that the Fire Department undergoes (Chief Dong agreed). Mayor Arreguín asked how scenarios, workshops and speakers are chosen and whether Berkeley has any say in the process. Chief Greenwood said that he would contact the Alameda County Sheriff's Office so that a representative could provide information to the subcommittee about the selection process (Chief Greenwood did not indicate that Berkeley has sway in the selection process).

Councilmember Harrison expressed a desire for one of the subcommittee members to observe the exercises in which BFD is participating (rather than all subcommittee members observing police exercises). Councilmember Harrison committed to joining Supervisor Carson's task force on this issue (her staff has been attending meetings of the task force). Councilmember Harrison requested information from previous years of Urban Shield including salary and overtime of the police officers that participated and those that filled in for them. Chief Greenwood said that this is not possible, stating that BPD cannot "reverse

construct” staff costs from previous years. Councilmember Harrison suggested that subcommittee discussions of NCRIC and Urban Shield should be separated as much as possible and that the ACLU and American Friends Service Committee should be invited to speak to the subcommittee about NCRIC. Councilmember Harrison asked that the subcommittee receive a list of UASI trainings along with their cost from BPD; Chief Greenwood clarified that this was contained within the report to the City Council. Next, Councilmember Harrison voiced skepticism concerning the ability of the subcommittee to gauge the final bullet point on the fourth page of the “8-9-17 Urban Shield Subcommittee Packet,” “Does Berkeley’s participation in the program positively influence or enhance Urban Shield, and how might the city’s positive impact be enhanced in the future, should Berkeley continue to participate?” Harrison asked whether the question was “a feel thing”; Chief Greenwood responded by stating that BPD’s tactics were validated in 2013 when BPD won Urban Shield’s competition. Councilmember Harrison followed up, asking whether the grading process from exercises (such as the 2013 win for BPD) were shared with other police departments, to which Chief Greenwood replied in the negative. Councilmember Harrison added that the scenarios can be “problematic” due to the race of the perpetrator and victims, which affects how “people think about the problem”; she was doubtful that Berkeley could affect change on this front, saying “how can we possibly influence this.” In addition, Councilmember Harrison said that lots of local terrorism is perpetrated “by white people,” implying that the scenarios could be more realistic.

Councilmember Davila asked if the subcommittee could be provided with the names of the participants in Urban Shield and when they participated (Chief Greenwood agreed). Councilmember Davila requested that the subcommittee be provided with details of the staff cost of BPD’s participation in Urban Shield and the training that BPD engaged in prior to Urban Shield. Councilmember Davila inquired as to whether Urban Shield provides BPD with equipment for exercises; Chief Greenwood affirmed that Urban Shield provides BPD with equipment such as night vision goggles and “tools that you wouldn’t normally have” for the duration of the exercises. Councilmember Davila suggested that one member each from the Stop Urban Shield Coalition, Copwatch and the Ella Baker Center for Human Rights be present at the subcommittee and able to voice their views, but she was overruled by a majority of Councilmembers. Councilmember Davila questioned how BPD could be substantially different from other police departments if “everyone does the same training,” and further asked how the 2013 BPD victory in Urban Shield specifically differentiated BPD so much so that it positively influences other departments or “better[s] somebody else.” Chief Greenwood replied that he does not have a way of finding out what other agencies are doing.

Councilmember Wengraf reported that she had heard from a former coordinator of Supervisor Carson’s task force that the task force’s work would not be complete by the end of the year because the issue is “very complicated.” Councilmember Wengraf volunteered her office to research how other cities that are not participating in Urban Shield are training their police and fire departments. Councilmember Wengraf opposed adding members from community based organizations to the subcommittee and allowing them to voice their views, saying that the subcommittee’s aim was a fact-finding mission.

Research for the Mayor's Office to Complete

Mayor Arreguín said that his office would research several issues:

- All SARS since 2012,
- The practices of jurisdictions not participating in NCRIC.
- Other training opportunities that BPD could receive, both domestic and international.
- Working with other progressive cities to establish training alternatives to Urban Shield.

Councilmember Harrison suggested that the Mayor's Office research:

- The MOUs that jurisdictions have established for participation in these programs.
- The trainings that police departments in other cities that are "targets" receive (Mayor Arreguín narrowed the scope to college towns).

Councilmember Harrison's Office said that it would research:

- All exercises from the past four to five years. The Office will categorize the exercises.

Councilmember Wengraf stated that her office would research:

- How other cities that are not participating in Urban Shield are training their police and fire departments.

(Councilmember Worthington's Office was unaware of any research assignments.)

Mayor Arreguín stated that his office would produce a draft report with all of the Office's research.