

Lee, Katherine

From: Greenwood, Andrew
Sent: Tuesday, November 17, 2020 1:34 PM
To: Lee, Katherine
Subject: Updated Redline version of Policy 300
Attachments: Policy300AmendmentAbbrevList.pdf; AmendedPolicy300-Rev20201117-DecCouncil-Item-Redline.pdf

Follow Up Flag: Follow up
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Ms. Lee,

While reviewing the documents for tomorrow night's meeting, and creating an abbreviated list, I noted that the Council Item draft contains language under 300.6.2, Level 2,(b)(1), which was inadvertently omitted from the redline document. I am attaching the corrected redline version, which fully corresponds to the Council item draft.

I am also attaching a very abbreviated listing of the various amendments, which may be of assistance for going through the documents.

My apologies for the oversight in the redline version.

Best regards,

Andrew Greenwood
Chief of Police
Berkeley Police Department
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Nov. 17, 2020

To: Police Review Commissioners

From: A.R. Greenwood, Chief of Police

Re: List of Policy 300 Proposed Amendments

This is a brief listing of the amendments proposed in Policy 300; it may be helpful as a guide in your review of the Policy 300 material in the redline version and the Council item.

Should you have any questions, please let me know.

300.1.2 Use of Force Standard

Inserting "strive to" in two places, to bring consistency and clarity.

300.1.4 Definitions

Adds definitions for the terms "feasible," "objectively reasonable," and "totality of the circumstances":

300.3.3 Factors Used To Determine the Reasonableness, Necessity And Proportionality Of Force

Adding the word "bystanders" to a phrase in this section.

300.3.5 De-Escalation Tactics

Replacing "shall" with "may" to provide officer discretion in tactical movement.

300.4 Use of Deadly Force

Redrafting a sentence, removing a double negative, for clarity, regarding an officer not using deadly force if it appears doing so would unnecessarily endanger innocent people.

300.4.1 Drawing and Pointing Firearms

Adding language on display of a firearm and re-holstering when it is safe to do so.

300.6.2 Use of Force Reporting Levels

Level 1

Delete language to clarify and make clear (as contained in 300.1.4), that when someone is searched, escorted and/or handcuffed without resistance, it is not a use of force.

Level 1, Level 2, and Level 3

Amend language in Levels 1, 2, and 3 respectively, to reflect functionality of the Blue Team software.

Level 2 Use of Force Reporting Levels –

Clarifies that displaying a firearm during an interaction with a person in order to compel them to take a desired action is a reportable use of force, while no report is necessary during an activity such as a building search, wherein a firearm was not pointed at an individual to gain compliance.

300.6.3 Employee Use of Force

Amend this section by adding language from a lawsuit settlement, to ensure the City is in compliance with use of force policy language arising from the settlement of a lawsuit.

300.6.4 Reporting To California Department of Justice

Delete an unneeded sentence referring to the Records Management Policy, to cite appropriate Gov. Code governing reporting requirements to the Department of Justice.

300.6.5 Public Records

Adds a subsection reference for reference/clarity

300.10 Training

Adds language on training requirements, to comply with SB230/GC7286.

300.12 Civilian Complaints

Adds the word "respective" for clarity.