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## Berkeley Police Department

Tuesday December 8th, 2020 :: 09:29 a.m. PST

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### Digitization of City infrastructure to start operating in coming weeks

The City of Berkeley will be creating a digital inventory of infrastructure in the public right-of-way to better maintain, repair and improve everything from street signs and parking meters to traffic lights and pedestrian signals.

This project, which will start in early December, will use the same type of camera-equipped cars used by mapping companies to record a high-definition, three-dimensional map of the City's infrastructure assets. You may see cars from the vendor, CycloMedia, on city streets through mid-January.

This data will be used by City staff for a broad range of projects including identifying damaged infrastructure, performing bike lane assessments, emergency response planning, and to enhance community engagement during project planning.

The City is also incorporating a number of measures to protect privacy:

- The driver of the car does not have access to the data at any time
- The hard disk in the car cannot be accessed by anyone outside of the vendor, CycloMedia
- A filter applied to the raw recorded images will blur faces and license plates before data can be viewed by Vendor or City staff
- Data is encrypted and stored on secure services
- Data will not be accessible to the public (unlike Google maps). Access will be restricted to limited CycloMedia staff and authorized City staff with strict log in controls.

The data extracted from the imagery will be imported into the City's Geographic Information System which is a critical integration for the successful implementation of the City's new work order and asset management system. By having accurate data, City staff will be able to prioritize maintenance and better plan and budget capital projects. You can read more in [a Staff Report](#) that was sent to the City Council in June.

**Address/Location**  
[Berkeley Police Department](#)  
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Berkeley, CA 94704

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## Los Angeles Times

### California bets that civilian oversight can help reform police. But will watchdogs have the power they need?

By LEILA MILLER STAFF WRITER

DEC. 6, 2020 6 AM

Civilian watchdog agencies marked an early effort at police reform, with decidedly mixed results.

While such oversight efforts have provided an outside check on policing, they have faced criticism for not having enough power to force real changes in a state where the laws offer an array of protections for officers. But in the wake of protests over the police killing of George Floyd in Minneapolis, a growing number of California cities are turning to civilian review as the public demands action.

This fall voters across the state, from Sonoma County to San Diego, overwhelmingly granted more authority to these overseers, often called civilian oversight commissions, giving some the power to investigate police shootings or to subpoena key documents and testimony.

California has already emerged as a laboratory for criminal justice reform, from reducing tough sentencing laws to the recent election of George Gascón as Los Angeles County district attorney. And the strengthening of civilian oversight will test whether it can bring results.

Los Angeles County has become a flashpoint, with the Sheriff Civilian Oversight Commission taking the unprecedented step of calling for Sheriff Alex Villanueva's resignation after he defied two subpoenas it authorized.

"People will be watching to see what happens in California," said Sharon Fairley, a professor at the University of Chicago Law School who formerly led the civilian oversight agency for Chicago's Police Department. "What these measures have done is try to make civilian oversight as effective as it can be."

Supporters hope the local ballot measures bring more trust, legitimacy and accountability to police and sheriff's departments. But some caution that even robust oversight entities can face internal issues or resistance from law enforcement.

Civilian oversight commissions are among various tools for police reform — not mutually exclusive from calls to defund the police, increase anti-bias training, or for law enforcement to shift away from mental health calls.

But oversight has come to the forefront. Liana Perez, director of operations for the National Assn. for Civilian Oversight of Law Enforcement, said the organization has heard from more than 100 jurisdictions in the last six months or so. Previously, it's been about 20 annually.

"It's not just communities interested in creating new agencies, it's also agencies that already exist are reevaluating what level of authority and jurisdiction they have," she said.

Even backers say civilian oversight boards have often lacked the authority to be effective. Some boards may not have the power to implement recommendations. Others can't access important records for investigations.

"They're either not given the necessary authority to do it, the necessary funding to do it, they are staffed by people unwilling to do the work or have conflicts, or they are undermined by other policies or actions of the department or the police union," said Melanie Ochoa, an attorney

at the American Civil Liberties Union of Southern California who specializes in police practices.

In Long Beach, for example, the findings of the Citizen Police Complaint Commission are often disputed by the city manager because the group isn't privy to statements officers provide in administrative investigations. Last year, the commission sustained 52 claims of misconduct, but the city manager — who has final say — sustained only five.

"It is frustrating for us to see those decisions overturned," said Christian Cooper, the commission's chair. "We're doing the best we can with information that we have."

And in Inglewood, the city's police oversight commission exists only "on paper," according to Mayor James T. Butts.

He said there was no official decision to end the meetings but that the commission had lacked a quorum and it "just fell apart." It could make discipline recommendations but didn't have investigatory authority.

"It was given perfunctory force," Butts said, adding that he feels the Police Department has "excellent oversight" by its chief and City Council members.

But oversight entities have seen success. After the 2014 death of Eric Garner in New York, San Jose's independent police auditor's recommendation to ban chokeholds as a method of restraint was implemented. And California has opened the door for more civilian oversight with the recent passage of Assembly Bill 1185, which authorizes sheriff oversight boards with subpoena powers.

Sonoma County voters last month approved a ballot measure that would allow its civilian oversight body for the Sheriff's Office to access all sources of investigative evidence.

Jerry Threet, the former director of the oversight body who helped spearhead the measure, alleges his access to personnel files was cut off in 2018 for about a month shortly after he submitted an annual report that criticized the Sheriff's Office's probes of potential deputy misconduct.

In a statement, a spokesman for the Sheriff's Office said that Threet lost access after then-Sheriff Rob Giordano learned Threet had interns without background checks. (Threet says he was told the issue had been with one temporary assistant.)

Karlene Navarro, the current director, said new subpoena powers will allow her to obtain evidence — such as surveillance footage of protests — without delays.

"I'm hoping that the increased transparency will increase trust," she said, noting the measure authorizes her office to post on its website body-worn camera video that shows the use of force.

The sheriff had opposed the measure, which sets the oversight agency's annual budget to a minimum of 1% of the total budget for the sheriff-coroner. Mike Vail, the president of the Sonoma County Deputy Sheriffs' Assn., said in a statement that it would mean fewer street patrols.

In other counties, residents increased the scope of what oversight agencies can review.

"It's pretty groundbreaking for us," said Shivaun Nurre, San Jose's independent police auditor, who will now be able to review not only investigations against police officers that stem from residents' complaints but those initiated internally. "We're there to provide a level of review to make sure that the investigation is fair, objective and complete... That standard should apply to all investigations, both internal and external."

San Diego voters replaced a civilian board that reviews complaints against police with a commission that can investigate, subpoena, and recommend policies and discipline. It must investigate all deaths in police custody and those resulting from interactions with police, as well as all police shootings.

Doug Case, a member of the existing board, said the new commission's ability to conduct investigations should increase community trust.

He referred to the high-profile 2015 shooting of Fridoon Nehad, a man killed by a San Diego police officer responding to a call that mistakenly reported Nehad was carrying a knife. (He was holding a pen.) The district attorney's office declined to press charges.

"There's a lot of questions in people's minds about whether it was justified," Case said. "Having someone other than the police department and the D.A. answer that question I think would be helpful."

In San Francisco, voters approved the creation of a Sheriff's Department office of inspector general and an oversight board. Oakland will create an independent inspector general's office, and its police oversight commission will be able to hire its own attorneys.

Meanwhile, smaller cities across California are discussing creating their own commissions.

In Vallejo in Solano County, residents during house meetings have shared police encounters and discussed civilian oversight. Similar conversations have happened in Marina in Monterey County, and Watsonville in Santa Cruz County.

"Regardless of the model, it really opens up a mode of communication between the community and the police department," Watsonville police Chief David Honda said.

But there can also be tension between commissioners and law enforcement.

Ed Obayashi, a Plumas County deputy sheriff who advises law enforcement agencies, contends that commissioners typically lack training to conduct use-of-force investigations and that they're better served facilitating community-police dialogue. Other experts argue that commissioners can be effectively trained.

"Most departments do not want to have oversight," he said. "It's cumbersome. It frequently results in interference."

In L.A. County, the Sheriff Civilian Oversight Commission has called for the resignation of Villanueva.

"Until the COC can impose real consequences for flouting subpoenas and ignoring recommendations, we are all just spinning our wheels," said Sean Kennedy, a member of the commission.

Inspector General Max Huntsman said that he's had access to "a strangled flow of information." In June 2019, he said, the Sheriff's Department sharply curtailed his office's access to computer terminals with deputy personnel records after he shared a draft report that questioned the sheriff's rehiring of a deputy accused of misconduct.

Since then, Huntsman said his staff has accessed the system only while being monitored by department officials. "They didn't prevent us completely the ability to access that information but throttled it way back and under their supervision," he said.

The Sheriff's Department said that because of security concerns, the inspector general's staff was required to go to a department bureau in Commerce to access the system.

“His public allegations the ‘LASD abruptly shut down’ OIG’s access and ‘repeatedly refused to allow OIG to fulfill a critical part of its mission’ is factually incorrect,” the department said in a statement.

In late October, dozens of Black clergy members and congregants met with public officials in Long Beach, Compton and downtown L.A., asking them to support the creation of oversight commissions that can investigate and issue subpoenas.

Pastor Michael Fisher of Greater Zion Church Family in Compton, who led the initiative, said communication between law enforcement and the community often feels like “an iron curtain.”

“We no longer trust their systems, we no longer trust anything they have in place to tell us the truth,” he said.

An incident the pastor experienced this year reinforced the need he sees for oversight commissions.

He was driving with his church’s deacon in South L.A. one night when two deputies pulled them over. They drew their guns and began asking questions about the vehicle without immediately giving a reason for the stop, Fisher said.

The pastor met shortly afterward with the deputies and their supervisors. They apologized, having told him that the vehicle had matched the description of one involved in a burglary.

“Those two deputies were held accountable in that moment,” Fisher said. “That is the reason why this is something that needs to be put in place on a large scale.”

Leila Miller is a reporter for the Los Angeles Times. Before joining the newspaper in 2018, she was a reporting fellow at PBS’s “Frontline.” Originally from Los Angeles, Miller is a graduate of Oberlin College and Columbia University’s School of Journalism. She is fluent in Spanish.