

BERKELEY COPWATCH HANDBOOK

An Introduction to
Monitoring the Police



30TH ANNIVERSARY EDITION

2021

The Copwatch Handbook was first published in 1992 by Berkeley Copwatch. This document has been revised numerous times based on experience and collective knowledge. You are welcome to share and alter these materials if you are using them as part of a copwatch group i.e. a group that directly monitors the police and practices nonviolence.

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INTRODUCTION



Copwatching is the practice of directly observing police conduct while maintaining principles of non-violence and non-interference. We acknowledge a diversity of tactics in the struggle to protect our communities from harm. We assert that copwatching is a practice of documentation and advocacy. Our goal is to offer information that may help you form your own police monitoring project. Copwatching can be quite challenging and at times rewarding. Good luck.

Berkeley Copwatch and the practice of "copwatching" is part of a long legacy of grassroots efforts to challenge police power, including the Black Panther Party and the Brown Berets. Now, especially with the Black Lives Matter Movement, the practice of copwatching is being taken up in cities across the country. Places like East Atlanta, Portland, Minneapolis, San Diego, and New York have copwatch-type groups. Copwatching groups also exist around the world, including groups in parts of Australia, the UK, and France. We have worked for decades to share our resources and experience freely with those who seek to create their own community-based response to police abuse. Visit our website, www.berkeleycopwatch.org, for resources that can help you to begin your own copwatch project. You can also contact us directly at berkeleycopwatch@yahoo.com.

WHO IS COPWATCH?



We are a volunteer group of community residents and students who are outraged by the escalation of police misconduct, harassment, and abuse. We have joined together to fight for our rights and the rights of our community by directly monitoring police conduct. That's right. We walk the streets and watch the police. While it is important to resist police abuse by taking cops to court, filing complaints, and having demonstrations, we believe that it is crucial to be in the streets showing the police that **the people** will hold them accountable for their behavior in the community. In our effort to expose the impact of abusive police practices and identify especially dangerous officers, we recognize that the dynamics of power, privilege, and racism will influence the ways that police respond to those who copwatch.

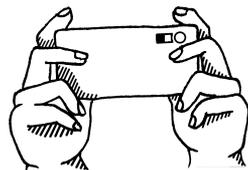
Our volunteers come from a variety of backgrounds but have a shared belief that the people must monitor the police as a crucial first step in stopping police violence and in challenging the entrenched power of police in our society. To reduce police misconduct, we must reduce community calls for service from the police, ultimately rendering them obsolete. The community must begin to solve problems

without the police whenever possible. It is understood that policing is primarily a process in which the state takes action to enforce systems of extraction and exploitation. The creation of policing began as part of the expansion of the system of slavery throughout the South. In the North, forces supplied by the state played the role of “strikebreaker” at factories. This use of state power enabled the exploitation of workers for decades and continues to do so. Policing is not a restorative or healing process of righting wrongs. It is state-sanctioned violence—the enforcing arm of capitalism.

If you are a survivor of police abuse, witness abuse, or are just plain fed up with police misconduct, give us a call. We will train you to copwatch. We also need artists, writers, researchers, outreach workers, organizers, and others to help. We are a grassroots, all-volunteer group, so help is **always** needed!



HISTORY OF COPWATCH



Berkeley Copwatch started in March of 1990 in response to escalating abuse of people in the Telegraph Avenue area of Berkeley. The unhoused community, young people of color, and activists were experiencing increased harassment by police in an effort to “clean-up” the area. That meant getting rid of the “riff raff”. The people resisted.

The original group that responded to the situation in Berkeley decided it was most important to carefully document actual incidents of police misconduct and to use our presence to deter these injustices. Sometimes we have been arrested for observing; sometimes we have been threatened. Officers that police Berkeley are aware of us, and we believe that our presence has had an impact in preventing abuse, at least while the video camera was on.

While Berkeley Copwatch has continued to patrol the streets, our activities have expanded over the years. We publish videos and analyses, offer classes through the University of California Berkeley, and provide support for subjects of police violence and their families. We investigate incidents and conduct *Know Your Rights* training for schools and community groups.

There are a few keystone examples of Berkeley Copwatch activism and advocacy that shape our practice. Early on, we documented the over-response by the University of California at People's Park. In 1991, UC Berkeley deployed 900 police to exert their dominance over a public park in downtown Berkeley, resulting in rioting and multiple abuses of power. Copwatch has successfully opposed efforts to expand the militarization of police and the acquisition of armored vehicles, and was subsequently awarded the "James Madison Freedom of Information Award" in 2013. We have documented the impacts of unjust laws and selective enforcement, especially as they impact unhoused people and people of color, and have led campaigns against the tools of this oppression: rubber bullets, tear gas, pepper spray, spit hoods, attack dogs, and tasers. We established "People's Investigations", a community alternative to police investigations, during our work with the family of Kayla Moore, an African American transgender woman killed by the Berkeley Police Department in her own apartment. Copwatch exposed the fact that Kayla died with six BPD officers on top of her body as they responded to a call for help during a mental health crisis.

We remain focused on the demand of "Care Not Cops", advocating for the defunding of BPD by at least 50% and

the funding of community mental health services and respectful care for all. Lastly, after many years of hard work, we have announced the completion of The People’s Database. With the support of WITNESS (witness.org), we now have a shareable database template to help groups track police abuses of power and more strategically mobilize campaigns using evidence collected since 1990.

PURPOSE AND GOALS

I. To Reduce Police Violence Through Accountability



- Directly observe and document police activity. Gather evidence and information related to specific incidents.
- Maintain principles of non-violence while asserting the rights of the detained person and our right to copwatch.
- Be a witness for the detained person if requested.
- Demonstrate the basic principles of de-escalation and, whenever possible, share the principles of Copwatching.

- Educate the public about police (mis)conduct, issues in policing, and the role of police in modern society and throughout history.
- Preserve evidence and gather information to identify officers who are especially abusive of our community. We will initiate campaigns that challenge abusive police and police practices.
- Organize to stop discriminatory legislation, policies, and only support reforms and practices that **do not** increase police powers.

II. To Empower and Unite the Community by Looking Out for Each Other



- Educate the community about their rights
 - Distribute literature and publish our findings.
 - Conduct *Know Your Rights* trainings, as well as any other classes, forums, demonstrations, etc. that develop a deeper, more critical analysis of police and policing.
- Expand community support for victims of police abuse, and expand capacity for community-based efforts to organize against police violence.

- Encourage people to solve problems **without** police intervention and to understand why the movement to “defund” police is so popular. Explore alternatives to calling the police.
- Encourage people to exercise their right to observe the police and to advocate for one another.
- Share resources and knowledge with other organizations and individuals who are working to hold police accountable and expose harm done by law enforcement.

THE LAW



It is helpful for copwatchers to have an understanding of a few key legal concepts before going out to watch cops. You do not have to be a lawyer to document police activity, but if you want to identify police violations of the law and be more assertive about your rights and those of the community, then it is worth taking some time to become familiar with the law.

There are several sources of law. The ones that are most relevant to Berkeley Copwatch are state laws, which are found in the California Penal Code, and local laws, which are part of the Berkeley Municipal Code. There are also

federal laws, for example, laws that regulate federal property, such as an ICE facility. We are seeing an increased federal police presence in our cities. It is worth knowing that everyone's civil rights are, at least theoretically, protected under the U.S. Constitution and federal law. In fact, the right to watch, record, and film police interactions has been upheld by court decisions in at least three Circuit Court of Appeals as a constitutionally-protected activity based on our first amendment rights (*Glik v. Cunniffe*, *ACLU v. Alvarez*, *Fields v. City of Philadelphia*, etc.). The decisions held that we have the right to observe police because we have the right to “petition the government for a redress of grievances”. That means that we have the right to gather evidence. Also, you should remember that “freedom of assembly” means that if people are allowed to walk by on the street, you are allowed to stop and watch what's going on. “Freedom of speech” entails that the government cannot limit the information from which the public may draw—including recordings of the police.

TYPES OF STOPS

It is important to understand why an officer is stopping someone and what a person's rights are when they are stopped. The type of stop (listed below) determines the rights of the person who is being stopped.

CONSENSUAL STOP

This is when the cop approaches and begins talking to you. The cop may even ask to see your ID. You do not have to show it. Ask the cop: "Am I free to go?" or "Am I being detained?" You do not have to talk to the cop or even remain in the area unless the cop says "No, you can't go" and has a **reasonable suspicion** to detain you. However, the cop does not have to tell you why you are being detained.

DETENTION

The police are allowed to detain you if they have a "reasonable suspicion" (an articulable fact linking you to a crime that either has, or is about to occur. The officer must have some reason for stopping you. They can't just say that you don't look like you live in the neighborhood or that they "had a hunch". However, they do not have to tell you why you are being detained.

The detention should be limited in its purpose and scope. The officer can conduct a pat search of the outside of your clothing in order to check for weapons, but you **do not have to consent to a search** of your pockets or bags.

You do not have to answer any questions except to identify yourself and give your address. In some states, refusing to identify oneself can be considered a form of “resisting, obstructing or delaying” an officer. This is less clear in other states. Our advice is that you should identify yourself and give your address, then remain silent.

A R R E S T

An arrest means that you are in police custody and are being charged with a crime. Theoretically, they have established “probable cause” for the arrest. That means they have some kind of evidence against you. You will be thoroughly searched as part of the booking process. You have a right to know why you are being arrested. Penal Code section 841 says that, “The person making the arrest must, on the request of the person he or she is arresting, inform the latter of the offense for which he or she is being arrested.” Even though police may not tell you, you have the right to remain silent and the right to a lawyer. Don’t talk to cops: don’t incriminate yourself and don’t give up these rights.

TYPES OF VIOLATIONS

INFRACTIONS

Infractions are minor offenses that are punishable by a fine. These include things like jaywalking, illegal parking, open containers of alcohol in public, being in certain parks after curfew, being a minor in possession of spray paint, large marking pens, etc. When an officer sees this kind of activity, they can ask to see ID.

If you have an ID and do not have any outstanding warrants, the cop should just write you a ticket and be done with it. **If you do not present your ID, the cop has the option of taking you to the station to verify your identity or simply writing you a ticket and letting you go.** This is up to the officer. You aren't supposed to have to go to jail for infractions in and of themselves. You would not expect to be searched during this kind of stop.

MISDEMEANORS

These are crimes punishable by up to a year in jail such as shoplifting, trespassing, resisting, delaying, or interfering with an officer in the course of their duty. Expect that you will be searched, arrested, and taken to jail until you are arraigned, bailed out, or released on your own recognizance (O.R.'d or O.R. release). There are certain misdemeanors for which the

officer has the discretion to write you a citation or take you into custody. Remember: don't talk to the officer about your case and do not discuss it with folks you meet in jail. Sometimes jails are bugged with recording devices, and sometimes people in jail are informants who can be used to get information about your case.

FELONIES

These are major crimes punishable by a year or more in prison. Murder, rape, robbery, and many drug related crimes are considered to be felonies. Expect that you will be searched thoroughly and will be in custody at least until you are arraigned, i.e., taken before a judge and allowed to enter a plea.

ADDITIONAL LEGAL INFO



Answering Questions

Legally, when a person is arrested or detained by a police officer, they do not have to answer any questions from the officer other than to provide a name and address. You have the right to remain silent, but **do not** lie to a cop. That is a crime.

L E G A L K E Y	
PC	California Penal Code
BMC	Berkeley Municipal Code



"I'M SORRY OFFICER, BUT I NEVER ANSWER QUESTIONS AND I WOULD LIKE TO REMAIN SILENT."

Resisting or Obstructing an Officer

PC 148.a states that "every person who willfully resists, delays, or obstructs (any police officer) in the discharge or attempt to discharge" of their duty, is punishable by fine or imprisonment. The police will often threaten copwatchers with this charge, but remember you do have the right to observe as long as you are not attempting to interfere with the officer.

Use of Force to Effect Arrest

PC 835.a explains that the only "legal" use of force by an officer is that used in order to attain an arrest. "Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape, or to overcome resistance."

Assault by an Officer

Police brutality is defined in the Penal Code as, "Police breaches of due process guaranteed by the physical abuse of citizens without legitimate cause." PC 149 makes it illegal for a cop to assault or beat any person "without lawful necessity".

Police Search Powers

Police may detain someone if they have “reasonable suspicion” that specific facts connect a person to a specific crime. In this case, cops may also pat someone down to feel for a weapon, and if they feel something that feels like a weapon, they can go into that person’s clothing to look for it. Otherwise, cops can only search someone’s pockets, backpack, or belongings if that person:

- Has been arrested for a specific crime,
- Has a search clause as a condition of probation, or
- Gives the police permission, which no one is obliged to do.

Police Seizure Powers

Police may not confiscate a person’s belongings unless the belongings are illegal or that person has been arrested for a crime. If possessions are confiscated, the owner is entitled to a receipt (PC 1535) and a return of the possessions after the resolution of the case (PC 1537). Any evidence obtained through the seizure may be suppressed from being used in court if the seizure was illegal (PC 1538.5).

Gang Profiling

Sometimes cops use petty laws to stop people in order to take their pictures. These photos are often used to create files on people and to portray people as “gang members”.

Detaining people to take photos merely because they are suspected gang members is impermissible. (People v. Rodriguez (1993) 21 Cal. App. 4th 232).

P a n h a n d l i n g

There is no city ordinance in Berkeley against begging, although in the California it is illegal to “accost” people for the purpose of begging (PC 647.c). In Berkeley, a local ordinance known as Measure O became BMC 13.37.020. This law makes it illegal to “coerce, threaten, hound” people for money and it is a crime to ask for money within 10 feet of an ATM.



L o d g i n g

While there is no local ordinance, Berkeley does enforce the California Penal Code provision against lodging in any building, structure, vehicle, or place without the permission of the owner (PC 647.e). Measure L (BMC 6.42.010) prohibits the use of parks and open space for any other purpose without voter approval and State Public Trust Doctrine does not allow encampments on public trust land such as the Marina.

S i d e w a l k s

According to BMC 13.36.015, “No person may be cited for a violation of this ordinance until that person has first been warned that their conduct is in violation hereof, at which

time it can be an infraction or misdemeanor, at the discretion of the prosecutor.”

1. No person shall lie upon a commercial sidewalk or upon any object on such a sidewalk.
2. No more than two stationary dogs shall be permitted in any ten-foot area on a commercial sidewalk, except for guide dogs, signal dogs, or service dogs, as provided by state law.

This sidewalk policy only applies between the hours of 7am-10pm Mon-Sat and 10am-6pm on Sundays and holidays.

Trespassing

PC 602 outlines trespassing violations. It is a violation to “refuse to leave after being asked to do so.” However, Berkeley cops have been instructed to use BMC 13.52.010 because this makes it a crime to “ENTER property posted with a ‘No Trespassing’ sign”. The property owner may also file a “No Trespassing” letter with the police which can be good for up to one year. Additionally, BMC 13.52.020 makes it a crime to refuse to leave or to return to a property after being asked to do so by the owner or by a cop acting on the owner’s behalf. In order to be cited, you either have to be in a posted area or someone has to complain about you being there.

Drinking in Public

BMC 13.36.070 makes it illegal for anyone to drink in public. Being drunk or stoned is not illegal, unless that

person is unable to exercise care for their own safety or the safety of others, or that person obstructs a sidewalk or street (PC 647.f). Having alcohol on your breath is **not** a crime. BMC 13.36.075 makes it illegal to have an open container outside of liquor stores.

Bicycles

Riding a bike on the sidewalk is illegal (BMC 14.68.130). It is a misdemeanor. Cops and juveniles in residential areas are exempt from this provision. In Berkeley, you must register your bike in accordance with CA Vehicle Code 39002(a), and you can get a ticket if you have not done so (BMC 14.68.020).

Obstructing Sidewalk

Anyone who willfully and maliciously obstructs a street or any other public place is guilty of a misdemeanor (PC 647.c). BMC 13.36.010 states that the sidewalk must actually have been blocked and that there was an intention to do so.

Minors in Possession of Tobacco

It is unlawful for any person under the age of 18 years to purchase, possess, use tobacco products, cigarette papers or any other paraphernalia related to the use of tobacco products. (The fine is \$75 or 30 hours of community service.) (PC 308.b)

TACTICS



EMPOWERMENT THROUGH ACCOUNTABILITY

Our main tactic is to discourage police abuse by letting the cops know their actions are being recorded and that they will be held accountable. To this end we will:

- Record incidents of abuse and harassment
- Provide options for next steps for subjects of police violence
- Publicize incidents of abuse and harassment
- Educate those who don't believe that police harassment exists

DE-ESCALATING SITUATIONS

As copwatchers, we want to center the needs of the person experiencing the police encounter. We don't want to incite more violence from the police by escalating the situation. Cops often violate people's rights, especially unhoused people, people of color, and others, and we may need to remind the cops of the law.

We must learn how to assert our rights and encourage others to assert their rights without endangering someone who is already in some amount of trouble.

We do not attempt to interfere with officers as they make routine arrests. Attempting to stop someone from being arrested is illegal and often has serious consequences for the person being detained, as well as for the reputation of Berkeley Copwatch. However, there are things we can do to help keep a situation calm.

- Cops are trained to “control” the physical area of the encounter. When we are told to “step back” we often take a step back, keep our hands visible and tell the cop, “Officer I have no intention of interfering. I am simply here to observe.” Showing that we are responsive to their verbal commands can relieve their concern and let them feel like they are safe and “in charge”.
- Maintaining some distance can calm the cop without compromising our ability to document events. Use the zoom function on your camera!
- Keep your hands visible at all times. Approach officers from the front rather than from behind. Position yourself so the cop’s attention is not split between you and the subject of the stop. Remember: they are concerned that someone will try to take their gun or equipment. Remaining visible can calm them down.

- Don't make any sudden movements or raise your voice to the officer. Do not yell, insult them or let your energy escalate tensions. Calm yourself. Breathe. Whatever you do can directly impact the detained person. Don't make things worse.
- If you want to give information to the person, ask permission from the officer before you approach the detained person.
- We recommend that you limit conversation with the officers. If you have to interact with them, try to be civil and don't be aggressive with them while they have someone detained.





BERKELEY COPWATCH

COPWATCH INCIDENT REPORT FORM

Date Incident Added to Database _____

COPWATCHERS

NAME	CONTACT INFORMATION	CAMERA # / TYPE	DATE UPLOADED

DATE TIME AND PLACE OF INCIDENT

Month: _____ Day: _____ Year: _____ at Time: _____ AM / PM

Address/Location/Intersection: _____

POLICE OFFICERS INVOLVED

NAME	BADGE #	DEPARTMENT	DESCRIPTION (e.g. race, gender)

SUBJECT(S) OF POLICE ENCOUNTER (victim or detainee)	
NAME	PHONE/WAY TO CONTACT : DESCRIPTION (e.g. race, gender)

WITNESSES / VIDEOGRAPHER	
NAME	CONTACT INFORMATION
	VIDEO
	Y / N
	Y / N

DESCRIPTION OF INCIDENT
(e.g. What happened immediately before copwatchers arrived?, reason for stop, injuries, demographics, result of stop, other agencies present, recommended follow-up)
USE OTHER SIDE



While we respect a diversity of tactics when dealing with police, Copwatch seeks to maintain a reputation for advocating, but not interfering. We want to continue to be able to do the work we do. In a physical encounter with police, we must remember that the cops have weapons, courts, and prisons to back them up. We also know that in cases such as the murders of Eric Garner and George Floyd, people of color maintained enough distance to be able to document what happened and to share the video broadly. If they had interfered in order to try to stop these murders, it is likely that they would have been injured or killed and that their footage would never have seen the light of day. The way we act during an incident should reflect conscious strategic choices.

Our approach is to get a sense of what is actually happening before we make decisions about how to respond. Do not make any assumptions about what is happening. We do not want our community to fear that the approach of onlookers will make an uncomfortable situation become even worse.

EMPOWER THE COMMUNITY

As copwatchers, we are not only concerned with the cops, we are concerned about the community. Our effectiveness as copwatchers will be greatly enhanced if we are trusted by the community. During our shifts, we must try to get to

know the people who hang out on the street. For this reason, we will try to send out teams of people who know the area together with those who are newer to the scene. Building relationships is crucial. We can listen to people and help when it is possible. This aspect of copwatch depends on the willingness of the members to get to know and appreciate the street community.

When the streets are quiet and there is no police activity, a copwatcher can spend time distributing *Know Your Rights* cards or other educational materials, or just getting to know people. Introduce yourself. Explain to people that you are with Berkeley Copwatch and that you want to hear their stories. If people know that you are trying to help and that you care, that can be empowering. It can also point you toward an incident or a practice that you should be investigating.

Depending on how familiar and/or comfortable you are, you can assist people with problems that arise. We want our community to solve problems wherever possible **without police intervention**. We can do our best in situations to help folks resolve a conflict, communicate, and understand each other. It is crucial that we move our communities away from the idea that we are totally dependent upon police for justice and safety.

SHIFT PROCEDURES



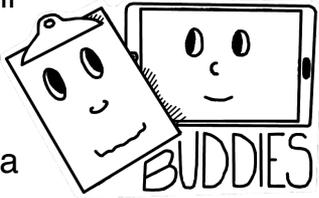
Our approach at Berkeley Copwatch involves three main parts:

- 1. Copwatching on the streets:** We train people to know their rights, engage with impacted people, gather information, and collect evidence when necessary.
- 2. Archive & Database:** We upload video and other information into our database and curate this collection so that it is current, accurate, useful, and secure.
- 3. Campaigns:** We use the information that we have collected to create justice campaigns and support individuals who have been unjustly accused or impacted by the police. These are public efforts to alert our community and to extract some concession from the relevant authority.

BEGIN SHIFT

You can do a walking shift, a bicycle shift, or a driving shift. Walking shifts are great for getting to know folks and having lots of community interaction. Driving shifts get you to the scene much faster. Be careful when driving to park your car away from the police. Also:

- Be sure your bike or vehicle registration and warrant status are up to date. Don't give the cops any opportunity to bust you. Assume that this could happen.
- Identification can be very helpful if the police detain you.
- Have a partner for safety as well as for good copwatching. It is important not to confront the police alone. You must have a witness and someone who can verify your story in case of a problem. One of you can film the incident, and the other can film the copwatcher in case a problem arises.
- Share your legal name, date of birth, and emergency contact with your shift partners in case you are arrested.
- Make sure that you are not carrying anything illegal. No knives, substances, etc. It is also best not to be intoxicated while you are copwatching—save it for after the shift.
- Consider wearing clothing which identifies you as a member of Berkeley Copwatch.



- Be sure that you or your partner brings things you will need to copwatch. These can include:
 - Incident report forms
 - Pen or pencil
 - Copwatch Handbook with radio codes and a roster of officers
 - Radio scanner
 - Berkeley Copwatch literature to distribute, such as *Know Your Rights* cards
 - Video recording device, camera, or tape recorder
 - Penal Code (accessible online)

"I'M SORRY OFFICER, BUT I AM NOT INTERFERING.



I AM EXERCISING MY FIRST AMENDMENT RIGHT TO FILM YOU PERFORMING YOUR DUTIES IN PUBLIC."

DURING SHIFT

Shifts can last for approximately three hours. You and your crew can decide where you will go if there has not been a request for copwatchers to be in a certain neighborhood. Please be on time for your shift and communicate any changes with your shift facilitator. Try to be on the street for as much of your shift as possible (don't spend an hour in a coffee shop). Be where people can see and talk to you.

As you observe a situation, one partner records what officers are saying or doing, while the other one quietly gets information from witnesses. Get a firm grasp of the situation **first**. Begin filling out your Incident Report. Consult and share information with your partner. Record as much information as possible. Important things to write down include date, time, and location of the incident, and officer badge numbers and names. Every officer must wear either a number or a name plate when they are in uniform (PC 830.10). It also helps to get witness names and contact info. If there has been an injury, encourage the person to document and take pictures of the injuries as soon as possible. Not everyone will want to seek medical care, but testimony from a licensed medical practitioner is weighted more heavily in court. Distribute Copwatch literature while you are observing a stop so that people understand that you are there to help.

Remember that you have the right to watch the cops. You don't have the right to interfere. Interfering with a cop is a violation of CA Penal Code section 148 (delaying, obstructing, or resisting arrest). If a cop wants to send you a message, they will arrest you for PC 148. Even if they don't press charges, you risk going through the unpleasant experience of being arrested.

More Assertive Style:

- Ask subjects of a stop if they know why they are being arrested or detained.
- Get the badge number. Ask the cop if you can't see it.
- If the stop is vague, ask the cop to name the Penal Code Section they are enforcing.
- Have loud, educational conversations with people standing around.
- Identify yourself as a copwatcher.
- Try to stay until the stop is concluded. Remember that Rodney King was just a driver in a traffic stop originally.
- If a person wants to take action, let them know their options and be realistic about the support Berkeley Copwatch can provide.

Principles: Non-violence:

- Be polite to bystanders and subjects of police interactions, and civil when interacting with the police. It is counterproductive to insult or incite the police while copwatching.
- Don't carry anything illegal or give cops an opportunity to bust you for non-copwatch activity.
- Do not carry weapons, knives, drugs, etc when copwatching. Do not copwatch if you have had alcohol.

- Speak in a calm, audible voice. Avoid quick or sudden movements when you are around cops. Don't run to a scene. Walk.
- Remain visible to the officer at all times. Keep your hands visible at all times. Avoid flash cameras or video lighting when officers are engaging in a routine stop of someone.
- If a stop escalates into unnecessary use of force use whatever tools at your disposal to record and document the situation.
- Don't assume who is right and who is wrong. Observe and document before taking action.
- Try to be helpful to the person being stopped without making their situation worse. Our goal is to defuse the incidents of harassment and violence, not escalate them.

Be Careful:

- Don't inadvertently collaborate in a crime (don't become a look-out or warn if police are coming, etc.)
- Don't let people use the Berkeley Copwatch name to shield illegal stuff.
- It is possible you may be arrested while copwatching. Adhere to copwatch principles while on shift and Copwatch will have your back.

- Talking to cops is a bad idea. It can undermine your credibility with the community as well as giving the police information about you and the group.
- Taking pictures or videotaping can be a problem if the detainee doesn't want you to. Respect them. Tell them that you are working to stop police misconduct. If this doesn't satisfy them, turn off the camera. Remember that you are representing Berkeley Copwatch with every act and every word. Those that come after you will have an easier time if you do your job well.
- Don't make promises that you/we can't keep. Don't tell people that we will get them a lawyer, take the cops to court, etc. Tell people that we will work with them to get justice. Invite them to a meeting.
- Don't be afraid to say "I don't know" if you are asked legal questions and avoid giving out wrong information.

END SHIFT

After an incident, take time to fully fill out the Incident Report while the details are still fresh. Upload footage or mark the camera with a note indicating what exactly should be uploaded. At this point you may enter the new Incident into the Database, or place your completed Incident Report form into the proper basket to be entered later by an Office

volunteer. Either way, the form ends up in the “review” basket. Be sure your paperwork is legible and that you put your name on it in case follow-up is needed. Return scanner and any other equipment to the office for the next copwatchers to use. Please check the equipment and leave a note if there is anything wrong with it.

IN CASE OF ARREST



If you are arrested, the police must tell you why you are being arrested. If you are arrested, you will be searched with or without your permission. You will want to get the badge number of the officer who is arresting you and remember—you have the right to remain silent. If any property of yours is taken into custody with you, you have a right to receive a receipt for that property. They must record all cash and property that is on your person or with you. Don’t talk about your case to anyone except your lawyer—there are lots of video cameras and informants in jail!

Within 48 hours (excluding weekends and holidays) you must be brought before a judge. At that time you can enter a plea. Plead “not guilty” at your first court appearance. You can change your plea later if you decide that you need

to. At that time, your charges will be formally entered and your bail will be reviewed or you may be released with a promise to appear.

You have the right to speak to a lawyer before arraignment. The court must provide you with a lawyer if you can't afford one. As soon as possible, and in no case later than three hours after booking, you have the right to three phone calls: to a friend or relative, to a lawyer, and to a bail bondsman. In order to make a call from jail, you can only make a collect call, so we recommend memorizing the number of someone who you can contact who has a landline (since most mobile phones don't accept collect calls).

Copwatch will support you if you are arrested in the course of a shift and are following the established copwatching protocols.

IF SOMEONE ELSE IS ARRESTED

To find out where they are being held, what the charges are, and how much bail will cost, call the following:

Alameda County District Attorney: 510-268-7500

Alameda County Public Defender : 510-268-7400

Berkeley Jail: 510-981-5766

UC Jail : 510-642-6760

Alameda County Inmate Locator:

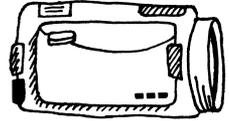
https://www.acgov.org/sheriff_app/

TECHNICAL SUPPORT

Over the years, we have documented police abuse with a variety of tools: pen and paper, video tape recorders, digital camcorders, and, in recent years, smartphones and handheld radio scanners. Your specific tools may be different, but here are general tips.

VIDEO CAMERA

Berkeley Copwatch uses a variety of video cameras and receives footage in a variety of ways. Some footage is very



useful as “evidence” and other footage is simply not useful at all. This handbook can’t teach you how to be a skilled videographer, but here are some points to keep in mind when filming:

- Don’t film people who obviously don’t want to be filmed. Tell people you are with Copwatch and ask their permission. We want them to know we are there to support them.
- Don’t film criminal conduct if you see any. Focus your camera on the police.
- When you film, try not to record yourself getting into arguments with the police. It is very frustrating when

we have good footage of an event, but a hostile commentary from the videographer. Try to **let the situation speak for itself**. Let your partner do the talking if it is necessary.

- Be sure to date and time stamp the footage (press the button that gives the date and time on the screen) if the device's settings are accurate. Alternatively, you can say the date and time into the camera's microphone or record someone else's cell phone screen. Try to record location markers, like street signs, to verify the location.
- If you record anything significant, please make sure the data is preserved. Fill out your Incident Report completely and upload the footage into the People's Database. You can enter the incident report information into the Database or leave it for a volunteer to upload and enter. See "End Shift" section for more details. Work with your Shift Facilitator to make sure all the information is passed on properly.
- You have the right to film, despite what some cops will tell you. If people or cops are in a public place, they don't have a reasonable expectation of privacy so you can film them. However, you cannot make

secret audio recordings of people without their knowledge in California.

For more information about how to preserve and record video evidence check out: <https://vae.witness.org/>

POLICE SCANNER

A scanner is a device that listens to the radio dispatch of police departments and can “scan” many police frequencies at one time. When it identifies a radio transmission, it will stop on that frequency and transmit conversations until there is a three second lapse in the conversation. Then the scanner will resume scanning and look for other transmissions. It can scan the transmissions of many departments at one time.



When using the scanner, you are basically listening for locations. While it is helpful to understand radio codes such as “10-8” or “Code 4”, we are mainly interested in hearing where the incident is happening. You will also hear numbers. These could be license plate numbers, penal code sections or PFN numbers (personal file numbers) associated with a detained person.

Don't be distracted by all of the other conversations happening on the scanner. You want to find out **where** to go to observe the police.

Handheld scanners are good for shifts since they are portable. When you are buying a handheld scanner look for these qualities:

- Trunked (most departments use a "trunked" system and old scanners won't pick these up transmissions unless it has trunked capability)
- Easy to program (some of these scanners can be difficult to program)

Try to be discreet when using the scanner. It can easily make people on the street think you are a cop or are working in some official capacity. Use headphones and put your scanner out of sight, like you are listening to music. Don't discuss your tech capacity with police! They don't need to know that you have a scanner.

In recent years, the police have reduced their use of radios and rely more on cell phones and computer terminals in their cars. Don't worry if you aren't hearing much. There may not be much going on. Remember that police radio indicates dispatch, meaning calls from the public to police. There are also lots of officer-initiated

actions that won't necessarily come over the radio. Keep your eyes scanning the scene as well!

A smartphone app like Broadcastify can be a useful stand in. Although it only can scan one department at a time, it can still help you to locate police in your area.

For recordings and a full archive of police dispatch transmissions, go to: <https://www.radioreference.com/> This site holds police radio much longer than the average police department, and an examination of these recordings can be very informative when you are investigating a case.

ADDITIONAL RESOURCES

Berkeley Police Review Commission

<https://www.cityofberkeley.info/prc/>

Berkeley Police Department General Orders and Policies

https://www.cityofberkeley.info/BPD_General_Orders.aspx

For online, open source investigations

<https://citizenevidence.org/toolbox/>

<https://bit.ly/bcatttools>

To improve your evidence collection practices

<https://vae.witness.org/>

To start your own database

<https://lab.witness.org/berkeley-copwatch-database/>

ACCESS TO INFORMATION

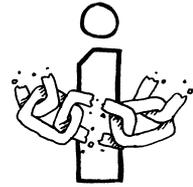
First Amendment Project (California Public Records Act)

<https://www.thefirstamendment.org/>

Pay Transparency Resources

<https://openpayrolls.com/>

<https://transparentcalifornia.com/>



Important Legislation

AB 748: Release of video and audio recordings

This law requires agencies, effective July 1, 2019, to produce video and audio recordings of “critical incidents,” defined as an incident involving the discharge of a firearm at a person by a peace officer or custodial officer, or an incident in which the use of force by a peace officer or custodial officer against a person resulted in death or great bodily injury, in response to CPRA requests.

SB 1421: Requires the release of records relating to the following types of incidents in response to a request under the CPRA:

- Records relating to the report, investigation, or findings of an incident involving the discharge of a firearm
- Records relating to the report, investigation or findings of an incident in which the use of force by a peace officer results in death or great bodily injury

- Records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault

SB 978: Requires the posting of General Orders of Police departments

“This bill requires each local law enforcement agency to conspicuously post on their Internet Web sites all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available to the public if a request was made pursuant to the California Public Records Act. By imposing this requirement on local law enforcement agencies, the bill would impose a state-mandated local program.”

Public Records Act Requests

The Public Records Act (PRA) is California’s version of the federal Freedom of Information Act. The PRA grants the right for any person in the state to access government records that are: (1) related to the conduct of public business, (2) identifiable, and (3) not confidential. For information on how to make a Public Records Act Request, view our guide at www.berkeleycopwatch.org/cpra.

POLICE SCANNER CODES

10-0	Use Caution	10-26	Area clear of No wants or warrants
10-1	Your radio is unreadable	10-27	Driver's License check
10-2	Your radio reception is good	10-28	Vehicle Registration check
10-4	Message received & understood	10-29	Person Check
10-5	Switch to channel (designate channel)	10-30	Your radio traffic is inappropriate
10-7	Out of service	10-33	Alarm
10-7b	Out of service personal break	10-35	What is the time?
10-8	Available for assignment	10-36	Are you clear to copy confidential information
10-9	Repeat your transmission	10-42	Check on the welfare of...
10-10	Off-duty end of shift	10-53	Person down
10-15	Transporting arrested person	10-56	Suicide
10-17	Out of service for fuel	10-57	Missing person
10-18	Out of service for equipment repair	10-57J	Missing Juvenile
10-19	Returning to the PSB	10-62b	Civil Stand-by
10-20	Location	10-63	Prepare to copy
10-21	Telephone	10-67	Person calling for help
10-22	Cancel or disregard	10-70	Prowler
10-23	Stand-by	10-71	Shooting
		10-79	Bomb threat
		10-80	Explosion

- | | | | |
|---------------|----------------------------------|---------------|--------------------------------------|
| 10-88 | I'm at my assigned position/post | 11-24 | Abandoned car |
| 10-91b | Barking dog | 11-48 | I'm providing transportation |
| 10-91e | Dog bite incident | 11-80 | Vehicle accident with major injuries |
| 10-91v | Vicious dog | 11-81 | Vehicle accident with injuries |
| 10-97 | I'm at the scene | 11-82 | Vehicle accident, no injuries |
| | | 11-83 | Vehicle accident, unknown injuries |
| | | 11-94 | Pedestrian stop |
| | | 11-94b | Bicycle stop |
| | | 11-95 | Traffic stop |
| | | 11-96 | Suspicious vehicle stop |
| | | 11-97 | Welfare check on officer (Ring) |
| | | 11-98 | Meet me or Send cover |
| | | 11-99 | OFFICER NEEDS HELP |



BERKELEY POLICE

Chief

C-1 Greenwood

Captains

C-2 Louis

C-3 Rolleri

C-4 Reece, D.

Lieutenants

L-1 Okies

L-2 Fomby

L-3 Durbin

L-4 Smith, K.

L-5 Montgomery

L-7 Reece, K.

L-8 Files

L-9 Hong

L-10 Lindenau, D.

L-11 Schofield

Sergeants

S-1 Landrum

S-2 Rafferty

S-3 Wilson, J.

S-4 Melero

S-5 Lee, P.

S-6 Coats

S-8 McGee

S-9 Rittenhouse

S-10 Bonaventure

S-11 Turner

S-12 Speelman

S-13 Cummings

S-14 Tate

S-16 Anderson

S-17 Jones, J.

S-18 Kacalek

S-20 Marble

S-21 Castle

S-22 Lindenau, C.

S-23 Wilson, B.

S-24 Rodrigues

S-25 Ross

S-26 Huynh

S-27 Grant

S-28 Murphy

S-29 Frankel

S-30 Ledoux

S-31 Cardoza

S-33 Jung

S-35 Parsons

Patrol Officers

1 Kelly

2 De Bruin

3 Smith, B.

4 Armistead

5 Radey

6 Thome

7 Loeliger

8 Stern

9 Michalczyk

10 McBride

11 Villarroel

12 Miller

13 Schikore

14 Jones, M.

15 Breaux

16 Perry

17 White

18 Turney

19 Legall

20 Waite

21 Martinez

22 Hartley

23 Scott

24 Minassian

25 Macapagal

26 Ludovico

27 Gibson

28 Yu

30 Muniz

32 Kirkbride

33 Li

34 Ceja

35 Andersen

36 Morillas

37 Jackson

38 Mandragona

40 Tillberg

42 Maldonado

43 Rosato

44 Diaz

45 Ruff

46	Popke	86	Walther	140	Gibbs
47	Morales	87	Coria	141	Salas
48	Major	89	Hom	142	Finerty
49	Osorio	90	Ren	144	Cerletti
50	White	93	Wilson, E.	146	Cole
51	Albrandt	94	Melowitz	148	Peters
52	Bejarano	95	Lomeli	149	Piombo
54	Mcintosh	98	Nash	150	Mitchell
55	Lathrop	100	Futch	152	Perkins
56	Moore	101	Ordaz	153	Phelps
58	Abdoulmawla	103	Egbert	154	Bartalini
59	Syto	104	Kastmiler	155	Neff
60	Smith, J.	106	Bledsoe	157	Garrison
61	Jacala	107	Harston	159	Muratovic
63	Tinney	108	Emelson		
64	Gasper	110	Lee, S.		
66	Seaton	111	Valle		<i>2020 Roster</i>
67	Grover	112	Baker		
68	Bold	115	Kleppe		
70	Gordon	118	Nabozny		
71	Driscoll	119	Dozier		
73	Bally	120	Booze		
74	Godinez	121	Gardner		
75	Collier	122	Waggonner		
76	Warren	123	Pock		
77	McDougall	124	Navarro		
78	Galvan	125	Olmos Alvaro		
80	Mathis	127	Shedoudy		
81	Pickett	128	Ramey		
82	Quezada- Garcia	129	Belveal		
83	Ramsey	130	Rego		
84	Hogan	133	Hunt		
85	Murray	135	Edwards		
		136	Yee		

UC BERKELEY POLICE

Chief	50	Garlick	105	Salazar
1 Bennet	51	Vincent	107	Uesi
	52	Rush	109	Jasques, S.
Captains	54	Boersma	111	Daggs
4 Yao	58	Bates	114	Oumsount
	60	Proffitt	116	Parsley
Lieutenants	62	Mendoza	120	Madrigal
5 Williams	63	Tinney, B.	121	Amores
6 Harris	64	Horton	123	Clark
8 Kasiske	66	Thomsen	129	Santoleri
	68	Beaston	231	Viera
Sergeants	76	Aranas	235	Jackson, C.
10 Brashear	78	Netz	236	Apsay
11 Olivet	79	Odyniec	237	Gonzalez
12 Wung, T.	80	Westlie	241	Snyder, S.
16 Miller	81	MacAdam	242	Mayfield
19 Hernandez	82	Gandsey	245	Kennedy
25 Sato	83	Burcham	247	Sherry
27 Caires	84	Ruiz, M.	248	Blanco
28 Reich	85	Arthur	251	Jackson, S.
	86	Levi	258	Green, E.
Officers	87	Chapman		
30 Miyamoto	89	Irving	UCOP SPOs	
31 Hoskins	90	Jacobs, G.	220	Broughton
34 Mozqueda	91	Ruiz, D.	221	Poblete
37 O'Donnell	92	Lu	222	Rodriguez-Tower
38 Gross			223	Moore
40 Bowers	Campus SPOs		224	Miles
42 Quan, A.	102	Lopez	225	West
44 Jenkins	103	Miller	226	Joseph
45 Bottomley	104	Warrens		
47 Lopez				
48 Wyckoff				

- | | | | |
|-----|---------|-----|-----------|
| 227 | Gouvaia | 321 | Driscoll |
| 249 | Flores | 322 | Castaneda |
| 253 | Cooper | 323 | Sanchez |
| 254 | Hedlund | 330 | Jansen |
| | | 331 | Snyder |
| | | 332 | Girard |
| | | 341 | Hampton |
| | | 342 | Widodo |

Specialists

- 138 Traille
- 139 Cheli

Records

- 130 Morrison
- 133 Maldonado
- 134 Shephard
- 135 Sweetwyne

2019 Roster

Communications

- 141 Jones
- 143 Krause
- 145 Arroyo
- 146 Johnson
- 147 Kiser
- 148 Jacques
- 149 Tierney
- 150 Lawrence

Professional Staff

- 301 Johnson
- 303 Garcia-Perez
- 305 Archer
- 306 Woods
- 307 Ortiz
- 308 Bentz
- 310 Carranza
- 311 Assefa
- 320 Ogden

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BERKELEY
COP
WATCH

