

POLICE PETITION

Someone must have touched a nerve ending. Because, ever since the National Committee to Combat Fascism filed their Community Control of Police petition a couple weeks ago, the Gazette has been spasmodically attacking the Berkeley youth culture. The petition itself is seen by the Gazette as a culmination of what the youth culture stands for. It is the first step in a carefully laid out "plan" to turn Berkeley into the nation's first "Marxist-Leninist" city.

Armed with questions taken from the Gazette and from people I knew who had reservations about voting for the Community Control Amendment, I went straight to the NCCF office on Shattuck Avenue. Cec Levinson, who's been coordinating the petition drive, was good enough to take a couple of hours to answer my questions. What follows is the "highlights" of that interview.

Q: It's been said that the Amendment to control the police is a "step back into the dark ages," a return to the "spoils system" and "control by an elite." How do you respond to this?

A: Well....I can't figure out that control by an elite. Originally, the idea of the city manager form of government was to put the City Manager above political considerations. He was to be responsible to the people who appointed him--the City Council, in the case of Berkeley.

As it stands now, the City Manager, Hanley, was appointed by the City Council. Hanley, in turn, appoints all heads of departments--they're responsible to him. But no one controls Hanley. For example, he released no facts on the York beating--and the City Council has no power to make him produce those facts.

What we propose is separating the police from the political set-up. We provide a safeguard to prevent control by an elite: Councilmen can be recalled by 20% of the people living in that district. I think we're going forward, not backward.

Q: Some people say that, by accepting three districts--white, black and student--we're giving up the ideal of an integrated community.

A: This argument is a cop-out and a myth. Integration is a myth--without equality you can't have integration. I mean, you can't bus houses. Let's face it, we have a segregated community now.

If the Amendment passes, the police would reflect whoever's in the community. It's unrealistic to believe a white person can be responsive to the needs of the Black community. If you haven't grown up there, if you don't understand the forces working in that community--if you don't LIVE there then you can't really know that community's needs. And, as a community changes, the police will continue to reflect a changing community.

We use the three community plan because only by having small enough areas to work with can the people really control the police. You have no communication now. The people in the hills know nothing of the problems of the people living below Sacramento--and vice-versa.

Once everyone's really equal--then everyone's in control of their

own lives--then true integration can come about. No one will be able to dictate to anyone else. People could then sit down together with mutual respect. That's true equality.

Q: This proposal will cost about \$100,000 more a year to administer, according to one argument.

A: That is simply not true. This argument assumes that we'll be losing the money the state of California gives to police departments that fit state qualifications. We're not saying they won't fit those qualifications.

It's interesting, though--about \$7 million was spent to beautify Shattuck and University avenues. We think people-relationships are more important than those projects, even if we have to spend \$100,000.

Q: Some people are alarmed about forcing an employee to live in the community he works in. They feel it goes against our whole tradition of civil liberties.

A: I think people ought to be able to live wherever they damn well please--unless they're policemen. Because, once they're living in these communities they won't put up with little kids being maced. I mean, it might be their kids.



The only real way they can reflect the community's needs and be responsive to those needs is to live in that community.

Q: Another point that's been raised is, once the community controls the police, the laws on the books now won't be enforced.

A: We aren't going to change the laws. The laws will be enforced, equally. The laws are not enforced equally now: If you're a poor kid and you're busted for grass, you go to jail. If you're a rich kid, you get sent home.

As for things like rock throwing and other activities on Telegraph--kids won't feel constantly hassled and frustrated. There won't be the kind of provocation there is now, so the potential for violence will diminish. I envision a whole new psyche of person to person relationships.

But if people trash windows on Telegraph, those businessmen with broken windows will be at the council meeting along with the students and the rest of the people in the community. Is this what the whole community wants--trashing? You see, we're just going to have to face each other.

Q: Wouldn't the amendment make the police autonomous, or not under the control of the City Council?

A: Right now, the police are under the control of the Police Chief, who's responsible to City Manager Hanley. Under the new proposal, the police will be controlled by the people in the community.

Actually, there is a very real fear now that the police are getting more and more autonomous, more independently powerful. It's getting so that they're responsible to no one but themselves.

Q: There have been stories to this effect: that this proposal is the first step in a calculated plan to make Berkeley the first radical city in a revolutionary plan to take over the country--so Berkeley is a TARGET city.

A: It's not a plan, and Berkeley is not a pre-targeted city. In Berkeley, the NCCF was able to succeed with the petition campaign for two reasons: we were white and weren't hassled, and because so much has happened in Berkeley that lots of people have seen the brutality of police towards white people.

Q: Some people have pointed out that your support groups are all radical, and following a revolutionary plan.

A: The Department of Criminology at UC is not radical. The Berkeley Coalition is not radical. Father Boylan, who supports us, spoke of "special" treatment given the clergy by police: tearing up tickets, etc. But all this had a price tag attached--they were not

to speak out against the injustices of the society. Now, even the clergy is not immune from police attack.

Actually, I didn't ask to see their credentials when these people offered their support. We hope the people of Berkeley--radical, liberal, and conservative--can unite around the issue of controlling the police for our own survival.

Q: One final question. It was said recently, "Neighborhood control is a myth." How do you react to this?

A: If this is so, if it is a myth, we might as well forget about the whole system of people living together. We need to begin to think we can do for ourselves. We've been too hung up with the image of someone saying, "Elect me and I'll take care of things for you."

It's time we began thinking for ourselves.

As of now, the NCCF is waiting for the county to count the signatures on their petitions. Which should take about two weeks. They're also ready to go to court with lawyers in case the amendment is kept off the November for legal reasons. (Only through daily pressure from attorneys did the NCCF see to it that the petitions were sent from Berkeley to the county.)

The NCCF will be needing people for precinct work, canvassing, office work, etc. If you're interested in seeing this amendment pass, call Cec Levinson at 843-4363, or drop by the office at 3106 Shattuck. There's still lots of work to be done before November.

BERKELEY

PETITION FOR COMMUNITY CONTROL OF POLICE

SUMMARY OF BERKELEY POLICE CONTROL AMENDMENT

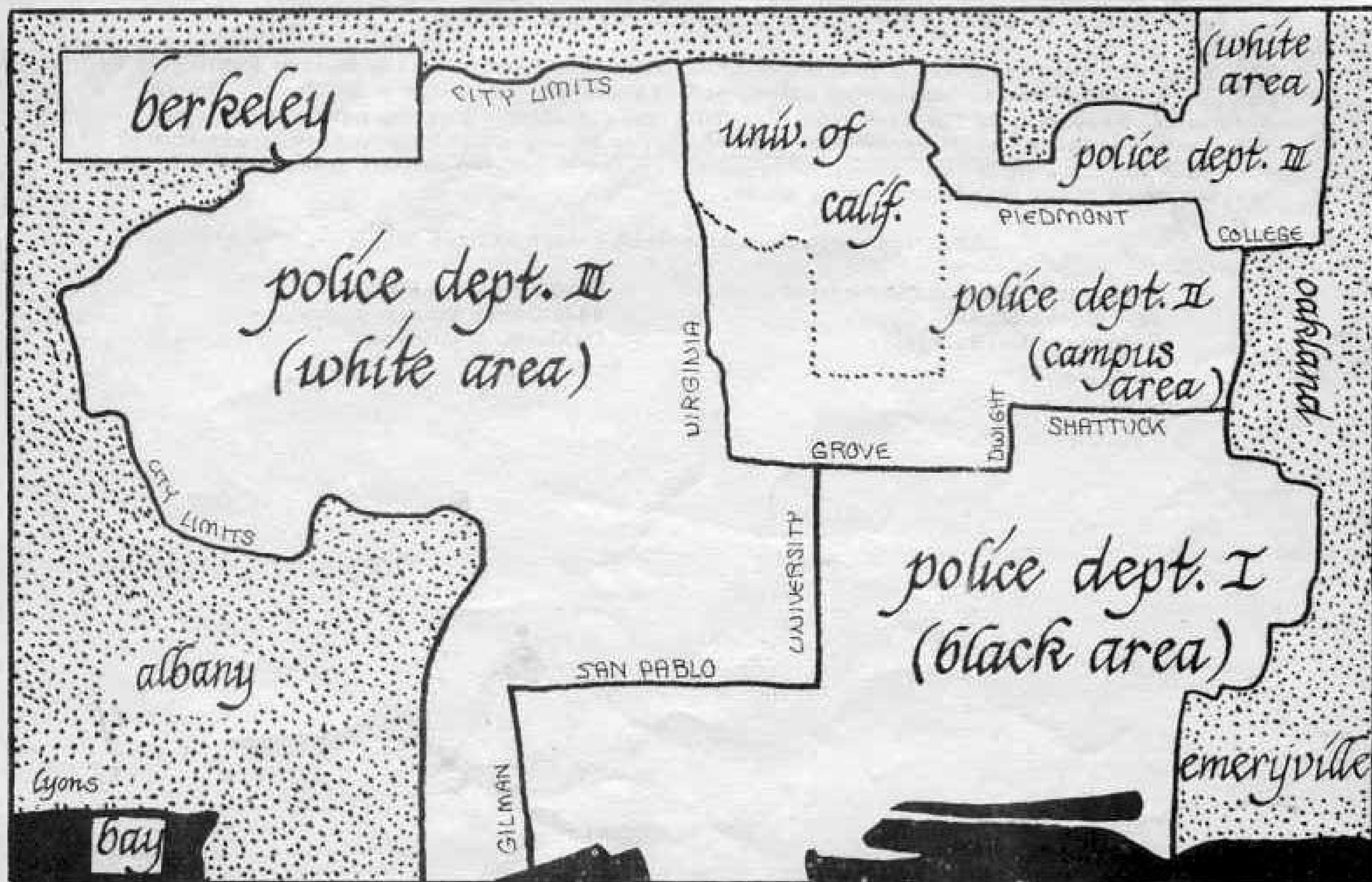
This amendment to the City Charter would give control of the police to community elected neighborhood councils so that those whom the police should serve will be able to set police policy and standards of conduct.

The amendment provides for community control of the police by establishing separate police departments for the three major communities in Berkeley: the Black community, the campus community and the predominantly white area. The departments would be separate and autonomous. They can by mutual agreement use common facilities. Each department will be administered by a full-time police commissioner(s). The commissioners are selected by a Neighborhood Police Control Council of fifteen members from that community elected by those who live there.

The Councils shall have the power to discipline officers for breaches of Department policy or violations of law. They may direct their police Commissioner to make changes in Department-wide policy. The Council can recall the Commissioner appointed by it at any time it finds that he is no longer responsive to the community. The community can recall the Council members when they are not responsive to it.

All police officers must live in the Department they work in.

MAP OF PROPOSED BERKELEY POLICE DEPARTMENTS



CAUTION! DO NOT CIRCULATE THIS PETITION UNTIL YOU HAVE READ CAREFULLY
THE INSTRUCTIONS BELOW:

1. Do not circulate this Petition UNLESS YOU ARE A REGISTERED VOTER IN THE CITY OF BERKELEY.
2. Do not allow a person unknown to you to sign until such person has first answered YES to the question: "Are you a registered voter in Berkeley?"
3. Do not permit any person to circulate this Petition for you. Each signature must be secured by the person making affidavit on the last signature page that all signatures were obtained in his or her presence. After you start to circulate this Petition no one else may take over your job.
4. Do not leave this Petition in an office, plant or home to be signed in your absence. All signatures must be made in your presence.
5. Circulators must not write anything in any column on the signature pages, except that circulator may sign his or her name once in the regular manner as a signer of the Petition.
6. When soliciting signatures have a fountain pen or indelible pencil along for convenience of signers.
7. EACH SIGNER OF THIS PETITION MUST:
 - (a) In the first column write his or her name EXACTLY as the signer is registered. A married woman must sign her own given name. For example: Mrs. Mary N. Smith must so sign, and not write Mrs. John J. Smith. Mr. Smith must sign John J. Smith, and not merely J. J. Smith. The Smith's unmarried daughter must sign her full given name, using her title Miss. In short, the Petition must be signed exactly as each person's name appears on the registration rolls.
 - (b) In the second column write street and number of residence. Do not permit dittos. Post Office Boxes are not allowed.
 - (c) In the third column write the day and month of signing. The date can be abbreviated. As an example, January 1 should be written like this. 1/1 or Jan. 1. Do not permit dittos.
 - (d) PUT NOTHING IN THE LAST COLUMN MARKED PRECINCT. Leave that column blank.
 - (e) Do not permit signers to use ditto (") marks any place. Ditto (") marks are illegal.
8. This Petition and all its Sections (any printed form identical with what you are now reading is legally termed a "Section") in its entirety of pages and all of them are to be returned to the sponsor (name and address below) so that further provisions of the law applying to Initiative Petitions may be carried out.
9. IT IS A FELONY FOR ANY PERSON TO WRITE ANY NAME IN THIS PETITION OTHER THAN HIS OR HER OWN. A husband may not sign for his wife -- nor a wife for a husband -- nor for any other member of the family -- nor for any other person.
10. When you have secured all your signatures, take this Petition to any Notary Public, or to any officer authorized to administer oaths, and execute the Circulator's Affidavit. Under Article IV, Section 1, of the California Constitution, the affidavit of any person soliciting signatures hereunder shall be verified free of charge by any officer authorized to administer oaths. A Notary Public can usually be found conveniently located in your neighborhood in most real estate or lawyers' offices, or at banks.

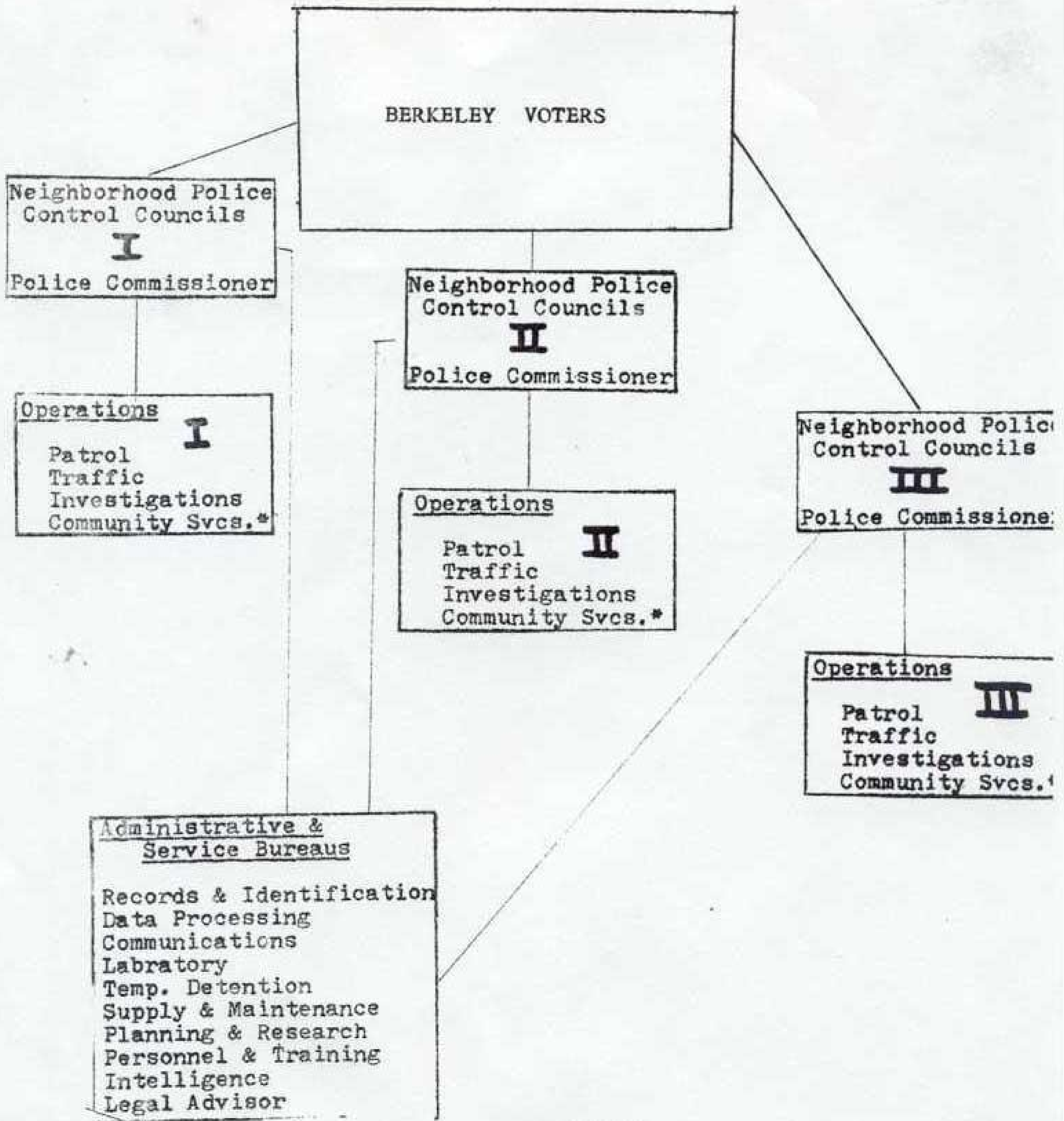
After the petition is notarized return at once to:

Peace and Freedom Movement
2214 Grove Street
Berkeley, California

or

Black Panther Party
4421 Grove Street
Oakland, California

COMMUNITY CONTROL OF POLICE MODEL



A Community Service Officer would be assigned to deal with any number of community problems. He could function both as a police representative, and/or service officer who would be concerned about identifying and working through crime producing situations.

S.F. Chronicle July 22, 1970
15,000 Signers

Berkeley Petition For 'Cop Control'

A group of Berkeley citizens yesterday presented petitions asking that a plan for "community control of police" be placed on the November ballot.

Under the plan, Berkeley would be divided for police purposes into three zones—largely white, black and campus areas. Each zone would have its own police department, governed by a police control council elected by zone residents.

In addition, all police officers would be required to live in the zone where employed. At the present time, the police department has no residency requirements.

SIGNERS

According to Mrs. Cec Levinson, of the National Committee to Combat Fascism, which sponsored the drive, more than 15,000 registered Berkeley voters have signed the petitions. It takes approximately 10,000 signatures to place an issue on the city ballot.

Mrs. Levinson told a crowd of about 50 that gathered at Berkeley City hall for the presentation of the petitions that "this proposal is a way

to achieve power for the people."

"If this proposition passes in November," she said, "for the first time the people will be able to control the police. For the first time, the police will serve the community, not control it."

HAYDEN

Tom Hayden, founder of Students for a Democratic Society (SDS), said in a brief speech that "this plan is a last chance of those who say they want peaceful change."

"If this proposition wins, we won't have the police calling in Frank Madigan (the Alameda County Sheriff). If Madigan comes in, we'll be able to arrest him."

He was cheered.

PROFESSOR

Anthony Platt, professor of criminology at the University of California's Berkeley campus, also spoke at the rally for the proposal.

"Under this plan, civilian control of police will finally be achieved," he said.

He said passage of the proposition would aid police morale.

Nation's eyes are on Berkeley as police control up for vote

(First of a Series)
By JUDY BASTON

BERKELEY — When residents of the city go to the polls April 6, they will vote on what is perhaps the most radical and far-reaching proposal for community organization ever to be on a municipal ballot.

Up for a vote in Berkeley is the issue of community control and decentralization of police, and there are strong indications that vote is being watched by community activists and police personnel nationally.

There is the feeling that as Berkeley helped pioneer much of the student protest era with the 1964 Free Speech Movement, it could also indicate a direction for the future with this police proposal.

An investigator for the Justice Dept.'s Crime Commission who is touring the nation to investigate police community relations said recently that in every place he has gone, from Pittsburgh, Pa., to Des Moines, Iowa, people are talking about the Berkeley measure.

The measure would divide Berkeley into three basic communities, the black community, the campus area community, and the hill area north of the campus. These are basic definitions, not total distinctions.

For example, the black community flatlands area of the proposal is about one-fourth white; the campus area con-

tains students, street people and many older Berkeley residents.

People in each of these areas would set police policy and conduct through police councils. Based on their population, these councils would include 15 persons, elected from 15 different precincts, areas that would be a little larger than current voting precincts. The black and hill areas would have two such councils — and the campus area, which is smaller, one council.

Councils would choose commissioners to carry out the day to day policy matters. Two commissioners would be from the black area, two from the hills and one from the campus. These commissioners would assume many of the current functions of the police chief.

Each council would also create grievance machinery for complaints against the police and will have disciplinary powers over members of the department in that district.

Perhaps the most significant feature of the proposal is the requirement that each police officer must live in the area he or she serves. Currently all but 35 Berkeley police officers live outside the city.

MORE FAMILIAR

Living in the communities would, backers of the measure say, make the police more familiar with the community's problems, as well as more hesitant about indiscriminate, arbi-

trary arrests of persons among whom he lives.

The budget would still be appropriated by the city council, and distributed to the three departments on the basis of how many persons reside in the areas they cover. Agreement between the three departments for operation, maintenance and staffing would be possible, as would sharing of equipment and laboratories.

The amendment would also make it possible to maintain or cancel any of the department's existing agreements with groups such as military intelligence, the county sheriff's department, the FBI or CIA.

Most opponents of the measure have chosen as their target elements of the proposal's structure — they claim the boundaries are inaccurate on this or that street, the proposal would be awkward to implement, it would be costly, etc. But some heavy artillery of political rhetoric has also been turned against the measure.

A group calling itself One Berkeley Community — with Mayor Wallace Johnson as chairman and the city's Negro vice mayor Wilmont Sweeney as a co-chairman — wrote a letter to Berkeley attorneys calling the measure "an invitation to anarchy . . . an instrument dedicated to destruction, in the same anarchical sense as the bombing of a building."

Other critics of the measure accuse it of promoting separatism, and creating differences where there are none, ignoring the essential distinctions between communities that do exist in Berkeley.

DELLUMS BACKING

Rep. Ron Dellums (D-Berkeley-Oakland), is helping lead the campaign for the proposal, and has directed his attention to the claims the proposal would create false boundaries:

"We already live in a nation that has at least 4,400 police jurisdictions, and it poses no problem," Dellums said. "You travel through Emeryville or Oakland, or El Cerrito or Albany or Piedmont, and there are no barbed wire fences, no 'checkpoint Charlies'."

"If there is any separatism involved at all," Dellums emphasized, "it was involved in the historic discrimination of housing patterns in the city of Berkeley, discrimination in the economics of the community, and the educational levels of our community."

Fifteen thousand people signed the petition to get the measure on the ballot, Dellums emphasized, and "anytime 15,000 people move in the same direction, it is the responsibility of the community and the leadership to listen very carefully to what is being stated . . ."

(Next week: a look at the campaign)