



PARTITIONING THE POLICE—Above is a map of Berkeley divided into the three large police wards as outlined in the "community control of police" Charter amendment, Proposition 1 on the April 6 city elections ballot. Each of the three "community police departments" is in turn divided into two subdivisions, except for Police Department No. 2, which includes the south campus area, the Shattuck-University downtown

area, and the immediate north campus. Police Department No. 3, the so-called "white area," is actually split three ways—the Claremont district of southeast Berkeley is, under the proposal, a part of "Division A" of the "white area." The Berkeley Marina area falls under Division A of Police Department No. 1.

—Gazette map by Robert Chew

FIRST IN A SERIES

The Remaking of a Police Dept.

(EDITOR'S NOTE: What some have called the most drastic Charter amendment proposal in Berkeley history—the "community control of police" or police partition amendment—is on the ballot next Tuesday. The Gazette today begins a three-part look at the amendment. Tomorrow, Dr. Paul Takagi of the University of California department of criminology argues in favor of the amendment; Wednesday attorney John Adams, Jr., argues against it. Additionally, Editor Mike Culbert begins a five-part critique of the proposal—see editorial page. Wednesday, the National Committee to Combat Fascism will explain its support of the amendment in a "Cityside" article.)

(First of three articles on Amendment Proposal No. 1)

The police partition Charter amendment which faces Berkeley voters next week was circulated as the "community control of police" petition.

Its primary points are these:

1. Setting up three autonomous police departments "for the three existing communities in Berkeley."
2. Creating elected neighborhood councils which will "control the police departments on instructions from the people. All officials will be subject to recall at any time."
3. Requiring that all police live in the communities—the three communities as described by the petition—where they work.

THE BERKELEY National Committee to Combat Fascism, an organizing and political arm of the Black Panther Party, was the primary circulator of the petition.

The Citizens Committee for Community Control later

played a key role in propagandizing in favor of the amendment.

It has additionally been endorsed by Rep. Ronald V. Dellums and 17 of the 33 candidates for city council, including the four-man slate of the unified radical slate and the mayoral and city council candidates of the Socialist Workers Party (SWP).

A Democratic-Republican coalition called One Berkeley Community, and Concerned Berkeley Citizens, a moderate political action group, came out against the amendment as did the Berkeley Democratic Caucus.

THE EXACT wording of the amendment is:

Petition for Submission to Electors of Proposed Amendment to the City Charter of Berkeley.

To the City Council of the City of Berkeley:

We, the undersigned, registered and qualified electors of the State of California, residents of the City of Berkeley, pursuant to Section 8 of Article XI of the Constitution of this State, present to the City Council of the City this petition and request that the following proposed amendment to the charter of the City be submitted to the registered and qualified electors of the City for their adoption or rejection at an election on a date to be determined by the City Council.

The proposed charter amendment reads as follows:

Section 1, in section 49: Repeal subsections 5 and 6 and substitute for section 5 the following language:

To organize and maintain fire departments, erect the necessary buildings and own all implements and apparatus required therefor, and to provide funds for three police departments. All control exercised by the City Council, the Mayor, and the City Manager over the composition, powers, duties, responsibilities, and functions of the Police is hereby terminated, except as may be hereinafter provided.

Section 2, in section 20: Delete "The Chief of Police" and substitute "A Police Commissioner."

Section 3, in section 30: Delete "Chief of Police" and substitute 1. For the purpose of providing police services to the people of the City of Berkeley, there are established three police departments, one for each of the three Districts into which the City is divided as hereinafter set forth and described.

(Turn to Page 2, Col. 1)

Today's Index

Amusements	Page 14
Bridge	Page 8
Classified ...	Pages 11, 12, 13
Comics	Page 8
Coming Events	Page 5
Crossword	Page 8
Mike Culbert	Page 6
Editorial	Page 6
Horoscope	Page 8
Sports	Pages 9, 10
Television	Page 14

Women's Interests ..	Page 4
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Controversial Prop. 1 Faces Voters Here

(Continued from Page 1)

Police Departments: Each Department of Police shall be administered by a Commission (or Commissioner) as hereinafter set forth. Each Commissioner shall be selected by a Division Council as hereinafter provided. The Commissioners shall fix the policies of the police within the Department, shall punish police officers for violations of said policies and for violation of the law, shall determine qualifications of members of the police department, and shall fix compensation of all employees of said Department.

They may enter into necessary agreements with other police departments and other government agencies and generally conduct the affairs of the police department. Each Commissioner shall bring before the full Commission any matter or proposal which his Council instructs him to place before the Commission, and shall vote as his Council instructs him. The Police Commission shall hold regular public meetings at a time when the residents of the Department District are most able to attend.

The Police Commissioners shall serve on a fulltime basis and shall be compensated therefor. Compensation shall be set by the respective Division Councils. The Departments may enter into agreements with each other for the operation, maintenance and staffing of certain facilities in which there is a common interest, including, but not limited to laboratories, vehicle repair and communications. The Departments may cooperate together in the requisitioning of equipment, including vehicles and weapons.

Funds for the Departments shall be appropriated annually by the City of Berkeley by the City Council and shall be disbursed to each Department on the basis of the number of people residing in each Department District on the last preceding election.

2. Neighborhood Divisions: Each Police Department has neighborhood Division (s) described below.

3. Police Council: Each Neighborhood Division shall be divided into fifteen Police Council Precincts, by the City Clerk; the population of each such Precinct is not to exceed that of any other Precinct by more than 10 per cent of the population of the entire District divided by fifteen. The registered voters in each Precinct shall elect a Police Councilman who will serve in that capacity for a term of two years, unless recalled. The Councilmen shall serve on a part-time basis and will be compensated for the time spent in the performance of their duties.

4. Qualifications of Councilmen: Any person who has resided in the Precinct for six months next preceding the election and is of voting age at the time of elections is qualified to serve as Councilman. There shall be no other qualifications established for the office.

5. Duties of Council: The Neighborhood Council shall, within ten days of its own election, select a Commissioner. In

addition to selection of Commissioners, the Councils shall review the policies of the Police Department and will recommend changes or modifications of such policies when such policies no longer reflect the needs or will of the populace of the Neighborhood represented by the Council. The Councilmen of each Neighborhood shall have the power, exercised by a vote of the majority of that council, to remove and replace their Commissioner when he is no longer responsive to the Council. Each Council shall establish procedures necessary to hear and process complaints made against individual members of the Police Department by persons residing within the district or concerning police practices within the district, and shall have the power to discipline members of the Department for violations of law or policy occurring within that District.

6. MEETINGS: The Neighborhood Council will meet regularly at a time convenient to the Councilmen and at a time when interested persons may attend. Special meetings may be called when requested in writing by 20 per cent of the Councilmen. In a Department having more than one Council, a Neighborhood Council may, by a majority vote, call a meeting of all the Councilmen of the Department, which shall meet within ten days. Such a meeting may, by majority vote of both Councils, change, institute or modify any Policy of the Department, upon which the Commissioners fail or refuse to act.

7. Recall of Councilmen: The people of a precinct may recall their Councilman by a petition bearing the signatures of residents equalling 20 per cent of the number of people voting within the precinct in the last preceding general election. Upon

certification of the requisite number of signatures an election shall be had not later than 30 days thereafter. Notice of intention to recall a Councilman must be given not more than 30 days prior to seeking certification of the requisite number of signatures by the City Clerk.

8. Recall of Commissioners: Commissioners may be recalled by a petition bearing the signatures of 20 per cent of the number of people voting in the precincts comprising the neighborhood to which the Commission is responsible.

9. Annexation: Whenever 30 per cent of the adult residents of a precinct within one Department District, which is contiguous to another Department District, petition for annexation into said other Department District, an election shall be had within 30 days of certification of the requisite number of signatures by the City Clerk. Such precinct shall be annexed if the majority of the people voting in such election so indicates, unless a majority of the Councilmen of said other Department District reject such annexation within 30 days of said election. A notice of intention shall be given not more than 60 days prior to filing for certification of the petition. Where such annexation has taken place, appropriate adjustments shall be made between the affected Departments in regard to funding, whenever practical.

10. Disposition of Current Assets: All funds, files, records, property, supplies, and other assets currently possessed by the Berkeley Police Department shall be divided among the Police Departments herein created in proportion to the population of each Police Department District; provided that police files and other records shall be distributed so that each aforesaid Department shall obtain all records pertaining to citizens living within its geographic confines, or to organizations operating therein.

11. RESIDENCE: All Police officers shall reside in the area covered by the Department they work for.

12. Ordinances: Any ordinance heretofore enacted, prior to the effective date of the within amendment, which is contradictory to any of the provisions hereof, is repealed.

13. Department Districts Defined: Three separate police departments shall be established. Each shall have exclusive jurisdiction over the following defined areas:

A. Police Department 1: Starting at the intersection of the western boundary of Berkeley and the projected center line of Gilman Street, along the projected center line of Gilman Street, along Gilman Street to San Pablo Avenue, along San Pablo Avenue to University Avenue, along University Avenue to Grove Street, along Grove Street to Dwight Way, along Dwight Way to Shattuck Avenue, along Shattuck Avenue to the Oakland-Berkeley boundary, along the Oakland-Berkeley boundary west into the Berkeley-Emeryville boundary, along the Berkeley-

e on April 6

Emeryville boundary to the intersection of the western Berkeley boundary and projected center line to Gilman Street.

B. Police Department 2: Starting at the intersection of Virginia Street and Grove Street, along Grove Street to Dwight Way, along Dwight Way to Shattuck Avenue, along Shattuck Avenue to the Oakland-Berkeley boundary, along the Oakland-Berkeley boundary to College Avenue, along College Avenue to Ashby Avenue, along Ashby Avenue to Piedmont Avenue, along Piedmont Avenue to the border of the University of California campus, along the border of UC campus east to the Berkeley-Oakland boundary, along the Berkeley-Oakland boundary north to the border of UC campus, along the border of UC campus west to Virginia Street, along Virginia Street to Grove Street.

C. Police Department 3: 1. Starting at the intersection of western boundary of Berkeley and the projected center line of Gilman Street, north along the western Berkeley boundary into the Albany-Berkeley boundary, along the Albany-Berkeley boundary into the Berkeley-Kensington boundary, along the Berkeley-Kensington boundary into the eastern boundary of Berkeley, along the eastern boundary of Berkeley to the UC campus border, west along the UC campus border to Virginia Street, along Virginia Street to Grove Street, south along Grove Street to University Avenue, west along University Avenue to San Pablo Avenue, north along San Pablo Avenue to Gilman Street, west along the projected center line of Gilman Street to the western boundary of Berkeley.

2. Starting at the intersection of College Avenue and Ashby Avenue, along Ashby Avenue to Piedmont Avenue, along Piedmont Avenue to the UC campus border, along the UC campus border east to the Berkeley-Oakland boundary, along the Berkeley-Oakland boundary to College Avenue, along College Avenue to Ashby Avenue.

14. Neighborhood Divisions Defined: Police Department 1: The dividing line between Neighborhood Division A and Neighborhood Division B shall be Dwight Way and its projected center line. Neighborhood A shall be north of said line; Neighborhood Division B shall be south of said line. Police Department 2 shall have only one Neighborhood Division. Police Department 3: The dividing line between Neighborhood Division A and Neighborhood Division B shall be as follows: Starting at the intersection of Albina Avenue and the Berkeley-Albany boundary, along Albina Avenue to Hopkins Street, along Hopkins Street to the Alameda, along the Alameda into Grove Street, along Grove Street to Rose Street, along Rose Street to Shattuck Avenue, along Shattuck Avenue to Virginia Street. Neighborhood Division A shall be the area northeast of said dividing line, including area 2 of Department 3. Neighborhood Division B is south and west of said line.

(Continued tomorrow)

Huge Crowd Hears Dellums Debate Sweeney Over the Police Partition

(Continued from Page 1)

ounded to the frequent criticism that the department does not recruit enough black officers:

"If you're a young black man who wants to be a Berkeley police officer and is willing to spend two years to college and take those exams, then you come down and apply for a job — but don't give us that lip service about 'we want more black cops' if we don't want to apply for a job."

While the two clashed repeatedly over the amendment and toned their presentations largely to black community concerns, they carefully abstained from ad-hominem attacks.

W. Hazariah Williams of the Berkeley Unified School District board of Directors moderated and several times called or signaled for order when elements of the tightly packed crowd became too verbal.

REP. DELLUMS referred to the BPD's employment of seven "and now six" — Negro officers as indications that charges of racism against the department are valid.

Sweeney wryly responded during his rebuttal:

"The last young (black) man assigned to go to work for the U.S. Secret Service — that's race prejudice, you know."

Rep. Dellums lashed the "extreme hysteria" which "has gripped the city of Berkeley" over the police issue, arguing that only when it is conceded there is a need for "community control of police" can the issue be rationally discussed.

He ticked off three "tragedies," all involving police and black citizens, and two of them involving fatalities, as he painted an image of police who are residents of "racist suburbs" dispensing authority in the black community.

Rep. Dellums defended the proposal's key concept that Berkeley is "already segregated" along race and "life-style" lines, and criticized One Berkeley Community, the bipartisan group formed to combat the police initiative and also to support Sweeney's bid for mayor.

"FOR THE politically dead in Berkeley, the idea of the white radical conspiracy is the worst sp-out of all," said Rep. Dellums of charges that police partition measure is a device put together by white radicals to promote their control of part of Berkeley.

"This (measure) was written by blacks—and Bobby (imprisoned Black Panther Chairman

Bobby Seale) was one of them," he said, to applause. "Black people don't need no white boy telling us what to do," he said in street argot.

Sweeney argued to the audience that "you haven't heard a thing" about the Charter amendment specifics themselves and urged all those attending to read it, before they are "sucked in" to a measure which he said would be a new segregation.

"THEY HAVE wrapped up that Bilbo-ism in a new package and they call it 'community control,'" said Sweeney, who relayed his own boyhood in Texas and stresses his unalterable opposition to "anything that sounds like segregation."

He reminded the audience that none of the police-community actions to which Dellums referred will be voted on in the amendment, and that passage of the amendment would not only "destroy" the Berkeley police department but, because it also wipes out other city Charter sections and ordinances would leave the city effectively unpoliced during the transition period.

He asked "how happy will black people be" to be able to vote for "one seventy-fifth of the people who are going to make the policy in this city" rather than for the full nine city councilmen who make it now.

"They (the proponents) think you're crazy and I don't believe it," Sweeney said.

WHILE UNDER terms of the amendment a person may only vote for one of the 75 police councilmen envisioned in the measure, "you will have the golden opportunity, the privilege, to pay for all the others. This sounds to me like taxation without representation," Sweeney argued.

Black people who vote for the amendment might open the door "to those crazy kooks" who have telephoned in Berkeley police offering their services as sharpshooters and marksmen, Sweeney suggested.

In a rebuttal, Dellums said Sweeney's "one 75th" argument is meaningless because "you only vote for one Congressman of the 435, don't you?"

In his rebuttal, Sweeney claimed that Berkeleyans would gladly vote on all 435 congressmen if they had the opportunity and that the essence of the amendment is that "you're being asked to give up rights you already have."

IN A side reference to white radical activists, Sweeney

linked those who "go down the street breaking windows" and who hold disruptive demonstrations "for the striking students of Paris" (as in 1968) with "those bleeding hearts who say they are doing this for the black man."

He suggested that among such white activists were those who set off two bombs in west Berkeley during 1968 and that "only by the grace of God" had west Berkeley been spared a major conflagration. "These are the people who tell us about their 'life-style,'" Sweeney added.

Rep. Dellums argued that the five police commissioners envisioned in the amendment will not be "dictators" but rather "administrators carrying out a mandate" and will be responsible police chiefs selected by the people.

The entire measure, which he likened in essence to being no different than other existing police and other jurisdictions ("we already have 40,000 police jurisdictions") simply "brings democracy that much closer to the people" and is a workout in even better "representative democracy," he said.

HE DREW laughter and cheers when, responding to a Sweeney insistence that "anyone can go to college for two years," he turned to the vice mayor and said: "Wake up, man."

Sweeney argued that Berkeley has in fact made progress toward integration, a progress he claims imperiled by the measure.

"Harry Overstreet is not president of the Black Planning Commission, he is president of the Planning Commission of the

City of Berkeley," Sweeney said of one black committee head.

He made the same arguments concerning the black directorship of the integrated Personnel, Recreation and Parks and Social Planning departments.

He sparred with Dellums over their opposite interpretations of 14th Amendment rights under the Charter amendment if it is passed and suggested that Dellums "didn't read the Charter right" in assessing the impact of five police councils on city procedures.

No SF Budget

SAN FRANCISCO (UPI)—The superintendent of the San Francisco Unified School District announced Sunday there has not been any budget proposed to the school board for 1971, a controversial issue threatening a total teacher strike of San Francisco schools next week.

Family of 4 Saved

LONDON (UPI) — Firemen rescued a family of four from the fourth floor of the Notting Hill Hotel in west London early Sunday when a blaze damaged three floors of the hotel. Other guests climbed down a building constructor's ladder. Five persons received minor injuries.