

## MINUTES

The meeting convened at 7:01 pm with Chairperson Steve Freedkin presiding.

### ROLL CALL

Present: Donald Brody, Elliot Cohen, Steve Freedkin, Jane Litman, Rita Maran, Mark McDonald, Thom Seaton, PhoeBe ANNE (sorgen), Anne Wagley, Jonathan Wornick, Jamie Wright

Absent: Leslieann Cachola, John Lavine, Michael Sherman

### COMMENTS FROM THE PUBLIC

1. Ann Fagan Ginger regarding Resolution on Report to United Nations by Meiklejohn Civil Liberties Institute.
2. Elena Engel, Mark Marrow, and Terry Powell representing the Library regarding radio frequency identification (RFID).
3. Lee Tien, Electronic Frontier Foundation, regarding Berkeley Public Library RFID resolution.
4. Peter Warfield, Library Users Association, regarding RFID.
5. Lynda Winslow regarding RFID.
6. Doug Loranger, San Francisco Neighborhood Antenna-Free Union (SNAFU), regarding RFID.
7. Gene Bernardi, BOLD, regarding RFID.
8. Nancy Delaney, Berkeleyans Organizing for Library Defense, regarding library changes.
9. Cynthia Johnson, Social Justice Committee, regarding library.

### ACTIONS TAKEN

#### **Reorder Agenda**

**M/S/C** (*Cohen, McDonald*) to reorder the Action Items to move Item No. 6 to No. 8, move Item No. 7 to No. 6, and Item No. 8 to No. 7 with other items to remain as is. **Ayes:** Brody, Cohen; Freedkin, Maran, McDonald, Seaton, sorgen, Wagley, Wright; **Noes:** Wornick; **Abstain:** Litman; **Absent:** Cachola, Lavine, Sherman.

#### **Radio Frequency Identification (RFID)**

**M/S/F** (*sorgen, Cohen*) to adopt a Resolution recommending that the City Council urge the Board of Library Trustees to cancel its radio frequency identification tagging project, and refrain from implementing this or any similar technology that would potentially allow the unauthorized or inappropriate tracking of library materials. **Ayes:** Cohen; Freedkin, McDonald, sorgen, Wagley; **Noes:** Litman, Maran, Seaton, Wright, Wornick; **Abstain:** Brody; **Absent:** Cachola, Lavine, Sherman.

Commissioner Brody abstained from the vote due to conflict of interest as a result of family business holdings.

**Report on United States Human Rights Violations since 09/11**

**M/S/C** (*sorgen, Brody*) to adopt a Resolution (ATTACHMENT A) recommending that the City Council send a copy of Meiklejohn Civil Liberties Institute's Report on United States Human Rights Violations since 09/11 to the United States State Department and to the United Nations High Commissioner for Human Rights as one step in upholding the International Covenant on Civil and Political Rights, the Convention Against Torture, and the Convention on the Elimination of Racial Discrimination. **Ayes:** Brody, Cohen, Freedkin, Maran, McDonald, sorgen, Wagley, Wright; **Noes:** Seaton, Wornick; **Abstain:** Litman; **Absent:** Cachola, Lavine, Sherman.

Commissioner Litman abstained from the vote because she does not want to not support the issue.

**Youth Commission**

**M/S/F** (*Cohen, McDonald*) to invite the Youth Commission to host a future meeting with the Peace and Justice Commission in 2005. **Ayes:** Cohen, Maran; **Noes:** Brody, Freedkin, Litman, Seaton, Wagley, Wornick, Wright; **Abstain:** McDonald; **Absent:** Cachola, Lavine, Sherman, sorgen.

Commissioner McDonald abstained from the vote because he did not agree with the process.

**M/S/C** (*Litman, Brody*) to invite the Youth Commission to attend a future meeting of the Peace and Justice Commission on a specific date. **Ayes:** Brody, Freedkin, Litman, Maran, McDonald, Seaton, sorgen, Wagley, Wornick, Wright; **Noes:** None; **Abstain:** Cohen; **Absent:** Cachola, Lavine, Sherman, sorgen.

Commissioner Cohen abstained from the vote because he supported the prior motion and did not feel this one was necessary.

**NEXT MEETING**

The next regular meeting will be on Monday, April 4, 2005 at 7:00 p.m. in the North Berkeley Senior Center.

The meeting was adjourned at 10:54 p.m.

Respectfully Submitted,

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Manuel Hector Jr., Secretary  
Peace and Justice Commission

**ATTACHMENT A**

SUBMITTING THE MEIKLEJOHN CIVIL LIBERTIES INSTITUTE REPORT ON UNITED STATES HUMAN RIGHTS VIOLATIONS SINCE 09/11 TO THE UNITED STATES STATE DEPARTMENT AND THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

WHEREAS, the Peace and Justice Commission proposed, and the City Council adopted, the Human Rights Ordinance in 1990, based on the United Nations Charter Articles 55 and 56; and

WHEREAS, the Peace and Justice Commission proposed, and the City Council in 1993 submitted reports of city agencies to the United States State Department and to the United Nations Human Rights Committee to enforce the International Covenant on Civil and Political Rights, ratified by the United States in 1992; and

WHEREAS, Ann Fagan Ginger and Anne Wagley represented the Meiklejohn Civil Liberties Institute, a Berkeley center for human rights and peace law, at the United Nations Human Rights Committee in 1995 in New York, and presented the Berkeley City report to the Committee, which was well received; and

WHEREAS, Meiklejohn Institute has now prepared 180 reports on 30 types of human rights violations by the United States Government since 9/11 to submit to the United States State Department and to the three United Nations human rights committees that administer the three human rights treaties ratified by the United States; and

WHEREAS, Meiklejohn Civil Liberties Institute's Report on United States Human Rights Violations since 09/11 includes copies of the Berkeley Human Rights Ordinance, and the City Council Resolutions proposed by the Peace and Justice Commission against the USA PATRIOT Act and against corporate personhood, and for the precautionary principles and for an excess profits tax on contracts during United States wars; and

WHEREAS, segments of the Meiklejohn Civil Liberties Institute's Report were published in the Daily Planet from September 10 to October 22, 2004, and the Report will be published in book form on March 30, 2005 for presentation to the public, the United States State Department, and the three United Nations Committees.

NOW THEREFORE, BE IT RESOLVED that the Peace and Justice Commission recommends that the City Council send a copy of Meiklejohn Civil Liberties Institute's Report on United States Human Rights Violations since 09/11 to the United States State Department and to the United Nations High Commissioner for Human Rights as one step in upholding the International Covenant on Civil and Political Rights, the Convention Against Torture, and the Convention on the Elimination of Racial Discrimination.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor Arnold Schwarzenegger, Senators Barbara Boxer and Diane Feinstein, Representatives Barbara Lee and Nancy Pelosi, and be made available to interested media and non-governmental organizations.