



Kriss Worthington

Councilmember, City of Berkeley, District 7
 2180 Milvia Street, 5th Floor, Berkeley, CA 94704
 PHONE 510-981-7170 FAX 510-981-7177
 kworthington@ci.berkeley.ca.us

CONSENT CALENDAR

December 6, 2011

To: Honorable Mayor and Members of the City Council
 From: Councilmember Kriss Worthington
 Councilmember Jesse Arreguin

Subject: Stop UC Police Violence: Support Students, Faculty and Staff

RECOMMENDATION

Send a letter to Chancellor Birgeneau and Chief Celaya, opposing UC Police violence against protestors.

BACKGROUND

On November 9th, students, faculty, and staff gathered peacefully on the Mario Savio steps in solidarity with the Occupy Wall Street Movement. The UC Police Department violated the Free Speech of these protestors when they seized Free Speech banners and signs. Violence occurred when UCPD began hitting students with batons and shoving them without cause or physical threat to the officers. English professor Celest Langan was present at the peaceful demonstration and was willing to be arrested when the police became violent. Instead of arresting her in a peaceful manner, UCPD yanked her out of the crowd by her hair and forced her to the ground. The UCPD's violence was caught on camera and can be viewed here:

<http://www.youtube.com/watch?v=buovLQ9qyWQ>

<http://www.youtube.com/watch?v=kNHXuf6qJas&feature=related>

Students, faculty, staff, and the community at large were outraged by UCPD's violence. As representative of the central UC Berkeley campus located in District 7, Councilmember Worthington sent out a personal letter (attachment #2) to Chancellor Robert Birgeneau and UC Police Chief Celaya, regarding his personal statement on the Occupy Cal protest. He also circulated an open letter (attachment #3) to the Berkeley and University communities.

We are glad that the Berkeley City Police were not involved in the violence that took place on campus. However, UC Police violence is a serious issue and should not be taken lightly when members of our community and constituents are the victims of this violence. The entire City Council should weigh in with an official letter from the City to the Chancellor and UC Police Chief.

FINANCIAL IMPLICATIONS

None.

CONTACT PERSON

Councilmember Kriss Worthington 510-981-7170
Casey Tran caseytran@berkeley.edu

Attached:

- 1- Letter from Berkeley City Council to Chancellor Robert Birgeneau and UC Police Chief Celaya
- 2- Letter from Kriss Worthington to Chancellor Robert Birgeneau and UC Police Chief Celaya
- 3- Open Letter from Kriss Worthington to the Berkeley and University Community and Friends of Nonviolence

Dear Chancellor Birgeneau and Chief Celaya,

We respectfully request creation of a clear use of force policy. Such a policy should explicitly prohibit use of batons on non-violent events. After widespread public concerns over use of non-violent protestors, the UC Police Chief indicated they could use tear gas or pepper spray. None of these tools should be used on non-violent protestors.

We request a formal apology to UC Berkeley students, faculty, staff, parents and Berkeley residents. UC Police violence is a serious issue and should not be taken lightly when members of our community and constituents are the victims of this violence.

Sincerely,

Berkeley City Council

Dear Chancellor Birgeneau and Chief Celaya,

I wanted to bring to your attention that banners with Free Speech content appear to have been seized by UCPD in front of Sproul Plaza. The banner was not attached to any tent so should not be in any questionable legal territory as validly permitted. It is hard to imagine that such an act could occur at the exact location of Berkeley where the Free Speech Movement began.

I respectfully request that you promptly inform your officers to STOP seizing banners that are legitimately in the hands of students and protesters. I also request that you return the banners that were inappropriately seized. You can imagine that the sense of irony will not be lost on the public, that the UCPD violated the Free Speech rights of protesters at this particular location.

I understand that there are a lot of people at the Occupy Cal event and that such an event can cause a lot of stress on you and officers. Nonetheless, in the United States and in Berkeley, we have clearly established parameters that allow posters and Free Speech banners. We request your prompt attention to this negative blotch on the UCPD on the very first day of Occupy Cal.

These students have made a firm commitment to no violence and no vandalism. The University should be commending the thousands of students that are participating. For many, this could be their very first political protest of their life. They are protesting specifically for additional financing for the University of California. The University should support this enthusiasm and help encourage this to be an effective protest that helps the University and our country.

It is unfortunate and unacceptable that the UCPD are vandalizing and removing free speech banners from the event. Please stop this behavior now.

Thank you for your prompt attention to this important issue.

Sincerely Kriss W.

An Open Letter to the Berkeley and University Community and Friends of Nonviolence Everywhere,

The U.C. Police Department recently used violence against Berkeley students, workers, and faculty and community supporters on November 9. This was unprovoked, unexpected, unjustified and unreasonable. The General Assembly at the event had publicly and clearly committed to nonviolence, and the participants appear to have maintained their nonviolence despite the violence inflicted on them. The police clearly could have arrested individuals rather than repeatedly hitting them with batons and grabbing them by their hair. There are multiple videos documenting the police use of excessive force. The Stephen Colbert commentary mentions “spearing a small Asian girl in the spleen first” but there appeared to be a true reflection of diversity in Black, White, Asian, Arab and Latino students and workers equally assaulted by the Police.

I believe it is important for the community to stand up and speak out against this injustice. See suggestions below. To avoid confusion, the City of Berkeley Police have not been reported to be part of this violence, it is the U.C P.D.

U.C. Police also appear to have violated multiple people’s legitimate rights to free speech and freedom of assembly. There are reports of U.C. Police tearing down legally posted notices of the event. U.C. Police also confiscated at least one banner and a banner or poster at the event and the U.C. Police Chief declined to answer my questions why. Instead the U.C. Police Chiefs unprofessional response was “I know what I am doing. I’ve been in law enforcement for twenty-nine years, and how many years have you done it?” From the antagonistic tone of the response I knew this was an overly stressed person, but I counted on the Chancellor to provide leadership, so I emailed both the Chancellor and the Chief. Unfortunately the Chancellor was apparently out of town and has subsequently sought to justify the U.C. Police violence by blaming the nonviolent protesters. I was personally present for most of the afternoon and evening and saw only one-sided violence by the Police and none by the students. (Admittedly, some of that time, I was on my cell phone addressing blighted buildings, helicopter noise complaints, returning calls, and taking care of City business, but I still had my eyes and ears out for any problems on Sproul.)

As I stated in my email to the Chancellor before the U.C. Police violence: “These students have made a firm commitment to no violence and no vandalism. The University should be commending the thousands of students that are participating. For many, this could be their very first political protest of their lives. They are protesting specifically for additional financing for the University of California. The University should support this enthusiasm and help encourage this to be an effective protest that helps the University and our country.”

I believe it is important for the community to stand up and speak out against this injustice. This is a moral issue, not just a political issue. There are multiple ways to help. These include:

1. Writing a letter or email to the Chancellor, and/or the media.
Chancellor@berkeley.edu
2. Asking your friends or groups to write letters or sign petitions.
3. Become an observer to reduce the likelihood of violence when more people are watching.
4. Donate time or money to support these courageous students, and/or hold a fundraiser/educational event.
5. **Show up on Sproul on Tuesday November 15** starting at noon. 2 p.m. is the rally and 5 p.m. is the General Assembly for the follow up event organizers have titled Open University
6. Join those of us who are pledging to put our bodies with, or in between the U.C. Police and the students to discourage U.C. Police from further violence. Please email Alejandro Soto-Vigil if you are willing to make this pledge at asoto-vigil@cityofberkeley.info
7. Advocate for dropping the trumped up charges against these nonviolent protesters.
8. Please feel free to contact me if you would like to help, or have any suggestions for what we should do.