



Cecilia Lunaparra

Councilmember, District 7

CONSENT CALENDAR

July 9, 2024

To: Honorable Members of the City Council

From: Councilmember Lunaparra

Subject: Amend Item to Remove the Dwight Way/Telegraph Avenue Intersection From the List of Intersections Being Considered for Additional Surveillance Technology

RECOMMENDATION

Amend Council action that was passed at the January 30, 2024 Council meeting to remove the Dwight Way/Telegraph Avenue intersection from the list of intersections being considered for additional surveillance technology.

CURRENT SITUATION AND ITS EFFECTS

On January 30, 2024, Council approved a budget referral to fund surveillance technology at various locations in Berkeley experiencing increased violent crime. The budget referral also instructed the City Manager to explore the possibility of implementing surveillance technology at an additional eight locations. One of the locations under consideration is the intersection of Dwight Way and Telegraph Avenue, located in District 7. At the time of passage, the Council did not have a District 7 representative. Moreover, the Dwight and Telegraph intersection is located just half a block away from People's Park and the Chess Club, both of which have recently faced displacement and increased police and private security presence. The Dwight/Telegraph intersection is also the site of Chuck Herrick Peace and Freedom Memorial Park, also known as the Dwight Triangle, now a community gathering space where mutual aid, food distribution, and harm reduction programs have emerged, supplanting the void left by the People's Park closure. Councilmember Lunaparra's office is concerned about the further criminalization of unhoused residents who have increasingly lost access to public gathering spaces as well as the infringement on civil liberties associated with increased surveillance technology. This proposed item, as

demonstrated in the attachment material, simply removes the one District 7 camera up for consideration in the action passed by Council on January 30, 2024.

Item 29 from the January 30 Council meeting, "Budget Referral: Additional Security Cameras at Intersections Experiencing Increased Violent Crime," intended to "deter violent crime and obtain evidence"¹ by installing cameras at intersections experiencing increased violent crime. Although the goal of this policy is commendable and important, the late inclusion of the Dwight and Telegraph intersection for additional surveillance is concerning, as it occurred just weeks after an assault on District 7 where hundreds of police officers barricaded People's Park, confronted protesters, and demanded identification for all residents entering the neighborhood.

Based on Berkeley Police Department's (BPD) Transparency Hub, from January 1, 2023 and June 1, 2023, there were seven disturbances, instances of burglary/theft, and assaults/battery at the Dwight/Telegraph intersection.² Comparatively, from January 1, 2024 - June 1, 2024, there were 11 reports of violent crime at the Dwight/Telegraph intersection, seemingly representing a concerning increase in violent crime. However, four of those 11 reported instances occurred on January 4, 2024, the same day the UC Police Department, Berkeley Police Department, Cal State University Police, California Highway Patrol, and the Alameda County Sheriff's³ Office closed People's Park and the surrounding areas, forcibly removing community members and arresting those non-violently protesting or unwilling to leave.⁴ While the initial report used data from the Transparency Hub up until January, we now have more recent data showing that the increase in violent crime from the same months in 2023 and 2024 is solely due to incidents that occurred on January 4th, which are not indicative of broader criminal trends. Without those four incidents, the rate of violent crime at Dwight and Telegraph remains unchanged.

¹ City of Berkeley, "Budget Referral: Additional Security at Intersections Experiencing Increased Violent Crime," last modified January 30, 2024, accessed June 8, 2024, <https://berkeleyca.gov/sites/default/files/documents/2024-01-30%20Item%2029%20Budget%20Referral%20Additional%20Security.pdf>.

² Berkeley Police Department, "Crime Data," BPD Transparency Initiative, accessed June 6, 2024, <https://bpd-transparency-initiative-berkeleypd.hub.arcgis.com/pages/crimes>.

³ Jenny Kwon and Alex K. Fong, "People's Park: A Timeline of Berkeley's Iconic Landmark," San Francisco Chronicle, accessed June 7, 2024, <https://www.sfchronicle.com/projects/2024/peoples-park-berkeley-timeline/>.

⁴ Emilie Raguso, "Recapping 16 Hours: People's Park, UC Berkeley Walls Off Historic Site," Berkeleyside, accessed June 7, 2024, <https://www.berkeleyside.org/2024/01/04/recapping-16-hours-peoples-park-uc-berkeley-walls-off-historic-site>.

BACKGROUND

At the January 30, 2024 Council meeting, the authors submitted revised agenda material to be considered as part of the item, but the motion to incorporate the material into the agenda failed. Council ultimately passed an amended item that was developed on the dais. For these reasons, our office has only included the proposed amended action from the minutes of the meeting as opposed to the original item, supplemental, and additional agenda material.

FISCAL IMPACTS OF RECOMMENDATION

None

ENVIRONMENTAL SUSTAINABILITY

N/A

CONTACT PERSON

Councilmember Cecilia Lunaparra, 510-981-7170

ATTACHMENTS

Amended action from January 30, 2024 Council meeting

Council Action Items

29. Budget Referral: Additional Security Cameras at Intersections Experiencing Increased Violent Crime 2

From: Councilmember Humbert (Author), Councilmember Bartlett (Co Sponsor)

Recommendation: In order to deter violent crime and obtain evidence to solve criminal investigations, adopt the following recommendations:

1. Authorize the City Manager to install additional security cameras, prominent signage, and increased lighting in the public right-of-way at intersections experiencing a rise in violent crime and/or which include arterial streets offering entry/exit points for Berkeley.
2. Refer costs for security cameras and lighting to the next budget process. Security camera footage would be used solely for the purpose of solving criminal investigations. The cameras are not intended and would not be used for continuous surveillance purposes. Cameras should ideally be compatible with those already in use at San Pablo Park under Contract Nos. 31900080 and 31900205 and those deployed at other intersections throughout the city. Priority intersections for security camera installation would include: - Alcatraz and College; -Woolsey and Telegraph; -Woolsey and Shattuck; - Alcatraz and Adeline; and -Alcatraz and Sacramento.

Financial Implications: See report

Contact: Mark Humbert, Councilmember, District 8, (510) 981-7180

Action: M/S/Failed (Arreguin/Humbert) to accept revised material from Councilmember Humbert on Item 29.

Vote: Ayes – Bartlett, Harrison, Hahn, Humbert, Arreguin; Noes – Kesarwani, Taplin; Abstain – None; Absent – Wengraf.

Action: M/S/Carried (Arreguin/Hahn) to suspend the rules and allow for a 30-minute public comment period on Item 29.

Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Harrison, Wengraf.

Councilmember Harrison absent at 8:54 p.m.

Action: 21 speakers. M/S/C (Arreguin/Bartlett) to:

1. Pursuant to Berkeley Police Department Policy Numbers 351 and 1304, the City Council approves the following additional locations for the installation of External Fixed Video Surveillance Cameras, signage and increased lighting at the following locations, and refer the costs for acquisition of cameras and lighting to the FY 2025 Budget process:
 - Alcatraz and College
 - Woolsey and Telegraph
 - Woolsey and Shattuck

- Alcatraz and Adeline
- Alcatraz and Sacramento
- San Pablo Ave. and Gilman

Additional camera locations to be considered for potential future installation include:

- ~~Telegraph and Dwight~~
- 5th Street and Gilman
- 4th Street and Hearst
- Cedar St. and Eastshore Hwy
- 4th Street and Virginia
- 8th Street and Harrison
- 2nd Street and Page
- University and San Pablo

The costs for installation and maintenance of cameras at additional authorized locations would be determined and approved separately during future budget processes.

2. Direct the City Manager to engage with the Police Accountability Board on this proposal and request their feedback to Council within 30 days of submission. The Council will take its comments into consideration during subsequent steps for final approval for purchase and installation of cameras at approved locations.

3. Direct the City Manager to prepare targeted amendments to various pertinent surveillance technology reports and policies in order to provide extra transparency beyond what is explicitly required by the Berkeley Municipal Code and Berkeley Police Department Law Enforcement Manual.

Security camera footage would be used solely in a manner consistent/compliant with existing ordinances and the Berkeley Police Department's existing use policies, as enumerated in the Berkeley Municipal Code, the Berkeley Police Department Law Enforcement Manual. The cameras are not intended and would not be used for continuous surveillance purposes. Cameras should ideally be compatible with those already in use at San Pablo Park under Contract Nos. 31900080 and 31900205 and those deployed at other intersections throughout the city.

Vote: Ayes – Kesarwani, Taplin, Bartlett, Humbert, Arreguin; Noes – None; Abstain – Hahn; Absent – Harrison, Wengraf.

