

Peace and Justice
Commission

PEACE & JUSTICE COMMISSION MEETING AGENDA
Monday, June 3, 2019 – 7:00 p.m.
Berkeley City Hall,
2180 Milvia, Cypress Room Berkeley, CA

SECTION A. PRELIMINARY MATTERS

1. Roll Call
2. Announcements
3. Comments from the Public (*subject to time limits applicable to all speakers as necessary*)
4. Review and approval of meeting minutes - see attachment 2
5. Commission Updates & Chairperson's Report
6. Secretary's Report (including status of passed items from previous meetings)

SECTION B. SUBCOMMITTEE REPORTS AND OTHER COMMISSION BUSINESS

7. Subcommittee on The Convention on the Rights of Persons with Disabilities (Commissioner Maran) discussion and potential appointments
8. Subcommittee on Socially Responsible Investments and Procurement (Commissioner Bohn) discussion and potential appointments
9. BUSD subcommittee discussion and potential appointments

SECTION C. ACTION ITEMS

10. Recommend Council action on request for waiver of the Nuclear Free Berkeley Act to authorize the City to enter into a contract with UC Berkeley to conduct an evaluation of the Healthy Berkeley programs and the sugar sweetened beverage tax.
11. Report and possible action on Sanctuary Community Working Group in coordination with Mayor's Task Force on Sanctuary City (Lippman)
12. Adopt a resolution on spike in homeless deaths in Berkeley (Lippman)
13. Approve a letter to Mayor and Council supporting ban on facial recognition systems (Lippman)
14. Approve a letter to Mayor and Council supporting Mental Health Commission proposal to ban use of spit hoods by Berkeley police (Lippman)

15. Discuss and potentially take action on the Adeline Corridor Plan (Tregub)
16. Discuss and potentially adopt annual commission Work Plan (Tregub)

SECTION D. COMMUNICATIONS

SECTION E. BACKGROUND INFORMATION

SECTION F. ADJOURNMENT

Attachments:

1. Roster, enabling legislation, work plan, and commission status of items
2. Minutes of May 4, 2019 meeting
3. PHD UCB request memo and UCS SSB Survey Contract Exhibit A
4. Ordinance Amending Berkeley Municipal Code Chapter 2.99 to Prohibit Face Recognition
5. Final Mental Health Commission Law Enforcement Resolution on Restraint Devices
6. Consent item on spithood

The next meeting of the Peace & Justice Commission is scheduled for July 15, 2019. All proposed Commission agenda items should be submitted to the Commission Secretary by or before July 5, 2019. Dates are subject to change, please contact the Commission Secretary by email at bslimick@cityofberkeley.info to confirm receipt of submitted items.

ADA Disclaimer



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SB 343 Disclaimer

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Old City Hall located at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704.

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Peace and Justice Commission Roster

Name	Appointer	District
Omeed Askary	<i>Levy-Cutler</i>	<i>BUSD</i>
Zo Pancoast	Alper	BUSD
Zaira Rodriguez	Student Director	BUSD
Rachel Pierce	Julie Sinai	BUSD
VACANT		BUSD
Grace Morizawa	Appel	BUSD
Igor Tregub (Chair)	Arreguin	Mayor
Rita Maran	Maio	1
Dr. Hatem al-Bazian	Davila	2
J. George Lippman (Vice Chair)	Bartlett	3
Diana Bohn	Harrison	4
Judith Gussmann	Hahn	5
Robert L Meola	Wengraf	6
Denny Han	Worthington	7
Angie Chen	Droste	8

Chapter 3.68 PEACE AND JUSTICE COMMISSION

Sections:

- [3.68.010](#) Findings.
- [3.68.020](#) Established--Membership--Appointment.
- [3.68.030](#) "Peace and justice" defined.
- [3.68.040](#) Automatic termination of appointment.
- [3.68.050](#) Liaison representative to other City entities.
- [3.68.060](#) Organization, meetings, rules, and procedures.
- [3.68.070](#) Functions.

3.68.010 Findings.

The council finds as follows:

- A. The intentional destruction of cities in war is the rule and not the exception.
- B. State, national and international governmental bodies have failed to control war and in fact, have in many cases, been responsible for war and the conditions of war.
- C. The wealth that could be spent to help the poor, heal the sick, house the homeless, educate the children, and care for the elderly is now spent on ever more costly weapons of mass destruction.
- D. Peace is not a fictitious tranquil end-state, but the process of solving differences constructively, creatively, and non-violently.
- E. Peace is inseparable from justice.
- F. The present threat of nuclear or biological holocaust is not peace, but a condition of war against all humanity.
- G. Initiatives are needed to reverse the drift toward war and to remove the causes of war.
- H. Our best protection lies in initiating, devising, and promulgating peaceful and just policy alternatives.
- I. Individual citizens, unless organized, are virtually powerless in confronting and influencing larger governmental bodies.

J. It is the responsibility of one and all to labor hard for peace and justice within forums of appropriate scale.

K. The residents of Berkeley have continually demonstrated their concern for peace and justice based on equality among all peoples.

L. The residents of Berkeley have welcomed to our City those who have been forced into exile, and who have come fleeing torture and death.

M. The Berkeley City Council, to act successfully in furthering peace and justice, must have wise counsel, accurate research, vigorous analysis, articulate formulation of issues and proposals for action, and thus the establishment of a Peace and Justice Commission is proper. (Ord. 5705 § 1, 1986)

3.68.020 Established--Membership--Appointment.

A Peace and Justice Commission is hereby established. The commission shall consist of fifteen members. Six members shall be appointed by the Berkeley Unified School District Board and nine members shall be appointed by the Berkeley City Council. Commission members shall have a demonstrated interest in the area of peace and social justice. It is suggested that the commission should have some representation of political refugees and political exiles who are residents of Berkeley and otherwise eligible to serve on the commission. Berkeley City Council appointments to the commission shall be made, and vacancies shall be filled in accordance with the provisions of Sections [2.04.030](#) through [2.04.130](#) of the Berkeley Municipal Code enacted as Ordinance No. 4780-N.S. by the voters of the City. (Ord. 5705-NS § 2, 1986)

3.68.030 "Peace and justice" defined.

For the purpose of this chapter, "peace and social justice" shall refer to the goal of creating a world community in which the relations between people are based on equality, respect for human rights, and the abhorrence of exploitation and all forms of oppression. (Ord. 5705-NS § 3, 1986)

3.68.040 Automatic termination of appointment.

A. The appointment of any member of the commission who has been absent from three consecutive meetings shall automatically terminate as set forth in Berkeley Municipal Code Chapter 3.02 unless: (i) the absence of the commissioner is due to incarceration for acts of conscience or is due to absence from the City for work related to that of the commission, (ii) in the case of absences for reasons stated in item (i) it is strongly urged that in accordance with Section [3.02.030](#) of the Berkeley Municipal Code the appointing councilmember grant a leave of absence for not more than three months, and fill the vacancy with a temporary appointment to the commission.

B. The chairperson of the commission shall report the attendance records of each member of the commission to the City Clerk monthly for each regularly scheduled meeting.

C. Any member absent as noted in items A (i) and A (ii) above shall be recorded as "excused". Any member absent without being recorded as excused from three consecutive regular meetings as reported monthly shall be terminated automatically after the third missed meeting.

D. The City Clerk shall notify any member whose appointment has automatically terminated and report to the appointing City Councilmember or School Board that a vacancy exists on the commission and that an appointment should be made for the unexpired term. (Ord. 5705-NS § 4, 1986)

3.68.050 Liaison representative to other City entities.

The commission may designate one or more of its members to act as a liaison representative to any other board, commission, or committee of the City. The functions of the liaison representative may include:

A. Attendance at meetings of such other boards, commissions or committees;

B. Advising the Peace and Justice Commission on the background behind those recommendations to the City Council of other boards, commissions or committees; and,

C. On request of any member of such other board, commission or committee giving advice to such other board, commission or committee of policies, and procedures and recommendations to the City Council of the Peace and Justice Commission that may bear upon matters under discussion by such other board, commission or committee. (Ord. 5705-NS § 5, 1986)

3.68.060 Organization, meetings, rules, and procedures.

A. The commission shall organize by electing from its members one chairperson and one vice-chairperson and such other officers as may be necessary, who shall hold office for one year and until their successors are elected unless their terms as members of the commission expire sooner. An officer or employee of the City designated by the City Manager shall serve as secretary to the commission.

B. The commission shall establish a regular place and time for meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. The frequency of meetings shall be as determined by City Council resolution. The scheduling of special meetings in addition to those established by City Council resolution, except special meetings that take the place of cancelled regular meetings, shall be subject to approval by the City Council. A request for a special meeting shall include the

reason for the proposed meeting and should be expedited on the City Council' s agenda, or in the alternative, placed before the Agenda Committee for approval.

C. The commission shall establish internal working rules and procedures which do not violate those rules of governance existing in the City Charter, the Commissioner's Handbook, or established through the authority of the City Council. (Ord. 6899-NS § 1, 2006: Ord. 5705-NS § 6, 1986)

3.68.070 Functions.

The commission shall perform the following functions:

A. Advise the Berkeley City Council and the Berkeley Unified School Board on all matters relating to the City of Berkeley's role in issues of peace and social justice, including, but not limited to the issues of ending the arms race, abolishing nuclear weapons, support for human rights and self-determination throughout the world, and the reallocation of our national resources so that money now spent on war and preparation of war is spent on fulfilling human needs and the promotion of peace.

B. Help create citizen awareness around issues of social justice and develop educational programs for implementation by the City Council and the School Board.

C. Help develop proposals for the City Council and the School Board for actions in furtherance of the goals of peace and justice, and help publicize such actions in the community.

D. Hold public hearings and community forums on issues that fall within the charge of the commission, and call on appropriate witnesses to provide pertinent information.

E. Initiate and encourage research programs to collect and assess information relevant to the functions of the commission including the effect of the arms race and military spending on funding for City and school programs and on the quality of life for citizens of Berkeley.

F. Develop ways to resolve conflict which do not involve violence and which may be applied on a local level as well as a national level.

G. Initiate and develop cultural and educational foreign exchange.

H. Act as a liaison between community groups organizing around issues of peace and social justice and City government.

I. Prepare inventories of City resources, both public and private that are available for furthering the work of promoting international peace and social justice.

J. Provide information to other municipalities and school districts on the work of the commission, and exchange information on actions taken by cities and the School Board in furtherance of the goals of the commission.

K. Assist the Director of Finance in the annual evaluation of financial institutions for qualification of City investments; complete development and assist in the implementation of a linked deposit program; encourage target investments; coordinate with City agencies, appropriate community organizations, public and private investors, and the Governor's Public Investment Task Force; and advise the City Council on matters relating to the responsible investment of public funds in accordance with the responsible investment policy established by Resolution No. 55,141A-NS.

L. Perform such other functions and duties as may be directed by the City Council or prescribed or authorized by any ordinance of the City, and such other functions and duties not prohibited by City Council which the commission should decide are consistent with its overall function of promoting peace and social justice.

M. In prescribing the above duties and functions of the commission, it is not the intent of the council to duplicate or overlap the functions, duties, or responsibilities heretofore or hereafter assigned to any other City board or commission or to a City department. As to such functions or responsibilities above set forth which are partially or wholly the responsibilities of another board or commission or of a department of the City, the commission will render such assistance and advice to such board, commission or department as may be requested. (Ord. 6017-NS § 1, 1990: Ord. 5705-NS § 7, 1986)

Peace and Justice Commission
2018-2019 Annual Work Plan

Mission Statement:

The Peace and Justice Commission advises the Berkeley City Council and the Berkeley Unified School District Board on all matters relating to the City of Berkeley's role in issues of peace and social justice. (BMC Section 3.68.070.A.) Under its mandate, the Commission also helps create citizen awareness around issues of social justice, holds public hearings and community forums, initiates and encourage research programs, develops ways to resolve conflict which do not involve violence, acts as a liaison between community groups organizing around issues of peace and social justice and City government, and assists the Director of Finance in the evaluation of financial institutions for socially responsible investing.

I. Resolutions and communications to Council and the Board of Education.

Address homelessness, racial and gender justice, policing policy (including external BPD relationships such as NCRIC and UASI), protection of Ohlone sacred sites, civil liberties, international peace with justice, and other social issues as they arise throughout the year with proposals and communications as appropriate.

II. Other existing responsibilities and subcommittees.

- a. Continue the established responsibility for Nuclear Free Berkeley Act oversight and waiver process, as proposals are submitted to the Commission by City staff. Continue to collaborate with the international movement against nuclear weapons.
- b. Subcommittee on the Convention on the Rights of Persons with Disabilities (CRPD).

The Subcommittee held a successful forum on the CRPD in 2018, and plans to hold a follow-up forum in 2019.

- c. Socially Responsible Investing and Procurement Subcommittee (SRIP).
 - i. Improve and institutionalize the City's commitment to Socially Responsible investing, banking, and procurement.¹

¹ BMC Section 3.68.070.K: "The [Peace and Justice] Commission shall perform the following functions...K. Assist the Director of Finance in the annual evaluation of financial institutions for qualification of City investments...and advise the City Council on matters relating to the responsible

Develop a resolution to propose a mechanism to fulfill the Commission's mandated advisory role.

- ii. Work with the Mayor's Task Force on Banking to strengthen and make effective the SRIP program, especially with regard to Procurement
- iii. Work with the BUSD School Board Policy Committee to establish an effective Sweatfree Berkeley Schools Policy.

III. Proposed expansions of responsibility.

The Commission has proposed two areas in which it could assist the Council in support of its Sanctuary City/City of Refuge declaration. As Berkeley has no Immigrant Rights Commission, Peace and Justice functions in that capacity on a de facto basis.

- a. Regional Sanctuary Community Working Group. The Commission offered to take on coordination with other Sanctuary communities (cities and counties) in a resolution passed July 9, 2018. Mayor Arreguin asked the Commission to do this work through the Mayor's Sanctuary City Task Force.
- b. Sanctuary City Contracting Ordinance — Ban ICE data brokers from city contracting. The Commission reviewed the ordinance referred to it by Council, and responded with suggested language giving the Commission a role in vetting contracts, patterned after its role in the Nuclear Free Berkeley Act. The Commission's letter appeared in a subsequent Council agenda packet as a communication and is pending Council action.

- IV. Cooperate with the school board and the BUSD community on social issues of mutual interest affecting students and youth, with special consideration to the problem of the educational opportunity gap and sexual harassment in the schools, in the context of Title IX. Success of this initiative depends on School Board members fully appointing membership of the Peace and Justice Commission (to its statutory number of six BUSD-appointed commissioners from the present two).

investment of public funds in accordance with the responsible investment policy established by Resolution No. 55,141A-NS.”)

The Commission will support the development of the African American Holistic Resource Center.

Background:

CRPD

The Peace & Justice Commission established the Subcommittee on the Convention on the Rights of Persons with Disabilities (the Subcommittee) in 2014, in order to institutionalize the City of Berkeley's long-standing focus on promoting and protecting the legal rights of persons with disabilities. The City has held a leading position in the field of disability rights for many years, and is well-known nationally and internationally as an unusually fruitful breeding ground for grassroots non-profit organizations working in that field.

Together with representatives from four other City of Berkeley Commissions: the Commission on the Status of Women, the Commission on Disability, the Commission on Mental Health, and the Commission on Aging, the Subcommittee published its Mission Statement; requested the Peace & Justice Commission to ask the City Council to write to the U.S. Senate urging ratification of the Convention on the Rights of Persons with Disabilities (duly done in 2015); and held a public Forum at the Ed Roberts Campus in May 2018.

The Subcommittee is working on plans to hold another public Forum in 2019.

The Honorable Jesse Arreguin, Mayor of the City of Berkeley, welcomed the Forum participants at this successful Subcommittee initiative that extended knowledge and applicability of the international treaty in Berkeley.

Nuclear-Free Berkeley

The Nuclear Free Berkeley Act came into force in 1986 (Chapter 12.90.070 Section 030D). The Peace & Justice Commission established the Subcommittee on The Nuclear Free Berkeley Act (NFBA) to oversee and reinforce compliance with the terms of the Act. The Subcommittee's activities have included:

- recommendation against a waiver for continuation of the Berkeley Public Library's contracts with 3M (2009-2010);
- consideration of a waiver for the City of Berkeley Public Health Division's proposal on medical supplies (2012);
- recommendation of a waiver for the SkyDeck Business Incubator-Accelerator Contract (2012);
- recommendation (February 7, 2013) to the Regents of the University of California that it phase out responsibility for operating the Nuclear Weapons Laboratories in Livermore and Los Alamos;

- a letter from the City of Berkeley to President Obama in 2014 urging support of a ban on nuclear weapons.

More recently, in light of the Award of the Nobel Peace Prize in 2017 to the International Campaign to Abolish Nuclear Weapons (ICAN), whose goal is international adherence to and full implementation of the Treaty on the Prohibition of Nuclear Weapons (the Treaty), the Peace and Justice Commission will seek to collaborate further with ICAN on activities of mutual concern. We would note that the California State Senate and the California State Assembly voted affirmatively on a bill in September 2018 to urge U.S. Senate adoption of the Treaty. Strong support comes also from the International Red Cross Red Crescent Movement; NuclearBan.US, The City of Los Angeles, California; the City of Takoma Park, Maryland; Physicians for Social Responsibility; and the U.S. Conference of Mayors, among others.

Indigenous Peoples:

Between December 2015 and January 2016, the Berkeley City Council, upon the recommendation of the Peace and Justice Commission, adopted five important resolutions supporting the treaty rights of indigenous people in Berkeley. The resolutions included: recognition of the Ohlone people as the original inhabitants of Berkeley and the Bay Area, pledging to work in good faith with Ohlone representatives; implementing the UN Declaration on the Rights of Indigenous Peoples as municipal policy; endorsing the upgrading of the Declaration to a Convention; honoring the Berkeley Shellmound indigenous site; and urging the East Bay Regional Parks District to protect the Ohlone place of origin sacred site.

The resolution on the Berkeley Shellmound mandated that “free, prior, and informed consent of the Ohlone and other indigenous peoples of the region should be integral to any alteration planning for the Berkeley Shellmound site, in accordance with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.”

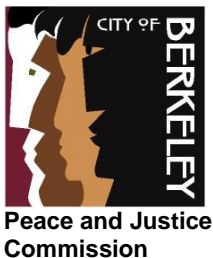
In 2018-2019 the Peace and Justice Commission will support the implementation of these resolutions with particular attention to proposed development of the Berkeley Shellmound site.

Sweatshop-Free Berkeley:

The Sweatshop-free Berkeley Policy now has a zero dollar threshold per supplier per year for textile products purchased by the City. This threshold is an improvement over the previous minimum of \$1,000 purchase per supplier for the Policy to apply. However, the policy is complaint-driven, so the burden is on community members to research the supply chain for each supplier. The SRIP Subcommittee proposes to establish a mechanism for suppliers to show that they are using Sweatshop Free products for City purchases.

The Policy governs textile purchases only. The goal is to identify sweat-free alternatives for technology purchases so tech can be covered as well.

The BUSD, through the School Board Policy Committee, is in the process of establishing a Sweatfree Schools Policy for athletic supplies. The SRIP Subcommittee and the Commission are supporting the BUSD to ensure the development of an effective policy.



**Peace and Justice Commission Meeting
 Regular Meeting – Monday, May 13, 2019
 City of Berkeley City Hall, 2180 Milvia, Berkeley CA, Cypress Room**

MINUTES

The meeting convened at 7:13 pm with Chair Lippman presiding.

1. Roll Call

Present: Bohn, Gussmann, Han, Lippman, Maran, Meola, Morizawa, Pancoast, Pierce, Rodriguez

Absent: Askary, Chen

Excused: al-Bazian, Tregub

2. Announcements

3. Comments from the Public

Public Attendance: 2

Public Comments: Non-citizen Residents voting for local government

Action Items

4. Review and Approval of Meeting Minutes

The Peace and Justice Commission adopted minutes for April 8, 2019 meeting.

M/S/C: Pancoast, Pierce

Ayes: Bohn, Gussmann, Han, Lippman, Maran, Meola, Morizawa, Pancoast, Pierce, Rodriguez

Noes: None

Abstain:

Absent: Askary, Chen

Excused: al-Bazian, Tregub

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5. Commission Updates and Chairperson’s Report (No Action Taken)

6. Secretary’s Report (No Action Taken)

7. African American Holistic Resource Center Presentation (No Action Taken)

8. Subcommittee on The Convention on the Rights of Persons with Disabilities (No Action Taken)

**9. Subcommittee on Socially Responsible Investments and Procurement
(No Action Taken)**

**10. BUSD subcommittee discussion and potential appointments (No Action
Taken)**

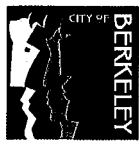
**11. May 15th Celebration of 13th Annual Berkeley CO and War Resisters' Day /
International Conscientious Objectors' Day (Commissioner Meola)**

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The meeting was adjourned at 9:45 PM.


Respectfully Submitted,

Breanne Slimick, Secretary
Peace and Justice Commission



Health, Housing & Community Services Department
Public Health Division

TO: Peace and Justice Commission

FROM: Janice Chin, HHCS, Public Health Division Manager 

DATE: May 24, 2019

SUBJECT: Request waiver of the Nuclear Free Berkeley Act per BMC Section 12.90.070(A)

The City of Berkeley has and continues to coordinate and support the evaluation efforts of the sugar sweetened beverage product distribution tax and programs that are funded through the Healthy Berkeley Program, including Berkeley Unified School District (BUSD). A critical component of this evaluation work is completed through a contract with a researcher at the University of California, Berkeley

Per Berkeley Municipal Code Section 12.90.070 (A), staff is requesting waiver of the Nuclear Free Berkeley Act to allow for the City of Berkeley to enter into an agreement with the Regents of the University of California on behalf of its Berkeley campus, University of California, Berkeley (UC Berkeley) to implement an expenditure contract for evaluation services.

1. Intent and Purpose

The purpose of the expenditure contract is to engage the expertise within UC Berkeley to support programs that may potentially impact the overall health and well-being of Berkeley residents, through the evaluation of the Healthy Berkeley programs and the sugar-sweetened beverage tax.

The project includes elements under the City's control and elements under the purview of UC Berkeley, including:

COB Responsibilities:

- Execute agreements between COB and UCB, detailing the agreements and responsibilities under the grant and expenditure contract.

UCB Responsibilities:

- Develop and implement the evaluation as per agreement with COB.
- Monitor progress and ensure regular communication to COB.
- Submit project and financial reports as per agreement.

Costs:

- The City will cover the costs for the evaluation services through general funds.

2. Availability of Alternatives

The alternative to entering into an agreement with UC Berkeley is to discontinue a significant portion of the evaluation of the impact of the sugar-sweetened beverage tax and the Healthy Berkeley Program, thereby limiting the availability of evidence about the effectiveness of the tax.

3. Quantifiable Additional Costs of Available Alternatives

There are no other alternatives at this time. Without this waiver, UCB will not be able to enter into a contract with COB to provide evaluation expertise. In addition, \$40,000 will not be able to be spent down for the Healthy Berkeley general fund and be lost by the program for the FY2019.

Attachments:

- a. Scope of Work for the Regents of the University of California, U.C. Berkeley

Exhibit A

SCOPE OF SERVICES

On November 4, 2014, Berkeley passed a specific excise tax on sugar-sweetened beverages (SSBs), which was implemented in March, 2015. Measure D, which specified the tax, also established a Panel of Experts to make recommendations on how and to what extent the City should establish and/or fund programs to reduce the consumption of sugar-sweetened beverages in Berkeley and to address the effects of such consumption. The public health impact of Measure D on children has yet to be determined in Berkeley. To this end, in 2016, the consultant agency conducted a wave 1/baseline survey of SSB consumption as well as attitudes, knowledge and norms around SSBs among children in 9 BUSD schools. The consultant agency will work with the City of Berkeley to design and implement a wave 2 self-administered survey that determines children's:

1. **Beverage consumption.** This includes consumption of SSBs (regular soda, sports drinks, energy drinks, and fruit-flavored drinks, and sweetened coffee and tea) and non-SSBs (water, diet soda, milk, and juice).
2. **Attitudes, knowledge, and norms around SSB consumption.** Attitudes, knowledge and norms regarding SSBs that may be predictive of consumption and could change before actual behavior changes.
3. **Exposure to gardening and cooking program.** BUSD received a direct allocation of funding for the gardening and cooking program, and these questions will assess exposure to the program.

The contractor will negotiate the specific length and content of the final survey with the school district and Cooking and Gardening Program for effective survey administration.

Survey items will be repeated from the wave 1/baseline survey conducted by the contractor in 2016. Survey items on SSB consumption were adopted from the Youth Risk Behavior Survey (YRBS) and state versions of YRBS that assess additional beverages. YRBS was developed and used by the Centers for Disease Control and Prevention (CDC) since 1990 to biennially monitor health risk behaviors among adolescents across the United States¹ as part of the Youth Risk Behavior Surveillance System. Use of the YRBS items allows for Berkeley's data to be compared to data routinely collected at the national and state level. The contractor will obtain approval of final survey instrument from the City of Berkeley.

¹ <https://www.cdc.gov/healthyyouth/data/yrbs/overview.htm>

The contractor will obtain student-level identifiers that would allow linking survey data with student demographics (age, gender, race/ethnicity, and free and reduced price meal eligibility) provided by BUSD. The contractor will also conduct matching by student-level identifiers to link wave 1/baseline survey responses with wave 2 survey responses. Collection of identifiers and demographics is dependent on BUSD continuing to allow an “opt-out” status exception for parental permission for this research and BUSD’s continued provision of student demographics without cost.

Sample: The contractor will seek to recruit the same schools that were included in the survey sample in fall of 2016. Surveys will be administered in grades 5, 7, and 9-12 in five elementary schools (Cragmont, Jefferson, John Muir, LeConte, and Thousand Oaks), two middle schools (Longfellow and Willard), and two high schools (Berkeley High—from which a sample of classes will be selected sampled—and Berkeley Tech). Provided all schools agree to participate, the contractor estimates a sample size of ≥850 completed surveys.

Deliverables

By May 31, 2020, the consultant will produce and forward to the City of Berkeley, a de-identified student-level dataset and prepare a presentation and brief report on wave 2 average responses to questions by school, grade-level, gender race/ethnicity, and free and reduced price meal eligibility.

Details of the project implementation will follow a mutually-agreed upon work plan.



Kate Harrison
Councilmember District 4

2a.45

ACTION CALENDAR
June 11, 2019

To: Honorable Mayor and Members of the City Council
 From: Councilmember Harrison
 Subject: Adopt an Ordinance Amending Berkeley Municipal Code Chapter 2.99 to Prohibit City Use of Face Recognition Technology

RECOMMENDATION

Adopt an ordinance amending Berkeley Municipal Code Chapter 2.99 to prohibit the City from acquiring, retaining, requesting, accessing, or using: (1) any face recognition technology, or (2) any information obtained from face recognition technology.

BACKGROUND

The City of Berkeley was the first City in California to adopt a comprehensive Ordinance regulating City Departments' acquisition of surveillance technology (Ord. 7592-NS, 2018). The legislation, adopted unanimously, recognizes that surveillance technology is inherently dangerous to civil liberties, and establishes a requirement that the City proactively establish why proposed surveillance technology is in the public interest and request Council permission to acquire it.

In adopting its own Acquisition of Surveillance Technology Ordinance modeled upon Berkeley's, the San Francisco Board of Supervisors recently became the first city in the United States to also prohibit city departments' from acquiring, retaining, requesting, accessing, or using of face recognition technology, except at the federally regulated San Francisco Airport and Port. Face recognition technology means "an automated or semi-automated process that assists in identifying or verifying an individual based on an individual's face."¹

It is in the public interest for the City of Berkeley to amend its existing Surveillance Technology Ordinance to include a ban of City use of face recognition technology. There are a number of essential constitutional reasons why government use of this specific technology is incompatible with the people's civil liberties:

¹ City and County of San Francisco, Board of Supervisors, "Administrative Code - Acquisition of Surveillance Technology," May 21, 2019, <https://sfgov.legistar.com/LegislationDetail.aspx?ID=3850006&GUID=12FC5DF6-AAC9-4F4E-8553-8F0CD0EBD3F6>.

1. Government use of face recognition technology for identifying or tracking individuals or groups *en masse* for criminal and civil purposes flies in the face of the fundamental principle underlying the Fourth Amendment to the United States Constitution. The amendment clearly prohibits federal, state and local governments from engaging in mass surveillance of their citizens.²

Facial recognition technology differs from stationary surveillance cameras in that it eliminates the human and judicial element behind the existing warrant system by which governments must prove that planned surveillance is both constitutional and sufficiently narrow to protect targets' and bystanders' fundamental rights to privacy while also simultaneously providing the government with the ability to exercise its duties.

Facial recognition technology automates the search, seizure and analysis process that was heretofore pursued on a narrow basis through stringent constitutionally-established and human-centered oversight in the judiciary branch. Due to the inherent dragnet nature of facial recognition technology, governments cannot reasonably support by oath or affirmation the *particular* persons or things to be seized. The programmatic automation of surveillance fundamentally undermines the community's liberty.

With respect to the Fourth Amendment, in practice, facial recognition technology's sweeping nature has already proven extremely ineffective at applying narrowly tailored surveillance. For example, according to the American Civil Liberties Union, in 2018 Amazon's technology "incorrectly matched 28 members of Congress, identifying them as other people who have been arrested for a crime...[t]he false matches were disproportionately of people of color, including six members of the Congressional Black Caucus, among them civil rights legend Rep. John Lewis (D-Ga.)."³

² The Fourth Amendment reads:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

See Fourth Amendment to the United States Constitution, Cornell Law School Legal Information Institute, https://www.law.cornell.edu/constitution/fourth_amendment.

³ Jacob Snow, "Amazon's Face Recognition Falsely Matched 28 Members of Congress With Mugshots," American Civil Liberties Union, July 26, 2018, <https://www.aclu.org/blog/privacy-technology/surveillance-technologies/amazons-face-recognition-falsely-matched-28>.

While it is easy to write off the Amazon example, along with other examples of the grave issues of facial recognition technology by looking at the technology's shortcomings as merely an engineering or temporary problem, in fact, the technology poses a fundamental Fourth Amendment constitutional problem.

2. Government acquisition and use of mass surveillance presents a fundamental threat to the community's First Amendment right to exercise their freedom of speech, including through assembly, and petitions to the government for a redress of grievances.⁴

Brian Hofer, the Executive Director of Secure Justice, and Matt Cagle, a Technology and Civil Liberties Attorney at the ACLU of Northern California, point out in a recent editorial that there is evidence from the 1970s of local Bay Area governmental entities, such as the San Francisco Police Department, amassing "intelligence files on over 100,000 people, including civil rights demonstrators, union members, and anti-war activists." They note that while these intelligence files took decades to collect, authorities using face recognition technology today, "can stockpile information on 100,000 residents in a few hours."⁵

Government face recognition surveillance will likely have a chilling effect on public engagement. The City of Berkeley can ill-afford to acquire and use technology that has the potential to circumscribe citizens' essential First Amendment rights.

These fundamental constitutional deficiencies with regard to government acquisition and use of face recognition technology necessitates that the Council move proactively to prohibit use of such technology by the City of Berkeley.

FINANCIAL IMPLICATIONS

The Ordinance will prevent investment in expensive face recognition technology.

ENVIRONMENTAL SUSTAINABILITY

The Ordinance is in line with the City's Climate goals by preventing the use of carbon-intensive computing resources for processing bulk facial data.

⁴ See Fourth Amendment to the United States Constitution, Cornell Law School Legal Information Institute, https://www.law.cornell.edu/constitution/first_amendment.

⁵ Matt Cagle and Brian Hofer, "New surveillance oversight law keeps communities safe and redefines tech leadership," San Francisco Examiner, May 8, 2019, <https://www.sfexaminer.com/opinion/new-surveillance-oversight-law-keeps-communities-safe-and-redefines-tech-leadership/>.

CONTACT PERSON

Councilmember Kate Harrison, Council District 4, 510-981-7140

ATTACHMENTS

1. Proposed Ordinance Amending Berkeley Municipal Code Chapter 2.99 to Prohibit
City Use of Face Recognition Technology

ORDINANCE NO. -N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 2.99 TO PROHIBIT CITY USE
OF FACE RECOGNITION TECHNOLOGY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That the Berkeley Municipal Code is amended to read as follows:

2.99.020 Definitions

The following definitions apply to this Chapter:

1. "Surveillance Technology" means an electronic device, system utilizing an electronic device, or similar technological tool used, designed, or primarily intended to collect audio, electronic, visual, location, thermal, olfactory, biometric, or similar information specifically associated with, or capable of being associated with, any individual or group. Examples of covered Surveillance Technology include, but are not limited to: cell site simulators (Stingrays); automatic license plate readers; body worn cameras; gunshot detectors (ShotSpotter); facial recognition software; thermal imaging systems, except as allowed under Section 1(d); social media analytics software; gait analysis software; and video cameras that record audio or video and can remotely transmit or can be remotely accessed.

"Surveillance Technology" does not include the following devices or hardware, unless they have been equipped with, or are modified to become or include, a Surveillance Technology as defined in Section 1 (above):

- a. Routine office hardware, such as televisions, computers, and printers, that is in widespread public use and will not be used for any surveillance functions;
- b. Handheld Parking Citation Devices, that do not automatically read license plates;
- c. Manually-operated, portable digital cameras, audio recorders, and video recorders that are not to be used remotely and whose functionality is limited to manually capturing, viewing, editing and downloading video and/or audio recordings, but not including body worn cameras;
- d. Devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles or thermal imaging cameras used for fire operations, search and rescue operations and missing person searches, and equipment used in active searches for wanted suspects;
- e. Manually-operated technological devices that are not designed and will not be used to surreptitiously collect surveillance data, such as two-way radios, email systems and city-issued cell phones;

f. Municipal agency databases;

g. Medical equipment used to diagnose, treat, or prevent disease or injury, including electrocardiogram machines;

h. Cybersecurity capabilities, technologies and systems used by the City of Berkeley Department of Information Technology to predict, monitor for, prevent, and protect technology infrastructure and systems owned and operated by the City of Berkeley from potential cybersecurity events and cyber-forensic based investigations and prosecutions of illegal computer based activity;

i. Stationary security cameras affixed to City property or facilities.

2. "Surveillance Technology Report" means an annual written report by the City Manager covering all of the City of Berkeley's Surveillance Technologies that includes all of the following information with regard to each type of Surveillance Technology:

a. Description: A description of all non-privileged and non-confidential information about use of the Surveillance Technology, including but not limited to the quantity of data gathered and sharing of data, if any, with outside entities. If sharing has occurred, the report shall include general, non-privileged and non-confidential information about recipient entities, including the names of the entities and purposes for such sharing;

b. Geographic Deployment: Where applicable, non-privileged and non-confidential information about where the surveillance technology was deployed geographically;

c. Complaints: A summary of each complaint, if any, received by the City about the Surveillance Technology;

d. Audits and Violations: The results of any non-privileged internal audits, any information about violations or potential violations of the Surveillance Use Policy, and any actions taken in response;

e. Data Breaches: Non-privileged and non-confidential information about any data breaches or other unauthorized access to the data collected by the surveillance technology, including information about the scope of the breach and the actions taken in response;

f. Effectiveness: Information that helps the community assess whether the Surveillance Technology has been effective in achieving its identified outcomes;

g. Costs: Total annual costs for the Surveillance Technology, including personnel and other ongoing costs.

3. "Surveillance Acquisition Report" means a publicly-released written report produced prior to acquisition or to proposed permanent use after use in Exigent

Circumstances pursuant to Section 2.99.040 (2), of a type of Surveillance Technology that includes the following:

- a. Description: Information describing the Surveillance Technology and how it works, including product descriptions from manufacturers;
- b. Purpose: Information on the proposed purpose(s) for the Surveillance Technology;
- c. Location: The general location(s) it may be deployed and reasons for deployment;
- d. Impact: An assessment identifying potential impacts on civil liberties and civil rights including but not limited to potential disparate or adverse impacts on any communities or groups;
- e. Mitigation: Information regarding technical and procedural measures that can be implemented to appropriately safeguard the public from any impacts identified in subsection (d);
- f. Data Types and Sources: A list of the sources of data proposed to be collected, analyzed, or processed by the Surveillance Technology, including "open source" data;
- g. Data Security: Information about the steps that can be taken to ensure adequate security measures to safeguard the data collected or generated from unauthorized access or disclosure;
- h. Fiscal Cost: The fiscal costs for the Surveillance Technology, including initial purchase, personnel and other ongoing costs, including to the extent practicable costs associated with compliance with this and other reporting and oversight requirements, as well as any current or potential sources of funding;
- i. Third Party Dependence and Access: Whether use or maintenance of the technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis, and whether a third party may have access to such data or may have the right to sell or otherwise share the data in aggregated, disaggregated, raw or any other formats;
- j. Alternatives: A summary and general assessment of potentially viable alternative methods (whether involving the use of a new technology or not), if any, considered before deciding to propose acquiring the Surveillance Technology; and
- k. Experience of Other Entities: To the extent such information is available, a summary of the experience of comparable government entities with the proposed technology, including any unanticipated financial or community costs and benefits, experienced by such other entities.

4. "Surveillance Use Policy" means a publicly-released and legally-enforceable policy for use of each type of the Surveillance Technology that shall reflect the Surveillance Acquisition Report produced for that Surveillance Technology and that at a minimum specifies the following:

a. Purpose: The specific purpose(s) that the Surveillance Technology is intended to advance;

b. Authorized Use: The uses that are authorized, the rules and processes required prior to such use, and the uses that are prohibited;

c. Data Collection: Information collection that is allowed and prohibited. Where applicable, list any data sources the technology will rely upon, including "open source" data;

d. Data Access: A general description of the title and position of the employees and entities authorized to access or use the collected information, and the rules and processes required prior to access or use of the information, and a description of any and all of the vendor's rights to access and use, sell or otherwise share information for any purpose;

e. Data Protection: A general description of the safeguards that protect information from unauthorized access, including encryption and access control mechanisms, and safeguards that exist to protect data at the vendor level;

f. Civil Liberties and Rights Protection: A general description of the safeguards that protect against the use of the Surveillance Technology and any data resulting from its use in a way that violates or infringes on civil rights and liberties, including but not limited to potential disparate or adverse impacts on any communities or groups;

g. Data Retention: The time period, if any, for which information collected by the surveillance technology will be routinely retained, the reason such retention period is appropriate to further the purpose(s), the process by which the information is regularly deleted after that period lapses, and the specific conditions that must be met to retain information beyond such period;

h. Public Access: How collected information may be accessed or used by members of the public;

i. Third Party Data Sharing: If and how other City or non-City Entities can access or use the information, including any required justification or legal standard necessary to do so and any obligations imposed on the recipient of the information;

j. Training: Training required for any employee authorized to use the Surveillance Technology or to access information collected;

k. Auditing and Oversight: Mechanisms to ensure that the Surveillance Use Policy is followed, technical measures to monitor for misuse, and the legally enforceable sanctions for intentional violations of the policy; and

l. Maintenance: The mechanisms and procedures to ensure maintenance of the security and integrity of the Surveillance Technology and collected information.

5. "Exigent Circumstances" means the City Manager's good faith belief that an emergency involving imminent danger of death or serious physical injury to any person, or imminent danger of significant property damage, requires use of the Surveillance Technology or the information it provides.

6. "Face Recognition Technology" means an automated or semi-automated process that assists in identifying or verifying an individual based on an individual's face.

Section 2. That the Berkeley Municipal Code is amended to read as follows:

2.99.030 City Council Approval Requirement

1. The City Manager must obtain City Council approval, except in Exigent Circumstances, by placing an item on the Action Calendar at a duly noticed meeting of the City Council prior to any of the following:

a. Seeking, soliciting, or accepting grant funds for the purchase of, or in-kind or other donations of, Surveillance Technology;

b. Acquiring new Surveillance Technology, including but not limited to procuring such technology without the exchange of monies or consideration;

c. Using new Surveillance Technology, or using Surveillance Technology previously approved by the City Council for a purpose, or in a manner not previously approved by the City Council; or

d. Entering into an agreement with a non-City entity to acquire, share or otherwise use Surveillance Technology or the information it provides, or expanding a vendor's permission to share or otherwise use Surveillance Technology or the information it provides.

2. The City Manager must present a Surveillance Use Policy for each Surveillance Technology to the Police Review Commission, prior to adoption by the City Council. The Police Review Commission shall also be provided with the corresponding Surveillance Acquisition Report that had been presented to council for that Surveillance Technology. No later than 30 days after receiving a Surveillance Use Policy for review, the Police Review Commission must vote to recommend approval of the policy, object to the proposal, recommend modifications, or take no action. Neither opposition to approval of

such a policy, nor failure by the Police Review Commission to act, shall prohibit the City Manager from proceeding with its own review and potential adoption.

3. The City Manager must submit for review a Surveillance Acquisition Report and obtain City Council approval of a Surveillance Use Policy prior to engaging in any of the activities described in subsections (1) (a)-(d).

4. Notwithstanding any other provision of this Chapter, it shall be unlawful for any City staff to obtain, retain, request, access, or use: i) any Face Recognition Technology; or ii) any information obtained from Face Recognition Technology. City staff's inadvertent or unintentional receipt, access to, or use of any information obtained from Face Recognition Technology shall not be a violation of this subsection 4., provided that:

a. City staff does not request or solicit its receipt, access to, or use of such information; and

b. City staff logs such receipt, access to, or use in its Annual Surveillance Report.

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

Resolution re: Law Enforcement Use of Restraint Devices in the City of Berkeley
Mental Health Commission for the Cities of Berkeley and Albany

Whereas the use of restraint devices such as spit hoods may violate the United Nations Treaty on Torture, and Other Inhuman, Cruel and Degrading Treatment or Punishment (UNCAT),

Whereas Amnesty International has publicly commented on how use of spit hoods can be a cruel and dangerous form of restraint,

Whereas human and civil rights can be violated by law enforcement who use restraint devices such as spit hoods to arrest, detain, question, take into custody and/or incarcerate individuals,

Whereas law enforcement using restraint devices can have a disproportionate and discriminatory impact on minorities,

Whereas individuals can be traumatized by a devastating experience of law enforcement using restraint devices such as spit hoods and risk serious injury or death,

Whereas law enforcement is specially trained to use crisis intervention responses to assist individuals who are experience severe mental illness in public spaces,

Whereas law enforcement and Berkeley Mental Health are intended to work collaboratively to respond to mental health crises in the City of Berkeley,

Therefore, be its resolved that law enforcement will use their equipment such as N95 masks or an equivalent substitute provided by this municipality in the line of duty if they choose to do so.



Mental Health Commission
Cities of Berkeley & Albany

CONSENT CALENDAR
[Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council

From: Berkeley/Albany Mental Health Commission

Submitted by: boona cheema: Chair

Subject: Recommendation that Berkeley City Council pass a resolution directing the Berkeley Police Department, and any other law enforcement providing mutual aid in Berkeley, to cease use of spit hoods (spit masks) and replace them with non-restraining safety equipment

RECOMMENDATION:

City Council pass a resolution directing the Berkeley Police Department, and any other law enforcement providing mutual aid in Berkeley, to cease use of spit hoods (spit masks) and replace them with non-restraining safety equipment like N95 masks or an equivalent substitute. The use of spit hoods is traumatizing and escalating, risks asphyxiation and can be a violation of civil rights, particularly free speech. Stopping their use contributes to humanitarian and compassionate approach to those living with mental illness.

FISCAL IMPACTS OF RECOMMENDATION:

None.

CURRENT SITUATION AND ITS EFFECTS

Currently the Berkeley Police Department uses spit hoods when detaining or arresting someone who they are concerned may transfer or transmit fluids (saliva and mucous) to others. According to BPD guidelines, "Spit masks may be placed upon persons in custody when the officer reasonably believes the person will spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport."¹

Often these are applied in situations in which someone is having a mental health crisis and/or an interaction with a police officer escalates into a mental health episode. The experience of police covering the head of those suffering a mental health crisis or episode and/or drug reaction with a restraint device which is both traumatizing and devastating. It almost always creates alarming fear, distress, panic and humiliation.

¹ Berkeley Police Department Law Enforcement Services Manual, Policy 302.5, Page 3.

There is also risk of serious injuries or death (such as asphyxiation), particularly as there is limited visual ability to observe individual's face and head while in crisis.

As such, Amnesty International has publicly commented on how use of spit hoods can be "a cruel and dangerous form of restraint."² In addition, it's use may violate the United Nations Convention on Torture and Other Inhuman, Cruel and Degrading Treatment or Punishment (UNCAT), as well as the UN Convention on the Rights of People with Disabilities.

In Berkeley, the number of police calls for people having a mental health crisis is 35 percent or more (Dinkelspiel, Berkeleyside; 2015).³ Over the past 5 years, police have seen a 43 percent increase in calls for 5150s or people who are a danger to themselves or others (Dinkelspiel, Berkeleyside, 2015).⁴ Given that the Berkeley Police Department is often and increasingly called as a first responders to individuals who are experiencing severe mental illness and/or substance use disorder crises, it's important that we not allow this cruel and dangerous practice to continue.

BACKGROUND

Historically, spit hoods device have been used in perpetuating extreme human brutality, systemic oppression and monstrous human atrocities. Its use today can immediately traumatize individuals, as well as perpetuate and reinforce intergenerational trauma and horrifying symbolism, especially considering its use against minorities to degrade, torture and execute.

As documented in the UK, using restraint devices such as spit hoods can have a disproportionate and discriminatory impact on minorities.⁵ Their use may violate the exercise of civil rights, particularly free speech, and/or result in discriminatory treatment towards them under civil rights law. Furthermore, human and civil rights have been violated when police use restraint devices in these types of crises to control or coerce people into police custody.

Police claim there is a need to protect their health from individuals who spit and the use of restraint devices like spit hoods will keep them safe. However, such a drastic overriding of human or civil rights violations and application of psychological and physical harms requires justification based on evidence and lack of alternatives. The

² The Independent. (2018). Police could get 'a good kicking' if spit guards extended, Met chief says. [online] Available at: <https://www.independent.co.uk/news/uk/home-news/police-good-kickingspitguards-scotland-yard-cressida-dick-a8524176.html> [Accessed 2 Mar. 2019].

³ Dinkelspiel, F. (2015). Mental health calls #1 drain on Berkeley police resources. [online] Berkeleyside. Available at: <https://www.berkeleyside.com/2015/04/16/mental-health-calls-are-1-drain-onberkeleypolice-resources> [Accessed 2 Mar. 2019].

⁴ Ibid

⁵ Gayle, D. (2017). Concern over Met police use of spit hoods on black detainees. [online] the Guardian. Available at: <https://www.theguardian.com/uk-news/2017/sep/02/concern-over-met-police-use-of-spithoods-on-black-detainees> [Accessed 2 Mar. 2019].

evidence suggests that no real risk exists. A systematic review of studies concluded that the risk of transmitting HIV through spitting as no risk, and further concluded that even the risk of transmission through biting to be negligible.⁶ In addition, a systematic literature review of Hepatitis C and B transmission concluded the risk of acquiring Hepatitis C (HCV) through spitting as negligible and as very low for Hepatitis B (HBV), and also showed the risk as low for acquiring HBV and HCV through biting.⁷

Not only is the violation of civil and human rights and brutality of spit masks not justified by the evidence, well-documented and easily accessible alternatives exist including N95 masks, eye guards, and, when absolutely necessary, mouth guards.

ENVIRONMENTAL SUSTAINABILITY

Not applicable

RATIONALE FOR RECOMMENDATION

The harm, cruelty and potential violation of civil and human rights, as well as the likelihood of intensifying a mental health or substance use intervention rather than de-escalating one, suggests an immediate end to the use of spit hoods and the substitution of them for least harmful and equally effective substitutes.

ALTERNATIVE ACTIONS CONSIDERED

The alternatives actions considered are the recommended less harmful, more humane use of N95 masks, eye guards and when absolutely necessary, mouth guards.

CITY MANAGER

The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission's Report. [OR] Refer to the budget process.

Note: If the City Manager does not (a) concur, (b) takes any other position, or (c) refer to the budget process, a council action report must be prepared. Indicate under the CITY MANAGER heading, "See companion report." Any time a companion report is submitted, both the commission report AND the companion report are Action reports.

CONTACT PERSON

[Name], [Title], [Department], [Phone Number]

ATTACHMENT

- Resolution to cease the use of spit hoods in Berkeley

⁶ Cresswell, F., Ellis, J., Hartley, J., Sabin, C., Orkin, C. and Churchill, D. (2018). A systematic review of risk of HIV transmission through biting or spitting: implications for policy. Available at: <https://onlinelibrary.wiley.com/doi/epdf/10.1111/hiv.12625> [Accessed 2 Mar. 2019].

⁷ Pintilie, H. and Brook, G. (2018). Commentary: A review of risk of hepatitis B and C transmission through biting or spitting. Available at: <https://onlinelibrary.wiley.com/doi/pdf/10.1111/jvh.12976> [Accessed 2 Mar. 2019].