



**Rent Stabilization Board
Commissioner Nathan Mizell**

January 19, 2024

Dear Chancellor Christ & UCPD Chief Pittman,

As an elected representative of the citizens of Berkeley, I write to you today with grave concern for all who were impacted by your decision to institute a police occupation in a significant portion of Southside Berkeley.

Your decision to secure People's Park for construction with the use of checkpoint barriers fundamentally alerted the rights of citizens overnight. The severe impact on resident's freedom of movement, privacy, and freedom of speech & assembly cannot be understated. The people who were subject to this police occupation deserve an apology. I ask that you publicly apologize for these actions and commit to never repeating such an operation.

I remain extremely disturbed by what Berkeley residents have described and what I personally witnessed. Two weeks ago, without any notice to the affected residents, hundreds of CHP and UCPD officers were deployed into Southside and proceeded to occupy a nearly 6-block area of the City (or 27 Sproul Plazas) 24/7 for over six days. I live only a few hundred feet from this zone.

These officers enforced barriers across the occupation zone requiring any who wished to enter this significant portion of Southside to (1) Identify themselves to the police, then (2) Provide sufficient proof of residency OR evidence they are a guest of a resident. Those individuals unable or unwilling to satisfy an officer's request for identification were denied entry to the occupation zone. This policy infringed on protected rights and by its very nature was arbitrary. Based on my conversation with residents and my observations, this policy was enforced arbitrarily with little consideration for the impact on those who live and/or work in the city. I waited nearly 5 hours on January 4th to enter the zone and was denied access. My white colleague, who was not a member of the press, a City Official, or even a resident of Berkeley, was allowed into the zone on the same night.

The majority of the residents I have spoken to have stressed their belief that their privacy was unnecessarily invaded. I certainly agree with them. No one in California is required to carry ID while they walk public streets. No one in California is required to carry a lease agreement. No one in California is required to carry an electric bill as proof of residence. How your administration thought it reasonable to require Berkeleyans to produce such personal information for the inspection of a police officer remains beyond my understanding. It simply cannot be justified.

These onerous requirements represent far more than a mere “inconvenience”. Instead, they represent a severe infringement of the rights of Berkeleyans. When childcare is unnecessarily delayed, when Black residents are stopped and questioned outside their homes, and when elderly and disabled residents are forced to take longer alternative routes, “inconvenience” fails to respond to the actual level of wrongdoing.

In addition, I witnessed the following by officials involved in administering the occupation zone:

- A UCPD sergeant, in describing the University's treatment of Berkeley residents stated “Sometimes [The University] cares, sometimes [The University] doesn't”
- A UCPD sergeant stated that “paranoia” was a motivating factor in the University's actions
- A UCPD sergeant stated that no procedure was explained on how to determine if someone was a guest of a resident in the occupied zone
- A UCPD sergeant stated they did not believe the University had any authority to prevent residents or guests from entering the occupied zone, regardless of ID
- Multiple CHP Officers described having no clear guidelines on how to enforce the “Stop and Identify policy”
- A UCPD Lieutenant suggested Officers would “escort individuals over to their house” and monitor residents as they attempt to unlock their doors
 - If ID or “escorting” an individual to their door did not suffice, it was suggested tenants “call their landlord” and have them prove to the police who is a resident
- A CHP officer falsely claimed that California is a “Stop and Identify” State
- CHP Officers smiled and posed with the mural on 2455 Telegraph Ave memorializing the murder of James Rector on May 15, 1969, colloquially known as “Bloody Thursday”

In light of the actions and statements of the officers under your supervision, it is my sincere hope that UC-imposed police occupation will never return to Berkeley and that the rights of residents will be protected. The University's interest in “securing” People's Park in no way justifies infringement on the rights of Berkeleyans to assemble and move freely. I await your response to the concerns I have outlined.

Respectfully,



Nathan Mizell