



Office of the City Manager

ACTION CALENDAR  
December 6, 2022  
*(Continued from November 15, 2022)*

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Jennifer Louis, Interim Chief of Police

Subject: Update on BPD efforts related to the Improving Hate Crimes Reporting and Response Referral

**INTRODUCTION**

On November 17, 2020, Council recommended to the City Manager that City staff review proposals to improve systems for reporting and responding to hate incidents and crimes. As many of the proposals fell under the responsibility of the Berkeley Police Department (BPD), BPD organized several meetings with other City staff and stakeholders who had pieces of this project in order to ensure strong collaboration.

**CURRENT SITUATION AND ITS EFFECTS**

Hate Crimes targeted at people based on their perceived race, color, national origin, gender, gender identity, sexual orientation, religion and/or disability are a widespread problem in communities across the United States. However, an acute discrepancy exists between the number of actual hate crimes committed and the number officially reported to the FBI. This results in significant challenges for a community:

- Hate and bias crimes can escalate if not identified, addressed, and tracked
- Without accurate data, appropriate resources cannot be allocated to address tensions and violence in communities
- Inadequate response to hate crimes can leave affected victims feeling unheard and unsafe

Furthermore, there are serious factors that relate to underreporting:

- Communities targeted for hate may not feel safe or comfortable reporting hate crimes to law enforcement
- Long-standing distrust among some communities leads victims to believe law enforcement will be unwilling or unable to help
- Immigrant communities may fear deportation or other consequences if they step forward

- Victims who speak different languages or have disabilities may not report due to cumbersome, inaccessible hate crime reporting procedures
- Individuals and targeted communities may fear retaliation if they report incidents

There is a clear negative ripple effect when a hate crime occurs:

1. Victimization is projected outward to all members of the victim's wider community.
2. Other members of the same group feel victimized.
3. Members of other commonly targeted groups are reminded of their vulnerability to similar attacks.
4. The community is polarized into an "us-versus-them" mentality.
5. It impedes community spirit, morale, and growth.
6. Property values are lowered.
7. It increases security concerns at schools, churches, businesses, and private homes.

In the City of Berkeley in 2021, there were forty-two hate crimes reported to the Berkeley Police Department. Current hate crime data for this calendar year suggests that we will likely see a similar number of hate crimes reported to BPD.

In response to the November 17, 2020 Council recommendation, the Berkeley Police Department connected with Berkeley Mental Health, Police Accountability Board, IT, City of Berkeley Communications Director, Berkeley Youth Commission, and the Peace and Justice Commission to identify our respective responsibilities within the Improving Hate Crime Reporting and Response Referral. Some of the Referral items connect directly with one of these City Department's or groups and will provide updates later. These representatives are referred to as the working group below.

The following outlines the specific City Council recommendations under the responsibility of BPD and the progress made so far:

**Council Recommendation:**

**Develop a Hate Crime Reporting Hotline (modeled after the San Francisco District Attorney's Hotline) to be staffed by the Berkeley Mental Health Division or a non-profit community partner. The Hotline will provide support for victims and those reporting hate crimes/incidents, and direct victims to resources and how to report hate crimes or incidents. Consider existing internal and external resources, including the City's 311 Customer Service line and the County's Hate Crimes Reporting Hotline.**

**Status:**

The City working group discussed this recommendation and identified the Alameda County District Attorney's Office's existing Hate Crime Hotline, which is available for all County residents. The District Attorney's Office fields calls for the Hotline and refer callers to the appropriate resources either within their own office or the callers'

respective community. Berkeley Mental Health staff expressed concerns about the challenge that staffing a separate hotline would require. The group felt that existing county resources were adequate.

BPD currently provides 24/7 coverage via the Communications Center and receives calls related to hate crimes and incidents. As the Communications Center's responsibilities expand during the reimagining public safety, victim support and resources could be incorporated into or referred from this system.

**Council Recommendation:**

**Explore adding hate crimes to the BPD Online Crime Reporting System to allow individuals to report specific hate-related criminal acts or incidents.**

**Status:**

The Berkeley Police Department explored the feasibility of adding hate crimes to the BPD Online Crime Reporting System. We determined that responding to hate crimes and hate incidents in person allows us to provide the highest level of service and care to our victims. Online reporting of a hate crime or hate incident reduces the Department's ability to apprehend offenders and make arrests as appropriate, provide mental health support to the victim(s), collect evidence, obtain statements, or secure a crime scene. The Department has focused our approach on being victim-centered, and responding in person allows BPD to continue this approach.

**Council Recommendation:**

**Launch a public information campaign, including the production of information videos, posters, and ads in different languages about what is a hate crime and how to report it to Berkeley Police.**

**Status:**

The Berkeley Police Department launched a public information video, shared through our social media platforms and the new BPD Transparency Hub, to coincide with Anti-Hate week. BPD Community Services Bureau made the video in partnership with Mayor Jesse Arreguin and Police Accountability Board Chair Michael Chang.

BPD will recognize Anti-Hate week annually through outreach and social media. We will also update our public information video to include translations in Spanish and Cantonese.

**Council Recommendation:**

**Conduct proactive outreach and develop partnerships with religious leaders, community service providers, and organizations that work with groups which have historically been the target of hate crimes/incidents.**

**Status:**

This item will be the focus of the next phase of work on this Referral.

**Council Recommendation:**

**Develop a public-facing mapping tool that indicates patterns of hate incidents and crimes to help outreach and prevention.**

**Status:**

As of the time of this report, BPD's Transparency Hub now provides public information on reported hate crimes dating back to 2016. We will soon launch more detailed hate crime and hate incident data to include mapping and filters to analyze and view the data. This data can not only help inform internal responses, but will be a valuable tool to our community partners engaged in work combatting and addressing hate crimes.

**Council Recommendation:**

**Coordinate with educational institutions (e.g. UC Berkeley and BUSD) to achieve goals.**

**Status:**

BPD met with UCPD and the BUSD Title IX Coordinator. BUSD is currently working on a new policy around Hate Crimes. BUSD will be connecting with BPD in the future to help with educating staff about responding to Hate Crimes and Incidents.

**Council Recommendation:**

**Review other emerging policies and best practices in other communities that support an inclusive and safe community.**

**Status:**

The work on this item will be ongoing.

**Council Recommendation:**

**That Council refers to the City Manager to develop a targeted approach, towards persons with homeless status, to improve hate crime reporting and response consistent with the other approaches for other populations under the City of Berkeley's Improving Hate Crimes Reporting and Response legislation.**

**Status:**

BPD researched the state laws surrounding hate crimes against persons with homeless status. In 2019 there was an assembly bill written by Assemblyman Mike Gipson asking that homelessness status be added as a protected class to the hate crime law. At that time, the assembly bill did not receive enough votes. This item will be ongoing as there continue to be conversations statewide and locally about expanding protection for this group.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

CONTACT PERSON

Jennifer Louis, Interim Chief of Police, Police Department, (510) 981-5700

