

Office of the Mayor

## **SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 2**

**Meeting Date:** March 10, 2022

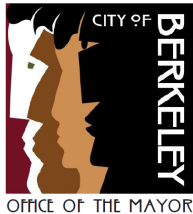
**Item Number:** # 1 and # 2

**Item Description:** Consideration of the Reimagining Public Safety Task Force's Response to the National Institute for Criminal Justice Reform recommendations & Presentation and Discussion of Reports Submitted by Reimagining Public Safety Task Force and National Institute for Criminal Justice Reform

**Submitted by:** Mayor Arreguin, Vice-Mayor Harrison and Councilmembers Bartlett and Hahn

The attached Supplemental material includes a report: 1) recommending that the Council reflect and reaffirm its unanimous commitment to reimagining public safety in Berkeley; 2) comments on the National Institute for Criminal Justice Reform (NICJR) and Reimagining Public Safety Task Force reports ("Task Force") and where they align and do not align with the original referral (Resolution 69,501-N.S., July 14, 2020); 3) high level comments on prioritization and requested analysis of NICJR and Task Force recommendations for City Manager's forthcoming report; 4) recommendations on additional resources needed to implement next phase of reimagining work.

In addition, the Supplemental also includes two spreadsheets presenting the NICJR and Task Force recommendations with detailed comments on prioritization and recommended future action. These spreadsheets compare the NICJR recommendations with the votes and recommendations of the Task Force and are meant to assist the Council and public in its review of the various reports.



To: Honorable Members of the City Council and City Manager  
From: Mayor Jesse Arreguín  
Vice-Mayor Kate Harrison  
Councilmember Ben Bartlett  
Councilmember Sophie Hahn  
Subject: Reaffirmation and Further Direction on Reimagining Public Safety  
Process, NICJR and Task Force Reports

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1. Reflect on and Reaffirm the City Council’s vision for reimagining community safety adopted on July 14, 2020, outlined in the omnibus motion and Council Referral “Transform Community Safety and Initiate a Robust Community Engagement Process” (Attachment 1)

On July 14, 2020, after hearing from over 130 speakers, and receiving numerous written comments, the City Council adopted an omnibus motion to advance various proposals to reimagine community safety in Berkeley and launch a robust community process to develop a new approach. This action came two months after the murder of George Floyd at the hands of Minneapolis Police, and in response to a growing movement for police reform. On June 6, 2020, over 7,000 Berkeley residents marched in the streets to call for transformative change in law enforcement not just nationally, but also here in Berkeley. Berkeley, like many cities throughout the United States, is not immune from the dark history of systemic racism, including state-sponsored actions such as violence against people of color and redlining and discriminatory housing practices. To this day, there are widening inequities based on race and income, including in housing affordability, health outcomes, academic achievement, and criminal justice. At the same time due to the lack of government programs to support wealth building, in addition to rising housing costs and gentrification, the Black community has decreased from 20% in 1970 to 8% today. If Berkeley is to truly realize its reputation of being a progressive, equitable community, we must recognize and tackle systemic racism head on in every aspect of our society - law enforcement, housing, health, education and other institutions.

We also need to recognize that law enforcement as traditionally defined is not the only method of advancing public safety. How we define safety should focus on protecting property and persons today and preventing crime in the future through

violence prevention and upstream investments in our social safety net. We must provide compassionate behavioral health care and social services and create policies and resources to close racial disparities in health, education and economic access. Our goal should be creating a truly safe community - reducing crime, and investing in the health, wellness and success of *all* of our residents.

The goals of this process were to create a new paradigm for policing and public safety that is holistic and anti-racist, while making upstream investments to address social determinants and create a healthy, safe and equitable community.

In 2020, the City Council adopted a series of goals by way of Resolution No. 69,501-N.S. Two years later, as we advance to the next phase of this work, it is critical that we revisit and reaffirm these goals to guide our work.

We committed to:

- i. **A transformative approach to community-centered safety and reducing the scope of policing**, by re-defining our understanding of safety to be holistic and focus not just on crime prevention but health, wellness and economic security for *all* of our residents. While the focus has been on reducing the footprint of policing, we recognize that police play a critical role in our society, and we must determine the right size, focus and function of our Police Department to prevent and respond to crime, while exploring alternative response models and upstream investments in social services to create a healthy, safe and equitable community.
- ii. **Equitable investment in the essential conditions of a safe and healthy community, especially for those who have been historically marginalized and have experienced disinvestment, and**
- iii. **A broad, inclusive community process that will result in deep and lasting change to support safety and wellbeing for all Berkeley residents.**

In addition to these original goals, we are committed to:

- iv. **Reducing the impact of current Police expenditures on our General Fund through investment in alternative response models**

**to minimize the impact on police, managing overtime expenses, and ensuring we have an adequately staffed and deployed Police force.**

**v. Reimagining health and safety, considering allocating resources towards a more holistic approach - one that shifts resources away from policing towards health, education and social services, and is able to meet crises with a variety of appropriate responses.**

**vi. Providing meaningful safety, continuing critical health and social services, and committing to, and investing in, a new, positive, equitable and community-centered approach to health and safety that is affordable and sustainable.**

**vii. Determining the appropriate response to community calls for help including size, scope of operation and powers and duties of a well-trained police force.**

**viii. Identifying alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce alternative and restorative justice models, and reduce or eliminate use of fines and incarceration.**

## **Areas where these reports have been responsive to meeting original goals:**

### *National Institute of Criminal Justice Reform (NICJR) Report*

A clear principle outlined in both Item 18d, “*Transform Community Safety and Initiate a Robust Community Engagement Process*” and the Omnibus Motion, is that any transformation of public safety must be based on analysis of our current structure and community needs. While other communities rushed ahead with big changes, Berkeley first took a step back and initiated this process to understand what we have, what we need, and to where we want to go. The research and recommendations developed by NICJR have gotten us closer to understanding those questions in several key areas.

First, the calls for service analysis completed by the City Auditor and NICJR provides an essential foundation for developing a more specialized and appropriate system of responses for non-violent requests. It is clear that by reducing BPD’s focus on non-criminal and low level calls for service, the Department can improve its response, investigation, and prevention of more serious crime.

Second, the proposed Community Emergency Response Network (CERN), provides a framework for a civilianized responder model that can complement the Specialized Care Unit (SCU) and *improve* responses and service quality to low-level calls for service. However, this model needs more refinement to align with our city before we implement a pilot. The task force raised many important points that merit staff consideration. In particular, we are not convinced that CBOs are best equipped to handle these calls and would like to see an approach to a civilian responder model that uses city staff (e.g. code enforcement, mediators, outreach specialists, etc.). Given that the SCU and priority dispatch programs are likely to move ahead while this analysis is underway, we believe the implementation of both programs should anticipate and plan for the integration of additional community responders to deal with other low level calls for service.

Last, the council action highlighted that there is “both a moral and fiscal imperative to restructure the way Berkeley envisions and supports health and safety”. Rather than abruptly cutting the budget an arbitrary amount, the Council directed analysis to discern what the appropriate scope, size and budget of the police budget should be. Unfortunately, we still do not have a definitive answer to that question. The recent City Auditor’s recent report, as well as NICJR’s demonstration of the potential for alternative responders to handle up to 50% of call types point toward a more efficient and focused public safety system.

## *Reimagining Public Safety Task Force Report*

The Reimagining Task Force, originally described as a Steering Committee in the July 14, 2020 Item “Transforming Community Safety”, was envisioned to serve two key functions: (1) To serve as the hub of a robust community process that would inform the definition of a holistic approach to community safety, and (2) to inform the city’s process with a dedicated and diverse range of knowledge, expertise and representation.

The task force report and their meetings over the last year reflect commissioners’ deep commitment to realizing a transformed system of community safety for the City of Berkeley. Commissioners took their charge seriously, and extended their work many months beyond the timeline that they were initially presented with. The task force clearly responded to their charge through their feedback on the NICJR report and their supplemental recommendations.

Many of the task force recommendations present concrete opportunities to reinvest in programs, policies and systems that can improve community health and safety in the short-term while we figure out how to take on the larger economic programs recommended by NICJR. Some highlights include:

- The BerkDOT recommendations, which build on the work of the City Manager and City Council, and provide concrete suggestions to reduce “police contacts, stops, arrests, tickets, fines and incarceration”.
- The gender-based subcommittee spearheaded their own outreach to service providers and subject matters to develop a set of actionable recommendations to increase resources for victims, provide training to faith-based leaders, coordinate and expand prevention education work as well as many ideas to improve police responses.
- The PEERS recommendations draw heavily on both direct community input, as well as research of best practices and emerging models and respond to the goal of reducing police conflict, harm and institutionalization.
- Strong support and additional recommendations for the Office of Equity initiated by Councilmember Kesarwani and a Violence Prevention Program initiated by Councilmembers Taplin and Bartlett.

All of the task force recommendations are worthy of consideration and we look forward to working with the Council, commissioners, staff and the broader community to develop an action plan for implementation.

## Areas that require additional work

In reflecting on the original vision and direction of the Council and reviewing these reports, there are several areas that require additional work and consideration. As staff and the Council move to the next phase of this work, the following areas merit additional attention:

- A more complete fiscal and operational analysis of our existing police staffing structure, and how it might change overtime with the incorporation of alternative responders.
  - As the City works to build this new network the Council may need to identify additional revenues to establish alternative responses rather than relying solely on vacancies as suggested by NICJR. It is not appropriate to bank on anticipated resignations, nor is it clear that the savings generated through attrition will be sufficient to fund additional staffing and overhead costs. In the short run, we may need to identify additional funding to ensure that we will have the necessary number of officers while we develop our SCU/Community Responder model.
  - This analysis should build on the auditor's recommendations and explore a structure that integrates civilian responders and provides greater opportunity for the deployment of current beat officers for bike, pedestrian or problem-oriented policing teams. The operational analysis should also evaluate the city's capacity to respond to surges in calls for service as well as mutual aid agreements.
- Identifying impacts on labor contracts due to shifts in roles and responsibilities and implications for timing of implementation.
- Greater emphasis on how a new system of public safety can *improve* response and service in addressing low-level non-violent issues.
  - For example, page 16 of NICJR's report identifies a list of call types for which to pilot civilian responses. Currently, some of these calls such as for an abandoned vehicle, blocked driveway, or noise complaint may not currently receive a prompt response due to their relative low-priority. With dedicated civilian responders, residents should expect improved and more rapid responses.
- Expand on the task force recommendation to review the Berkeley Municipal Code as it relates to transportation to all identify violations that currently require a police officer to enforce, but could safely be addressed by unsworn personnel. For example, the mask and smoking ordinances currently require police enforcement but the BMC could be amended to enable code enforcement.

- A strong public outreach campaign to inform the community whom to call and what type of response to expect with a new set of responders.

## 2. Provide feedback in the form of high-level prioritization and requested analysis for the City Manager's forthcoming report.

Attachment 2, has two matrices. The first is a table that combines NICJR's summarized recommendations, the task force votes and comments, and early thoughts and feedback on additional staff analysis, and potential phasing of recommendations. Columns A-I are copied from the NICJR and Task Force final reports. Columns K-O are added to organize thoughts on analysis, phasing and additional commentary or potential direction.

The second table is an expanded summary of the task force recommendations. Columns A and B were included on pages 36-38. The rationale statements are pulled from the body of the report and reflect the Mayor's Office's best effort to summarize each recommendation. Columns D-I provide initial thoughts, analysis, and potential phasing of recommendations. Given that all the ideas presented are aligned with the initial vision expressed by the council, these priorities are based on the recommendations that are most ready to move forward towards implementation. These suggestions could change with staff feedback, and in some cases staff input is required before any phasing can be suggested.

We request that the City Manager complete an initial evaluation of all task force supplemental recommendations to identify their potential cost and staffing and recommend phased implementation.

## 3. Acknowledging need for additional resources and community input

- A. Budget Referral for a Senior Project Coordinator or similar position as defined by the City Manager to ensure at least 1 FTE is available in the City Manager's Office to coordinate the implementation phase of this project.
- B. Input from Staff on the preferred approaches to continued community engagement during implementation.

Attachments:

1. Council Referral: "Transform Community Safety and Initiate a Robust Community Engagement Process" and Resolution No. 69,501-N.S. (July 14, 2020)
2. Consolidated Spreadsheet of Reimagining Public Safety Recommendations





Office of the Mayor  
Jesse Arreguín

ACTION CALENDAR  
July 14, 2020

To: Honorable Members of the City Council

From: Mayor Jesse Arreguín, Vice-Mayor Sophie Hahn, Councilmember Ben Bartlett, Councilmember Kate Harrison

Subject: Transform Community Safety and Initiate a Robust Community Engagement Process

### **RECOMMENDATIONS**

1. Adopt a Resolution expressing the City Council's commitment to:
  - a. A transformative approach to community-centered safety and reducing the scope of policing,
  - b. Equitable investment in the essential conditions of a safe and healthy community, especially for those who have been historically marginalized and have experienced disinvestment, and
  - c. A broad, inclusive community process that will result in deep and lasting change to support safety and wellbeing for all Berkeley residents.
2. Direct the City Manager to track and report progress on actions to implement this initiative, and other actions that may be identified by the Coalition and referred by Council to the City Manager. Updates shall be provided by written and verbal reports to Council and posted on a regularly updated and dedicated page on the City website.
3. Direct the City Manager to collaborate with Mayor and select Councilmembers to complete the following work, to inform investments and reallocations to be incorporated into future Budget processes:
  - a. Contract with independent subject matter experts to:
    - i. Analyze the scope of work of, and community needs addressed by, the Berkeley Police Department, to identify a more limited role for law enforcement, and identify elements of police work that could be achieved through alternative programs, policies, systems, and community

investments. Analysis should include but not be limited to: calls received by dispatch by type of complaint, stops by law enforcement generated at officer discretion (as contained in the Police Department's open data portal) or on request of other city agencies, number of officers and staff from other city agencies that respond to incidents, estimated time in response to different types of calls, daily patrol activities, organizational structure, and beat staffing. Work to include broad cost estimates of police and other city agency response to different types of calls, and other information and analysis helpful to identify elements of current police work that could be transferred to other departments or programs or achieved through alternative means. Work should be completed in time for the November 2020 Annual Appropriation Ordinance revision.

- ii. Identify immediate and longer-term opportunities to shift policing resources to alternative, non-police responses and towards alternative and restorative justice models, to better meet community needs, that could be considered in the November 2020 AAO#1 budget process. Some areas to be considered include homeless outreach and services, substance abuse prevention and treatment, and mental health/crisis management, as well as alternative models for traffic and parking enforcement, "neighborhood services" and code enforcement. Provide a broad timeline and process for transitioning functions not ready for transition at this first milestone.

Deliverables should coincide with budget cycles, including the November 2020 AAO and FY 2022-2023 Budget processes, and provide a suggested timeline for transitioning functions at these and other budget opportunities, so that alternative investments may be considered for funding and launched in a timely and orderly manner.

- b. Contract with independent Change Management experts to initiate and facilitate a representative Community Safety Coalition, guided by a Steering Committee, that will begin meeting no later than January 2021. The CSC and its Steering Committee should be broadly inclusive and representative of Berkeley residents and stakeholders. The Steering Committee, with the support of Change Management professionals, shall be responsible for engaging the Coalition and the broader Berkeley community and relevant City Staff in a robust process, to achieve a new and transformative model of positive, equitable and community-centered safety for Berkeley.

The work of the Coalition should include but not be limited to:

1. Building on the work of the City Council, the City Manager, the PRC and other City commissions and other working groups addressing community health and safety.
2. Research and engagement to define a holistic, anti-racist approach to community safety, including a review and analysis of emerging models, programs and practices that could be applied in Berkeley.
3. Recommend a new, community-centered safety paradigm as a foundation for deep and lasting change, grounded in the principles of *Reduce, Improve and Reinvest* as proposed by the National Institute for Criminal Justice Reform (Attachment 3), considering, among other things:
  - a. The social determinants of health and changes required to deliver a holistic approach to community-centered safety
  - b. The appropriate response to community calls for help including size, scope of operation and powers and duties of a well-trained police force.
  - c. Limiting militarized weaponry and equipment.
  - d. Identifying alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce alternative and restorative justice models, and reduce or eliminate use of fines and incarceration.
  - e. Options to reduce police contacts, stops, arrests, tickets, fines and incarceration and replace these, to the greatest extent possible, with educational, community serving, restorative and other positive programs, policies and systems.
- c. The Coalition's goal/output will be a set of recommended programs, structures and initiatives to incorporate into upcoming budget processes for FY 2022-23 and, as a second phase, in the FY2024-2025 budget processes to ensure that recommended changes will be achieved. The Coalition shall return to City Council an initial plan and timeline by April 1, 2021, to ensure the first phase of changes can be incorporated into the FY2022-23 Budget Process.

## **SUMMARY**

Local government's most fundamental role is to provide for the health and safety of its residents. Cities around the country are acknowledging that they are falling behind in this basic function, and are embarking on efforts to reimagine health and safety, and to consider reallocating resources towards a more holistic approach; one that shifts resources away from policing towards health, education and social services, and is able to meet crises with a variety of appropriate responses.

The current re-energized movement for social justice and police reform highlights a problematic expansion, over many decades, in the roles and responsibilities of the police. As other systems have been defunded, most notably mental health, education, affordable housing and other health and safety-net programs, the police have been asked to respond to more and more crises that could have been avoided with a different set of investments in community wellbeing. Rather than being the responders of last resort, focused on criminal, aggressive and violent behaviors, police are now frontline responders routinely called to address mental health crises, poverty and homelessness, substance abuse, stress in the school environment, traffic and code violations and neighborhood disputes. This is an extensive set of responsibilities that is not traditionally the purview of the police.

This item initiates a restructure and redefinition of "health and safety" for all Berkeleyans, with immediate, intermediate and longer-term steps to transform the city to a new model that is equitable and community-centered. It roots the transformative process in broad, deep and representative community engagement which empowers the community to address social determinants of health and safety and deliver transformative change, with the help of change management professionals and informed by research and analysis of current and best practices.

## **BACKGROUND**

The recent murders of George Floyd, Breonna Taylor and Ahmaud Arbery have ignited the nation in passionate protest against police brutality and racial injustice. Across the country, community members have gathered for weeks to demand change and called out the enduring, systemic racism, white supremacy and accompanying police brutality that have defined the United States for too long. Among the more immediate demands are calls to reduce funding and the scope of police work and to invest in alternative models to achieve positive, equitable community safety.

These demands for change go beyond necessary efforts in procedural justice, implicit bias training, and improved use of force policies. Activists, organizers and their allies in our community are seeking a broader discussion about the true foundations for a safe and healthy community for all people. For too long, "public safety" has been equated

with more police, while economic and social welfare programs have been viewed as special projects unrelated to health and safety.

Responding from the epicenter of this moment, the City of Minneapolis has voted to disband their police department and engage in a deep and detailed year long process to fundamentally transform community health and safety in their city.<sup>1</sup> Closer to home, Mayor London Breed has announced that San Francisco will demilitarize their police force and end the use of police as a response for non-criminal activity.<sup>2</sup>

As this movement ripples across the nation, Berkeley has an opportunity to lead in transforming our approach to public health and safety. We need the right response for each crisis rather than defaulting to police. This resolution and recommendations initiate a thoughtful, thorough approach to restructuring and redefining health and safety through investment in the social determinants of health, rooted in deep community engagement and empowerment.

Community members are calling on city leaders to be creative in reimagining the city's approach to health and safety and to make clear, demonstrated commitments and timelines for this work.

In order to earn community buy-in for these important changes it is critical that the future of community health and safety be defined by the Berkeley community, centering the voices of our Black, Native American/First Peoples and other communities of color, LGBTQ+ people, victims of harm and other stakeholders that have been historically, and continue to be, marginalized and under-served by our current system. A community-wide process would ultimately inform recommended investments and approaches to achieve a higher and more equitable level of community safety for the entire community.

## **CURRENT SITUATION AND ITS EFFECTS**

Despite strong efforts and leadership on police reform, homelessness, health, education and housing affordability in Berkeley, racial disparities remain stark across virtually every meaningful measure. According to the City of Berkeley's 2018 Health Status Summary Report, African Americans are 2.3 times more likely to die in a given year from any condition as compared to Whites. In 2013, African Americans were twice as likely to live in poverty in Berkeley. By 2018, they were eight times more likely. The Center for Policing Equity (CPE) found that Black drivers are 6.5 times as likely as white drivers to be stopped by Berkeley police officers and four times as likely to be searched. Latinx people are also searched far more often than white people. Furthermore, there is a striking disproportionality in BPD's use of force against Black community members.

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<sup>1</sup> <https://lms.minneapolismn.gov/Download/File/3806/Transforming%20Community%20Safety%20Resolution.pdf>

<sup>2</sup> <https://sfmayor.org/article/mayor-london-breed-announces-roadmap-new-police-reforms>

Black people comprise 8% of Berkeley's population but 46% of people who are subjected to police force.<sup>3</sup>

Local government's most fundamental role is to provide for the health and safety of its residents. Cities around the country are acknowledging that they are falling behind in this basic function and are embarking on efforts to reimagine health and safety, and to consider reallocating resources towards a more holistic approach; one that shifts resources away from policing towards health, education and social services, and is able to meet crises with a variety of appropriate responses.

In addition to renewed efforts around policing in places like Minneapolis and San Francisco that were prompted by George Floyd's murder, the financial and public health impacts of COVID-19 had already required Berkeley to reimagine and innovate to meet the moment. Berkeley now faces multiple intersecting crises: the COVID-19 pandemic and its economic impacts, the effects of systemic racism and the ongoing climate emergency. There is no returning to "normal."

COVID-19 has demonstrated that we are only as healthy and safe as the most vulnerable amongst us, and we are in fact one community. There is both a moral and fiscal imperative to restructure the way Berkeley envisions and supports health and safety.

Berkeley is facing a \$40 million budget deficit, and while deferrals of projects and positions can help close the gap in the short term, the economic impacts of the pandemic will require deeper restructuring in the coming years. The current structure of the police department consumes over 44% of the City's General Fund Budget. With the increase in payments required to meet pension and benefit obligations, the police budget could overtake General Fund capacity within the next 10 years. Thus, even before the important opportunity for action created through outrage at the murder of George Floyd, the City's current investments in safety were unsustainable. To provide meaningful safety and continue critical health and social services, Berkeley must commit to, and invest in, a new, positive, equitable and community-centered approach to health and safety - this is affordable and sustainable.

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<sup>3</sup> <https://www.berkeleyside.com/wp-content/uploads/2018/05/Berkeley-Report-May-2018.pdf>

## **RATIONALE FOR RECOMMENDATIONS**

### **1. Resolution expressing City Council's commitment to a new city-wide approach to public health and safety**

Transforming our system of health and safety requires strong commitment from our leaders and the community. This resolution (Attachment 1) is an expression of commitment and a tool for accountability to the public.

The proposed set of principles as well as specific initiatives are the starting point for a robust and inclusive process. Some actions will require significantly more work and additional council direction prior to implementation. For example, moving traffic and parking enforcement from police is a concept that is recommended but would require a significant redesign of city operations. Other changes may be able to move forward more quickly. These ideas are submitted in a spirit of conviction and humility. The future of community health and safety must be addressed in a fundamentally different way and the Council is committed to collaborating with the community to define a new, positive and equitable model of health and safety for everyone.

### **2. Direct the City Manager to publicly track progress on actions that respond to the directives of the principles herein and others identified by the Coalition. Progress shall be updated regularly and available on a dedicated page on the City website.**

This webpage should include a summary of the actions outlined in this item, as well as other work already underway such as the Mayor's Fair and Impartial Working group, the Use of Force policy updates, other work underway by the Police Review Commission and any other Council referrals or direction on public safety, including existing referrals addressing alternative and restorative justice, that reflect the spirit and scope of this item.

Transformative change will only be successful if processes are transparent and information widely disseminated, as the City has so successfully demonstrated in managing the COVID-19 crisis. By publicly posting this information, the public will have the capacity to keep its elected officials, city staff, and our whole community accountable for realizing a new system of community centered safety that meets the needs of all of Berkeley's residents.

**3. Direct the City Manager to collaborate with Mayor and select Councilmembers to complete the following work, to inform investments and reallocations to be incorporated into future Budget processes:**

***(a) Begin the process of structural change including directing the analysis of the activities of the Berkeley Police Department and other related departments.***

Transforming community health and safety has to start by understanding the existing system, the calls to which it responds and other activities. This recommendation seeks to build on Councilmember Bartlett's George Floyd Community Safety Act to immediately engage independent, outside experts to conduct a data-driven analysis of police calls and responses and a broader understanding of how the police actually spend their time.<sup>45</sup>

Engaging the services of outside experts will ensure a transparent and trusted process and provide accurate data required to effectuate substantive change will be identified and that data will inform immediate change and the work throughout the community engagement process. The experts must be knowledgeable about policing, code enforcement, criminal justice and community safety and have deep experience with current and emerging theories, as well as expertise in data collection and analysis to inform recommendations for transformative change.

This analysis should commence as quickly as possible with the goal of providing some recommendations in time for the November 2020 AAO and then to more broadly inform the work of the Community Safety Coalition.

***(b) Identify immediate opportunities to shift elements of current policing resources to fund more appropriate community agency responses***

This re-energized movement for social justice also highlights a problematic expansion, over many decades, in the roles and responsibilities of the police. As other systems have been defunded, most notably mental health, education, affordable housing and other health and safety-net programs, the police have been asked to respond to more and more crises that could be avoided with a different set of investments in community wellbeing. Rather than being the responders of last resort, focused on criminal, aggressive and violent behaviors, police are now frontline responders routinely called to address mental health crises, poverty and homelessness, substance abuse, stress in the school environment, traffic and code violations and neighborhood disputes. This is an extensive set of responsibilities that have slowly accreted to the police.

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<sup>4</sup>[https://www.cityofberkeley.info/uploadedFiles/Clerk/Update\\_Budget%20Request%20to%20Hire%20a%20Consultant%20to%20Perform%20Police%20Call%20and%20Re...pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Update_Budget%20Request%20to%20Hire%20a%20Consultant%20to%20Perform%20Police%20Call%20and%20Re...pdf)

<sup>5</sup> [New York Times- How Do the Police Actually Spend Their Time?](#)



By November 2020, with preliminary information provided by outside experts, the City Manager and Council should identify some responsibilities that can be quickly shifted to other programs, departments and agencies. Some areas to be considered include:

- Mental health and crisis management (consideration should be given to possible expansion of the Mobile Integrated Paramedic Unit (MIP) Pilot initiated by the Berkeley Fire Department during the COVID-19 pandemic), and other models for mental health outreach and crisis response, including by non-profits
- Homeless outreach and services
- Civilianizing some or all Code Enforcement + Neighborhood Services and placing these functions elsewhere
- Alternatives for traffic and parking enforcement, and
- Substance abuse prevention and treatment

The consultants should work with the City Manager to provide a specific timeline and process for transitioning functions as quickly as possible, with deliverables to coincide with timelines for budget processes.

**(c) Contract with Change Management experts to initiate and facilitate a Community Safety Coalition (“CSC”) and Steering Committee that will begin meeting no later than January 2021.**

While the Council can make some important changes and investments in the near future, a complete and enduring transformation in community safety is only possible through robust community engagement. It is critical that the future of community health and safety is defined by the Berkeley community, elevating the voices of our Black, Native American/First Peoples and other communities of color, LGBTQ+ people, victims of harm and other stakeholders that have been historically marginalized and under-served by current systems. The Community Safety Coalition, guided by a steering committee, will serve as the hub for a broad, deep and representative process, and uplift the community’s input into a new positive, equitable, anti-racist system of community health and safety.

Berkeley has a history in leading transformational change to achieve a more equitable society. The robust public process that led to school desegregation is an example of our community’s success in bringing about significant, transformative change (Attachment 4).

The robust public process, led by the Community Safety Coalition and its steering committee, will be guided and facilitated by outside experts.

The work of the Coalition should include but not be limited to:

- Build upon the work of the City Council, City Manager, the Fair and Impartial Policing Working Group, the Use of Force subcommittee and other efforts of the Police Review and other City Commissions, and the work of other community agencies addressing community-centered health and safety
- Research and engagement to define a holistic, anti-racist approach to community safety, including a review and analysis of emerging models, programs and practices that could be applied in Berkeley. This research should explore and propose investments in restorative justice models, gun violence intervention programs, and substance abuse support, among other things.
- Recommend a positive, equitable, community-centered safety paradigm as a foundation for deep and lasting change, grounded in the principles of *Reduce, Improve and Reinvest* as proposed by the National Institute for Criminal Justice Reform (Attachment 3), considering, among other things:
  - The social determinants of health and changes required to deliver a holistic approach to community-centered safety
  - The appropriate response to community calls for help including size, scope of operation and powers and duties of a well-trained police force.
  - Limiting militarized weaponry and equipment.
  - Identifying alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce alternative and restorative justice models, and reduce or eliminate use of fines and incarceration.
  - Options to reduce police contacts, stops, arrests, tickets, fines and incarceration and replace these, to the greatest extent possible, with educational, community serving, restorative and other positive programs, policies and systems.

The Coalition's goal/output will be a set of recommended programs, structures and initiatives to incorporate into upcoming budget processes for FY 2022-23 and, as a second phase, in the FY2024-2025 budget processes to ensure that recommended changes will be achieved. The Coalition shall return to City Council an initial plan and timeline by April 1, 2021, to ensure the first phase of changes can be incorporated into the FY2022-23 Budget Process.

FINANCIAL IMPLICATIONS

\$160,000 from the Auditor’s budget to assess police calls and responses

\$200,000 from current budget cycle from Fund 106, Civil Asset Forfeiture, for initial subject matter expertise and engagement of outside consultants

Staff time to support the process of identifying and implementing change.

REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES AND LAWS

This effort is in support of the following strategic plan goals:

- Champion and demonstrate social and racial equity
- Create a resilient, safe, connected, and prepared City
- Create affordable housing and housing support services for our most vulnerable community members
- Provide an efficient and financially-healthy City government
- Be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community

ENVIRONMENTAL SUSTAINABILITY

No Environmental Impact.

CONTACT PERSON

Mayor Jesse Arreguin 510-981-7100

Vice-Mayor Sophie Hahn

Councilmember Ben Bartlett

Councilmember Kate Harrison

Attachments:

1. Resolution
2. Safety for All: The George Floyd Community Safety Act - Budget Request to Hire a Consultant to Perform Police Call and Response Data Analysis
3. “Shrink the Beast” A Framework for Transforming Police, National Institute for Criminal Justice Reform
4. School Desegregation in Berkeley: The Superintendent Reports, Neil Sullivan 1968

RESOLUTION

Whereas, The recent murders of George Floyd, Breonna Taylor and Ahmaud Arbery have ignited the nation in passionate protest against police brutality and racial injustice; and

Whereas, Demands for change go beyond necessary efforts in procedural justice, implicit bias training, and use of force policies and seek a broader discussion about investment in the conditions for a safe and healthy community; and

Whereas, Investment in “public safety” has been equated with more police for too long while economic and social welfare programs have been viewed as special projects unrelated to health and safety; and

Whereas, This movement is highlighting the problematic expansion in the roles and responsibilities of police officers. Rather than being the responders of last resort, focused on criminal, aggressive and violent behaviors, police are now frontline responders to mental health crises, homelessness, drug addiction, sex work, school disruption, traffic and code violations and neighborhood conflicts; and

Whereas, the adopted 2020 budget allocated \$74 million to the Berkeley Police Department, which represents over 44% of the City’s General Fund of \$175 million, and is more than twice as much as the combined City budgets for Health Housing and Community Services, and Economic Development; and

Whereas, It is clear that our current system of public health and safety is not working and is not sustainable in Berkeley. Despite strong efforts and leadership on police reform, homelessness and affordable housing, racial inequity remains stark across virtually every meaningful measure of health and well-being; and

Whereas, Local government’s most fundamental role is to provide for the health and safety of its residents. Cities around the country are acknowledging that they are falling behind in this basic function and are embarking on efforts to reimagine health and safety, and to consider reallocating resources towards a more holistic approach that shifts resources away from policing towards equitable health, education and social services that promote wellbeing up front;<sup>678</sup> and

Whereas, As this movement ripples across the nation, Berkeley has an opportunity to lead in transforming our approach to public health and safety. We need the right response for each crisis rather than defaulting to using the police; and

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<sup>6</sup> [Transforming Community Safety Resolution-Minneapolis](#)

<sup>7</sup> [San Francisco Mayor, Supervisor announce effort to redirect some police funding to African-American community](#)

<sup>8</sup> [The cities that are already defunding the police](#)

Now, Therefore, Be It Resolved by The City Council of The City of Berkeley:

That the City Council commits to the principles of reduce, improve and re-invest: reduce the scope and investment in policing, improve the response and accountability of public and community agencies, reinvest in racial equity and community-based intervention initiatives<sup>9</sup>;

Be It Further Resolved that the City Council will engage with every willing community member in Berkeley, centering the voices of Black people, Native American people, people of color, immigrants, LGBTQ+ people, victims of harm, and other stakeholders who have been historically marginalized or under-served by our present system. Together, we will identify what safety looks like for everyone.

Be It Further Resolved that the process will center the role of healing and reconciliation. The process will require healers, elders, youth, artists, and organizers to lead deep community engagement on race and public safety. We will work with local and national leaders on transformative justice in partnerships informed by the needs of every block in our city.

Be It Further Resolved that decades of police reform efforts have not created equitable public safety in our community, and our efforts to achieve transformative public safety will not be deterred by the inertia of existing institutions, contracts, and legislation.

Be It Further Resolved that these efforts heed the words of Angela Davis, “In a racist society, it is not enough to be non-racist. We must be anti-racist.”

Be It Further Resolved that the transformation under consideration has a citywide impact, and will be conducted by the City Council in a spirit of collaboration and transparency with all constructive stakeholder contributors including the Mayor’s Office, the City Manager, the Police Chief, and community organizations.

Be It Further Resolved that the City Council of the City of Berkeley is committed to:

1. A transformative approach to community-centered safety and reducing the scope of policing
2. Equitable investment in the essential conditions of a safe and health community especially for those who have been historically marginalized and have experienced disinvestment
3. A broad, inclusive community process that will result in deep and lasting change to support safety and wellbeing for all Berkeley residents.

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<sup>9</sup> [A Framework fo Transforming Police- NICJR](#)

Be it Further Resolved that the City Council supports taking the following actions to realize this transformation:

1. Direct the City Manager to track and report progress on actions to implement this initiative, and other actions that may be identified by the Coalition and referred by Council to the City Manager. Updates shall be provided by written and verbal reports to Council, and posted on a regularly updated and dedicated page on the City website.
2. Direct the City Manager to collaborate with Councilmembers later selected by the Mayor to complete the following work, to inform investments and reallocations to be incorporated into future Budget processes:
  - a. Contract with independent consultants/Change Management and subject matter experts to:
    - i. Analyze the scope of work of, and community needs addressed by, the Berkeley Police Department, to identify a more limited role for law enforcement, and identify elements of police work that could be achieved through alternative programs, policies, systems, and community investments. Analysis should include but not be limited to: calls received by dispatch by type of complaint, stops by law enforcement generated at officer discretion (as contained in the Police Department's open data portal) or on request of other city agencies, number of officers and staff from other city agencies that respond to incidents, estimated time in response to different types of calls, daily patrol activities, organizational structure, and beat staffing. Work to include broad cost estimates of police and other city agency response to different types of calls, and other information and analysis helpful to identify elements of current police work that could be transferred to other departments or programs, or achieved through alternative means. Work should be completed in time for the November 2020 Annual Appropriation Ordinance revision.
    - ii. Identify immediate and longer term opportunities to shift policing resources to alternative, non-police responses and towards alternative and restorative justice models, to better meet community needs, that could be considered in the

November 2020 AAO#1 budget process. Some areas to be considered include homeless outreach and services, substance abuse prevention and treatment, and mental health/crisis management, as well as alternative models for traffic and parking enforcement, “neighborhood services” and code enforcement. Provide a broad timeline and process for transitioning functions not ready for transition at this first milestone.

Deliverables should coincide with budget cycles, including the November 2020 AAO and FY 2022-2023 Budget processes, and provide a suggested timeline for transitioning functions at these and other budget opportunities, so that alternative investments may be considered for funding and launched in a timely and orderly manner.

- b. Contract with independent Change Management experts to create and facilitate a representative Community Safety Coalition, guided by a Steering Committee, that will begin meeting no later than January 2021. The CSC and its Steering Committee, should be broadly inclusive and representative of Berkeley residents and stakeholders. The Steering Committee, with the support of Change Management professionals, shall be responsible for engaging the Coalition and the broader Berkeley community and relevant City Staff in a robust process, to achieve a new and transformative model of positive, equitable and community-centered safety for Berkeley.

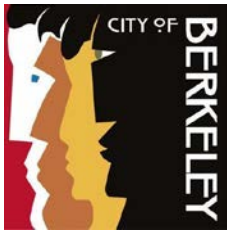
The work of the Coalition should include but not be limited to:

4. Building on the work of the City Council, the City Manager, the PRC and other City commissions and other working groups addressing community health and safety.
5. Research and engagement to define a holistic, anti-racist approach to community safety, including a review and analysis of emerging models, programs and practices that could be applied in Berkeley.
6. Recommend a new, community-centered safety paradigm as a foundation for deep and lasting change, grounded in the principles of *Reduce, Improve and Reinvest* as proposed by the National Institute for Criminal Justice Reform (Attachment 3), considering, among other things:

- a. The social determinants of health and changes required to deliver a holistic approach to community-centered safety
- b. The appropriate response to community calls for help including size, scope of operation and powers and duties of a well-trained police force.
- c. Limiting militarized weaponry and equipment.
- d. Identifying alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce alternative and restorative justice models, and reduce or eliminate use of fines and incarceration.
- e. Options to reduce police contacts, stops, arrests, tickets, fines and incarceration and replace these, to the greatest extent possible, with educational, community serving, restorative and other positive programs, policies and systems.

The Coalition's goal/output will be a set of recommended programs, structures and initiatives to incorporate into upcoming budget processes for FY 2022-23 and, as a second phase, in the FY2024-2025 budget processes to ensure that recommended changes will be achieved. The Coalition shall return to City Council an initial plan and timeline by April 1, 2021, to ensure the first phase of changes can be incorporated into the FY2022-23 Budget Process.





Councilmember Ben Bartlett  
City of Berkeley, District 3

## EMERGENCY ITEM AGENDA MATERIAL

**Meeting date:** June 16, 2020  
**Item Description:** Safety for All: The George Floyd Community Safety Act - Budget Request to Hire a Consultant to Perform Police Call and Response Data Analysis  
**Submitted by:** Councilmember Ben Bartlett (Author), Mayor Jesse Arreguin, and Councilmembers Kate Harrison (Co-Sponsor)

### Rationale:

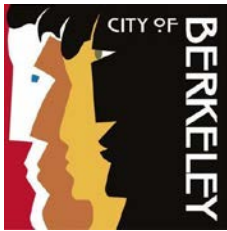
Pursuant to California Government Code Section 54954.2(b) (2), Councilmember Ben Bartlett submits the attached item to the City Council for placement on the June 16, 2020 meeting agenda. Gov. Code Section 54954.2(b) (2) states that “Upon a determination by a two-thirds vote of the members of a legislative body presents at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).”

This item meets the criteria for “immediate action” as follows:

- 1) The budget is being considered and there is public outcry for Council to take action.
- 2) Racism Is a Public Health Emergency.
- 3) Council is considering numerous police items right now.

Hundreds of thousands of people in every state have marched in solidarity to call for an end to police brutality, to demand police accountability, and to reform law enforcement, bringing justice to the Black lives and people of color who have been wrongfully harmed at the hands of the criminal justice system. Police brutality has taken the lives of 46-year-old Black man George Floyd, 26-year-old Black woman Breonna Taylor, and countless other people of color. Often resorting to violent means of punishment, police officers are not trained to handle noncriminal and nonviolent situations. Unfortunately, the lack of sufficient data and reporting has allowed police misconduct to be swept under the rug, which has increased police militarization, failed to prioritize community safety, and prevented providing the civilian with the necessary treatment to resolve the situation.

To respond to urgent calls for police transparency and accountability, this item requests the City Manager to hire third-party consultants to conduct a data-driven analysis of the Berkeley Police Department’s calls, responses, budget, and expenditures to determine which calls can be serviced to non-law enforcement agencies, ensuring noncriminal and nonviolent situations are properly handled by trained community professionals.



Councilmember Ben Bartlett  
City of Berkeley, District 3

CONSENT CALENDAR

June 16, 2020

To: Honorable Mayor and Members of the City Council  
From: Councilmember Ben Bartlett (Author), Mayor Jesse Arreguin, and  
Councilmembers Kate Harrison (Co-Sponsor)  
Subject: Safety for All: The George Floyd Community Safety Act - Budget Request to  
Hire a Consultant to Perform Police Call and Response Data Analysis

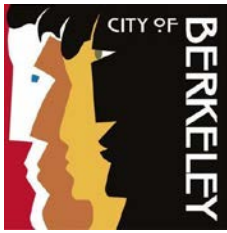
RECOMMENDATION:

1. Refer to the Thursday, 6/18/2020 Budget & Finance Policy Committee and the FY 2020-21 Budget Process the \$150,000 to
  - a. Hire a consultant to conduct a data-driven analysis of police calls and responses to determine the quantity and proportion of these calls that can be responded to by non-police services. The third-party consultant must be hired and engaged in work within three months of the item's passage.
  - b. Hire a consultant to conduct an analysis of the Berkeley Police Department's budget and its expenditures by call type. The third-party consultant must be hired and engaged in work within three months of the item's passage.
2. Direct the City Manager to:
  - a. Implement initiatives and reforms that reduce the footprint of the police department and limit the police's response to violent and criminal service calls.

CURRENT SITUATION

In all 50 states and more than 145 cities, Americans are calling to end police violence and brutality, to legitimize police accountability, and to transform the police system to protect the safety of communities and people of color. Police violence and brutality led to the death of a 46-year-old Black man George Floyd and the murders of other Black people, igniting a flame that has been brewing for a long time. These events of police violence gave rise to a wave of demonstrations and demands for change, including many in the City of Berkeley.

Due to the Coronavirus pandemic, the City of Berkeley is facing a nearly 30+ million dollar budget deficit, sharply stalling economic growth with effects that parallel the Great Depression. At the same time, the City is projected to undergo an increase in people experiencing homelessness, trauma, and mental health crises. Therefore, the City must ensure that each dollar is spent for the residents' best interest and will produce the maximum return.



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City of Berkeley, District 3

In order to better respond to the needs of the Berkeley community, it is critical that the Council takes local-level action on police reform. In particular, the City must examine the types of calls and responses from the police department and analyze the agency's budgets and expenditures according to call type.

As a component of the **REDUCE, IMPROVE, RE-INVEST** framework, this item works towards the REDUCE goal: *the City should implement initiatives and reforms that reduce the footprint of the police department and limit the police's response to violent and criminal service calls.* Specifically, this item proposes to hire an outside consultant to conduct an analysis of police calls and responses as well as the department budget.

With military-style techniques and structure, police officers are trained to combat crime in a manner that exerts violence through punishments, establishing a monopoly on force in communities. While law enforcement is supposed to protect our communities and keep us safe, crime waves from the 1970s and 1980s have transformed the police community into a body for crime control, maintaining such focus until modern-day despite declines in criminal activity<sup>1</sup>. With this focus on crime control, police officers lack the necessary training to adequately respond to noncriminal and nonviolent crimes. Non Criminal crimes refer to issues involving mental health, the unhoused community, school discipline, and neighborhood civil disputes<sup>2</sup>. Nonviolent crimes are categorized as property, drug, and public order offenses where injury or force is absent<sup>3</sup>. When police respond to these types of matters, they resort to violent means of arrest or problem escalation because they are ill-equipped and not trained to resolve the underlying issues.

According to the Vera Institute of Justice's report between 1980 and 2016, more than 10.5 million arrests are made every year; only 4.83 percent of those arrests were for violent offenses<sup>4</sup>. Eighty percent of these arrests were for low-level offenses, such as "disorderly conduct," non-traffic offenses, civil violations, and other offenses. This criminalization may be attributed to the arrest quotas for police productivity, which promotes punishment by rewarding the number of arrests for police funding instead of finding solutions to these issues<sup>5</sup>. This high percentage of low-level offenses resulted in

<sup>1</sup> <https://www.theatlantic.com/ideas/archive/2020/06/first-step-figuring-out-what-police-are/612793/>

<sup>2</sup> <https://www.latimes.com/california/story/2020-06-12/san-francisco-police-reforms-stop-response-noncriminal-calls>

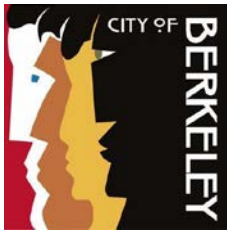
<sup>3</sup>

<https://www.bjs.gov/content/pub/ascii/pnoesp.txt#:~:text=Nonviolent%20crimes%20are%20defined%20as%20possession%2C%20burglary%2C%20and%20larceny.>

<sup>4</sup>

<https://arresttrends.vera.org/arrests?compare%5Boffense%5D%5Bpart1%5D=part1&compare%5Boffense%5D%5Bpart2%5D=part2#infographic>

<sup>5</sup> <https://theintercept.com/2019/01/31/arrests-policing-vera-institute-of-justice/>



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arrest when other nonviolent, rehabilitative methods could have occurred from the solutions of community workers with the experience to handle these situations.

It is imperative that the City of Berkeley develops, implements, and enforces a clear and effective roadmap towards making real change, ending anti-Black racism, stopping police violence, and holding police accountable for their actions. Thus, the Council should direct the City Manager to hire third party consultants to conduct a data-driven analysis of police calls and responses as well as their budget and expenditures in order to determine ways in which experienced community workers can reduce the police footprint by addressing noncriminal situations. We recommend that community workers also resolve nonviolent situations.

### BACKGROUND

In order to achieve the aforementioned goals, the City must implement a series of important law enforcement reforms and take action by initiating the following:

#### **REDUCE:**

##### **I. Hire a consultant to conduct a data driven analysis of police calls and responses.**

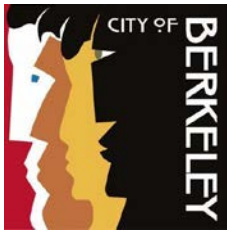
University of Denver Political Science Professor Laurel Eckhouse stated, “One method of reducing police presence... is to separate and reassign to other authorities various problems currently delegated to the police... such as the problems of people who don’t have housing... mental health issues... and even things like traffic<sup>6</sup>.” Community organizations, civilian workers trained in mental health situations, or neighborhood problem-solvers would better address these specific issues due to their experience, ensuring that the police are not the only force addressing these issues and promoting community vitality<sup>7</sup>.

Conducting a data driven analysis of police calls and responses would signify a report of the calls and responses that police receive and would inform the city where to better allocate resources to resolve specific issues. Noncriminal and nonviolent activities can thus be properly addressed by those who are equipped to handle these situations and would relieve law enforcement from these calls to then pursue more serious criminal situations. For example, the San Francisco Police Department receives approximately 40,000 calls per year about homeless people on the streets<sup>8</sup>. Social workers who can help unhoused citizens and those with mental health disorders are better equipped to help these citizens receive

<sup>6</sup> <https://www.stanforddaily.com/2020/06/04/police-abolition-looks-like-palo-alto/>

<sup>7</sup> <https://www.theatlantic.com/ideas/archive/2020/06/first-step-figuring-out-what-police-are/612793/>

<sup>8</sup> <https://www.latimes.com/california/story/2020-06-12/san-francisco-police-reforms-stop-response-noncriminal-calls>



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proper treatment while also protecting the safety of our communities, which would give law enforcement time to handle other crimes.

One suggestion to reduce the costs of policing is to boost productivity by allocating a portion of the calls for service to community organizations who have the resources and training to handle such situations<sup>9</sup>. For example, in Mesa, Arizona from 2006 to 2008, a third of calls for service are handled by civilians; these calls are for incidents of “vehicle burglaries, unsecured buildings, accidents, loose dogs, stolen vehicles, traffic hazards, and residential burglaries<sup>10</sup>.” Approximately half of calls for service in Mesa are handled by police officers, but among those, there are ways to reduce police authority. For example, 11 percent of those calls that police officers handled were in response to burglary alarms, where 99 percent were false. Six percent of those calls included “juveniles disturbing the peace.” This situation in Mesa demonstrates the possibility of reduced police force in exchange for community based response teams who can better resolve these issues with their experience.

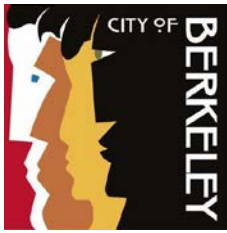
The City Manager should hire a third party consultant within three months of this item’s passage to conduct the data analysis, ensuring that the report is completed in an impartial and timely manner.

The third party consultant should create a report with the following information by analyzing and gathering the data from the police department, reporting their findings to the City every two years. We recommend the following data to be considered for analysis:

- a. Number of calls the police department receives per day, week, month, and year, which will be categorized into noncriminal, misdemeanor, nonviolent felony, and serious and violent felony calls.
- b. Demographics for these calls
- c. Characteristics of traffic stops
  - i. Quantity
  - ii. Type/reason
  - iii. Number of those resulting in searchings paired with the frequency at which illegal items were found
  - iv. Police response (i.e. citation, arrest, use of force)
  - v. Demographics of the civilian in the traffic stop that is broken into type of stop and whether a search occurred
- d. Number of complaints against an officer
  - i. Enumerate the officers with a high number of complaints

<sup>9</sup> <https://www.ncjrs.gov/pdffiles1/nij/231096.pdf>

<sup>10</sup> <https://www.ncjrs.gov/pdffiles1/nij/231096.pdf>



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ii. Reason behind the complaints.

With the results of the data analysis, the City can determine the portion of calls that the community crisis worker pilot can properly address with the resources and experience they have.

**II. Hire a consultant to conduct an analysis of the police department budget.**

Using the analysis generated by a review of police call and response data, a third party consultant should be hired to analyze the police department's expenditures and budgets for various calls of service and report their findings to the City every two years.

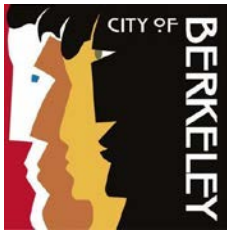
According to the 2019 budget, the Berkeley Police Department's expenditures were approximately \$69 million, which consists of 5.6 percent of the city's net expenditures. However, for the 2020 budget, the BPD is expected to have \$74 million in expenditures, reflecting a \$5 million increase from the previous year and approximately \$8 million higher than 2017's expenditures<sup>11</sup>. Unfortunately, anecdotal evidence suggests that only 20 percent of police time is spent on solving crime and the majority is spent towards addressing those experiencing homelessness and mental health crises. The City should reallocate resources to a crisis worker entity who would be tasked with responding to noncriminal calls. We recommend that nonviolent calls also be addressed by this entity. This would give police officers more time to focus on crime, leading to better outcomes for public safety, community health, and a higher quality of life.

In Canada, Police Information and Statistics Committee police services Waterloo Police Regional Service and Ontario Provincial Police collaborated with Justice Canada and Public Safety to collect data on their calls for service and determine the costs of policing<sup>12</sup>. Their research reported that in 2013, bylaw complaints were listed as the most frequent call for service in Waterloo at 8,769 calls and non-crime policing activities were listed as the most frequent. In contrast, the only criminal activity listed in the top 10 generated calls were domestic dispute, theft under \$5000, and major violent crime in property damage. Considering the most frequent of costly calls are noncriminal activities such as selective traffic enforcement programs (\$22,212.45 in sum of total unit service time in hours) and vehicle stops (\$206,668.13), the greatest cost in calls were for noncriminal activities. As noncriminal activities result in the greatest costs, it would be more efficient for community workers to handle these situations in order to reduce

<sup>11</sup> <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/FY-2020-2021-Adopted-Budget-Book.pdf>

<sup>12</sup> <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2015-r018/index-en.aspx#c-1-i>





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police department costs, allowing trained professionals to resolve the issue and giving police officers time to spend on more serious criminal offenses.

By analyzing the budget expenditures for the police for each call type, the community can divest from the police and reallocate those funds for trained community organizations who can handle noncriminal and nonviolent offenses. Considering the significantly delayed response to former requests for the police department's budget, the data analysis should be conducted by a third party consultant that is hired and engaged in active service within three months of this item's passage, ensuring that the police department's budget information is transparent to the public and reported in an impartial, timely manner.

#### REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

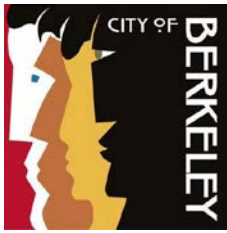
The City Manager provides regular reports on crime in Berkeley and on the policies of the Berkeley Police Department<sup>13</sup>. The data on serious crime is collected annually by the Federal Bureau of Investigation (FBI), which consists of over 17,000 law enforcement agencies that represent over 90 percent of the United States population. The FBI's Uniform Crime Report (UCR) reports crime statistics on violent crimes (including murder, rape, robbery, and aggravated assault) and property crimes (including burglary, larceny, auto theft, and arson). This data allows the BPD to analyze national and local crime trends, determine effectiveness of response to crime, and plan for future policies and resource allocation. Additionally, the City of Berkeley implements the Daily Calls for Service Log that the community can access to see the volume and nature of police activity.

Currently, Utah requires agencies to report tactical deployment and forcible entries where such reports are summarized by the Utah Commission on Criminal and Juvenile Justice. Utah Law Enforcement Transparency reporting interface was added to Utah Criminal Justice Information System in 2014 through the use of federal grant funding. Law enforcement agencies are required to report incidents of forcible entry and the deployment of tactical groups, representing data collection of police use of force<sup>14</sup>.

However, these reports do not analyze the demographics or types of calls and responses from the BPD, which makes it difficult to hold police officers accountable for the mistreatment of individuals. Without this information, it becomes difficult to determine how to decrease the police footprint or implement safer policing practices if the analysis only pertains to the quantity and types of arrests and does not include the

<sup>13</sup> [https://www.cityofberkeley.info/Police/Home/Annual\\_Crime\\_Reports.aspx](https://www.cityofberkeley.info/Police/Home/Annual_Crime_Reports.aspx)

<sup>14</sup> <https://justice.utah.gov/Documents/CCJJ/LETR/2018%20LET%20Annual%20Report.html>



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background, call of service, reason, demographics, complaints against the police officer, and other important factors to the BPD's response.

Despite voluntary data sharing and crime reports, data collection still remains vague and insufficient, leaving many unanswered questions regarding the number of instances of and reasons for use of force, complaint process against police officers, and other information about police actions. This lack of clarity allows police misconduct to perpetuate due to the lack of research that would hold police departments accountable.

#### ACTIONS/ALTERNATIVES CONSIDERED

One possible alternative to the community response teams would be to implement better training procedures so that police officers are more equipped to handle nonviolent and noncriminal activities. For example, the state of Washington requires both violence de-escalation and mental health training for police officers<sup>15</sup>. Such reform may render the data analysis on the types of calls unnecessary because the police department would be trained to handle all services regardless of the type of call.

However, training police officers to handle situations such as mental health or homelessness would signify an increase in funding for the police department to provide such training services. Not only would this type of training be difficult to maneuver when police forces are currently trained in a militarized manner, but it would be more efficient for community professionals to peacefully and properly resolve such issues since they have already engaged in this training and experience for years.

Reforming police training may be beneficial, but in this case, it would also indicate the lack of basis for reporting the police department's types of calls and responses, which is necessary to hold the police accountable and ensure safer practices. While reporting the data analysis could still occur without the community crisis workers, only having the police department manage all situations would increase their authority over the communities, which would lead to increased militarization of the police forces if other community organizations do not intervene or hold them accountable.

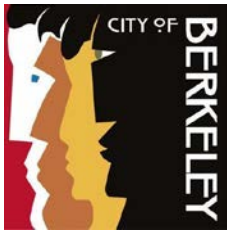
#### OUTREACH OVERVIEW AND RESULTS

The District 3 Office has consulted with David Muhammad, who is the Executive Director of the National Institute for Criminal Justice Reform; the former Chief Probation Officer in Alameda County; and the former Deputy Commissioner of Probation in New York City. David Muhammad is a leading expert on criminal justice who has helped inform our response to the current situation.

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<sup>15</sup> <https://www.theatlantic.com/ideas/archive/2020/06/how-actually-fix-americas-police/612520/>





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The District 3 Office has also consulted with Marcus McKinney, the Senior Director of Government Affairs & Public Policy at the Center for Policing Equity.

The District 3 Office has also consulted with Professor Tracey L. Meares, Walton Hale Hamilton Professor and Faculty Director of the Justice Collaboratory at Yale Law School.

### RATIONALE FOR RECOMMENDATION

Police departments across the country enforce policies and practices that breed a culture of violence resulting in killings--like those of Floyd and Moore, and of countless other people of color. These authoritative, militarized behaviors are often rooted in anti-Black racism, and such behavior must stop being acceptable. Transformation of police departments, their role, and relationship to our communities requires a change in culture, accountability, training, policies, and practices.

To prioritize community safety and reduce police violence, the City must hire a third party consultant to analyze police data in order to decide how to divest from the police to fund experienced community workers who can adequately resolve noncriminal and nonviolent situations. These community workers would protect the community from violence and emphasize revitalization and rehabilitation over the punishment that police officers often enforce. Implementing a data-driven analysis on police data would increase the transparency of the police department and hold them accountable, detecting the issues within the police force that community response teams can help heal. The Council must make informed legislative decisions that will reduce police footprint, improve current practices of law enforcement, and reinvest in the community for the safety of our civilians.

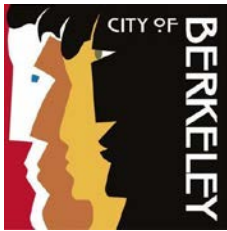
### FISCAL IMPACTS OF RECOMMENDATION

The third party consultant/s would cost approximately \$150,000 to \$200,000. It is up to the City Manager to hire the third party consultants who will analyze the data of the police department's calls, responses, budget, and expenditures. Consultants must be hired and engaged in service within three months if this item passes. These consultants would ensure that noncriminal situations are handled by those with the necessary training, which may lead to a decrease in repeat offenses when community workers properly resolve the situation and guide civilians to helpful resources.

### ENVIRONMENTAL SUSTAINABILITY

We do not expect this recommendation to have significant negative impacts on environmental sustainability.

### OUTCOMES AND EVALUATION



Councilmember Ben Bartlett  
City of Berkeley, District 3

If this item is passed, third party consultants would be hired by the City and engaged in data analysis within three months of passage. These consultants would produce biennial reports regarding the Berkeley Police Department's types of calls and responses as well as the budgets and expenditures in order to inform the City how to reallocate funds from the police into a community response team with better experience to handle noncriminal situations. We recommend that nonviolent situations also be addressed by community crisis workers.

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#### ATTACHMENTS

1. Cover Letter - Safety for All: George Floyd Community Safety Act
  - <https://drive.google.com/file/d/16pqqd9J6NPRzh6298Bgazo7jw1qxTK6Y/view?usp=sharing>

# SHRINK THE BEAST:

A Framework for Transforming Police

NICJR★  
National Institute for  
Criminal Justice Reform



The killing of George Floyd by Minneapolis police was the match that lit a fire that has been building in our communities for a long time. Nationwide demands for not just reform, but complete transformation of policing have put pressure on local jurisdictions across the country to make rapid and real change.

Since its founding, the National Institute for Criminal Justice Reform (NICJR) has worked to reform the juvenile and criminal justice systems through a process of Reduce – Improve – and Reinvest. This framework can also be effective in transforming policing. In the past 15 years, the U.S. juvenile justice system has been reduced by more than half. Youth correctional facilities have been shuttered and investment into community services has increased. While there is certainly more progress to be made, the movement to transform policing can learn a great deal from criminal justice reform.

**NICJR's framework to Shrink the Beast focuses on three areas:** reducing the footprint of law enforcement, significantly improving what remains of policing, and reinvesting the savings from smaller police budgets into community services.

## Reduce

One of the most significant structural reforms we must advance in policing, already happening in the criminal justice arena, is shrinking its scope. Officers are asked to do too much with too few resources. The warrior mentality that police are indoctrinated with, starting as early as the first day of the police academy, does not allow them to handle many of those responsibilities well. It is time for an alternative response network for all non-violent calls for service. Similar to the community-based organizations that provide diversion programs for youth and adults who would otherwise end up in the justice system, a new infrastructure of community safety and problem-solving responders, with expertise in crisis response, mental health, and de-escalation techniques, must be developed. Such a network should be vast and well equipped, including 24-hour on-call community crisis response and outreach workers. The resulting reduced police force would then focus primarily on responding to serious violence. Small, but promising examples of this model already exist:

- › **In Oakland, CA**, non-profit organizations employ street outreach workers and crisis response specialists who respond to shooting scenes, intervene in and mediate conflicts, and sit down with young adults who have been identified as being at very high risk of violence to inform them of their risk and offer them intensive services. These City-funded efforts have been credited with a [50 percent reduction in shootings](#) and homicides in the city.
- › **In Eugene, OR**, Crisis Assistance Helping Out on the Streets ([CAHOOTS](#)) responds to more than 22,000 requests for service annually with its Crisis Intervention Workers. This represents nearly 20 percent of the total public safety call volume for the metropolitan area.
- › **In Austin, TX**, the [Expanded Mobile Crisis Outreach Team](#) is equipped to respond to 911 calls where callers indicate that a mental health response, not police, is needed.
- › **In Albuquerque, NM**, where the police have been involved in numerous unjustified killings, the Mayor has proposed creating a [new non-law enforcement public safety agency](#) that will respond to non-violent calls.

## Steps To Reduction



Create a robust alternative emergency response network with mental health workers, crisis intervention specialists, and street outreach workers – the Community Emergency Response Network (CERN).



Significantly reduce police patrol divisions which are currently primarily responsible for responding to 911 calls. Police will instead focus on responding to serious and violent incidents, a small percentage of all current calls.



CERN Crisis Intervention Specialists would respond to all other calls.



Traffic policing should be replaced by technology to the maximum extent possible.



Violence reduction teams should be created or remain intact: Patrol and investigation units focused on reducing gun violence. Like all remaining police personnel, these units must be trained in and adhere to strict use of force and Procedural Justice policies.



Investigation Units should also remain intact.

## Improve

The primary challenge in police agencies is culture. Many have described it as a warrior culture. Adrenaline-filled young officers want to “knock heads” during their shifts; the “us vs them,” military occupation syndrome. We must confront and transform this destructive culture. Policing should focus on protection and service to the community.

Improving the smaller police departments that remain, after taking the steps to reduction outlined above, includes three components: policy, training, and accountability. Implement new policies including restricting the use of force, mandating verbal de-escalation, community policing, and eliminating stop and frisk. Implement high quality and frequent training on these newly developed policies. And, most importantly, hold all police personnel accountable for adhering to and demonstrating these policies in action.



### Steps To Improvement

- 1 Increase hiring standards to screen out candidates with any signs of racial bias, interest in the warrior culture, or those who have been fired or forced to resign from previous law enforcement positions.
- 2 Prioritize hires of those who grew up in the city and/or live in the city.
- 3 Make deliberate efforts to have the police force representative of the community it serves.
- 4 Revise use of force policies to limit any use of deadly force as a last resort in situations where a suspect is clearly armed with a firearm and is using or threatening to use the firearm.
- 5 All other force must be absolutely necessary and proportional.
- 6 Provide thorough, high quality, and intensive training in subjects including:
  - New use of force policy
  - Verbal de-escalation
  - Bias-free policing
  - Procedural Justice
- 7 Transparency: Provide regular reports to the public on stops, arrests, complaints, and uses of force, including totals, demographics, and aggregate outcomes data.
- 8 Effectively use an early intervention system that tracks various data points to identify high risk officers and implement discipline, training, and dismissal where necessary.
- 9 Use aggressive, progressive discipline to root out bad officers.
- 10 Rescind state and local laws that provide undue protection to police unions and prohibit effective and efficient disciplinary action.

## Reinvest

A smaller footprint of law enforcement should result in a reduced police budget. Resources should be shifted away from the police department to the CERN and other community-based intervention initiatives, including Credible Messengers/Life Coaches, social workers, and mental health service providers.



The National Institute for Criminal Justice Reform (NICJR) is a non-profit organization providing technical assistance, consulting, research, and organizational development in the fields of juvenile and criminal justice, youth development, and violence prevention. NICJR provides consultation, program development, technical assistance, and training to an array of organizations, including government agencies, non-profit organizations, and philanthropic foundations.

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[NICJR.org](https://www.nicjr.org)

## R E P O R T R E S U M E S

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SCHOOL DESEGREGATION IN BERKELEY--THE SCHOOL SUPERINTENDENT REPORTS.

BY- SULLIVAN, NEIL V.

PUB DATE NOV 67

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DESCRIPTORS- \*SCHOOL INTEGRATION, \*BOARD OF EDUCATION POLICY, \*BOARD OF EDUCATION ROLE, SCHOOL ADMINISTRATION, SCHOOL SUPERINTENDENTS, JUNIOR HIGH SCHOOLS, ELEMENTARY SCHOOLS, COMMUNITY COOPERATION, BUS TRANSPORTATION, STAFF ROLE, ELECTIONS, INTEGRATION PLANS, BERKELEY, CALIFORNIA

DESCRIBED IS THE HISTORY OF THE EFFORTS TO DESEGREGATE THE BERKELEY, CALIFORNIA, SCHOOL DISTRICT, WHICH IS SCHEDULED TO BE FULLY DESEGREGATED BY SEPTEMBER 1968. CHANGE BEGAN IN THE 1950'S WITH THE ELECTION OF A "LIBERAL" TO THE BOARD OF EDUCATION. FIRST STEPS INVOLVED IMPROVING EDUCATIONAL OPPORTUNITIES FOR MINORITY GROUP CHILDREN AND MAKING EFFORTS FOR BETTER RACE RELATIONS. DESEGREGATION BEGAN IN THE JUNIOR HIGH SCHOOLS BUT NOT WITHOUT COMMUNITY FRICTION TO THE POINT OF A DEMAND FOR A RECALL ELECTION OF THE BOARD. HOWEVER THE BOARD WAS VINDICATED ON ITS STAND FOR VOLUNTARY INITIATION OF DESEGREGATION. A NEW SCHOOL SUPERINTENDENT WAS FACED WITH THE JOB OF IMPLEMENTING THE PLAN AND BEGAN HIS EFFORTS BY DEVELOPING COMMUNITY SUPPORT AND PRODUCTIVE LIAISON WITH HIS STAFF. THE NEXT STEP INVOLVED DESEGREGATING THE ELEMENTARY SCHOOLS. THE WIDE GEOGRAPHIC SEPARATION OF IMBALANCED SCHOOLS IN THE CITY REQUIRED THE DESIGNATION OF CERTAIN WHITE SCHOOLS AS RECEIVING SCHOOLS AND THE USE OF FEDERALLY FUNDED BUSES AND ADDITIONAL STAFF FOR THE 230 INCOMING PUPILS. HOWEVER THIS WAS ONLY A "TOKEN" EFFORT. VOLUNTARY REVERSE BUSING AND A TIMETABLE FOR COMPLETE DESEGREGATION HAVE BEEN RECOMMENDED. IT IS FELT THAT THE REQUISITES FOR SUCCESSFUL SCHOOL DESEGREGATION ARE FULL COMMITMENT BY THE SCHOOL ADMINISTRATION AND THE BOARD, COMMUNITY INVOLVEMENT WITH AND FAITH IN THE BOARD AND ADMINISTRATION, AND THE DEVELOPMENT OF "WORKABLE" PLANS. THIS PAPER WAS PREPARED FOR THE NATIONAL CONFERENCE ON EQUAL EDUCATIONAL OPPORTUNITY IN AMERICA'S CITIES, SPONSORED BY THE U.S. COMMISSION ON CIVIL RIGHTS, WASHINGTON, D.C., NOVEMBER 16-18, 1967. (NH)



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**SCHOOL DESEGREGATION IN BERKELEY:  
THE SCHOOL SUPERINTENDENT REPORTS**

Prepared by  
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for the  
National Conference on Equal Educational Opportunity  
in America's Cities  
sponsored by the  
U.S. Commission on Civil Rights, Washington, D.C.  
November 16-18, 1967

**U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE  
OFFICE OF EDUCATION**

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In recent years Berkeley, California, has been fortunate to have a school district which recognizes its problems and works effectively toward their solution. The city schools already have completely desegregated the junior high schools, and have made a token start at the elementary level. The School Board has committed itself to completing the process in all schools by September 1968. When that goal is reached, Berkeley will be a rare example of a major city working out a solution to this problem without court orders, violence, boycotts, or compulsion, but only with the conviction of the Board of Education, the Administration, and the citizens that it was right.

This has not been achieved overnight. To place the present achievements in their proper context it is necessary to trace the development of events in the recent past.

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PRE-1964

The Liberal Renaissance - Prior to the mid-1950's Berkeley's local government -- including the Board of Education -- was typical of those found in most middle-size, middle-class communities. The orientation was pro-business, with a heavy emphasis on keeping the tax rate down. This condition was so pronounced that teachers, in order to obtain a much needed and earned salary increase, were forced to use an initiative petition to get school revenues raised; the Board had refused to do so.

There are many different versions concerning the beginning of the liberal renaissance. There is general agreement that the first concrete step was the election of one liberal to the Board in 1957, followed by another in 1959, and two more in 1961. With the 1961 election the liberals assumed control of both the Board of Education and the City Council. However, even with only one "liberal" Board member in the late 1950's, the Board began to give attention to the problems of race relations in a multi-racial city.

Preliminary Steps - A citizens committee (named the Staats Committee after its chairman) was organized to study race relations within schools. This committee did not come to grips with the question of de facto segregation but sought to deal otherwise with improving educational opportunities for minority youngsters and improving race relations in the schools. For the late 1950's this report was a forward-looking document. It led to two particularly noteworthy developments.

First, the hiring practices for minority teachers were greatly improved. The number of Negro teachers increased from 36 in 1958 to 75 in 1962. Negroes also were advanced to principalships and other high positions in the District's administrative hierarchy. And by 1962 there were about 30 Orientals on the certificated staff.\*

Second was the Intergroup Education Project (IEP). This project was designed to help teachers appreciate cultural diversities and better understand youngsters from other than middle-class backgrounds. It conducted seminars for teachers, mass community meetings, and weekend conferences for this purpose. The IEP helped prepare the ground for the high staff support for later integration efforts.

Junior High School Desegregation - In 1962 a delegation from the Congress on Racial Equality visited the Superintendent of Schools -- and later the Board of Education. Complimenting the School District for progress already made, the CORE delegation suggested that it was time to get on with the task of desegregating the schools. CORE asked that a citizens committee be appointed to study this problem.

The report included a recommendation for desegregating the junior high schools by assigning some students from the predominantly Caucasian "hill" area to Burbank, the Negro junior high school; students from predominantly Negro west Berkeley would be assigned partly

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\* The distribution of minority teachers among the various schools did not keep pace with progress in hiring. Most of these recruits were assigned to predominantly Negro schools. In more recent years we have made a concerted effort to achieve a better racial balance on all faculties. It is important, especially to combat stereotypes, to the education of all children to see members of all races working together in such respected vocations as teaching.

to Garfield, the Caucasian junior high school. Since the third junior high school already was racially balanced, this recommendation would have eliminated de facto segregation at the junior high school level.

The report struck the community like a bombshell. Although the community was aware that the committee was functioning, most people had not taken seriously the possibility that such a concrete recommendation would be made. The reaction was intense. During the remainder of 1963 and through January of 1964 there was extensive community discussion of the proposal. Two hearings were held -- one attracting 1200 people and other drawing over 2000. PTA's and other groups set up study committees on this problem; never before had such crowds attended PTA meetings!

In the hill area affected by the recommendation many liberals faced a dilemma. Some asked: "How do we express our opposition to this particular proposal without sounding like bigots?" Our response was to ask them to develop a better plan. Many sincere critics of the citizens committee proposal set out to do just that.

One of these alternative proposals was named the "Ramsey Plan" after the junior high school English teacher who suggested it. This plan proposed desegregation of Berkeley's three junior high schools by making the predominantly Negro school into a 9th grade school and dividing the 7th and 8th graders between the two remaining junior high schools.

In February 1964 a five-member staff committee was asked to study the reactions of the Berkeley school staff to the citizens committee proposal and to other ideas that had been offered. Every school faculty was asked to consider the matter.

In March the 5-member staff committee reported to the Board that the staff as a whole was favorable toward integration, and preferred the Ramsey Plan to the original citizens committee proposal. The Board instructed the Superintendent to consider the educational pros and cons of the Ramsey Plan, and its feasibility for September 1964 implementation.

The results of this study were presented to the Board and the community on May 19, 1964, a landmark date in the history of Berkeley schools. Again there were over 2000 people in the audience. The opposition, which had formed the "Parents Association for Neighborhood Schools" (PANS) solemnly warned that if the Ramsey Plan or any such desegregation proposal were adopted, the Board would face a recall election. The Board members did vote for the Ramsey Plan -- and they did face recall.

The Recall - Through the summer months the opponents of the Board collected signatures on recall petitions. A rival group was formed to defend the Board (Berkeley Friends of Better Schools). By late July the PANS group had enough signatures to force a recall election.

There followed a series of procedural skirmishes before the City Council and the state courts. Finally, an election was called for October 6, and after an intensive and heated campaign it was held. It was a stunning triumph for the courageous incumbent Board members. This election was another landmark for Berkeley education and for the cause of desegregation across the nation. There was more at stake than indi-

vidual Board members continuing in office. The basic issue was the survival of a Board of Education which voluntarily took effective action to desegregate schools -- not because of court order or other compulsion, but simply because the Board believed desegregation was right. If such a board of Education could not be sustained the lesson would not be lost on boards of education in other cities facing the same problem. Thus, it was extremely significant that in this election the Board was vindicated by the Berkeley community.

#### SULLIVAN ADMINISTRATION

The New Administration - On September 1, 1964, five weeks prior to the recall election, I took office as Berkeley's Superintendent of Schools in the midst of a climate of change and uncertainty. Of the five-member Board of Education which had unanimously invited me to come to Berkeley, only two remained in office. One had resigned because his business interests led him to move from the city. Another was transferred to become minister of one of the largest churches of his denomination in New York City, and a third was appointed by the Governor to be a Superior Court judge. The two who remained were facing a recall election.

There also was a sweeping change in the school administration. Virtually every top ranking member of the central administration was either new to the District or new in his position. Over one-third of our schools had new principals.

Making the New Plan Work - The decision to desegregate the junior high schools had been made before I arrived. The role of the

new administration was to make it work.

School opened as usual and the new system was put into effect with no marked difficulties. In fact, the orderliness of the transition was an important contribution to the defeat of the recall attempt. It demonstrated clearly that desegregation could be achieved without the dire consequences that had been forecast.

Developing Community Support - Defeat of the recall election meant that courageous Board members would remain in office, and the junior high school desegregation plan would continue. My next task as Superintendent was to attempt to reunite a badly split community, to develop a sense of community understanding, and to provide a basis for school support.

I approached this problem by creating a climate of openness with the public. We immediately established the practice of recognizing and admitting our problems and inviting the community's help in seeking solutions. As a new superintendent, I was besieged by invitations to speak publicly. I accepted as many as I could and during the 1964-65 school year scheduled over 100 speaking engagements.

I issued an open invitation to citizens to visit my office and discuss their school concerns, to share their ideas and suggestions. In addition I telephoned or wrote to dozens of people who had been recommended to me as community leaders deeply interested in schools. For several months I met almost continually, often a few times a day, with citizens individually and in groups. These meetings made me familiar with the Berkeley community and established a climate that encouraged exchange of ideas.



I established a liaison channel between my office and the area-wide PTA Council. I made it a practice to convene three or four briefing sessions a year with the unit presidents and council officers of that organization, and included other groups such as the League of Women Voters. At these sessions problems and issues facing the schools, as well as hopes and plans for improvement were discussed.

The day after the recall election I recommended the formation of a broadly-based School Master Plan Committee, to examine all facets of the School District's operation and to develop guidelines for the future. I urged participation of all elements of the community, making it clear that we wanted cooperation, regardless of positions in the recall election. The response was heartwarming; over 200 highly qualified citizens were nominated or volunteered their services. The Board of Education selected 91 people from this list to serve on the committee. Also named were 47 staff members. The committee has been hard at work for two years, and presented its report in the fall of 1967.

During my first year in Berkeley, I was invited by the local newspaper to write a weekly column on local and national education matters. This column has been a valuable means of keeping the community informed and introducing some new ideas. During the past year I accepted the invitation from a local radio station to conduct a weekly program of fifteen minute sessions dealing with events in the school system and issues facing public education. Each month the final week's program is extended to one hour, and features a direct phone-in from the radio audience.

In addition to developing relationships with the general public, we have worked to maintain good liaison with the staff. We have frequent breakfast conferences with the leaders of both teacher organizations, and meet regularly with the Superintendent's Teacher Advisory Council, made up of teacher representatives chosen by each faculty.

The purpose of these communication efforts has been three-fold. First, extensive dialogue with staff and community helps to identify and define problems needing attention. Second, it serves as an excellent source of new ideas and suggestions. Third, it helps interpret our problems, goals, and programs to the community.

Our efforts have been, in short, to "mold consensus" in the community behind the school system. Although we have not achieved unanimity on any single subject (that would be impossible in Berkeley!) there have been good indications during the past three years. It seems that we have succeeded in molding community support for the schools, and in developing sufficient consensus to resolve some of the crucial problems facing urban schools today.

#### A START TOWARD ELEMENTARY INTEGRATION

Segregation in the Elementary Schools - The Board's adoption of the Ramsey Plan, followed by the defeat of recall election, insured desegregation at the junior high school level. Since there is only one regular senior high school, our entire secondary school program, beginning with grade 7, was desegregated. However, we still face de facto segregated elementary schools. The four elementary schools in south and west Berkeley are overwhelmingly Negro. The seven schools located in



the northern and eastern hill areas of the city are overwhelmingly Caucasian. In between, in a strip running through the middle of Berkeley, are three desegregated schools. Since the racially imbalanced Negro and Caucasian schools are on opposite sides of the city, separated by the integrated schools, boundary adjustments will not solve the problem.

When the Ramsey Plan was adopted the Board tabled a companion recommendation that would have desegregated the elementary schools by dividing the city into four east-to-west strips, each containing three or four schools. The schools within each of these strips would have been assigned students on a Princeton principle, i.e., 1-3 in some schools, grades 4-6 in others.

Educational Considerations - It is not the function of this paper to develop fully the case for school desegregation. However, the basic motivation underlying our progress in Berkeley can be stated concisely.

Many studies, in Berkeley and elsewhere, have documented the fact that segregation hurts the achievement of disadvantaged youngsters. Schools with a preponderance of these boys and girls have low prestige and generally lack an atmosphere conducive to serious study.

The emotional and psychological harm done to children through this type of isolation also has been demonstrated. Regardless of cause, racial segregation carries with it the symbol of society's traditional rejection of Negroes.

The benefit of integration extends to children of all races. We are all sharing this society, and if it is to be successful we must learn to respect each other and get along with one another. This will not happen if segregation remains.

These considerations have been taken seriously in Berkeley as we move toward total school integration.

ESEA Busing Program - The Elementary and Secondary Education Act of 1965 allowed the schools to make a beginning on the problem of elementary school segregation. Berkeley's share under Title I of that Act was approximately a half-million dollars. A major share of these funds was used to reduce pupil-teacher ratios in our four target area (Negro) schools and to provide extra specialists and services for students attending them. The reduction of pupil-teacher ratios left a surplus of 235 children. The seven predominantly Caucasian hill-area schools had spaces for these youngsters. Our proposal for the first year's use of Title I funds, then, included improved services and reduced pupil-teacher ratio in the target area schools and the purchase of buses to transport the 235 "surplus" youngsters to the hill area schools.

In the preparation of this project we again employed our principle of mass community involvement. Each school faculty was invited to submit suggestions. Their response was gratifying. These suggestions, when piled together, produced a stack of paper several inches high. When they had been sifted and evaluated, and a project developed, we submitted it to the Board. Copies were made available to the school faculties and the public for their reactions. Two major public meetings were held in different sections of the city, and the Board of Education held a workshop session at which teachers could react. Many valuable suggestions and constructive criticisms resulted and were incorporated into the final proposal.

As might have been predicted, most of the public attention was centered on the busing proposal, although it involved a relatively minor share of the funds. This time the opposition, though by no means silent, was much less severe.

Since the children in the hill area schools were not being asked to go anywhere else -- the hill schools were simply going to receive youngsters from the other areas of the city -- this provided no focal point for the development of opposition. And the proposal included employing eleven extra teachers, paid with local money, and placing them in the receiving schools to maintain the pupil-teacher ratio there. A few scattered voices were raised against the proposal, but the preponderance of community opinion was favorable. Both teacher organizations endorsed the project, and on November 30, 1965, the Board adopted the program for implementation the spring semester.

The proposal went to the State Board of Education and became one of the first fourteen ESEA projects approved in the State of California. We had approximately two months to prepare for its implementation -- the selection of youngsters (this was voluntary on the part of the parents), the employment of teachers, arrangement of transportation, and other administrative details. Parent groups in the receiving schools helped by establishing contact with the parents of the transferring students. The students in the receiving schools likewise participated, and some wrote letters of welcome to the newcomers. Dry runs were conducted with the buses so that by the time the program was implemented in February 1966, the necessary advance preparation had been accomplished.

Results to Date - Although the program has not been in effect long enough for an extensive objective evaluation, early indications are that it has been extremely successful. The children have adjusted well in their new school environment and, by their performance, have made friends for integration. One evaluation, made by an outside consultant employed by the District, found that receiving school parents whose children were in class with Negroes were more favorable to integration than parents whose children were not in class with Negroes. And parents of the bused students were so pleased with the results that many requested that their other children be included.

This limited program provided an integrated experience for the 230 youngsters being transferred, less than 10 percent of the sending schools' enrollment. It also provided token integration for the receiving schools. However, it left the four southwest Berkeley schools just as segregated as they were before, although with a somewhat improved program due to the reduced pupil-teacher ratio and added services.

#### COMMITMENT TO TOTAL INTEGRATION

The Problem - Although the ESEA program has provided a start in the direction of elementary school desegregation, we never regarded the busing of only 235 youngsters as the solution to the segregation problem. The problem will not be solved as long as our four south and west Berkeley schools remain overwhelmingly Negro, and the schools in the north and east overwhelmingly Caucasian. The segregation problem must be solved if minority youngsters are ever to close the achievement gap and if all youngsters, regardless of race, are to be adequately prepared for life in a multi-racial world.

Although we have integrated the schools down to the 7th grade, we strongly believe that integration must begin earlier. In too many cases attitudes already are hardened and stereotypes developed by the time the youngsters reach the 7th grade. It is, of course, politically and logistically easier to desegregate the secondary schools. In fact, a bi-racial city that has not desegregated its secondary schools is by definition not committed to integration. The problem is much more difficult at the elementary level. Buildings and attendance areas are smaller, children are younger, and community emotions are more intense. Yet, the problem must be solved at the elementary level. It is ironic that solutions come more easily at one level, but more good can be accomplished at the other.

The Commitment - The commitment of the Board of Education to desegregation of all elementary schools in Berkeley came in the spring of 1967. In early April a delegation from west Berkeley made a resen- tation to the Board, stating that it was time to get on with the job of total desegregation. The delegation had many other recommendations specifically relating to the south and west Berkeley schools and the programs available to minority youngsters. At this meeting I recommended that the Board authorize the Administration to develop a program of voluntary reverse busing from Caucasian areas to south and west Berkeley. I let it be known that this was to be regarded only as a stop-gap measure to demonstrate good faith and did not represent a solution to the desegregation problem.

At the next meeting, however, before we could develop a reverse busing plan, the issue moved ahead. Both of our certificated staff organizations made appeals to the Board for action either to erase de facto

segregation completely or at least to make a significant step in that direction. Officials of the local NAACP and other members of the audience supported these appeals. A motion was presented to the Board calling for desegregation of all Berkeley schools. The Board concurred and established September 1968 as the target date for desegregating the schools.

The next two or three Board meetings, including one workshop or "open hearing", drew crowds of several hundred spectators and many speakers. Most of the speakers and most of the crowds were supportive of the Board's action; there was a minority who disagreed with the Board's position -- some opposed desegregation altogether, and others felt that 1968 was too long to wait.

On May 16 the Board adopted a formal resolution reaffirming the September 1968 commitment and adding an interim calendar of deadlines for the various steps required to achieve desegregation. The Administration was instructed to develop plans for total integration. We were instructed to make our report by the first Board meeting in October, 1967. The timetable calls for the Board to adopt a particular program by January or February 1968. Seven or eight months would then remain for implementing the program in time for the opening of school in September 1968. This is the calendar on which we now are operating.

The Board included in its Resolution on Integration two other features: first, the assumption that desegregation is to be accomplished in the context of continued quality education, and second, that massive community involvement was to be sought in development and selection of the program. Both of these features I heartily support.



Developing the Plan - We went to work immediately. The Administration compiled information on enrollment and racial makeup of each school, school capacities and financial data. This information was distributed to each faculty. We then called a meeting of all elementary school teachers; I relayed our charge from the Board and asked each faculty to meet separately and develop suggestions. We also sent information packets to over sixty community groups and invited them to contribute their ideas. By the end of June we had received many suggestions, both from staff members and lay citizens.

Meanwhile both local and national endorsements were pouring in. The Berkeley City Council passed a resolution commending the Board on its commitment to integration. Other local organizations and individuals did the same.

During the summer months two task groups were assigned to work on the problem. One was concerned with the logistics of achieving desegregation and the other was concerned with the instructional program under the new arrangement. The Board appointed a seven-member lay citizens group to advise the Administration in development of its recommendations. Even after the Administration's recommendation has been given to the Board, this group will continue to function as an advisory body to the Board. Upon receiving the Administration's recommendation, the Board plans a series of workshop sessions to provide every opportunity for community reaction and suggestion.

As this paper is written (mid-September) we are making excellent progress toward meeting our deadline. Soon after the opening of school, a report from the Summer Task Group outlining four or five

of the most promising plans was sent to each school faculty and to each group or individual who submitted a plan during the summer. These proposals are being made available to the community as well, along with the many suggestions received earlier from staff and lay citizens. School faculties and the community-at-large are invited to react to these proposals and to make suggestions to the Administration. Procedures have been organized to facilitate a response from school and community groups. Each faculty has been asked to meet at least twice. On one afternoon, schools will be dismissed early and the district-wide staff divided into cross sectional "buzz" groups. Each of these groups will submit ideas. Following these steps we will use the task group proposals, along with the reactions and suggestions that come from the staff and community, in developing our recommendation to the Board. This recommendation will be presented to the Board on schedule, at the first meeting in October. From that point on the matter will be in the hands of the Board, which is to make its decision by January or February 1968.

As our plans develop, we have received invitations to appear before many groups, large and small. Some have been hostile at first. However, meeting with them has made possible an excellent exchange of views and an opportunity for explaining our program to people who had not been reached earlier. We anticipate that the fall months will be crowded with such speaking assignments. It is our firm commitment, and that of the Board of Education, to inform the citizens of Berkeley thoroughly about the issue and about prospective plans prior to the Board's adoption of a program in January or February.



## LESSONS LEARNED

While working toward integration in the Berkeley schools over the past several years, we have learned some lessons:

1. Support by the Administration and the Board of Education for the concept of school integration is absolutely essential. The Board must give its consent before any plan of desegregation can occur. The support of the Superintendent and his administrative team is vital in helping to obtain Board support and in making a success of any program adopted. While the Board nor the Administration need broad community support, their leadership role is vital.

2. Integration has the best chance of success when a climate of openness has been established in the community. Lines of communication with Board, Administration, teachers, and the community-at-large must be kept open through frequent use. Anyone who thinks a solution to the problem of integration can be developed in a "smoke-filled room" and then rammed through to adoption while the community is kept in ignorance is simply wrong.

Our citizens are vitally interested; they are going to form opinions and express them, whether we like it or not. It is in our interest to see that these opinions are formed on the basis of correct information. Furthermore, the success of integration, once adopted, depends upon broad community support and understanding between the lay community and the schools. This can be created only through a climate of openness.

3. It can be done! A school district can move voluntarily to desegregate without a court order and without the compulsion of violence or boycotts. Berkeley has demonstrated that a school community can marshal its resources, come to grips with the issue of segregation, and develop a workable solution.

Furthermore, if the new arrangement is well planned and executed, it will gain acceptance on the part of many who opposed it at first.

Many fears and threats which arose in Berkeley were not realized. The Board was not recalled. Our teachers did not quit in droves. In fact, the reverse happened; our teacher turnover rate has been drastically reduced during the last two or three years. Integration did not lead to the kind of mass white exodus being experienced in other cities (which, interestingly enough, have not moved toward integration). In fact, last year for the first time in many years the long-standing trend toward a declining white enrollment in the Berkeley schools was reversed.

The not-so-subtle hints that direct action for integration would lead to loss of tax measures at the ballot box proved to be unfounded. In June 1966 we asked the voters for a \$1.50 increase in the ceiling of our basic school tax rate. Much smaller increase proposals were being shot down in neighboring districts and across the nation. In Berkeley we won the tax increase with over a 60 percent majority.

4. A community can grow. Berkeley did! When the citizens committee report came out in the fall of 1963 with an actual plan for desegregation of the junior high schools, the community suddenly awoke to the fact that desegregation was a real possibility. The furor that

resulted could be predicted in any city. However, as large public hearings and countless smaller meetings were held by dozens of groups, support for integration began to grow and opposition diminish. One area of the city that reacted emotionally at first later provided some of our strongest supporters.

An example in a different but related field can illustrate this point. Berkeley held a referendum election on a Fair Housing Proposal early in 1963, before the citizens committee report, and the measure was defeated by a narrow margin. A year and a half later the community, together with the rest of California, voted on the same issue -- Proposition 14. Although the statewide vote on that issue was a resounding defeat for Fair Housing, the City of Berkeley voted the direct opposite by almost a two-to-one margin. The Proposition 14 election was held only a month after the recall election, after almost a full year of intensive community involvement with the school desegregation issue. In other words, a city that voted down its own Fair Housing proposal, later voted two-to-one for Fair Housing in a statewide election. Many of us feel that this change of direction was substantially influenced by the extensive community involvement in the school integration question between the two elections. The community grew in understanding as it studied the issues.

5. Community confidence in the good faith of its school administration and school board must be maintained. Berkeley has been successful in doing this. The good faith of our Board and Administration has been demonstrated. There have been no court orders, no pickets, no boycotts, no violence. Each advance has been made, after extensive

study and community deliberation, because the staff, the Board and the community thought it was right. By moving in concert with the community we have avoided being placed in polarized positions of antagonism. The climate thus produced has enabled us, as we move step by step, to work with rather than against important segments of the community in seeking solutions. If this climate of good faith is missing, even the good deeds of school officials are suspect.

#### CONCLUSION

There is no greater problem facing the schools of America today than breaking down the walls of segregation. If our society is to function effectively its members must learn to live together. Schools have a vital role to play in preparing citizens for life in a multi-racial society. The Berkeley experience offers hope that integration can be successfully achieved in a good-sized city. This success can be achieved if the Board of Education, the school staff, and the citizens of the community are determined to solve the problem and work together toward this end.

RESOLUTION NO. 69,501-N.S.

TRANSFORM COMMUNITY SAFETY AND INITIATE A ROBUST COMMUNITY  
ENGAGEMENT PROCESS

WHEREAS, the recent murders of George Floyd, Breonna Taylor and Ahmaud Arbery have ignited the nation in passionate protest against police brutality and racial injustice; and

WHEREAS, demands for change go beyond necessary efforts in procedural justice, implicit bias training, and use of force policies and seek a broader discussion about investment in the conditions for a safe and healthy community; and

WHEREAS, investment in “public safety” has been equated with more police for too long while economic and social welfare programs have been viewed as special projects unrelated to health and safety; and

WHEREAS, this movement is highlighting the problematic expansion in the roles and responsibilities of police officers. Rather than being the responders of last resort, focused on criminal, aggressive and violent behaviors, police are now frontline responders to mental health crises, homelessness, drug addiction, sex work, school disruption, traffic and code violations and neighborhood conflicts; and

WHEREAS, the adopted 2020 budget allocated \$74 million to the Berkeley Police Department, which represents over 44% of the City’s General Fund of \$175 million, and is more than twice as much as the combined City budgets for Health Housing and Community Services, and Economic Development; and

WHEREAS, it is clear that our current system of public health and safety is not working and is not sustainable in Berkeley. Despite strong efforts and leadership on police reform, homelessness and affordable housing, racial inequity remains stark across virtually every meaningful measure of health and well-being; and

WHEREAS, local government’s most fundamental role is to provide for the health and safety of its residents. Cities around the country are acknowledging that they are falling behind in this basic function and are embarking on efforts to reimagine health and safety, and to consider reallocating resources towards a more holistic approach that shifts resources away from policing towards equitable health, education and social services that promote wellbeing up front;<sup>123</sup> and

WHEREAS, as this movement ripples across the nation, Berkeley has an opportunity to lead in transforming our approach to public health and safety. We need the right response for each crisis rather than defaulting to using the police; and

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<sup>1</sup> Transforming Community Safety Resolution-Minneapolis

<sup>2</sup> San Francisco Mayor, Supervisor announce effort to redirect some police funding to African-American community

<sup>3</sup> The cities that are already defunding the police

NOW THEREFORE BE IT RESOLVED the City Council of The City of Berkeley:

That the City Council commits to the principles of reduce, improve and re-invest: reduce the scope and investment in policing, improve the response and accountability of public and community agencies, reinvest in racial equity and community-based intervention initiatives<sup>4</sup>;

BE IT FURTHER RESOLVED, that the City Council will engage with every willing community member in Berkeley, centering the voices of Black people, Native American people, people of color, immigrants, LGBTQ+ people, victims of harm, and other stakeholders who have been historically marginalized or under-served by our present system. Together, we will identify what safety looks like for everyone.

BE IT FURTHER RESOLVED that the process will center the role of healing and reconciliation. The process will require healers, elders, youth, artists, and organizers to lead deep community engagement on race and public safety. We will work with local and national leaders on transformative justice in partnerships informed by the needs of every block in our city.

BE IT FURTHER RESOLVED that decades of police reform efforts have not created equitable public safety in our community, and our efforts to achieve transformative public safety will not be deterred by the inertia of existing institutions, contracts, and legislation.

BE IT FURTHER RESOLVED that these efforts heed the words of Angela Davis, “In a racist society, it is not enough to be non-racist. We must be anti-racist.”

BE IT FURTHER RESOLVED that the transformation under consideration has a citywide impact, and will be conducted by the City Council in a spirit of collaboration and transparency with all constructive stakeholder contributors including the Mayor’s Office, the City Manager, the Police Chief, and community organizations.

BE IT FURTHER RESOLVED that the City Council of the City of Berkeley is committed to:

1. A transformative approach to community-centered safety and reducing the scope of policing
2. Equitable investment in the essential conditions of a safe and health community especially for those who have been historically marginalized and have experienced disinvestment
3. A broad, inclusive community process that will result in deep and lasting change to support safety and wellbeing for all Berkeley residents.

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<sup>4</sup> A Framework fo Transforming Police- NICJR

BE IT FURTHER RESOLVED that the City Council supports taking the following actions to realize this transformation:

1. Direct the City Manager to track and report progress on actions to implement this initiative, and other actions that may be identified by the Coalition and referred by Council to the City Manager. Updates shall be provided by written and verbal reports to Council, and posted on a regularly updated and dedicated page on the City website.
2. Direct the City Manager to collaborate with Councilmembers later selected by the Mayor to complete the following work, to inform investments and reallocations to be incorporated into future Budget processes:
  - a. Contract with independent consultants/Change Management and subject matter experts to:
    - i. Analyze the scope of work of, and community needs addressed by, the Berkeley Police Department, to identify a more limited role for law enforcement, and identify elements of police work that could be achieved through alternative programs, policies, systems, and community investments. Analysis should include but not be limited to: calls received by dispatch by type of complaint, stops by law enforcement generated at officer discretion (as contained in the Police Department's open data portal) or on request of other city agencies, number of officers and staff from other city agencies that respond to incidents, estimated time in response to different types of calls, daily patrol activities, organizational structure, and beat staffing. Work to include broad cost estimates of police and other city agency response to different types of calls, and other information and analysis helpful to identify elements of current police work that could be transferred to other departments or programs, or achieved through alternative means. Work should be completed in time for the November 2020 Annual Appropriation Ordinance revision.
    - ii. Identify immediate and longer term opportunities to shift policing resources to alternative, non-police responses and towards alternative and restorative justice models, to better meet community needs, that could be considered in the

November 2020 AAO#1 budget process. Some areas to be considered include homeless outreach and services, substance abuse prevention and treatment, and mental health/crisis management, as well as alternative models for traffic and parking enforcement, “neighborhood services” and code enforcement. Provide a broad timeline and process for transitioning functions not ready for transition at this first milestone.

Deliverables should coincide with budget cycles, including the November 2020 AAO and FY 2022-2023 Budget processes, and provide a suggested timeline for transitioning functions at these and other budget opportunities, so that alternative investments may be considered for funding and launched in a timely and orderly manner.

- b. Contract with independent Change Management experts to create and facilitate a representative Community Safety Coalition, guided by a Steering Committee that will begin meeting no later than January 2021. The CSC and its Steering Committee, and should be broadly inclusive and representative of Berkeley residents and stakeholders. The Steering Committee, with the support of Change Management professionals, shall be responsible for engaging the Coalition and the broader Berkeley community and relevant City Staff in a robust process, to achieve a new and transformative model of positive, equitable and community-centered safety for Berkeley.

The work of the Coalition should include but not be limited to:

1. Building on the work of the City Council, the City Manager, the PRC and other City commissions and other working groups addressing community health and safety.
2. Research and engagement to define a holistic, anti-racist approach to community safety, including a review and analysis of emerging models, programs and practices that could be applied in Berkeley.
3. Recommend a new, community-centered safety paradigm as a foundation for deep and lasting change, grounded in the principles of *Reduce, Improve and Reinvest* as proposed by the National Institute for Criminal Justice Reform (Attachment 3), considering, among other things:
  - a. The social determinants of health and changes required to deliver a holistic approach to community-centered safety



- b. The appropriate response to community calls for help including size, scope of operation and powers and duties of a well-trained police force.
- c. Limiting militarized weaponry and equipment.
- d. Identifying alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce alternative and restorative justice models, and reduce or eliminate use of fines and incarceration.
- e. Options to reduce police contacts, stops, arrests, tickets, fines and incarceration and replace these, to the greatest extent possible, with educational, community serving, restorative and other positive programs, policies and systems.

The Coalition's goal/output will be a set of recommended programs, structures and initiatives to incorporate into upcoming budget processes for FY 2022-23 and, as a second phase, in the FY2024-2025 budget processes to ensure that recommended changes will be achieved. The Coalition shall return to City Council an initial plan and timeline by April 1, 2021, to ensure the first phase of changes can be incorporated into the FY2022-23 Budget Process.

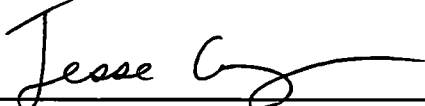
The foregoing Resolution was adopted by the Berkeley City Council on July 14, 2020 by the following vote:

Ayes: Bartlett, Droste, Hahn, Harrison, Kesarwani, Robinson, Wengraf, and Arreguin.

Noes: None.

Abstain: Davila.

Absent: None.

  
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Jesse Arreguin, Mayor

Attest:   
\_\_\_\_\_  
Mark Numainville, City Clerk

NICJR Recommendation	NICJR Estimated Cost & Explanation	NICJR Identified Funding Source	NICJR Timeline	Vote by Task Force	Reason for vote	Proposed Narrative Summary for report	Request Additional staff analysis?	No Action Necessary	Phase 1? (Implementation 2022-2024)	Phase 2? (Implementation 2024-2026)	Additional Comments
<b>u</b>											
1	Establish tiered dispatch/CERN model (p.14)	\$2,532,000, plus some costs associated with training for Dispatch	Current BPD Vacant Positions	Issue RFP 30 days after City Council approval, select vendors 90-120 days afterward, and begin pilot six months after City Council approval.	More analysis needed	1. Who determines, and at what point in time, which calls are handled by whom (e.g., by CERN, BPD, SCU)? 2. What is the system (or multiple systems) for both receiving calls and routing the responses? 3. How does one system (e.g., CERN) mix and match with other programs under discussion (e.g., SCU, BerkDOT)? 4. Who will provide and staff these non-police responses (i.e., City staff or contractor, professional (credentialed or community responders) and if contractors, under what color of authority will they provide City service? 5. When will staffing, and at what staffing level, be available to change, if at all, the allocation of calls for service -- whatever the merits of replacing police, we cannot replace something with nothing? 6. What system is in place should the nature of the call change (i.e., what is the back-up system in case seemingly benign calls turn violent and/or criminal)? 7. Is BPD involved (e.g., as co-responder, as back-up, etc.) or are they required to be separate from these non-police responses? 8. What liability issues do these new responses present to the City; (ix) what impact, if any, does reallocating some percentage of calls for service from police affect the minimum police patrol staffing necessary to perform their function of focusing on and responding to calls for service involving crimes and or violence?	Overall, the Task Force supports the idea of a community-based response as an alternative to an armed response that would decrease the footprint of the police department. As presented, commissioners are concerned that the co-responder model proposal by NICJR would not decrease the footprint of the police and could have the consequence of having the community see CBOS as an extension of the police. In addition, commissioners need more clarity on how CERN would work with other new models like SCU, BerkDOT and dispatch.	Yes, see task force inquiries on pages 69-78 of the task force report	X		Support a community responder model that takes on calls for service beyond what SCU is expected to tackle. The design of SCU and implementation of the SCU and our new dispatch should anticipate a set of community responders to deal with other low level calls for service. Additional analysis as suggested by the Task Force is necessary to further define a community responder pilot, which can evolve and expand over time.  Additionally, want to ensure that our dispatch is centralized so that residents know who to call as well as providing a unique phone number for those reluctant to call the police.
2	Contracting with local CBOS for Tier 1 CERN response				More analysis needed	1. Which CBOS? (Where is the landscape analysis that was promised by NICJR?) 2. Has the City dialogued with each CBO to confirm their interest in providing responders and their timeframe to make responders available, including hiring new staff? 3. What will the pay structure to CBO responders be; does each CBO set their own rates, or will the City set rates? 4. How will all responders be trained to achieve a systematic SCU non-police response for calls for service?	The Task Force would need more analysis to understand the investment that it would take for the city to ask CBOS to take on this responsibility, including training, the infrastructure a CBO would need, and skills needed for the types of cases in the new model.	*See above			Not convinced that only CBOs are best equipped to tackle this work. Would like to see an approach to a CERN model that uses city staff e.g. code enforcement to address these calls for service
3	Evaluate CERN (p. 19-20)				(did not vote on this)						
4	Full implementation of Tiered Dispatch/CERN Pilot Program and reduction of BPD patrol division of 50%	\$7,596,000	Reduction of BPD Patrol Division by 50%	Two years after implementation of the pilot	More analysis needed		No analysis was provided by NICJR for how police department would be reduced by 50%, especially if NICJR recommends no officer layoffs, and reductions through attrition only. Is full implementation dependent on the department reducing by 50% and when would this occur?	See analysis above		X	Further analysis is required to determine appropriate staffing levels and funding sources
5	Reduce BPD budget through attrition only and no layoffs (p. 20)				Reject		This recommendation is unresponsive to the goal of reducing the police department by up to 50% to make resources available for other programs.	Yes, additional analysis is required to understand the adequate staffing structure that BPD could manage, as well as the possibility of shifting patrol officers to increase investigation capacity			Do not support any reduction of the police department through layoffs. Attrition will need to be tracked and planned to ensure minimum staffing of BPD while alternative responses are implemented and their effect on overall community needs is analyzed.
6	End pretextual stops (p. 24)				Reject		The Task Force is fully in favor of the elimination of pretextual stops by BPD - this work is already well underway and thus does not constitute a useful recommendation. In 2020 the Mayor's Fair and Impartial Policing Working Group recommended that BPD focus on "the basis for traffic stops on safety and not just low-level offenses" and that they minimize or de-emphasize as a lowest priority stops for low-level offenses." and in February 2021, Council unanimously approved the Working Group's recommendations for adoption. Plans are currently underway for implementation, with quarterly updates being provided to the Police Accountability Board. (based on analysis from Liza Lutzker's report to RPSTF, linked to in the Improve & Reinvest Subcommittee's Feedback document posted January 6, 2022)		X		Agree with Task Force comments that this work is already underway. Staff should continue to prioritize the implementation of the FIP recommendations.
7	BerkDOT (p.25)				Accept with Conditions	1. This is in NICJR Report but is not mentioned in the Implementation Plan grid. 2. This needs MUCH more analysis, much like Dispatch changes required by CERN implementation, which NICJR does not detail.	While the Task Force is glad to see that NICJR sees the value in the creation of BerkDOT as a strategy to reduce the footprint of policing in Berkeley, the description provided for BerkDOT is inadequate with respect to the components of and motivation for BerkDOT (the NICJR report describes BerkDOT as a moving of traffic enforcement away from BPD). Because the BerkDOT creation process is moving forward separately, a complete description and analysis of BerkDOT are not necessary, but at a minimum, the NICJR recommendation ought to accurately describe what a proposed BerkDOT would consist of and provide the rationale for pursuing this approach beyond simply reducing the staffing and budget of BPD. Specifically, BerkDOT needs to be described as a consolidation of all transportation-related work being done by the City and would entail combining the current Public Works Department's above-ground street and sidewalk planning, maintenance, and engineering responsibilities with the current transportation-related BPD functions of parking enforcement, traffic law enforcement, school crossing guard management, and collision response, investigation, data collection, analysis, and reporting.	See Recommendations in Task Force Report			
<b>IMPROVE</b>											
8	BPD Become A Highly Accountable Learning Organization (HALO) (p. 26)				Reject	1. Not credible that this change comes at "no additional cost" 2. RPSTF focused on spending less on BPD, not more 3. More training does not necessarily lead to changes in police culture 4. This process is not about re-imagining police	Overall, commissioners did not think there was enough information provided in the NICJR report that allowed an accurate assessment of the program and also disagreed with NICJR's indication that this recommendation would come at no cost. Some commissioners felt strongly that any programs that potentially increase funding to police should not be prioritized, and more training will likely not lead to changes in police culture or address the racial disparities that continue to persist in the city.				These ideas merit future consideration. However, BPD should prioritize implementing the Fair and Impartial Policing recommendations as well as its response to the City Auditors recommendations.
9	BPD join ABLE program	Joining ABLE is free of cost	N/A	Within six months of approval from City Council	(Did not vote unless this is part of the HALO program)	1. HALO, EPIC and ABLE might be good programs, but what cost to join/enact? Recordkeeping alone would be a cost.	Same analysis as item 8				See Above
10	Expand EIS to assess all Use of Force	No additional costs	N/A	Within six months of approval from City Council	Reject	1. In general recommendations limited to police reform and requiring additional funding were not seen as ideas in the spirit of re-imagining public safety 2. Side question: Is Fair & Impartial's EIS measuring new best-practice gauge of proportionality? Not relying only on officer reporting & citizen complaints through PAB. Not being "de-fanged" by Union during implementation? See Univ of Chicago/Ron Huberman work: <a href="https://polsky.uchicago.edu/2021/06/08/benchmarking-police-performance-for-early-intervention-evidence-based-solutions/">https://polsky.uchicago.edu/2021/06/08/benchmarking-police-performance-for-early-intervention-evidence-based-solutions/</a>	The Task Force supports an EIS. However, this work is already well underway and thus does not constitute a useful recommendation. The EIS was recommended in 2020 by the Mayor's Fair and Impartial Policing Working Group and in February 2021, Council unanimously approved the Working Group's recommendations for adoption.		X		High Priority recommendation. Support this recommendation to expand the EIS work to include all uses of force. The PAB should take this into consideration when reviewing the revised EIS policy.
11	BPD Expand current Personnel and Training Bureau OR Create Quality Assurance and Training Bureau				Reject		Rejected, similar to the reason in item 8. The Task Force did not believe that additional investment in training would create the change needed to change police culture and the racial disparities that continue to persist in the city.				This merits future consideration. Nearer term priority should be implementing FIP and auditor recommendations.
12	Transfer 5 officers and 2 civilian staff to new Quality Assurance and Training Bureau (p. 32)	No additional costs	N/A	Within six months of approval from City Council	Reject	Rejecting #12 above, so rejecting this related item, which is yet more additional training/QA cost.					
13	BPD provide semi-annual reports to public (p. 32)	internal re-organization can achieve this goal without additional costs	N/A	First Report should be issued by July 1, 2022	Accept with Conditions	1. Data should be available on a real-time basis, all the time. 2. Build a dashboard that is constantly updating.	Data should be provided to the community through a dashboard, in real-time. Reports can be helpful, and should be provided, in addition to real-time data.		X		Agree with Task Force that real time data should be available and presented in an accessible platform for the community and analysis of trends completed by the Department.

NICJR Recommendation	NICJR Estimated Cost & Explanation	NICJR Identified Funding Source	NICJR Timeline	Vote by Task Force	Reason for vote	Proposed Narrative Summary for report	Request Additional staff analysis?	No Action Necessary	Phase 1? (Implementation 2022-2024)	Phase 2? (Implementation 2024-2026)	Additional Comments
14 Develop a Bay Area Progressive Police Academy (BAPPA) (p. 35)	An analysis of police academies throughout the Bay Area found that the cost per student range is roughly \$4,300 - \$4,600 per student, with a significant proportion of costs eligible for reimbursement through the Commission on Peace Officers Standards and Training (POST). The development of the BAPPA would include certification through POST in order to satisfy State requirements. NICJR recommends that collaboration with Albany and potentially Oakland be explored.	Reduced BPD budget through eliminating patrol positions through attrition, revenue from partner law enforcement agencies	Launch two years after City Council approval	Reject	RPSTF is focused on reducing BPD spending, not increasing. 2. BAPPA is dependent on a great deal of inter-agency agreement, sharing and teamwork, which don't already exist. Would take many man-hours to get others on board, agree scope of work, convince all to start contributing. 3. Very high staff and overhead costs. 4. BPD regularly states they have top-notch training and sourcing for sworn and non-sworn personnel – it is not clear that a Berkeley-run academy would solve any hiring difficulties. 5. Instead of spending on this, RPSTF recommends spending on creating a Public Safety & Community Solutions Institute.	The Task Force recognizes that many cities are gearing up to provide a robust, expert non-police response to citizens in need, but that this type of workforce does not yet exist in a coordinated fashion. Berkeley can be in the vanguard of cities creating this workforce and expanding best-practice training beyond paid professionals and offering it to the general public, interested groups, students, and the like. The Public Safety & Community Solutions Institute can bring together crisis intervention and situation calming, triage, medical response, mental health response, peer counseling, city and county services offerings, case work, data capture, and follow up with compassionate, trauma-centered delivery. The Institute's trainings and coursework will be created by experts at Berkeley's SCU and the division of Mental Health, and tailored for other relevant audiences, e.g., BerkDOT. The Task Force feels this would be an exemplary area in which to spend time, money, and other resources to provide citizens with resources and support.					In addition to the reasons outlined in the report, the benefits of a progressive academy include the opportunity to "export" Berkeley's model to neighboring jurisdictions and ensure regional alignment on training. However, the resources and coordination for this project would be significant. Moreover, resources will be needed for training for our SCU, dispatch and any additional community responders that would be part of a new model of public safety. It is therefore prudent to prioritize those projects and try to work with the County and other regional training agencies to seek improvements in their curriculum.
15 Increase diversity of BPD leadership (p. 36)				Accept with conditions	1. What is the plan for achieving diversity? 2. What are the numerical definitions of diversity?	The Task Force agreed that diversity in leadership alone would be insufficient to change an entire police culture. However, commissioners do acknowledge the importance of diversity and having responders who are from the city and the taskforce recommends making diversity a priority for all employees, including leadership.			X		
16 Increase Standards for Field Training Officers (p. 36)				Needs more analysis	1. Need numbers about what % of officers have more than 2 complaints or 1 sustained complaint in a 12-month period? 2. How does race & gender data map with complaints data? 3. How do we assess whether implicit bias has played a role in complaint data figures?	What are steps required for implementation? Could this be integrated into the EIS policy? The threshold should be amended to focus on substantiated complaints.			X		Would not accept a 2 unsubstantiated complaint criteria. This should be considered by the PAB.
17 Revise BPD's Use of Force policies to limit any use of deadly force as a last resort to situations where a subject is clearly armed with a deadly weapon and is using a threatening to use the deadly weapon against another person	Training Costs	Savings from eliminating patrol positions through attrition	Within six months of approval from City Council	Reject	1. Use of Force policy was revised a year ago. Did NICJR read it and is this different than most recent version? 2. Use of Force policies are complex, making changes is a lengthy process. Shouldn't change what has been recently agreed upon without good reason.	This was rejected because this work has already been done and is covered by a different process and does not need to be duplicated in this process.		X			Agree with task force analysis. Use of Force policy was recently and comprehensively addressed by Council.
<b>REINVEST</b>											
18 Launch a guaranteed income pilot program (p. 37)	\$1,800,000	General Fund; federal funding already received or forthcoming from the Infrastructure Bill; or raised through philanthropy akin to the approach in other cities	Within six months of approval from Council	Accept with Conditions	1. Strong support for the program 2. Addresses root causes 3. Strong preference for unconditional funds that puts trust in people to use the money as they see fit 4. Unclear who is responsible for administering pilot 5. Unclear how families will be selected 6. Informed by completed/ongoing pilots in Stockton, Fremont, Richmond, etc.	Members strongly support this type of program and note that other communities have implemented these programs successfully. More information is needed to understand how families would be selected, and the city should consider whether other groups, like the AAPI or Indigenous community, should be included in this program.				X	This is an idea worth pursuing. The Council and staff should work to identify philanthropic and state grants to establish a UBI program. The focus in the near term should be the development of the alternative response system.
19 Launch a community beautification employment program (p. 39)	\$1,250,000	5% of County Criminal Justice Realignment funds allocated to community services for Berkeley residents	Launch one year after approval from City Council	Accept with Conditions	1. General support for employment programs 2. Current recommendation is specific to previously incarcerated folks, and funding source is based on that, and could be expanded to include other funding sources, and serve other communities e.g., youth, unhoused population 3. Remove the word beautification that is superficial 4. The program should be responsive to skills and talents of folks 5. Program could benefit from integrating professional development, pipeline to employment, especially folks who are generally left out of the workforce 6. Program should aim for goals and results that are transformative	Members are very interested in increasing job skills and opportunities. However, programs should be centered around the interests of the target group. The Task Force therefore rejects the idea of simply a beautification program but fully supports programs that focus on professional development, and serve as a pipeline to employment, especially for those who face additional barriers like a criminal record. Any program should have the goal of being transformative.				X	Agree with the Task Force question as to why this is limited to just beautification? What other innovative models for jobs programs exist? Perhaps we can look at increasing jobs or apprenticeships in our parks department to focus on environmental design?
20 Increase funding for CBOS in one of two ways: (1) increase grant amounts by 25%, or (2) create local government agency/ department (Department of Community Development) (p. 40)	\$25,605,492.50	Measure W funds, when the BPD's budget is gradually reduced; the infrastructure bill; and concerted efforts to increase philanthropic dollars	FY 22-23	Accept with conditions	1. Unclear where the funding is coming from, some of it is coming from Measure W 2. Recommendation is too general, and funding of CBOS should be prioritized based on RPS goals and improving social determinants of health 3. Strong disagreement with approach that proposes across the board funding for CBOS 4. Preference for a recommendation that includes a new department could play a role in visioning and tracking of CBOS and funds, and oversee increased funding	While members generally agree with increasing the capacity of community-based organizations as a way to improve public safety, funding should be targeted and focus on the goals set forth in the enabling legislation for reimagining public safety. Members also note that this recommendation does not explain where the additional funds would come from, as NICJR does not propose any layoffs to reduce the police budget. Members are very interested in creating a city division that could continue this work and focus on issues of equity.				X	Would prioritize a more targeted approach to upstream investment in community based orgs focused on the social determinants of health and safety.
21 Launch the Advance Peace Program	\$500,000	General Fund	Launch in first quarter of FY 2023, on going for at least 3 years	Recommendation was not in draft report, therefore task force did not vote	N/a	Appendix 6 provides a collection of resources on violence prevention programs. The task force informally voiced their support for these kinds of efforts repeatedly throughout their process.	Request an update on the status of the existing violence intervention referral. Are there significant differences on what the city is already working on and the advance peace model?		X		
<b>Notes</b>											
Grid is based on pages 39-40 of NICJR Final Report, titled Implementation Plan and the table on Pages 10-17 of the Task Force Final Report											
Recommendations highlighted in orange indicate items not listed on the grid in the NICJR Final Report											

Reimagining Public Safety Initiative Topic	Specific Task Force Recommendation	Task Force Rationale*	Budget Estimate	Request Additional staff analysis?	Phase 1? (Implementation 2022-2024)	Phase 2? (Implementation 2024-2026)	Additional Comments
<b>Traffic Law Enforcement &amp; Traffic Safety</b>	Review Transportation Laws, Fines and Fees to Promote Safety and Equity	Berkeley should conduct a full review of the Berkeley Municipal Code (BMC) and our structure of fines and fees as they relate to transportation. This review should specifically identify items that serve only to criminalize and penalize poverty or serve as pretext to target at-risk populations. Once reviewed, any identified items should be brought to City Council to either eliminate or revise. In cases when these BMC laws have State law equivalents, City Council should make clear that BPD should make enforcement of these State laws their lowest priority (i.e., decriminalize these behaviors).		Staff should identify the resources required to take this on. See additional comment regarding expanding the effort to look at civilianizing the resources	X		This analysis could be expanded to review the municipal code to identify violations that currently require a police officer to enforce that could be changed to allow code enforcement. For example, our mask and smoking ordinances require police enforcement. In the spirit of reducing the need for police enforcement, we should review the B.M.C. with an eye toward civilianizing enforcement.
	Fully Fund the BerkDOT Planning Process	Given the size, scope, and ambition of the BerkDOT proposal, and given the fact that Berkeley is the first city in the nation to approach this topic, there is a substantial need to adequately fund the BerkDOT exploration and planning process. In comparison, the SCU planning process received \$185K, but SCU faces no legal challenges and has numerous models from around the country off which to build. To-date, the \$175K allocated to BerkDOT has funded some initial background research on free-standing departments of transportation and also a community engagement component around traffic safety and enforcement (a BerkDOT-specific citywide survey and listening sessions).	\$200,000	Staff confirm the budget required for the next phase.	X		
	Move forward with the transfer of both collision analysis and school-crossing-guard management away from BPD and over to Public Works				X		Would also like to consider the potential for collision investigations and breaks that are not in progress to be handled by non-sworn personnel
<b>911 Call Processing &amp; Alternative Calls-for-Service Systems</b>	Adopt City Auditor's Recommendations for Call Processing and Dispatching of First Responders and Others Contained in Report, and Add 'Substance Use' to 911 Recommendations	These recommendations can provide 911 professionals with the basis for establishing systematic, consistent procedures and behavioral health call scripts that screen and divert mental health, substance use, and homelessness calls towards an alternative non-police response. In July 2022, 911 professionals will soon have the option to transfer mental health calls to a national hotline, so it is imperative to establish this process. These professionals can further avoid punitive measures resulting from policing, criminal legal, and incarcerations involvement whenever possible, particularly for diverse and marginalized groups of people who are extremely reluctant, avoid or do not use 911 for fear of a police response.		Request an update from BPD on the progress on implementing the Auditor's recommendations. Would like to better understand the steps required to add substance use to these recommendations	X		
	Implement Specialized Care Unit (SCU): Alternative Non-Police Responder to Meet the Needs of People Experiencing Behavioral Health Challenges				X		Will be addressed when SCU is presented to Council
	Establish Crisis Stabilization Center to Meet the Needs of People Experiencing Behavioral Health Challenges and Further Implement A Comprehensive 24/7 Behavioral Health Crisis Response System	From Page 65 of task force report..."Crisis Stabilization Centers can serve as an alternative to using emergency departments and moreover, criminal legal and incarceration systems as a crisis response to individuals experiencing a behavioral health and/or substance use crisis in the community. They can receive referrals, walk-ins and first responder drop-offs. (SAMHSA, 2020, 22). SAMHSA has further defined minimum expectations to operate crisis receiving and stabilization services, including accepting all referrals, not requiring medical clearance, designing services for both mental health and substance use issues, being staffed (24/7/365) with multidisciplinary team capable of meeting the needs of individuals experiencing all levels of crisis (SAMHSA, 2020, 22).		Yes, Staff should review this recommendation and provide their input as to the best approach to establishing crisis stabilization center(s) in Berkeley, as well as realistic timeframe for doing so.			Establishing crisis stabilization centers should be a priority .
	Implement A Behavioral Health General Order for the Berkeley Police Department That Emphasizes Diversion Away from Policing Whenever Possible	"...an overarching, comprehensive Berkeley Police Department Behavioral Health General Order would potentially provide for streamlining the current orders and diverting as many people as possible away from policing and towards well-being services in the community." Full rationale on pages 67-68 of Task Force report		See comment. Staff should provide feedback on this approach and a timeline that this could be implemented			Reviewing these policies for alignment makes sense. Could this be referred to a joint subcommittee of PAB and Mental Health Commission?
<b>Gender-Violence Non-Police Response recommendations</b>	Increase the capacity of community based organizations. Fund 3-4 organizations to provide services and resources mentioned on page 223 of NICJR Final Report Packet	Providers report that existing resources are insufficient to meet the needs of Berkeley community members, especially for those who require more care and resources including people who are unhoused and people with complex mental health issues. A person seeking to leave an abusive relationship will likely need a range of services, including advocacy/case management, legal services for child custody, restraining order or other family law issue, and other support services like housing and childcare. To provide effective intervention in domestic violence cases, the City should fund long-term solutions. Solutions should include legal services, intensive case management to individuals with high needs, advocacy services in languages other than English, restorative justice programs, healing practices, and job training.	\$500,000	Staff should connect with authors to understand their recommendation and build on their outreach to inform funding. Additionally, staff should work with county partners to clarify which services should be provided by county vs the city.	X		Refer to budget process
	Training and technical assistance for faith-based leaders	Many people turn to faith-based leaders for help. These leaders, like others, need training to understand the complexities of domestic violence, identify effective tools to create safe spaces for those seeking help, learn about existing domestic violence resources to refer people to, and help change cultural norms that perpetuate domestic violence. In California, domestic violence agencies have partnered with faith-based leaders to address domestic violence in their communities. Examples include A Safe Place[1] in Oakland, and Korean Family Services in Los Angeles[2]. The latter has trained over 1700 faith leaders in the last 10 years.	\$50,000	Staff should connect with authors to understand their recommendation and build on their outreach to inform funding.	X		
	Provide services for people who cause harm	While survivor-centered services are essential, services for the person causing harm are also crucial to stopping gender-based violence. The City should invest in programs that target people who cause harm, including men and boys, to provide services and prevention efforts.	\$150,000				Would like to connect further with authors and staff to better understand what this would look like and/or refer to a commission for further consideration
	Prevention education for K-12 to provide, and coordinate prevention work	Breaking the cycle of violence requires changing cultural norms and practices that perpetuate violence and gender inequities. In addition to the recommendations related to intervention listed above, this subcommittee recommends additional funding for education for K-12 and to create peer-based models, when appropriate. Providers report that more education is needed to teach on toxic masculinity, consent, healthy relationships, and sex education, including sexual pleasure.	\$125,000				Refer to the 2x2 commission to identify the best path for this recommendation
<b>Gender-Violence Police Response recommendations</b>	City Leadership to Host Regular Meetings and Coordinate Services	Having the City serve as lead will institutionalize these much-needed partnerships. These meetings would be especially important if a tiered response system is adopted by the City, as victims and survivors of crime will be captured in all tiers (e.g. domestic violence may be reported by a caller as a noise disturbance). During the first listening session, many of the providers noted that the listening session was the first time that they had been asked for their feedback. Establishing a forum would forge new and ongoing partnerships between the City and providers. For survivors of intimate partner violence, a coordinated community response serves as a protective factor against future violence.[1] Outreach should be done to ensure that BIPOC leaders are at the table.	In-kind from the City	Staff input on the resources required to lead these convenings			
	Coordinate with Court and Other Law Enforcement to Implement New Firearm and Ammunition Surrender Laws	Local courts are required to notify law enforcement when the court has found that a person is in possession of a firearm or ammunition, in violation of a domestic violence restraining order. Law enforcement must take all necessary actions to obtain the identified firearms or ammunition	In-kind from the City	Request staff coordinate with the District Attorney as well as the courts	X		
	Annually Update the Police Department's Domestic Violence Policies and Victim Resource Materials	California law frequently changes in the area of domestic violence. For example, during the 2021-2022 state legislative cycle, at least five bills passed that change the law for domestic violence restraining orders, including SB 320 noted above. Updating these procedures regularly and in coordination with providers, will ensure that policies reflect current laws and address community-based concerns.	In-kind from the City		X		This is a great suggestion, the PAB should assist in this review and consult with subject matter experts where possible and appropriate
	Implement Regular Domestic Violence and Trauma-Informed Training for Officers, Dispatch, and Responders to 911 and Non-Emergency Calls	Providers report that victims and survivors seeking help from police often feel unheard and further traumatized by the experience with police. Examples include allowing other family members to speak or translate for the victim, when family members may be related to the abuser. This recommendation is consistent with NICJR's recommendation that the department increase its use of local community members to provide training.	\$5,000 for contracted speakers, in-kind from BPD	Staff input on budget and impacts to staffing			

Reimagining Public Safety Initiative Topic	Specific Task Force Recommendation	Task Force Rationale*	Budget Estimate	Request Additional staff analysis?	Phase 1? (Implementation 2022-2024)	Phase 2? (Implementation 2024-2026)	Additional Comments
	Publish Victim Resources in Plain Language and Multiple Languages	Provides more access to people who have limited English proficiency, do not speak English, or have low literacy.	\$15,000 (one time investment with some funding needed to update resources)		X		This feels immediately actionable and urgent. Could be considered for a short-term referral
	Screen for Domestic Violence in All 911 and Non-Emergency Calls	This would lead to better data on the number of domestic violence cases the police and others respond to in the city. Noting the penal code or city ordinance section alone would not capture all domestic violence cases.	in-kind from all responding agencies	Staff input required to understand what screening protocols already exist and whether this would be a matter of training or program and curriculum development	X		
	Assign A Female Officer to Interview, Examine, or Take Pictures of Alleged Victims at Victim's Request	This policy would acknowledge that some victims and survivors will feel uncomfortable with having a male officer examine or question them. This could result in the victim giving an incomplete statement (e.g. not disclosing sexual abuse or showing an injury) and further traumatize the victim.	In-kind from police department	How many female officers exist on the force? What policies or changes in staffing structure would be required to ensure a female officer is always available? Could this be handled by non-sworn personnel in a co-response model?	X		
	Police Response to DV Calls Should be Accompanied by or Coordinated with DV Advocate	This practice is especially important in cases where there is a high risk of lethality, language or cultural barriers that could lead to miscommunication or further traumatization, and high needs cases where victim or family members require a number of services to achieve stability. Having a victim advocate present will help ensure that victims are heard and not further traumatized. Providers report that advocates sometimes must act as a safe middle person between the victim and police, to ensure that the victim is not mistreated or further traumatized by the interaction with police. This feedback is consistent with information gathered from the community engagement process where black residents spoke of the need for a safety ambassador to act as a bridge between the community and police (see page 40 of Summary of Findings report from Bright Research Group).	\$125,000 (two advocates at .5FTE)	Could this be accomplished by establishing an on-call contract with DV Advocates? Are there other places where this is done? What is staff's budget estimate for this? How can this be folded into a community responder CERN-type model?	X		
<b>Disability &amp; People with Behavioral Health Challenges (PEERS)</b>	Include PEERS in Developing Behavioral Health Responses	PEERS indicated that the first and most important recommendation is outreach and inclusion of PEERS who have worked on behavioral health reforms since the 1990s, when this movement began. There are trained Peers who are invaluable to developing responses to behavioral health crises and supporting the transition to new systems of safety in Berkeley.  PEERS are crucial for unpacking the scope and nature of behavioral health crises to provide a nuanced understanding, approach, and framework for responding with appropriate levels of care to people with behavioral health challenges in the community—particularly for a non-police crisis response like a Specialized Care Unit (SCU).					
	Sufficiently Fund Behavioral Health Respite Centers	Drop-in and wellness centers for people living with behavioral health challenges need sufficient funding and staff with full-time Peer Support Specialists where individuals experiencing non-threatening altered states and/or behavioral health crises can move through their crisis in a safe and supported state.  It is further essential to have availability 24/7 and on holidays, and to involve PEERS in the transit from the behavioral health crisis to the Peer staffed drop-in/wellness center. Peer Navigators are also key to assisting people in navigating complex systems, including how to get appropriate services in the City of Berkeley and Alameda County.		Need to understand what sufficient funding entails to develop a clear budget request and explore outside funding to support this			
	Have a Reconciliation Process with People with Behavioral Health Challenges and Police	There is a need for a reconciliation process with police, particularly as a response to traumatic experiences with police. A reconciliation process, as well as a restorative justice process, with people living with behavioral health challenges may help build trust and rapport with police officers in the future.					Could refer to the PAB the development of a policy or policies related to management of behavioral health crises and after-incident reconciliation
	Clarify the Risk Assessment by Call Takers, Dispatchers, and Police for Behavioral Health	There is a need for clarification about how Public Dispatch Operators and the police use their discretion to make decisions about "public safety threats." It is not clear if the current protocol is designed to not only determine if someone is a "danger to themselves or others," or "gravely disabled" to meet the standard for a 5150 involuntary hold, and/or if the assessment offers a more nuanced evaluation for persons who do not meet this standard, particularly to assist with next steps in care if needed.		This feels directly tied to the SCU process, consider as part of implementation of SCU	X		This could be referred as an aspect of the priority dispatch work
	Improve De-Escalation Training for Police & Offer Public Education on Behavioral Health	There is a need for additional de-escalation training for law enforcement and public education about connecting with community members who interact with the world differently than they do—including using peers as part of training.					This could be addressed in part by having alternative responders with the SCU. Always strong support for de-escalation training
	Account for Overlapping Systems of Care for People Living with Behavioral Health Challenges	There is a need to account for overlapping systems of care, including medical, behavioral health (mental health, substance use), social services, and other systems. Participants in the Peers Listening Session, who identify with homelessness, discussed how current systems are not set up in a way that enables long-term sustainable wellness of the behavioral health community.		Discuss with staff what this might entail.			
	Further Research Recommendations (in report)						
<b>LGBTQIA+ and Queer/Trans People</b>	Develop Collaboration between LGBTQIA+ Liaison for Berkeley Police Department and the Pacific Center for Human Growth	Currently, the LGBTQIA+ liaison for the Berkeley Police Department has reviewed the LGBTQIA+ Listening Session Report and is working on a collaboration with the staff for the Pacific Center for Human Growth in order to address challenges in the community.		Confirm with staff what is already underway.			Support this collaboration.
	Establish Partnership between the Division of Mental Health and the Pacific Center for Human Growth	There is a need for an established partnership between the Division of Mental Health for the City of Berkeley and the Pacific Center for Human Growth in order to ensure training and service delivery to LGBTQIA+ clients that are culturally safe and responsive. There is a need for collaboration among service providers to become more well-integrated with coordinated services tailored to meet client needs, including ones that are culturally safe and responsive.		Confirm with staff what is already underway.			
	Increase Capacity for Behavioral Health Workers to Serve LGBTQIA+ Clients	There is a considerable need for behavioral health workers, such as clinicians, case managers, peer specialists, and peer navigators, who can directly guide LGBTQIA+ clients in navigating multiple systems—particularly given the shortage of case management services available from community-based organizations in Berkeley.		Confirm with staff what is already underway. Where could additional capacity be developed?			
<b>Addressing Underlying Causes of Inequity, Violence, and Crime</b>	Develop a Training and Community Solutions Institute	This proposal from the RPSTF intends to build on the SCU/MACRO training foundations (once finalized – currently under development) and offer training appropriate for members of the general public, law enforcement, BerkeleyDOT personnel, peers, students and those who need or want to respond constructively based on best practices. This proposal is suggested in place of the Progressive Police Academy in the NICJR final report. Training topics are listed in appendix 5 of the task force report on page 126.		Analyze at a future stage once SCU/MACRO is more developed.			
	Develop Community Violence Prevention Programs	Should the City of Berkeley decide to adopt or pilot a new Community Violence Prevention Program, we recommend it take the following steps to ensure its success: 1. Create opportunities for community members, leaders, youth and organizations to tap into this work with equitable compensation 2. Hiring of Credible & Trusted Responders 3. Transparency and Accountability 4. Allow Pilot Violence Prevention Programs to Grow			X		See Comments on Advance Peace Recommendation

Reimagining Public Safety Initiative Topic	Specific Task Force Recommendation	Task Force Rationale*	Budget Estimate	Request Additional staff analysis?	Phase 1? (Implementation 2022-2024)	Phase 2? (Implementation 2024-2026)	Additional Comments
	Support City Efforts to Establish the Office of Equity and Diversity 1. Develop the office in partnership with CBOs with listening sessions to inform office's direction/priorities 2. Integrate community oversight and community support body that works closely with the office in establishing community connections, evaluating the office's approach, and ensures ongoing success	<p>The Re-Imagining Public Safety Task Force supports the City of Berkeley's efforts to establish an Office of Equity &amp; Diversity. For too long, City Departments have had to independently monitor impact, disparities, and ongoing relationships with the community that have produced varying results. These inconsistencies can lead to severe impacts in services rendered, supports given to, and needs met of communities of color and additional diversity and marginalized groups.</p> <p>An adverse effect, especially in regard to language access, is that many Black, Immigrant, Latinx, and other voices of color will not view City Departments as a venue to air their concerns, lift up their needs, and much worse, as the valuable resource it aspires to be. This adverse impact is also true for additional diverse and vulnerable groups, including based on gender identity and expression, sexual orientation, physical and behavioral disabilities, and other diverse and marginalized groups.</p> <p>This proposed Office provides an opportunity to help centralize and embed equity and justice practices and frameworks into our City's infrastructure. The impacts of which would far extend beyond addressing disparities, forming partnerships with community organizations and leaders, among others. But perhaps the biggest impact will be seen as communities begin to trust and see City Departments as a resource for them – a Department that is accountable to them.</p>		Support staff in generating a community advisory component to the development of the Office of Equity and Diversity	X		
	Implement a Pilot Guaranteed Income Project	Ultimately, UBIs are not one-size-fits all. The City should review data available from similar programs in order to determine the size and scope of its program, e.g., target recipients, selection criteria and process, appropriate cash transfer size, project duration, and data tracking/ evaluation protocols.					Agree with Task Force comments. See comments on NICJR recommendation
	Support the Police Accountability Board and Fair & Impartial Policing	We recommend that Council request PAB advice before making a policy decision to proceed toward surveillance technology acquisitions; mandate the BPD to collaborate with PAB on development of all significant General Orders or other policies; and support moves by the PAB to make it easier for people from historically marginalized communities to raise and pursue officer misconduct complaints.			X		
Addressing Community-Based Organizations' Capacity for Efficient Partnership in Reimagining Public Safety	Conduct Needs Assessment on CBO Capacity						
	Create Coordination and Communication Opportunities for CBO Staff	Specifically, provide opportunities and forums for CBO executive level staff to work more closely with each other. Coordination and common purpose help increase better use of resources. This will create opportunities to align outreach criteria, coordinate efforts, and centralize information obtained from the field.					
	Improve Referral Systems	The City and CBOS' should improve the system of referrals after intake and assessment with the intent to shepherd a consumer through the system and proactively assist in gathering all required documentation. This would lessen the load placed on the person seeking services and person of navigating through a complex and documentation-driven system while trying to survive one day at a time.					
	Remove City Funding System Inefficiencies and Duplication	Specific actions the City can take to decrease bureaucracy and increase efficiency include: a. More flexibility with funding contracts (e.g., higher threshold for requiring a contract amendment, providing administrative overhead that meets actual costs). b. Quarterly instead of monthly reporting. c. Increase baseline CBO salaries to improve their recruitment and retention.					
	Develop Additional Metrics for Community-Based Organizations	The measure of success cannot be based just on the attainment of housing or jobs – multiple factors contribute to community stability and public safety, including social relationships, connection to resources, service participation/engagement, health/behavioral, health status, mindset, behaviors, and more. Additional metrics need to be developed that better evaluate the wellbeing of individuals, families, neighborhoods, and communities.					Refer to the commission of Human Welfare and Community Action
	Help CBOS Enhance Their Funding	1. Establish a small team led by the mayor, a council member, City Manager, service provider, homeless consumer, commission member, major donor, and community member to meet with all major foundations, corporations and other entities with significant resources. 2. Create an annual citywide fundraising campaign that would benefit all CBOS. 3. Train staff. Areas identified by the CBOS include trauma informed care, motivational interviewing, cultural competence, and developing tools and skills so that our population is served with respect and staff have extensive knowledge about the availability of existing appropriate resources. Funding should be dedicated for training and require specific coursework around the aforementioned areas identified. 4. Gather feedback from Consumers					
Notes	*Rationale was not consistently provided throughout the Task Force report. The language in the column reflects the Mayor's Office best effort to pull a descriptive paragraph for each recommendation from the report.						
	Sections highlighted in yellow did not make it into final task force report despite clear task force intention to include due to confusion in reconciling all documents and recommendations.						
	Sections highlighted in blue indicate the recommendation is a reiteration of a similar or existing recommendation that has already been made to City Council by staff, another commission or parallel process						